

## **RURAL-RESIDENTIAL ZONE 1 & 2**

### **1.1 ZONE STATEMENT**

The Rural-Residential 1 & 2 zones are located to the west and south-west of Twizel, between the township and wider rural environment of the Mackenzie Basin. The plan provides standards for development in those zones that will result in built development and activity which is compatible with a rural-residential environment, and with the wider landscape setting.

### **1.2 DISTRICT WIDE RULES**

The following General Provisions containing District Wide Rules apply in the:

- Hazardous Substances Section 10
- Heritage Protection Section 11
- Signs and Outdoor Lighting Section 12
- Subdivision, Development and Financial Contributions Section 13
- Temporary Activities and Buildings and Environmental Noise Section 14
- Transportation Section 15
- Utilities Section 16

## **STATUS OF ACTIVITIES**

### **1.3 PERMITTED ACTIVITIES**

The following shall be Permitted Activities provided they comply with the Site Standards in Section 1.7 below, and are not otherwise listed as Controlled, Discretionary, Non-complying or Prohibited Activities.

#### **1.3.1 Residential Activities**

**1.3.2 Buildings & accessory buildings** - Any Building which is not specified as a Controlled Activity, Discretionary Activity or Non-Complying Activity and which complies with all the standards in Section 1.7 below.

**1.3.3 Amenity Tree Planting** – planting of those species listed in Rule 1.6.1 shall be a Prohibited Activity.

**1.3.4 Visitor Accommodation & Homestays**– providing accommodation for a maximum of six guests on site at any one time.

**1.3.5 Home Occupations** – home occupations that comply with the site standards, other than those that involve noxious activities.

**1.3.6 Retail Sales** – retail sales shall be limited to the sale of:

- Garden produce grown, reared or produced on the site

- Handcrafts produced on the site

**1.3.7 Farming Activities in the Rural-Residential 2 zone.**

**1.3.8 Vegetation Clearance**

**1.3.9 Earthworks**

**1.3.10 Keeping of domestic livestock, excluding pigs and bees.**

**1.4 DISCRETIONARY ACTIVITIES**

**1.4.1. Retail Sales – All retail sales not listed as a Permitted activity in Rule 1.3.6 above.**

**1.4.2 Visitor Accommodation & Homestays- providing accommodation for more than six guests on site at any one time.**

**1.4.3 Farming Activities in the Rural-Residential 1 zone.**

**1.4.4 Commercial Activities – commercial activities other than complying visitor accommodation activities and complying farm activities.**

**1.4.5 Relocated Buildings – Relocated buildings used for residential purposes to be relocated to or within the Rural-Residential 1 & 2 zone.**

**1.4.6 Any permitted or controlled activity which does not comply with any one or more of the Site Standards in Section 1.7 below and is not otherwise listed as a Non-Complying or Prohibited Activity.**

**1.4.7 Any activity which is not listed as a Permitted, Controlled, Discretionary, Non-Complying or Prohibited Activity.**

**1.5 NON-COMPLYING ACTIVITIES**

**1.5.1 Forestry Activities**

**1.5.2 Mining Activities**

**1.5.3 Industrial Activities**

**1.5.4 Factory Farming**

**1.5.5 Noxious Activities –activities involving the following:**

- Panel beating, spray painting, motor vehicle repairs or vehicle dismantling, fibre glassing, sheet metal work, bottle or scrap storage, rubbish collection or a recycling service, motor or marine body building, meat processing or any activity requiring an Offensive Trade Licence under the Health Act 1956 or its amendments.

**1.6 PROHIBITED ACTIVITIES**

**1.6.1. Amenity Tree Planting** – It is a Prohibited Activity for which no resource consent will be granted to plant the following species:

- *Pinus contorta* (Lodgepole Pine)
- *Pinus nigra* (Corsican Pine)
- *Pinus muricata* (Bishops Pine)
- *Pinus sylvestris* (Scots Pine)
- *Pseudotsuga menziesii* (Douglas Fir)
- *Pinus mugo/uncinata* (Mountain Pine)
- *Pinus pinaster* (Maritime Pine)
- *Pinus ponderosa* (Ponderosa Pine)
- *Larix deciduas* (European Larch)

## **1.7 SITE STANDARDS**

**1.7.1. Residential Density** – no more than one residential unit and one minor unit per site provided the minor unit can comply, in its own right with setback, height and parking requirements for a residential unit.

The minimum site area for each residential unit and minor unit shall be:

- i Rural-Residential 1 zone: 1ha
- ii Rural-Residential 2 zone: 4 ha

**1.7.2. Building Setbacks** – the minimum setback from road and internal boundaries shall be 10m.

**1.7.3. Building Coverage** – the maximum coverage of all buildings on each separate title shall not exceed the following:

- i Rural-Residential 1 zone: 500m<sup>2</sup>
- ii Rural-Residential 2 zone: 700m<sup>2</sup>

**1.7.4. Building Height** - The maximum height of any building shall not exceed 8m above existing ground level.

**1.7.5. Reflectivity** - The maximum reflectivity index of the exterior of any building shall not exceed 40%.

**1.7.6. Access** - Each residential unit shall have legal access to a formed road.

Refer also to Section 15 Transportation:

- Rule 2l - Standards of Vehicle Crossings
- Rule 2m - Length of Vehicle Crossings
- Rule 2n - Distance of Vehicle Crossings from Intersections

**1.7.7. Noise** – All activities shall be conducted to comply with the following standards as measured at any point within the boundary of any other site:

Daytime	0700 – 2000 hours	50 dBA $L_{10}$
Night-time	2000 – 0700 hours	40 dBA $L_{10}$
At all times		70 dBA $L_{max}$

Noise levels shall be measured and assessed in accordance with NZS6801:1991 and NZS 6802:1991 or their successors.

**1.7.8. Nature and Scale of Home Occupations**

- i No more than one full-time equivalent person who permanently resides elsewhere than on the site may be employed in undertaking an activity on the site.
- ii All manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles associated with an activity shall be carried out within a building.
- iii Hours of Operation – the maximum total number of hours the site shall be open to visitors, clients or deliveries shall be 50 hours per week. All activities associated with the home occupation or non-residential use of the site shall be restricted to within the following hours:
  - 0700 – 2000 Monday to Friday; and
  - 0800 – 2000 Saturday, Sunday and Public Holidays

except: where the activity is carried out entirely within a building; and where each person involved in the activity resides permanently on the site.

**1.7.9. Aircraft** – No activity shall involve the take-off or landing of aircraft, other than for emergency services landing and rescues, or civil defence purposes.

**1.7.10. Traffic Generation** - Activities shall not generate, during any week, an average of more than 40 vehicle trips per day.

**1.8 Assessment Matters**

In considering whether or not to grant consent or impose conditions the Council shall have regard to, but not be limited by, the appropriate assessment matters in Section 3.0 below.

## **HOCKEN LANE RURAL-RESIDENTIAL ZONE**

### **2.1 ZONE STATEMENT**

The Hocken Lane Rural-Residential zone is situated north of Twizel. It covers an area of approximately 147 hectares and contains a variety of lot sizes. It has a predominantly rural-residential feel. There are potential issues associated with development in this zone, and the establishment of additional residential-type activities is carefully managed in order to ensure unsustainable development is avoided.

### **2.2 DISTRICT WIDE RULES**

The following General Provisions containing District Wide Rules apply in the:

- Hazardous Substances Section 10
- Heritage Protection Section 11
- Signs and Outdoor Lighting Section 12
- Subdivision, Development and Financial Contributions Section 13
- Temporary Activities and Buildings and Environmental Noise Section 14
- Transportation Section 15
- Utilities Section 16

## **STATUS OF ACTIVITIES**

### **2.3 PERMITTED ACTIVITIES**

The following shall be Permitted Activities provided they comply with the Site Standards in Section 2.7 below, and are not otherwise listed as Controlled, Discretionary, Non-complying or Prohibited Activities.

#### **2.3.1 Residential Activities**

**2.3.2 Buildings-** Residential buildings on lots created or approved prior to 25 September 2010, where such approval has not lapsed.

#### **2.3.3 Accessory Buildings**

**2.3.4 Amenity Tree Planting** – Planting of those species listed in Rule 2.6.1 shall be a Prohibited Activity.

**2.3.5 Home Occupations** – home occupations that comply with the site standards, other than those that involve noxious activities.

**2.3.6 Retail Sales** – retail sales shall be limited to the sale of:

- Garden produce grown, reared or produced on the site
- Handcrafts produced on the site

### 2.3.7 Farming Activities

### 2.3.8 Vegetation Clearance

2.3.9 Earthworks – any earthworks not specified as a discretionary activity in Rule 2.4.3 below.

## 2.4 DISCRETIONARY ACTIVITIES

2.4.1 Retail Sales – All retail sales not listed as a Permitted activity in Rule 2.3.6 above.

2.4.2 Commercial Activities – commercial activities other than complying visitor accommodation activities and complying farm activities.

2.4.3. Earthworks within 10 metres of the bank of any river (excluding earthworks for the purposes of track, road or bridge maintenance).

2.4.4. Relocated Buildings – Relocated buildings used for residential purposes to be relocated to or within the Hocken Lane Rural-Residential zone that meet the following standards:

- The building is to be relocated to or within a lot created or approved prior to 25 September 2010, where such approval has not lapsed; and
- The activity complies with the site standards in Section 2.7 below

2.4.5. Any permitted activity which does not comply with any one or more of the Site Standards in Section 2.7 below and is not otherwise listed as a Non-Complying or Prohibited Activity.

2.4.1. Any activity which is not listed as a Permitted, Controlled, Discretionary, Non-Complying or Prohibited Activity.

## 2.5 NON-COMPLYING ACTIVITIES

2.5.1 Buildings- The following buildings are non-complying activities:

- Residential buildings erected within the Twizel Water Supply Protection Area which do not connect to Council's reticulated sewage disposal system (Refer clause 2.7.12 below).
- All residential buildings not permitted by Rule 2.3.2.
- Relocated buildings used for residential purposes to be **relocated** to or within the Hocken Lane Rural-Residential Zone not provided for by Rule 2.4.4.

2.5.2 Extensions to existing buildings

2.5.3 Visitor Accommodation & Homestays

2.5.4 Forestry Activities

### 2.5.5 Mining Activities

### 2.5.6 Industrial Activities

### 2.5.7 Factory Farming

### 2.5.8 Noxious Activities –activities involving the following:

- Panel beating, spray painting, motor vehicle repairs or vehicle dismantling, fibre glassing, sheet metal work, bottle or scrap storage, rubbish collection or a recycling service, motor or marine body building, meat processing or any activity requiring an Offensive Trade Licence under the Health Act 1956 or its amendments.

## 2.6 PROHIBITED ACTIVITIES

### 2.6.1 Amenity Tree Planting – It is a Prohibited Activity for which no resource consent will be granted to plant the following species:

- *Pinus contorta* (Lodgepole Pine )
- *Pinus nigra* (Corsican Pine)
- *Pinus muricata* (Bishops Pine)
- *Pinus sylvstris* (Scots Pine)
- *Pseudotsuga menziesii* (Douglas Fir)
- *Pinus mugo/uncinata* (Mountain Pine)
- *Pinus pinaster* (Maritime Pine)
- *Pinus ponderosa* (Ponderosa Pine)
- *Larix deciduas* (European Larch)

## 2.7 SITE STANDARDS

### 2.7.1 Residential Density – no more than one residential unit per site.

### 2.7.2 Building Setbacks – the minimum setback from road and internal boundaries shall be 10m.

### 2.7.3 Building Coverage – the maximum coverage of all buildings on each separate title shall not exceed 700m<sup>2</sup>.

### 2.7.4 Building Height - The maximum height of any building shall not exceed 9m above existing ground level.

### 2.7.5 Certification of buildings - Any habitable residential buildings or extensions to these buildings shall require a chartered professional engineer's certificate confirming that the foundation design/structure and floor height will:

- i withstand a flood event of a 0.2% Annual Exceedance Probability (500 year return period event), without inundation of the building or damage to the building; and
- ii avoid potential settling as a result of soil conditions or a high water table.

### 2.7.6 Reflectivity - The maximum reflectivity index of the exterior of any building shall not exceed 40%.

**2.7.7 Access** - Each residential unit shall have legal access to a formed road.

Refer also to Section 15 Transportation:

- Rule 2l - Standards of Vehicle Crossings
- Rule 2m - Length of Vehicle Crossings
- Rule 2n - Distance of Vehicle Crossings from Intersections

**2.7.8 Noise** – All activities shall be conducted to comply with the following standards as measured at any point within the boundary of any other site:

<u>Daytime</u>	<u>0700 – 2000 hours</u>	<u>50 dBA L<sub>10</sub></u>
<u>Night-time</u>	<u>2000 – 0700 hours</u>	<u>40 dBA L<sub>10</sub></u>
<u>At all times</u>		<u>70 dBA L<sub>max</sub></u>

Noise levels shall be measured and assessed in accordance with NZS6801:1991 and NZS 6802:1991 or their successors.

**2.7.9 Nature and Scale of Home Occupations**

- i No more than one full-time equivalent person who permanently resides elsewhere than on the site may be employed in undertaking an activity on the site.
- ii All manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles associated with an activity shall be carried out within a building.
- iii Hours of Operation – the maximum total number of hours the site shall be open to visitors, clients or deliveries shall be 50 hours per week. All activities associated with the home occupation or non-residential use of the site shall be restricted to within the following hours:
  - 0700 – 2000 Monday to Friday; and
  - 0800 – 2000 Saturday, Sunday and Public Holidays

except: where the activity is carried out entirely within a building; and where each person involved in the activity resides permanently on the site.

**2.7.10 Aircraft** – No activity shall involve the take-off or landing of aircraft, other than for emergency services landing and rescues, or civil defence purposes.

**2.7.11 Riparian Areas**

No building shall be erected in a river or wetland or within:

- 20 metres of a bank of a river, or
- 50 metres of a wetland or lake.

**2.7.12 Twizel Water Supply Protection Area**

All residential units, visitor accommodation and homestays within the Twizel Water Supply Protection Area (shown on Planning Maps 51 and 53) shall connect to the Council reticulated sewage disposal system.



**2.7.12 Traffic Generation** - Activities shall not generate, during any week, an average of more than 40 vehicle trips per day.

## **2.8 Assessment Matters – Resource Consents**

In considering whether or not to grant consent or impose conditions the Council shall have regard to, but not be limited by, the appropriate assessment matters in Section 3.0 below.

## **ASSESSMENT MATTERS – RESOURCE CONSENTS**

### **3.1 General**

- a In considering resource consents for land use activities, in addition to the applicable provisions of the Act, the Council shall apply the relevant Assessment Matters set out below.
- b In the case of *Controlled Activities*, the assessment matters shall only apply in respect to *conditions* that may be imposed on a consent.
- c In considering resource consents the Council shall have regard to compliance with District-wide rules.
- d In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited to, the following Assessment Matters.

### **3.2 Buildings**

#### **3.2.a Building Density, Coverage, Height and Recession Lines**

- i The extent to which there is a need for the increased height, density or coverage in order to undertake the proposed activities on the site.
- ii The effect of the increased height, density or coverage in terms of visual dominance by buildings of the outlook from other sites, roads and public open space in the surrounding area, which is out of character with the local environment.
- iii The extent to which the increased height would have any adverse effect on other sites in the surrounding area in terms of loss of privacy through being over-looked from neighbouring buildings.
- iv The extent to which the increased building height, density or coverage will result in decreased opportunities for views from properties in the vicinity, or from roads or public open space in the surrounding area.
- v. The extent to which increased building height, density or coverage would have any adverse effects on adjoining properties in terms of dominance by buildings, loss of privacy, access to sunlight and day light and loss of opportunities for views.
- vi The ability to mitigate any adverse effects of increased height, density or coverage, such as through increased separation distances between the building and adjoining sites or the provision of screening.
- vii Long term effects on landscape values.
- viii The extent to which the development satisfies the guidelines in Appendix K Landscape Guidelines.

### **3.2.b Setback from Roads**

- i The extent to which the intrusion towards the road is necessary in order to allow more efficient, practical and/or pleasant use of the remainder of the site.
- ii The extent to which alternative practical locations are available for the building.
- iii The extent to which the proposed building will detract from the pleasantness, coherence, openness and attractiveness of the site as viewed from the road and adjoining sites.
- iv The ability to provide adequate opportunity for garden and tree planting in the vicinity of road boundaries, which will mitigate the effects of the building intrusion towards the road.
- v The adverse effects of the building intrusion on the outlook and privacy of people on adjoining sites.
- vi The ability to provide adequate parking and manoeuvring space for vehicles clear of the road.
- vii The extent to which the proposed building will be compatible with the appearance, layout and scale of other buildings and sites in the surrounding area, including the setback of existing buildings in the vicinity from road boundaries.
- viii The degree to which existing or proposed landscaping, including plantings, mitigate the effects of limited building setback from a road.
- ix Long term effects on landscape values.
- x The extent to which the development satisfies the guidelines in Appendix K Landscape Guidelines.

### **3.2.c Setback from Neighbours**

- i The extent to which the intrusion towards the internal boundary is necessary to enable more efficient, practical and/or pleasant use of the remainder of the site.
- ii The extent to which alternative practical locations are available for the building.
- iii Any adverse effects of the proximity or bulk of the building, in terms of visual dominance by buildings or reduced privacy on adjoining sites and buildings, which is out of character with the local environment.
- iv The ability to provide adequate opportunities for garden and tree plantings around buildings.
- v The extent to which residents of the proposed building will be affected by permitted activities on the adjoining sites in terms of matters such as noise, smell, glare, dust or vibration.
- vi Any adverse effects of the proximity of buildings housing animals in terms of noise, smell, flies or vermin on adjoining sites.
- vii The ability to mitigate any adverse effects of the proposal on adjoining sites, including through the provision of landscape plantings.

- viii Long term effects on landscape values.
- ix The extent to which the development satisfies the guidelines in Appendix K Landscape Guidelines.

### 3.2.d Access

- i The extent to which alternative formed access can be assured to the residential unit in the long-term.
- ii The extent to which the level and nature of the use of the residential unit will make it unlikely that access by way of a formed road will ever be necessary.
- iii The level of financial contribution required to be made to the Council towards the formation of the road to a standard suitable for residential access, taking into account the levels of traffic likely to be generated by the use of the residential unit in relation to the existing use of the road.
- v The degree to which river, lake or wetland habitat is adversely affected through run-off and sedimentation caused by earthworks.
- vi The degree to which any possible alternative locations or methods for undertaking the activity could occur.
- vii In the beds and margins of rivers, lakes and wetlands:
  - a The extent to which the activity threatens birdlife; and the degree of significance a particular bird species has to the District.
  - b The degree to which public access would be restricted.
  - c The degree to which trout, salmon or fresh water habitat are adversely affected by disturbance, including the clearance of vegetation.
  - d The extent to which the activity will result in a loss of natural character and any recreational values associated with the water body.
  - e The degree to which any possible alternative locations or methods for undertaking the activity could occur.
- viii The extent to which previous management practices have already significantly modified the characteristics of the site and the cost to the landholder of being unable to undertake the proposed activity.
- ix The effect of the activity on the overall naturalness, integrity and ecological functioning of the area.
- x Impacts of increased nutrients on waterbodies.
- xii Long term effects on landscape values.
- xiii The extent to which the development satisfies the guidelines in Appendix K Landscape Guidelines.

### **3.2.e Riparian Management**

- i The degree to which the building or activity will restrict public access and enjoyment of the waterway margin.
- ii The degree to which the building or activity threatens indigenous plants or animals or their habitat identified in the waterway beds and margins.
- iii The degree of significance of the indigenous plant or animal communities.
- iv The extent of any alteration of a wetland and the subsequent loss of habitat.
- v The extent to which the natural character of the waterway margin will be retained.
- vi The extent to which the building or activity may impact on recreational values associated with the water body, including the amenity of that part of the river, stream, lake or wetland.
- vii Long term effects on landscape values.
- viii The extent to which the development satisfies the guidelines in Appendix K Landscape Guidelines.
- ix The extent to which other mechanisms, agreements or consents protect the significant natural values of the site.

### **3.2.f Flood Mitigation - Floor Heights**

- i. The likelihood of the proposed activity being threatened by flooding or ponding as a result of the proposed floor level.
- ii. The frequency of flooding events and flooding and ponding levels in relation to the site of the habitable residential buildings
- iii. The quantity and value of assets that will be vulnerable to flooding as a result of the establishment of the proposed floor level.
- iv. The ability of buildings to be relocated, and estimated cost, and the possible destination of a relocated building.

### **3.2.g Landscape and natural character**

- vi. Where the siting and/or scale of proposed building(s) means they would have an adverse effect on the landscape, whether there are other sites on the application property where the building(s) could be located and serve the intended function without such adverse effect.
- vii. The extent to which any potential adverse effects on the landscape would be avoided or mitigated by appropriate design and landscaping, and/or other measures (including covenants and other restrictive instruments).
- xi. Whether the colours of the roofs and walls would be recessive and of low reflectivity.
- xii. The extent to which any exterior lighting can be minimised to avoid adverse effects on amenity values.

- xiii. Any adverse effects of the proposed activity in terms of:
- Noise, vibration and lighting from the activity and from vehicles entering and leaving the site.
  - Loss of privacy for adjacent properties.
  - Levels of traffic congestion or reduction in levels of traffic safety.
  - Noise, dust and traffic from earthworks.

### **3.3 Earthworks and Tracking**

- i The degree to which water habitat may be compromised through runoff and sedimentation caused by earthworks.
- ii The extent to which the activity will result in a loss of natural character of the area.
- iii Long term effects on landscape values.
- iv The extent to which the development satisfies the guidelines in Appendix K Landscape Guidelines.
- v The extent to which other mechanisms, agreements or consents protect the significant natural values of the site.

#### **3.3.a Riparian Management - Refer 3.2.e**

- i The extent to which floodwater conveyance will be enhanced without adversely affecting flood hazard elsewhere in the area.
- ii The extent to which other mechanisms, agreements or consents protect the significant natural values of the site.

### **3.3 Factory Farming – Rural-Residential Zones**

#### **3.4.a All Concerns**

- i The extent to which the factory farming operation will be compatible with the character of the surrounding rural-residential area, including the density of and proximity to residential units in the area.
- ii The degree to which the proposed factory farming operation is likely to lead to odour, dust, noise or health nuisances beyond the boundary of the site, and in particular, the technology and management systems proposed to mitigate noise or odour nuisance, including:
- a the size of the proposed factory farming operation and its associated site;
  - b the design of the buildings, facilities, and waste and noise management systems;
  - c the management and operation of the waste and noise management systems;
  - d waste treatment measures employed;
  - e odour and noise abatement measures employed.

- iii The degree to which existing or proposed landscaping, including plantings, will shelter and screen the proposed site.
- iv The extent to which the proposed buildings, will be compatible with the appearance, layout and scale of other buildings and sites in the surrounding area.
- v The extent to which animal housing and effluent storage is subject to inundation, and methods of limiting animal losses and effluent contamination of land and water.
- vi When assessing factory farming (intensive farming) applications the Council will consider, but not be restricted to, current codes of practice.
- vii The extent to which the activity has potential to adversely affect local nature conservation values, wildlife habitats and aquatic ecosystems.
- viii The potential extent to which escaped or released animals could adversely effect nature conservation and landscape values in the high country by:
  - the forming of wild populations; or
  - the predatory nature or feeding habitats of the animals.
- ix The methods used to ensure containment of animals.
- x The difficulty of eliminating escaped or released animals.

### **3.5 Tree Planting**

- i The extent to which the tree planting could cause shading and/or loss of production on adjoining sites.
- ii The extent to which forest operations could impact on the efficient use of adjoining sites.
- iii The impact of the tree planting on fire risk management in the area.
- v The extent to which the development satisfies the guidelines in Appendix K Landscape Guidelines.
- vi The extent to which the location, orientation, species and maximum height of the proposed trees will result in shading of the carriageway and a potential for icing which could endanger the safety of motorists.
- vii The extent to which the potential for wilding tree spread is to be controlled, or avoided by the choice of species, forest location and design, grazing, and other management tools.
- viii The need to ensure compliance with conditions on wilding tree management by way of bonds or other economic instruments.
- ix Long term effects on landscape values.
- x The potential for tree planting to affect the natural values of adjoining sites, including public lands administered for their conservation values, and in particular the potential for wilding tree spread into these areas.

xi The extent to which the development satisfies the guidelines in Appendix K Landscape Guidelines.

Xii The extent to which forestry planting, management, harvesting and ancillary activities will have a significant effect on:

- the ecological functioning of the riparian area and on the quality and character of the adjoining water body
- legal public access and amenity values of waterway margins
- indigenous plants or animals or their habitat in the waterway beds or margins
- a wetland or habitat
- recreational values associated with the water body including the amenity of that part of a river, lake or wetland
- the availability of water within the catchment.

### **3.5.a Landscape**

i. The extent to which the proposed forestry could cause adverse effects on the landscape values of the rural-residential zone and the wider Mackenzie Basin and the enjoyment of those values. These effects include but are not restricted to:

- the loss of key views or viewpoints
- the loss of accessibility to key views or viewpoints

ii. The use of trees as a permanent amenity fringe where plantings are visible from significant viewpoints.

## **3.6 Visitor Accommodation & Homestays**

3.6.a The extent to which the buildings meet the Design Guidelines contained in Appendix K.

3.6.b The extent to which the development damages, degrades or restricts the surrounding environment, in particular whether views from, over or across the site are restricted.

3.6.c The extent to which the conditions for buildings in the Rural-Residential Zone are met.

3.6.d The extent to which visitor accommodation or the homestay on the site is an integral and necessary part of other activities being undertaken on the site; will assist in providing alternative home-based employment and income-generating opportunities for residents or occupiers on the site; or makes a practical and economical use of an existing building and facilities on the site.

3.6.e Any adverse effects of the likely traffic and pedestrian generation from the proposed visitor accommodation/homestay in terms of:

i Noise, vibration and glare from vehicles entering and leaving the site or adjoining road, which is incompatible with the levels acceptable in a rural-residential environment.

ii Loss of privacy.

3.6.f The ability to mitigate any adverse effects of the additional traffic generation such as through the location and design of vehicle crossings, parking and loading areas or



through the provision of screening and other factors which may reduce the effect of the additional traffic generation, such as infrequency of the activity, or limited total time over which the traffic movements occur.

3.6.g Long term effects on landscape values.

**3.7 Retail Sales**

3.7.a The location and design of vehicle access, parking and loading areas are such as to protect the safe and efficient movement of vehicles on the adjoining road(s), having regard to the purpose of these road(s).

3.7.b The size, location and design of parking, loading areas and signs and their relationship to the retail sales, buildings and outdoor display areas are such as to encourage vehicles to park on the site and are capable of accommodating likely vehicle demand.

3.7.c The extent to which advertising signs are clear, well located, simple to read and understand from passing vehicles and protect the safe and efficient movement of vehicles on the adjoining road(s).

3.7.d Whether the location and design of vehicle access, parking and loading areas are such as to avoid adverse effects on neighbouring properties in terms of noise, vibration and glare from vehicles entering and leaving the site.

3.7.e The extent to which the sale of goods or services other than those specified in the rules may affect the amenity and rural-residential character of the environment through increased generation of vehicles, noise, pedestrians, fumes and advertising.

**3.8 Mining Activities**

i The degree to which water habitat may be compromised through runoff and sedimentation caused by earthworks.

ii The extent to which the activity will result in a loss of natural character of the area.

**3.8.a Riparian Areas - Refer 3.3.a**

**3.8.b Mineral Exploration**

Conditions may be imposed on mineral exploration in order that:

i the amount of vegetation cleared and volumes of material removed will be minimal and the adverse effects to landscape and conservation values are minimised;

ii rehabilitation of the site is completed which ensures:

a the long term stability of the site;

b that the landforms or vegetation on finished areas are visually integrated into the landscape;

- c that the land is returned to its original productive capacity, where appropriate.
- iii roads or buildings are located in such a way as to minimise impacts to landscape, conservation, and amenity values;
- iv dust is minimised where amenity values are at risk. Methods may include wetting down of tracks or heaped overburden;
- v noise is minimised where amenity values are at risk. Methods may include restricted hours of operation or appropriate mufflers on machinery.
- vi Long term effects on landscape values.
- vii The extent to which the development satisfies the guidelines in Appendix K Landscape Guidelines.

### **3.8.c Mining Activities**

- i The extent to which the activities of vegetation clearance and the excavation and removal of material associated with mining impact on amenity values, landscapes values and natural conservation values.
- ii The extent to which roads or buildings impact on amenity values, landscape values and natural conservation values.
- iii The ability of the proposal to rehabilitate the site after mining so:
  - a. that the long term stability of the site is ensured;
  - b. that the landforms or vegetation on finished areas are visually integrated into the landscape;
  - c. that the land is returned to its original productive capacity, where appropriate;
  - d. that water and soil values are protected.
- iv The ability of operation to minimise dust, noise, lighting and vibration so that amenity or natural conservation values are not at risk.
- v The ability of the applicant to provide a contingency plan for early mine closure, including an evaluation of the risk to the neighbouring community and environment.
- vi The ability of the applicant to provide a bond to the Council annually for the purpose of rehabilitating operation areas in the event of a premature closure.
- vii The ability of the applicant to adequately monitor the operations and its effects on the receiving environment.
- viii Long term effects on landscape values.
- ix The extent to which the development satisfies the guidelines in Appendix K Landscape Guidelines.

### **3.9 Vegetation Clearance**

- i. Riparian Areas, and Clearance of Wetland Vegetation - Refer 3.2.e

- ii. The extent to which other mechanisms, agreements or consents protect any significant natural values of the site.

### **3.10 Other Activities**

#### **3.10.a Noxious and Unpleasant Activities**

The extent to which the noxious and unpleasant effects of activities on people living or working or visiting the area can be avoided, remedied or mitigated.

#### **3.10.b Outdoor Activity**

- i The extent to which materials or equipment associated with a home occupation need to be stored outside the building,

**and**

the extent to which all manufacturing, altering, repairing, dismantling or processing of any goods or articles associated with a home occupation need to be carried outside a building, taking account of:

- a The nature, coverage area and height of materials or equipment associated with a home occupation.

- b The intended duration of materials or equipment associated with a home occupations to be outside a building.

- c The extent to which provisions would be needed for:
- security
  - control of litter and vermin
  - prevention or containment of fire hazard.

**3.10.c Buildings - Refer 3.2**

**3.10.d Retail Sales - Refer 3.7**

**3.10.e Traffic Generation - Refer 3.6.e and f**

**3.10.f Earthworks - Refer 4.3**

#### **3.10.g Noise**

- i. The impact of the noise on the amenities of the area.