

## 5.3 Rural General and Ski Area Sub-Zone - Rules

### 5.3.1 Zone Purposes

#### 5.3.1.1 Rural General Zone

The purpose of the Rural General Zone is to manage activities so they can be carried out in a way that:

- protects and enhances nature conservation and landscape values;
- sustains the life supporting capacity of the soil and vegetation;
- maintains acceptable living and working conditions and amenity for residents of and visitors to the Zone; and
- ensures a wide range of outdoor recreational opportunities remain viable within the Zone.

The zone is characterised by farming activities and a diversification to activities such as horticulture and viticulture. The zone includes the majority of rural lands including alpine areas and national parks.

#### 5.3.1.2 Ski Area Sub-Zones

Ski Area Sub-Zones are located within the Rural General Zone. The purpose of these Sub-Zones is to enable the continued development of skifield activities within the identified boundaries, where the effects of those activities are anticipated to be cumulatively minor.

For the avoidance of doubt, Ski-Area Sub-Zones are excluded from the landscape classifications used in the Plan (ie: Outstanding Natural Landscapes (Wakatipu Basin), Outstanding Natural Landscapes (District Wide) or Visual Amenity Landscapes).

Being only a sub-zone, all rules applicable to the Rural General Zone in the District Plan are applicable to the Ski Area Sub-Zones except where stated to the contrary.

### 5.3.2 District Rules

Attention is drawn to the following District Wide Rules, which may apply in addition to any relevant Zone Rules. If the provisions of the District Wide Rules are not met then consent will be required in respect of that matter:

- (i) Heritage Protection - Refer Part 13
- (ii) Transport - Refer Part 14
- (iii) Subdivision, Development and Financial Contributions - Refer Part 15
- (iv) Hazardous Substances - Refer Part 16
- (v) Utilities - Refer Part 17
- (vi) Signs - Refer Part 18
- (vii) Relocated Buildings and Temporary Activities - Refer Part 19

Attention is also drawn to the need to obtain relevant consents from the Otago Regional Council relating to matters such as water use, discharge of contaminants to water, land or air, use of the beds of rivers and lakes, damming or diverting lakes and rivers, earthworks and vegetation clearance.

### 5.3.3 Activities

#### 5.3.3.1 Permitted Activities

Any activity, which is not listed as a **Prohibited, Non-Complying, Discretionary or Controlled Activity** and which complies with all the relevant **Site and Zone Standards**, shall be a **Permitted Activity**.

#### 5.3.3.2 Controlled Activities

The following shall be **Controlled Activities**, provided that they are not listed as a **Prohibited, Non-Complying or Discretionary Activity**; and they comply with all of the relevant **Site and Zone Standards**; and they have been evaluated under the assessment criteria in rule 5.4.

The matters in respect of which the Council has reserved control are listed with each Controlled Activity.

## **i Buildings**

- (a) The addition to or alteration of an existing building provided:
- (i) the addition or alteration does not increase the coverage of the building (calculated at the operative date of this District Plan) by more than 50 percent; and
  - (ii) the addition or alteration is contained within a residential building platform approved by resource consent;
  - (iii) sub-clause (ii) above does not apply to additions or alterations to existing buildings within lots 1 to 6, 8 to 21 DP 26634 located at Closeburn Station.

### **in respect of:**

- (a) external appearance;
  - (b) associated earthworks, access and landscaping;
  - (c) provision of water supply, sewage treatment and disposal, electricity and telecommunication services.
- (b) The construction of any new building contained within a residential building platform approved by resource consent;

### **in respect of:**

- (i) external appearance;
- (ii) associated earthworks, access and landscaping;
- (iii) provision of water supply, sewage treatment and disposal, electricity and telecommunication services.

- (c) Addition or alteration to any existing building or the construction of any new buildings associated with Ski Area Activities within Ski Area Sub-Zones

### **in respect of:**

- (i) location, external appearance and size;
  - (ii) associated earthworks, access and landscaping;
  - (iii) provision of water supply, sewage treatment and disposal electricity and communication services (where necessary).
- (d) Farm Buildings
- The replacement or extension of an existing farm building or construction of a new farm building in respect of:

- (i) location anywhere within the property;

- (ii) external appearance;

- (iii) provision of water supply, sewage treatment and disposal, electricity and communication services (where necessary).

- (e) The construction of a single residential unit and any accessory building(s) within lots 1 to 6, 8 to 21 DP 26634 located at Closeburn Station.

### **in respect of:**

- (i) external appearances and landscaping, with regard to conditions 2.2(a), (b), (e) and (f) of resource consent RM950829;
- (ii) associated earthworks, access and landscaping;
- (iii) provisions of water supply, sewage treatment and disposal, electricity and telecommunications services.

## ii Commercial Activities, limited to Retail Sales

All retail sales including:

- (a) farm and garden produce, reared or produced on-site;
  - (b) handicrafts produced on the site; and
  - (c) commercial activities associated with ski area activities within Ski Area Sub-Zones.
- in respect of:**
- (a) the layout of the site and location of buildings;
  - (b) vehicle access; and
  - (c) car parking.

## iii Commercial Recreation Activities

- (a) Ski tows and lifts within the Ski Area Sub-Zones as shown on the District Plan Maps, in respect of their location, external appearance, alignment and methods of construction; and
- (b) Night lighting in Ski Area Sub-Zones in respect of times, duration and intensity.

## iv Mining

Limited to mineral exploration, which does not involve more than 20m<sup>3</sup> in volume in any one hectare

**in respect of:**

- (a) Terrain disturbance including vegetation clearance and volumes of material to be removed;
- (d) Rehabilitation of a site;

(e) Siting of roads or any buildings; and

(f) Dust and noise.

## v Jetboat Race Events

Jetboat Race Events on the Clutha River, between the Lake Outlet boat ramp and the Albert Town road bridge, in respect of the date, time and duration of the event, public notification of the holding of the event, and any measures to avoid adverse effects on residential and recreational activities in the vicinity of the river.

**Note:** Any more than six jetboat race days per year are Prohibited Activities in terms of Rule 5.3.3.5.

## vi Additions and Alterations to Buildings within the Outer Control Boundary - Queenstown Airport

Any alteration or addition to a building or part of a building to be used for residential activities, visitor accommodation or community activities on any site located within the Outer Control Boundary as indicated on the District Plan Maps, in respect of the design, construction, orientation and location of the building to achieve adequate indoor sound insulation from aircraft noise.

## vii Buildings within the Outer Control Boundary - Wanaka Airport

Buildings or part of a building to be used for residential activities, visitor accommodation or community activities on any land within the Outer Control Boundary as indicated on the District Plan Maps, in respect of the design, construction, orientation and location of the building to achieve adequate indoor sound insulation from aircraft noise.

## viii Residential Flat

## ix Earthworks

The following rules apply to all earthworks except:

- within the Ski Area Sub-Zone (as defined in this Plan);

- for earthworks approved as part of a subdivision where that subdivision has resource consent;
- for routine repair and maintenance of operational tracks; and
- for utility activities (as defined in this Plan, and as permitted or approved as per part 17, and excluding the development of access ways to the site containing the utility service).
- for earthworks approved as part of a resource consent for a residential building platform or a building.
- for earthworks approved as part of a resource consent for a farming building except for earthworks associated with access.
- (a) Earthworks where the maximum area of bare soil exposed is between 1000m<sup>2</sup> and 2500m<sup>2</sup> per site within any one consecutive 12 month period.
- (b) Earthworks where the maximum volume of earth moved is between 300m<sup>3</sup> and 1000m<sup>3</sup> per site within any one consecutive 12 month period.

## x Vehicle Testing

In the Waioarau Snow Farm Ski Area Sub zone the construction of access ways and tracks associated with the testing of vehicles, their parts and accessories.

In respect of measures taken to:

- avoid future gravel and silt run off;
- avoid fretting (ie stress fractures) of access ways and tracks;
- avoid incisions on access ways and tracks resulting from poor drainage; and
- stabilise over-steepened embankments.

## 5.3.3.3 Discretionary Activities

The following shall be **Discretionary Activities**, provided that they are not listed as a **Prohibited** or **Non-Complying Activity** and they comply with all of the relevant **Zone Standards**; and they have been evaluated under the assessment criteria in rule 5.4.

### i Buildings or Building Platforms

- (a) The addition, alteration or construction of:
- (i) any building; and
  - (ii) any physical activity associated with any building such as roading, landscaping and earthworks:

**Except** any buildings authorised pursuant to Rule 5.3.3.2(i).

- (b) The identification of a building platform of not less than 70m<sup>2</sup> in area and not greater than 1000m<sup>2</sup> in area.

### ii Commercial Activities

- (a) Commercial activities ancillary to and located on the same site as recreational activities, except commercial activities associated with ski area activities within Ski Area Sub-Zones.

- (b) Cafes and restaurants located in a winery complex within a vineyard.

### iii Visitor Accommodation

### iv Surface of Lakes and Rivers

- (a) Any structure or mooring which passes across or through the surface of any lake and river or is attached to the bank of any lake and river, other than where fences cross lakes and rivers, except in those locations where such structures or moorings are shown on the District Plan Maps as being non-complying.

(b) Commercial boating activities.

Any person wishing to apply for a resource consent to commence commercial boating activities on the Shotover River between Edith Cavell Bridge and Tucker Beach should be aware that they also require a concession under the Lakes District Waterways Control Bylaw 1987 (or any replacement legislation). There is an exclusive concession currently granted to a commercial boating operator on the Shotover River between Edith Cavell Bridge and Tucker Beach until 1 April 2009 with four rights of renewal of five years each.

## v Airports

Airports other than the use of land and water for:

- (a) emergency landings, rescues and fire fighting;
- (b) activities ancillary to farming activities.

## vi Forestry Activities

## vii Factory Farming

(a) Factory farming of pigs where:

- (i) the number of housed pigs exceeds 50 sows or 500 pigs of mixed ages; and/or
- (ii) any housed pigs are closer than 500m to a property boundary; and/or
- (iii) the number of outdoor pigs exceeds 100 pigs and their progeny up to weaner stage; and/or
- (iv) outdoor sows are not ringed at all times; and/or
- (v) the stocking rate of outdoor pigs exceeds 15 pigs per hectare, excluding progeny up to weaner stage.

(b) Factory farming of poultry where:

(i) the number of birds exceeds 10,000 birds; and/or

(ii) birds are housed closer than 100m to a site boundary.

(c) Any factory farming activity other than factory farming of pigs or poultry.

## viii Mining Activities

Mining except for:

- (a) Mineral prospecting;
- (b) Mineral exploration which does not involve bulk sampling exceeding 20m<sup>3</sup> in volume in any one hectare;
- (c) Mining by means of hand-held, non-motorised equipment and suction dredging, where the total motive power of any dredge does not exceed 10 horsepower (7.5 kilowatt); and
- (d) The mining of aggregate for farming activities provided the total volume does not exceed 1000m<sup>3</sup> in any one year.

ix Ski Area Activities not located within a Ski Area Sub-Zone.

x Industrial Activities, limited to wineries and underground cellars within a vineyard.

xi Any activity, which is not listed as a Prohibited or Non-Complying Activity and which complies with all the relevant Zone Standards, but does not comply with one or more of the Site Standards, shall be a Discretionary Activity with the exercise of the Council's discretion being confined to the matter(s) specified in the standard(s) not complied with.

## xii Structures

Any structure erected within 10 metres of a road boundary, which is greater or equal to 5 metres in length, and greater than or equal to 1 metre in height and less than 2 metres in height, except for:

- post and rail, post and wire and post and mesh fences, including deer fences;
- any structure associated with farming activities as defined in this plan;
- any structure that is erected in accordance with a landscaping plan associated with a subdivision consent or resource consent for a building, where that landscaping plan is approved as a condition on the resource consent.

The Council's discretion is restricted to the consideration of effects on views and amenity from public roads.

### 5.3.3.4 Non-Complying Activities

- (a) The following shall be Non-Complying Activities, provided that they are not listed as a Prohibited Activity:

#### i Commercial Activities

Commercial activities, except for:

- (a) retail sales of farm and garden produce and wine grown, reared or produced on-site; or
- (b) retail sales of handicrafts produced on the site; or
- (c) commercial activities ancillary to and located on the same site as recreational activities; or
- (d) commercial activities associated with ski area activities within Ski Area Sub-Zones; or
- (e) cafes and restaurants located in a winery complex within a vineyard.

#### ii Surface of Lakes and Rivers

- (a) Boating craft on the surface of the lakes and rivers if used for accommodation, unless:

- (i) the craft is only used for overnight recreational accommodation; and
  - (ii) the craft is not used as part of any commercial activity; and
  - (iii) all effluent is contained on board the craft.
- (b) Structures or moorings passing across or through the surface of any lake or river or attached to the bank or any lake or river in those locations on the District Plan Maps where such structures or moorings are shown as being non-complying.

#### iii Factory Farming (excluding the boarding of animals)

Factory farming within 2 kilometres of a Residential, Rural Residential, Rural Lifestyle, Township, Rural Visitor, Town Centre, Corner Shopping Centre or Resort Zone.

#### iv Power Generation Facilities

Power generation facilities outside the areas scheduled under Rule 20.2, other than small hydro (1.5 to 2 k) inverter based systems for residential and non-residential activities.

#### v Building Platforms

- (a) The identification of any building platform less than 70m<sup>2</sup> or greater than 1,000m<sup>2</sup> in area.

vi Any activity, which is not listed as a **Prohibited Activity** and which does not comply with one or more of the relevant **Zone Standards**, shall be a **Non-Complying Activity**.

vii Any planting within the Landscape Protection area (within Lots 3, 4 and 5) must be species which at maturity do not grow over 3m in height (Kirimoko Block, Wanaka).

#### viii Building Line Restriction Area – Bible Face – Glenorchy

No building shall be erected upon the Bible Face shown as the Building Restriction Area as shown on Map 25.

This rule excludes the following:

- (a) Structures such as gates, fencing and stiles necessary to facilitate public access or necessary for farming purposes; and
- (b) Works to enable community assets such as water tanks consented through the designation process.

### 5.3.3.5 Prohibited Activities

The following shall be Prohibited Activities:

#### i Surface of Lakes and Rivers

The use of the following lakes and rivers for the following specified activities shall be Prohibited Activities, except where the activities are for emergency search and rescues, hydrological survey, public scientific research, resource management monitoring and water weed control, and for access to adjoining land for farming activities

#### (a) Hawea River - Motorised craft, except:

- (1) on the one lawfully established jet-sprint course; as shown on the District Plan Maps
- (2) on six days in each year (including at least four (4) days in the months January to April, November and December) provided the following conditions are met:
  - (i) The Jet Boat Association of New Zealand ("JBANZ") (JBANZ or one of the Otago and Southland Branches as its delegate) administers the activity on each day;
  - (ii) The prior written approval of Central Otago Whitewater Inc is obtained if that organisation is satisfied that none of its member user groups are organising activities on the relevant days; and

(iii) JBANZ gives two (2) calendar months written notice to the Council's Harbour-Master of both the proposed dates and the proposed operating schedule;

(iv) The Council's Harbour-Master satisfies himself that none of the regular kayaking, rafting or other whitewater (non-motorised) river user groups or institutions (not members of Central Otago Whitewater Inc) were intending to use the Hawea River on that day, and issues an approved operating schedule;

(v) JBANZ carries out, at its expense, public notification on two occasions 14 and 7 days before the proposed jet boating;

(vi) Public notification for the purposes of (v) means a public notice with double-size font heading in both the Otago Daily Times and the Southland Times, and written notices posted at the regular entry points to the Hawea River.

(b) **Lake Hayes** - Commercial boating activities.

(c) **Dart and Rees Rivers** - Motorised craft on any tributary of the rivers (except the Rockburn tributary of the Dart River) or upstream of Muddy Creek on the Rees River; and

(d) Motorised craft on the Rees River during the months of May to October inclusive.

(e) **Makarora, Young and Wilkin Rivers** - Motorised craft on the Young River or any tributary of the Young or Wilkin Rivers and any other tributaries of the Makarora River.

(f) **Dingle Burn, Timaru Creek** and the tributaries of the Hunter River - Motorised craft on the Dingle Burn, Timaru Creek or any tributary of the Hunter River; and

- Motorised craft on the Hunter River during the months of May to October inclusive.

(g) **Motatapu and Matukituki Rivers** - Motorised craft on the Motatapu River or any tributary of the Matukituki River.

(h) **Clutha River** - More than six jet boat race days per year.

ii **Activities within the Air Noise Boundary - Wanaka Airport**

On any site located within the Air Noise Boundary, as indicated on the District Plan Maps, any new residential activities, visitor accommodation or community activities shall be Prohibited Activities.

iii **Activities within the Outer Control Boundary - Queenstown Airport**

On any site located within the Outer Control Boundary, as indicated on the District Plan Maps, any new residential activities, visitor accommodation or community activities shall be Prohibited Activities.

iv **Activities within the Kirimoko Block, Wanaka**

Any building or development within the area of Landscape Protection that is protected by the building line restriction (as shown on the structure plan) other than development required for the creation of pedestrian or cycle access-ways.

### 5.3.4 Non-Notification of Applications

Any application for a resource consent for the following matters may be considered without the need to obtain a written approval of affected persons and need not be notified in accordance with Section 93 of the Act, unless the Council considers special circumstances exist in relation to any such application:

(i) All applications for **Controlled Activities**.

(ii) Application for the exercise of the Council's discretion in respect of the following Site Standards:

(a) Access;

(b) Retail Sales;

(c) Tree Plantings; and

(d) Natural Hazards.

(e) Clearance of indigenous vegetation under site standard 5.3.5.1 (x) which is not of ecological significance in accordance with assessment criteria detailed in stage 3 (headed 'assessment') of Appendix 5.

(f) Consent applications under site standard 5.3.5.1 (xiii) will not be publicly notified unless special circumstances exist.

### 5.3.5 Standards

#### 5.3.5.1 Site Standards

i **Setback from Neighbours of Buildings Housing Animals**

Minimum setback from internal boundaries for buildings housing animals shall be 30m.

ii **Access**

Each residential unit shall have legal access to a formed road.

iii **Scale and Nature of Activities**

The following limitations apply to all activities; other than farming, factory farming, forestry and residential activities, activities ancillary to ski area activities within Ski Area Sub-Zones, or those visitor accommodation activities which are Discretionary Activities:

(a) The maximum gross floor area of all buildings on the site, which may be used for the activities shall be 100m<sup>2</sup>;

(b) No goods, materials or equipment shall be stored outside a building; and

- (c) All manufacturing, altering, repairing, dismantling or processing of any goods or articles shall be carried out within a building.

#### iv Retail Sales

Buildings in excess of 25m<sup>2</sup> gross floor area to be used for retail sales shall be setback from road boundaries by a minimum distance of 30m.

#### v Significant Indigenous Vegetation

In the areas identified on the District Plan Maps as being of significant indigenous vegetation, and included in Appendix 5 (other than within Ski Area Sub-Zones):

- (a) no earthworks shall:
- (i) exceed 1000m<sup>3</sup> (volume) and/or 50m<sup>2</sup> (area) in any one hectare in any continuous period of 5 years; or
  - (ii) be located on slopes with an angle of greater than 20° (measured as an average slope angle over any 100m length of the slope on which the earthworks are to be carried out).
- (b) no clearance of indigenous vegetation shall exceed 100m<sup>2</sup> in area in any one hectare in any continuous period of 5 years.
- (c) there shall be no exotic tree or shrub planting.
- (d) no buildings shall be erected.

The Council shall restrict the exercise of its discretion in relation to these matters to their effect on nature conservation values and the natural character of the rural environment.

Any area or part of an area, which is protected by way of a permanent protection mechanism registered on the title to the land, in terms of the Conservation Act, Reserves Act, Land Act, Queen Elizabeth II National Trust Act, Resource Management Act or other similar mechanism, shall be exempt from this rule.

#### vi Minimum Setback from Internal Boundaries

- (a) The minimum setback from internal boundaries for buildings shall be 15m, except as provided for in (b) and (c) below.
- (b) The minimum setback from internal boundaries for buildings within lots 1 to 6 and 8 to 21 DP 26634 at Closeburn Station shall be 2 metres.
- (c) There shall be no minimum setback from internal boundaries within lots 7 and 22 to 27 DP-300573 at Closeburn Station.

#### vii Forestry and Shelterbelt Planting

- (a) No forestry activity shall be undertaken within 20m of the boundary of a neighbouring property.
- (b) No forestry activity or shelterbelt planting shall be undertaken in an alpine area with an altitude greater than 1070m.

#### viii Earthworks

The following limitations apply to all earthworks except:

- within the Ski Area Sub-Zone (as defined in this Plan):
- for earthworks approved as part of a subdivision where that subdivision has resource consent;
- for routine repair and maintenance of operational tracks;
- for utility activities (as defined in this Plan, and as permitted or approved as per part 17, and excluding the development of access ways to the site containing the utility service);
- for earthworks approved as part of a resource consent for a residential building platform or a building; and
- for earthworks approved as part of a resource consent for a farming building except for earthworks associated with access.

1. Earthworks
    - (a) Earthworks shall not exceed a maximum area of bare soil exposed of 2500m<sup>2</sup> per site, within any one consecutive 12 month period.
    - (b) Earthworks shall not exceed a maximum volume of moved earth greater than 1000m<sup>3</sup> per site, within any one consecutive 12 month period.
    - (c) Where any earthworks are undertaken within 7m of a water body the total volume shall not exceed 20m<sup>3</sup> (except for earthworks undertaken within a road designation for the purpose of establishing, upgrading and/or maintaining a State Highway network).
  2. Height of cut and fill and slope
    - (a) No road, track or access way shall (other than the Arrow Irrigation Scheme and flood protection works) have an upslope cut or batter greater than 1 metre in height, measured vertically.
    - (b) All cuts and batters shall be laid back such that their angle from the horizontal is no more than 65 degrees unless previously determined.
    - (c) The maximum height of any fill shall not exceed 2 metres.
  3. Environmental Protection Measures
    - (a) Any person carrying out earthworks shall:
      - (i) Implement erosion and sediment control measures to avoid soil erosion or any sediment entering any water body. Refer to the Queenstown Lakes District earthworks guideline to assist in the achievement of this standard.
      - (ii) Ensure that any material associated with the earthworks activity is not positioned on a site within 7m of a water body or where it may dam or divert or contaminate water.
  - (b) Where vegetation clearance associated with earthworks results in areas of exposed soil, these areas shall be revegetated within 12 months of the completion of the operations.
  - (c) Cut or fill shall not expose the groundwater aquifer (water bearing gravels) causing ponding or causing artificial drainage of the aquifer.
4. Protection of Archaeological sites and sites of cultural heritage

The activity shall not modify, damage or destroy any Waahi Tapu, Waahi Taoka or archaeological sites that are identified in Appendix 3 of the District Plan, or in the Kai Tahu ki Otago Natural Resource Management Plan.

    - (a) Where any earthworks are undertaken in areas identified as Ngai Tahu Statutory Acknowledgement Areas the earthworks shall not exceed 50m<sup>2</sup> in area or 20m<sup>3</sup> in volume, in any one consecutive 12 month period.
  - ix **Commercial Recreation Activities (other than on the surface of lakes and rivers)**

No commercial recreational activities shall be undertaken except where:

    - (a) The recreation activity is outdoors;
    - (b) The scale of the recreation activity is limited to five people in any one group.

Provided that this does not apply to commercial recreational activities which are within Ski Area Sub-Zones as shown on the District Plan Maps.
  - x **Indigenous Vegetation**

There shall be no clearance of indigenous vegetation except for:

    - (a) The clearance of indigenous vegetation that is:
      - (i) Totally surrounded by pasture and other exotic species; and

- (ii) less than 0.5 hectares in area; and more than 200 metres from any other indigenous vegetation which is greater than 0.5 hectares in area; and
- (iii) less than 1070 metres above sea level; and
- (iv) more than 20 metres from a water body; and
- (v) not listed as a threatened species in Appendix 9.
- (b) The clearance of indigenous vegetation for the operation and maintenance of existing roads, tracks, drains, utilities, structures and fence lines, excluding their expansion.
- (c) The clearance of indigenous vegetation for the construction of public walkways up to 1.5 metres in width provided that it is not listed as a threatened species in Appendix 9.
- (d) The clearance of indigenous trees that have been windthrown or are dead standing as a result of natural causes and have become dangerous to life or property.

The Council shall restrict the exercise of its discretion in relation to this matter to its effect on nature conservation, landscape and visual amenity values and the natural character of the rural environment.

#### xi Farm Buildings

- (a) No farm building shall be replaced, extended or constructed:
  - (i) On any holdings (as defined) less than 100 hectares in area; or
  - (ii) At a density of more than one farm building per 50 hectares; or
  - (iii) On any land above 600 masl; or
  - (iv) Within the Outstanding Natural Landscape - Wakatipu Basin or an Outstanding Natural Feature within the Wakatipu Basin as identified in the appropriate schedule of the District Plan; or

- (v) On an Outstanding Natural Feature outside of the Wakatipu Basin as identified in the appropriate schedule of the District Plan, if:

- there is already a farm building within that holding (as defined) or if there is land within that holding (as defined) that is not on an Outstanding Natural Feature; or
  - the site containing all or part of the Outstanding Natural Feature was not contained in a separate certificate of title prior to 10 June 2005.
- (b) The existence of a farm building approved under Rule 5.3.3.2(i)(d) shall not be considered the permitted baseline for development within the Rural General zone.

#### xiii Alpine Environments

On any land with an altitude higher than 1070m above sea level:

- (a) There shall be no exotic tree or shrub planting.
- (b) There shall be no clearance of indigenous vegetation.

The Council shall restrict the exercise of its discretion to their effect on nature conservation values, the natural character of the rural environment and landscape and visual amenity values.

For the purpose of the clearance of indigenous vegetation by way of burning, the altitude limit of 1070 metres shall mean the average maximum altitude of any land to be burnt, averaged over north and south facing slopes.

#### xiii Planting of tree species with wilding potential

**There shall be no planting of the following tree species:**

- Contorta or lodgepole pine (*Pinus contorta*)
- Scots pine (*Pinus sylestris*)

- Douglas fir (*Pseudotsuga menziesii*)
- European larch (*Larix decidua*)
- Corsican pine (*Pinus nigra*)
- Radiata Pine (*Pinus Radiata*)

## 5.3.5.2 Zone Standards

### i Building Height

- (a) The maximum height for any building, other than non-residential buildings ancillary to viticultural or farming activities, shall be 8m.
- (b) The maximum height for any non-residential building ancillary to viticultural or farming activities shall be 10m.
- (c) The maximum height for any building, other than accessory buildings, within Lots 1 and 6 and 8 to 21 DP 26634 at Closeburn Station shall be 7m.
- (d) The maximum height for any accessory building within Lots 1 to 6 and 8 to 21 DP 26634 at Closeburn Station shall be 5m.
- (e) The maximum height for any building within Lot 23 DP 300573 at Closeburn Station shall be 5.5m.
- (f) The maximum height for any building within Lot 24 DP 300573 at Closeburn Station shall be 5m.

Refer to the definitions of Height and Ground Level.

### ii Setback from Roads

The minimum setback from road boundaries for buildings shall be 20m, except that the minimum setback from State Highway 6 for buildings between Lake Hayes and Frankton shall be 50m.

### iii Retail Sales

There shall be no retail sales from sites by way of access to any State Highway, except for

- (a) farm, wine and garden produce grown, reared or produced on the site; or
- (b) handicrafts produced on the site.

### iv Surface of Lakes and Rivers

- (a) Motorised craft on the surface of lakes and rivers shall be operated and conducted such that a maximum noise level (L<sub>max</sub>) of 77dBA is not exceeded, when measured and assessed in accordance with Appendix 2.
- (b) Kawarau River, Lower Shotover River downstream of Tucker Beach and Lake Wakatipu within Frankton Arm - No commercial motorised craft shall operate outside the hours of 0800 to 2000.
- (c) Lake Wanaka, Lake Hawea and Lake Wakatipu - No commercial jetski operations shall be undertaken outside the hours of 0800 to 2100 on lakes Wanaka and Hawea and 0800 and 2000 on Lake Wakatipu.
- (d) Dart and Rees Rivers - No commercial motorised craft shall operate outside the hours of 0800 to 1800, except that above the confluence with the Beansburn on the Dart River no commercial motorised craft shall operate outside the hours of 1000 to 1700.
- (e) Dart River – No commercial motorised boating activities shall result in the total number of commercial motorised boating activities exceeding 26 trips in any one day. No more than two commercial jet boat operators shall operate upstream of the confluence of the Beansburn other than for trapper and angler access only.

### v Noise

Non-residential activities shall be conducted such that the following noise levels are not exceeded, neither at, nor within, the notional boundary of any residential unit; other than residential units on the same site as the activity:

- (a) during daytime (0800 to 2000 hrs) L10 50dBA.

(b) during night time (2000 to 0800 hrs) L10 40dBA and Lmax 70dBA.  
**except:**

- (i) When associated with farming and forestry activities, this standard shall only apply to noise from stationary motors and stationary equipment.
- (ii) Noise from aircraft operations at Queenstown Airport is exempt from the above standards.

Construction noise shall comply with and be measured and assessed in accordance with the relevant New Zealand Standard.

#### vi Lighting

All fixed exterior lighting shall be directed away from adjacent sites and roads.

#### vii Airport Noise - Alteration or Addition to Existing Buildings within the Outer Control Boundary - Queenstown Airport

- (a) On any site located within the outer Control Boundary as indicated on the District Plan Maps, any alteration or addition to a building or part of a building to be used for residential activities, visitor accommodation or community activities shall be insulated from aircraft noise so as to meet an indoor design sound level of 40 dBA Ldn, except for non-critical listening environments where no special sound insulation is required.

(b) This control shall be met in either of the following two ways:

EITHER:

- (i) By providing a certificate from a recognised acoustic engineer stating that the proposed construction will achieve the internal design noise level.

OR

- (ii) The building shall be constructed and finished in accordance with the provisions of Table 1 in part 5.3.5.2

#### viii Wanaka Airport Building Line

No building shall be erected, constructed or relocated within the area defined by a line 150m on the western side of the centre line of the Wanaka Airport main runway, the Airport Purposes Designation boundary at either end of the main runway, and a line 200m on the eastern side of the centre line of the Wanaka Airport main runway.

#### ix Screening

Storage areas for waste materials, outdoor display areas and parking associated with commercial activities, wineries and other productive activities shall generally be positioned and managed to minimise any adverse visual effect.

#### x Airport Noise - Building with the Outer Control Boundary - Wanaka Airport

- (a) On any site within the Outer Control Boundary as indicated on the District Plan Maps, any buildings or part of a building to be used for residential activities, visitor accommodation or community activities shall be insulated from aircraft noise so as to meet an indoor design sound level of 40 dBA Ldn, except for non-critical listening environments where no special insulation is required.

(b) This control shall be met in either of the following two ways:

EITHER:

- (i) By providing a certificate from a recognised acoustic engineer stating that the proposed construction will achieve the internal design noise level.

OR

- (ii) The building shall be constructed and finished in accordance with the provisions of Table 1 in part 5.3.5.2.

## xi Residential Density

In the Rural General area at Closeburn Station, there shall be no more than one residential unit per allotment (being lots 1-27 DP 26634); excluding the large rural lots (being lots 100 and 101 DP 26634) held in common ownership.

## xii Building Coverage

In lots 1-27 at Closeburn Station, the maximum residential building coverage of all activities on any site shall be 35%.

## xiii Building Line Restriction:

- a. No residential unit shall be erected within that part of Lots 1 & 2 DP 26910 at Tucker Beach Road, as shown as "NO BUILD ZONE" on Paterson Pitts Partners Ltd Building Platform Locations Plan No Q.4700.04-3C and being adjacent to the Ferry Hill Rural Residential sub-zone shown on Planning map 31, which plan is reproduced at Page 5-43 of the District Plan.

Table 1 – Acoustic Insulation of Buildings Containing Noise Sensitive Activities (except non-critical listening areas)

\* Where exterior walls are of brick veneer or stucco plaster the internal linings need be no thicker than 9.5mm gypsum plasterboard.

\*\* Typical acoustic glazing usually involves thick single panes or laminated glass. Where two or more layers of glass are employed with an air gap between, total thickness of window glass may be calculated as the total of all glass layers (excluding air gap) provided that at least one glass layer shall be of a different thickness to the other layer(s).

## 5.3.6 Resource Consents - Assessment Matters

The assessment matters, which apply to the consideration of resource consents in the Rural Zones, are specified in 5.4.

## 5.4 Resource Consents - Assessment Matters - Rural Zones

### 5.4.1 General

(i) The following Assessment Matters are methods or matters included in the District Plan, in order to enable the Council to implement the Plan's policies and fulfil its functions and duties under the Act.

(ii) 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 in Clause 5.4.2 below. Except that assessment matters in 5.4.2(i)-(iv) do not apply to activities requiring resource consent in Ski Area Sub-zones.

(iii) In the case of Controlled and Discretionary Activities, where the exercise of the Council's discretion is restricted to the matter(s) specified in a particular standard(s) only, the assessment matters taken into account shall only be those relevant to that/these standard(s).

Building Element	Required Construction
External Walls	<p>Exterior: 20 mm timber or 6mm fibre cement</p> <p>Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar)</p> <p>Two layers of 12.5mm gypsum plasterboard* (Or an equivalent combination of exterior and interior wall mass)</p>
Windows	<p>Up to 40% of wall area: Minimum thickness 6mm glazing**</p> <p>Up to 60% of wall area: Minimum thickness 8mm glazing**</p> <p>Up to 80% of wall area: Minimum thickness 8mm laminated glass or minimum 10mm double glazing**</p> <p>Aluminium framing with compression seals (or equivalent)</p>
Pitched Roof	<p>Cladding: 0.5mm profiled steel or tiles or 6mm corrugated fibre cement</p> <p>Frame: Timber truss with 100mm acoustic blanket (R 2.2 Batts or similar)</p> <p>Ceiling: 12.5mm gypsum plaster board*</p>
Skillion Roof	<p>Cladding: 0.5mm profiled steel or 6mm fibre cement</p> <p>Sarking: 20mm particle board or plywood</p> <p>Frame: 100mm gap containing 100mm acoustic blanket (R2.2 Batts or similar)</p> <p>Ceiling: 2 layers of 9.5mm gypsum plasterboard*</p>
External Door	Solid core door (min. 24kg/m <sup>2</sup> ) with weather seals