

PART 7 DISTRICT WIDE RULES

7.1. Introduction

- 7.1.1. Unless otherwise specified activities which do not comply with the rules in Part 7 of the Plan shall require an application for a resource consent, and will be assessed as either a controlled or discretionary activity.
- 7.1.2. The rules apply across the District and aim to establish a consistent level of environmental quality. Activities wishing to establish in the District also need to comply with any standards or rules set out in Part 5 of the Plan for the relevant Character Areas provided that this does not apply to the activities controlled in Part 7 of the Plan.

7.2. Explanation and Reasons

- 7.2.1. Access standards are to give protection to the efficiency and safety of the roading network for both drivers and pedestrians. Generally, the more vehicle movements an activity generates, the bigger the potential is for accidents to occur and congestion created. This is particularly true on strategic routes where vehicle numbers and speeds will be higher than on other roads. This requires controls on sight distances for property access. Similarly standards relating to intersections are designed to provide good visibility, accommodate vehicle manoeuvres and not adversely affect the free flow of traffic. In situations where the free flow of traffic is important, or for activities that generate high volumes of traffic on-site manoeuvring may be required. Standards for access strips recognise the need to control the numbers of vehicles able to use them.
- 7.2.2. Earthworks controls are necessary to prevent or minimise initiation and/or acceleration of soil erosion and deposition of any vegetation, soil, rock or debris to water bodies, streams or rivers. In the Natural Environments and Paparoa Character Areas the rule set allows for the construction of small to medium buildings or installations and associated accessways (where in the Paparoa Character Area they do not continue for a significant distance). They also help ensure that visual impacts of controlled activities are kept to a minimum.
- 7.2.3. Odour can cause adverse effects on people. These effects include reduced quality of life, disruption of daily life, and health effects (such as increased stress and loss of appetite). It is expected in urban areas that odour should not be a cause of adverse effects on adjoining sites.

- 7.2.4. Signs are controlled in order to minimise any adverse effect on the environment and on the safe and efficient functioning of traffic. Signs should be sited such that the sign does not restrict visibility to and from intersections and property access or detract from a particularly significant view or feature. Signs should be legible with the lettering clear and large enough so that its intended viewing audience can read it easily.
- 7.2.5. A proliferation of signs and/or large, offensive or dominating signs, in particular in the non-urban environment, can have a significant adverse effect on scenic and landscape values. The protection of these values is vitally important to continued growth and maintenance of the tourist industry and the welfare of people and communities in Buller.
- 7.2.6. In evaluating any sign, particular regard shall be had to the road conditions (including road alignment, proximity to intersections or accesses, location of official signs) within the immediate vicinity of the location of the proposed sign.
- 7.2.7. All free standing signs which are situated within the boundaries of a state highway with a speed limit greater than 50 km/h are subject to the NZTA (Signs on State Highways) Bylaw. Signs must comply with Land Transport Rule: Traffic Control Review 2004.
- 7.2.8. Standards regarding stormwater disposal are intended for safety, especially on roads.
- 7.2.9. Standards for glare and lightspill are intended for safety, especially on roads. Glare and lightspill from neighbouring properties is also controlled to ensure amenities are protected. Floodlighting and glare from reflective materials can detrimentally impact on a person's enjoyment of their property, especially at night.
- 7.2.10. Minimum allotment size for subdivisions is set only in non-sewered areas where an adequate area for effluent disposal must be provided. The setting of minimum square size also ensures that all allotments are of sufficient size to cater for a building.
- 7.2.11. In non-urban areas an important issue is that the creation of new allotments through subdivision can facilitate more intensive use of land, including the construction of additional buildings or structures. Subdivision is also a mechanism which can attract new activities and population into the rural area. However, there are a number of matters to consider to determine whether subdivisions are appropriately located and serviced and therefore subdivisions other than minor boundary adjustments are to be considered as discretionary activities.

- 7.2.12. In the Paparoa Character Area the creation of new allotments through subdivision could directly affect the open space and landscape values. In order to protect these values, substantial subdivision is not provided for. Subdivision will generally only be permitted when needed for an activity which is either permitted or has received resource consent. Particular attention will be given to ensuring that the subdivision will integrate with the landscape form and pattern. Possible future applications for further settlements will require a Plan Change application. Similar effects can arise when additional buildings are constructed on existing allotments.
- 7.2.13. In the Natural Environments Character Area subdivision for boundary adjustments or for utilities is a permitted activity. Subdivision of one or more allotments is a discretionary activity in the Natural Environments Character Area. This provision recognises the need to protect the landscape/visual amenities and open space values which are significant in this area.

7.3. Subdivision

7.3.1. Permitted Activities

7.3.1.1. Residential Zone:

- 7.3.1.1.1. The number of titles remains the same as prior to the subdivision (esplanade reserves shall not be counted).
- 7.3.1.1.2. Any existing buildings comply with the District Plan requirements.
- 7.3.1.1.3. No new roading or access points are required.
- 7.3.1.1.4. No new Council services are required.
- 7.3.1.1.5. Undertaken for boundary adjustment purposes or for the creation of a Special lot.
- 7.3.1.1.6. Any new subdivision which is needed solely for a public work utility which is permitted by Part 6 Infrastructure or approved as a result of a resource consent.

7.3.1.2. Commercial Zone, Scenically Sensitive Commercial Zone, Industrial Zone, Port Zone:

- 7.3.1.2.1. Not applicable.

7.3.1.3. Paparoa Character Area:

- 7.3.1.3.1. Not applicable.

7.3.1.4. Rural Zone:

- 7.3.1.4.1. Subdivision undertaken for boundary adjustment or creation of a Special lot.

7.3.1.5. Rural Airport Zone, Cement Production Zone:

- 7.3.1.5.1. Not applicable.

7.3.1.6. Natural Environments Character Area:

- 7.3.1.6.1. The number of titles remains the same as prior to the subdivision (esplanade reserves shall not be counted).
- 7.3.1.6.2. Any existing buildings comply with the District Plan requirements.

- 7.3.1.6.3. No new roading or access points are required.
- 7.3.1.6.4. No new Council services are required.
- 7.3.1.6.5. Undertaken for boundary adjustment purposes or for the creation of a Special lot.
- 7.3.1.6.6. Any subdivision needed solely for a public work network utility which is permitted by Part 6 or which constitutes a boundary adjustment or Special lot.

7.3.2. Controlled Activities

7.3.2.1. Residential Zone, Commercial Zone, Scenically Sensitive Commercial Zone, Industrial Zone, Sergeants Hill Industrial Area, Port Zone and Cement Production Zone:

- 7.3.2.1.1. Each allotment must be of sufficient dimensions to accommodate an existing or proposed principal building such that the building can comply with the relevant standards in the District Plan, provided that in the case of an existing building which does not comply with the current District Plan standards, does not increase the extent to which the building fails to comply. Minimum allotment size in non-sewered areas, 1500m² unless the subdivision is for a Special lot.
- 7.3.2.1.2. Each allotment shall be able to contain a square measuring 15m x 15m unless the subdivision is for a Special lot.
- 7.3.2.1.3. Financial contribution may be required in accordance with Part 8.
- 7.3.2.1.4. Esplanade reserves and strips may be required in accordance with Part 7.9.6.
- 7.3.2.1.5. The subdivision of land in the Sergeants Hill Industrial Area shall be undertaken generally in accordance with the Concept Plan in Part 5.2.6.7. For the purpose of this rule, “generally in accordance” means that locations and alignments of roads, accesses, infrastructure, facilities and services is the same or similar to that shown on the Concept Plan.

7.3.2.2. Rural Zone:

- 7.3.2.2.1. Not applicable.

7.3.2.3. Rural Airport Zone:

7.3.2.3.1. Any subdivision which constitutes a boundary adjustment or Special lot.

7.3.2.4. Paparoa Character Area:

7.3.2.4.1. Any subdivision which constitutes a boundary adjustment or Special lot.

7.3.2.5. Natural Environments Character Area:

7.3.2.5.1. Not applicable.

7.3.3. Discretionary Activities

7.3.3.1. Residential Zone, Commercial Zone, Scenically Sensitive Commercial Zone, Industrial Zone, Port Zone and Cement Production Zone:

7.3.3.1.1. Any subdivision which does not comply with the standards for permitted or controlled activities is a discretionary activity.

7.3.3.2. Scenically Sensitive Residential Zone:

7.3.3.2.1. Subdivision (other than for a Special lot) within the Scenically Sensitive Residential Zone.

7.3.3.2.2. Each allotment must be of sufficient dimensions to accommodate an existing or proposed principal building such that the building can comply with the relevant standards in the District Plan, provided that in the case of an existing building which does not comply with the current District Plan standards, does not increase the extent to which the building fails to comply. Minimum allotment size in non-sewered areas, 1500m² unless the subdivision is for a Special lot.

7.3.3.2.3. Each allotment shall be able to contain a square measuring 15m x 15m unless the subdivision is for a Special lot.

7.3.3.3. Rural Zone, Rural Airport Zone:

7.3.3.3.1. Any subdivision for the purposes of creating one or more new allotments.

7.3.3.4. Paparoa Character Area:

7.3.3.4.1. Any subdivision other than controlled activities or for the purposes of creating one or more new allotments.

7.3.3.5. Natural Environments Character Area:

7.3.3.5.1. Any subdivision other than controlled activities for the purposes of creating one or more new allotments.

7.3.3.6. Discretionary activities will be generally assessed according to the criteria in Part 9.

7.3.3.7. Financial contributions may be required in accordance with Part 8.

7.3.3.8. Esplanade reserves and strips may be required in accordance with Part 7.9.6.

7.4. Access

7.4.1. Activities having frontage or access to a strategic route which is a State Highway (as listed in Part 12) shall comply with the following standards, while those activities that have frontage or access to a strategic route which is a non-State Highway (as listed in Part 12) shall comply with Council's roading standards:

7.4.1.1. The minimum sight distances from an access, the location of property access relative to intersection and the minimum spacing between adjacent property accesses onto or off a strategic route which is a State Highway shall be as specified in Tables 7.1(a) and 7.1(b).

7.4.1.2. Where the activity does not comply with the performance criteria in Table 7.1(a) or Table 7.1(b) or, the activity generates more than 60 vehicle movements per day, the activity will be assessed as a limited discretionary activity.

When considering an application for consent the Council shall restrict its discretion to the following:

- Whether the crossing is sufficiently remote from an intersection having regard to traffic volumes on the roads, the 85th percentile speed of vehicles on the roads, and any other factors that will prevent congestion and confusion between vehicles turning at the crossing or at the intersection.
- Whether there is a need to separate entry and exit in order to reduce potential traffic confusion and congestion.
- Whether the physical form of the road will minimise the adverse effects of access, for example whether the road offers good visibility; the presence of a solid median to stop right hand turns; or a flush median to assist right hand turns.
- Whether particular mitigation measures such as a deceleration lane are required due to the speed and volume of vehicles on the road.
- The design of the crossing in relation to the ability of traffic exiting the site to safely enter the traffic stream.
- Whether there is adequate queuing and parking space on site so that vehicles do not queue over vehicle crossings.
- The design of the crossing in relation to pedestrian and cyclist safety.
- The effects of the location of the access on the amenity and safety of neighbouring properties.
- Any cumulative effects of the introduction of extra access points in relation to access for other activities in the vicinity.
- Any cumulative effects of extra access points on the function of the frontage road(s) in terms of its position in the roading hierarchy.

- Whether the speed environment on the road, as determined by the 85th percentile speed data, is such that the sight distance standards in the Plan can be safely reduced.

Note: A limited discretionary resource consent application for access on to a state highway may be considered without notification or the need to obtain a written approval of affected parties excepting that of New Zealand Transport Agency.

Table 7.1(a) Property Access Performance Criteria Where Traffic Generation Is Less Than 30 Vehicle Movements Per Day

Posted (Legal) Speed Limit (km/h)	Minimum Sight Distances (m) See Diagram A	Location of Property Access Relative to Intersection. See Diagram B			Minimum Spacing between Adjacent Property Accesses (on same or opposite frontages) Distance N see Diagram B (m)
		Minimum Distance K (m)	Minimum Distance L (m)	Minimum Side Road Distance M (m)	
50	85	15	20	15	7.5* or 15**
60	115	30	40	20	20
70	140	60	100	30	40
80	170	90	120	30	100
100	250	150	200	30	200***

Table 7.1(b) Property Access Performance Criteria Where Traffic Generation Is Between 30 and 60 Vehicle Movements Per Day

Posted (Legal) Speed Limit (km/h)	Minimum Sight Distances (m) See Diagram A	Location of Property Access Relative to Intersection. See Diagram B			Minimum Spacing between Adjacent Property Accesses (on same or opposite frontages) Distance N see Diagram B (m)
		Minimum Distance K (m)	Minimum Distance L (m)	Minimum Side Road Distance M (m)	
50	85	20	30	20	7.5* or 15**
60	115	50	50	30	20
70	140	100	100	45	40
80	170	120	120	60	100
100	250	200	200	60	200***

- * = residential uses within 50km/hr speed zone
- ** = all other uses
- *** = on same or opposite frontages

An equivalent car movement is defined as:

1 car to and from a property = 2 equivalent car movements

1 truck to and from a property = 6 equivalent car movements

1 truck and trailer to and from a property = 10 equivalent car movements

7.4.1.3. Road intersection: the intersection kerb line, or when there is no kerb line, the nearest intersection of the two carriageways.

7.4.1.4. Access tapers, and acceleration and deceleration lanes shall be provided in accordance with Diagrams C and D.

7.4.2. Every owner or occupier of land shall provide vehicular access to the site for parking and loading over the site by provision of a vehicle crossing constructed to the boundary of the site.

7.4.3. Where vehicular access to the rear of a commercial or industrial site is possible by means of the dedication or use of a service lane, or land over which rights-of-way are held in respect of that site, such means of access shall be provided or used for parking or loading spaces in preference to any new vehicular crossing over any footpath.

Diagram A

Minimum Sight Distances.

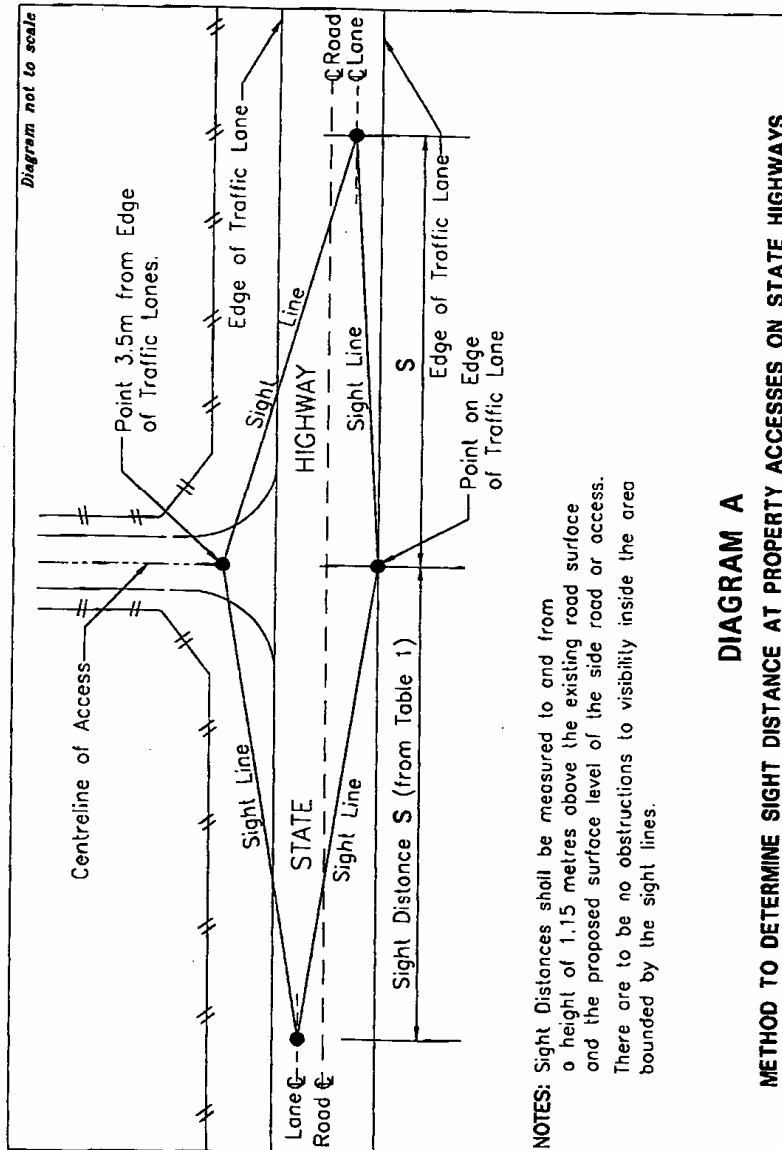
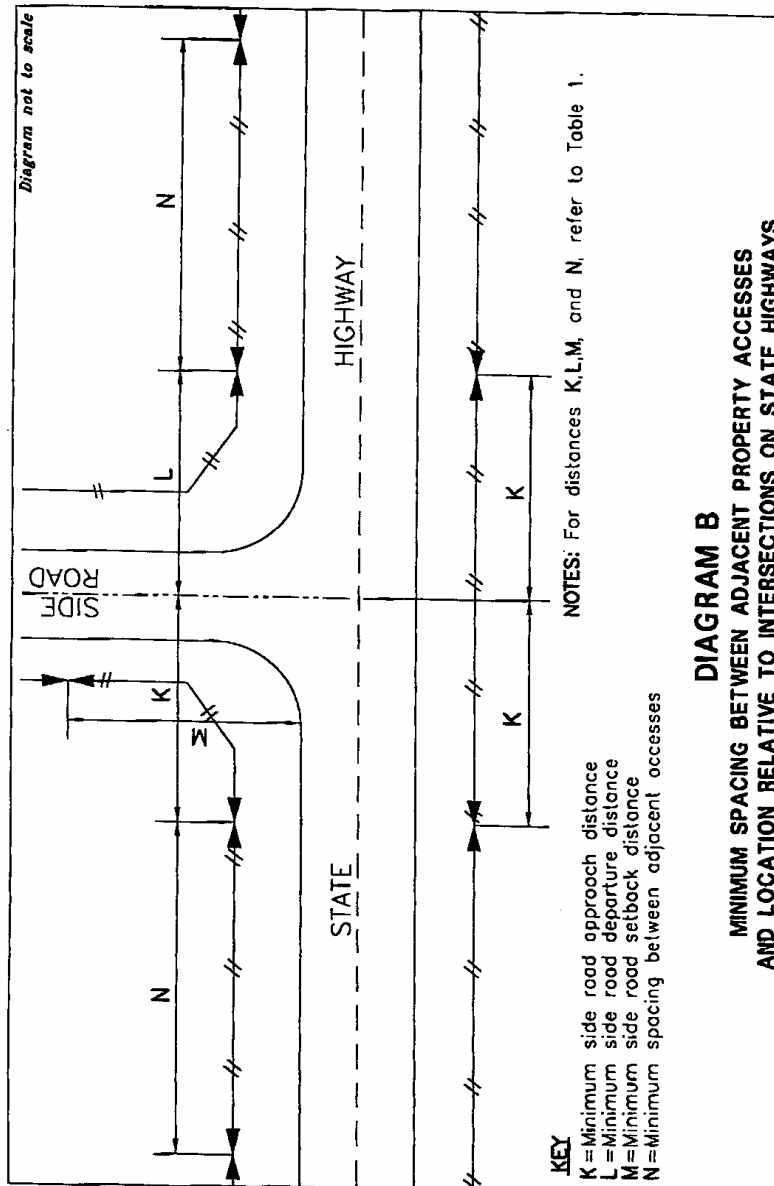


Diagram B

Minimum Spacing Between Adjacent Property Accesses



- 7.4.4. The principal access into shopping complexes and supermarkets except those with a main street frontage, must be via the off-street parking area.
- 7.4.5. Access to or from a corner site in the Urban Character Area shall not be located nearer than nine metres from the edge of the road reserve, kerb line or effective carriageway of the intersecting road, or outside the Urban Character Area, 100 metres from the effective carriageway of the intersecting road.
- 7.4.6. In respect of any existing site, no new access shall be provided from any property having frontage to a declared or proposed limited access road. Where land abutting a declared or proposed limited access road is being subdivided, every additional allotment proposed to be located shall have frontage and access to an alternative legal road.
- 7.4.7. Access strips shall be to the following standards in the Urban Character Area:
- 7.4.7.1. width 3.5m to one rear allotment
 - 7.4.7.2. width 4.0m to two or three allotments
 - 7.4.7.3. width 5.0m to four or more rear allotments
 - 7.4.7.4. maximum length shall not exceed 60m.
- 7.4.8. All parking, loading and trade vehicle storage areas with access to strategic routes shall be designed to ensure that there is adequate turning space on site so vehicles are not required to reverse either onto or off the site.
- 7.4.9. Reductions in these standards will require an application for a resource consent as a discretionary activity.
- 7.4.10. Where there is unformed legal road, the activities which may establish on that land are the same as those permitted for the zone, subject to agreement with the owner of the road and road reserve. The only other activities which may be carried out on land gazetted, or reserved for road are defined in Part 7 as permitted activities. On road vested in Council, a road closure may be required before any development can occur.
- 7.4.11. Access to any subdivision and development in the Sergeants Hill Industrial Area from State Highway 67 shall be limited to access as identified on the Concept Plan in Part 5.2.6.7. Such access shall be constructed in accordance with the design specifications published in the Austroads document "*Guide to Traffic Engineering Practice Part 5: Intersection at Grade*" to provide a right turn bay and left turn lane. Non-compliance with this standard shall be a discretionary activity.

7.4.12. Explanation/Reasons

- 7.4.12.1. Safety is a prime concern for the operation of the roading network and the standards aim to reduce any undue interference with, or obstruction of, traffic flows and other road users, vehicles entering or leaving the road traffic stream. The potential for increases in the number of vehicle crossings and confusion over exit and entry points to a site will be reduced. Reductions in these standards will require an application as a discretionary activity.
- 7.4.12.2. Safety is also a prime concern in situations where vehicle or pedestrian access is required across the rail corridor. The Railway Safety and Corridor Management Act 1991 shall be taken into account when assessing applications.
- 7.4.12.3. The Sergeants Hill Industrial Area is of a scale that traffic generation will have a significant impact on the State Highway if access is not provided at an appropriate location, and to an appropriate standard to deal with the effects of full development. Access to the Area is limited to one point on the State Highway (identified in the Concept Plan in Part 5.2.6.7) and ensures that the standard and design is appropriate to address the adverse traffic effects of the Area.

Diagram C

Accesses On Rural State Highways Where Traffic Generation Is Less Than 30 Vehicle Movements Per Day

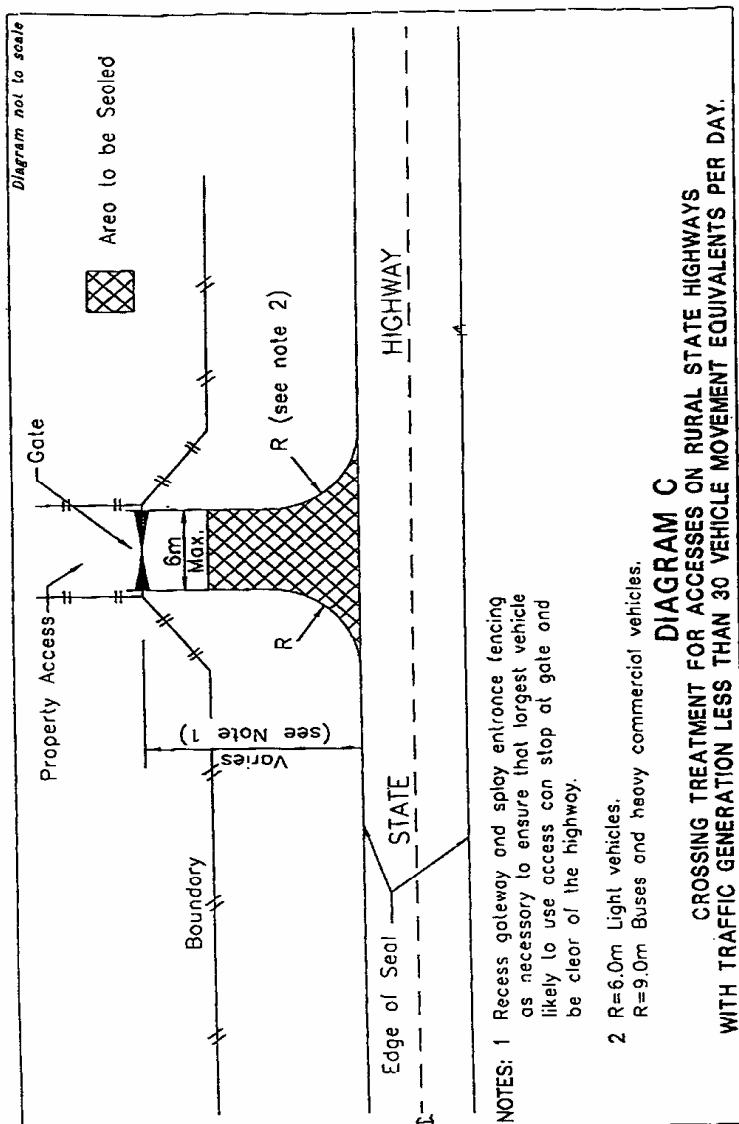
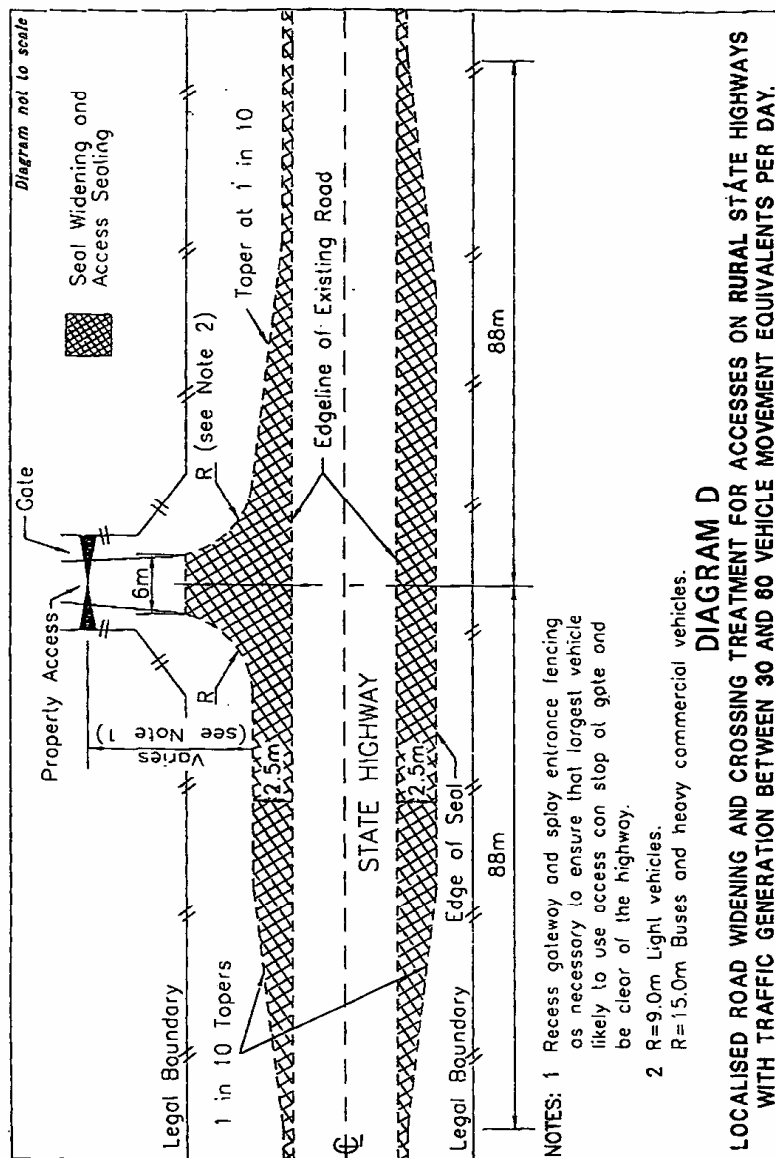


Diagram D

Accesses On Rural State Highways Where Traffic Generation Is Between 30 And 60 Vehicle Movements Per Day



7.5. Parking

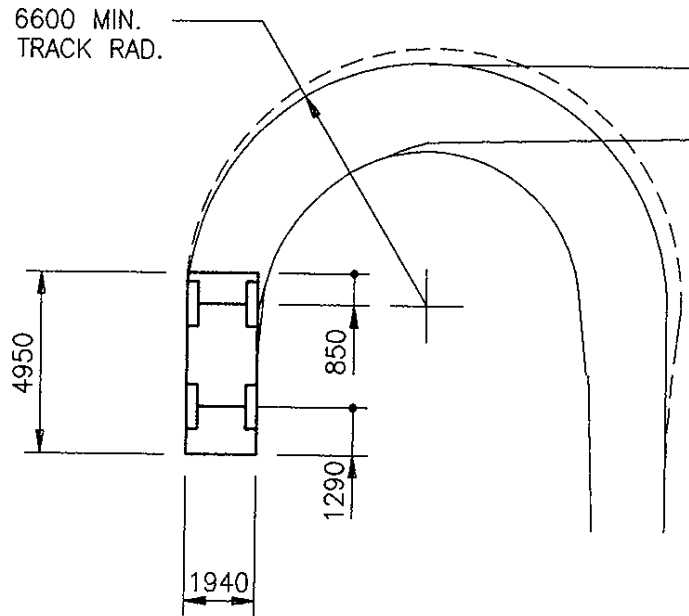
- 7.5.1. No vehicle parking provision is required for activities located on properties abutting the Westport main street (see definition).
- 7.5.2. Vehicle parking for activities other than above shall be provided to the standards in Table 7.2 and shall be located on the site.

Table 7.2: Number of parking spaces

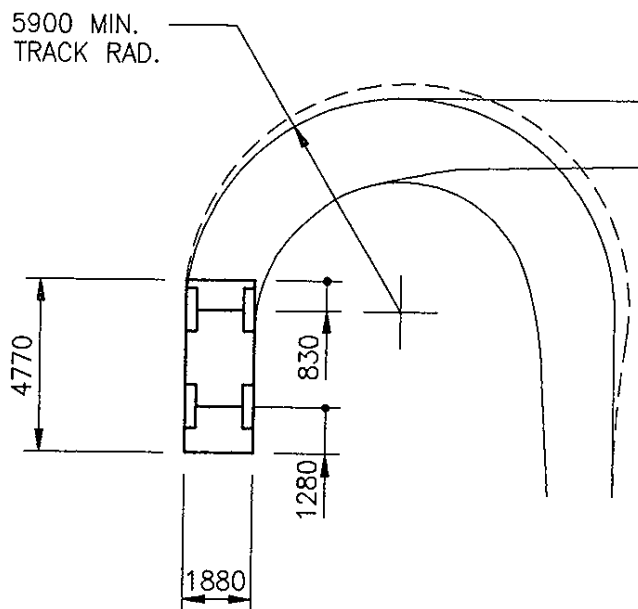
Activity	Spaces Required
Dwellings	One space per dwelling
Other residential activities and travellers accommodation	One space per unit, or bedroom suite, plus one space for staff for 10 units or part thereof
Restaurants, taverns, places of assembly, tourist related activities, backpacker dorms and camping grounds	One space per 5 people which the facility or activity is designed to accommodate or attract
Other commercial activities	One space, plus one extra space per 30m ² of gross floor area
Industrial activities	One space per 50m ² of gross floor area
Hospitals and Institutions	One space per five patient beds, and one space per staff member

- 7.5.3. All commercial and industrial activities must provide at least one loading space per site. A loading bay may be accepted as a parking space.
- 7.5.4. All parking and loading areas provided as per the requirements of this rule shall be designed in accordance with the dimensions specified in Figures 7.2A, 7.2B and 7.2C, Figure 7.3A and 7.3B and Table 7.3.
- 7.5.5. Off-street parking facilities shall be located on the site unless otherwise provided for in this rule.
- 7.5.6. The provision for parking and loading may be made as part of the yard space of that site.

Figure 7.2A - Vehicle tracking curves - car



99% MOTORCAR
SCALE 1:200



90% MOTORCAR
SCALE 1:200

Figure 7.2B - Vehicle tracking curves - truck

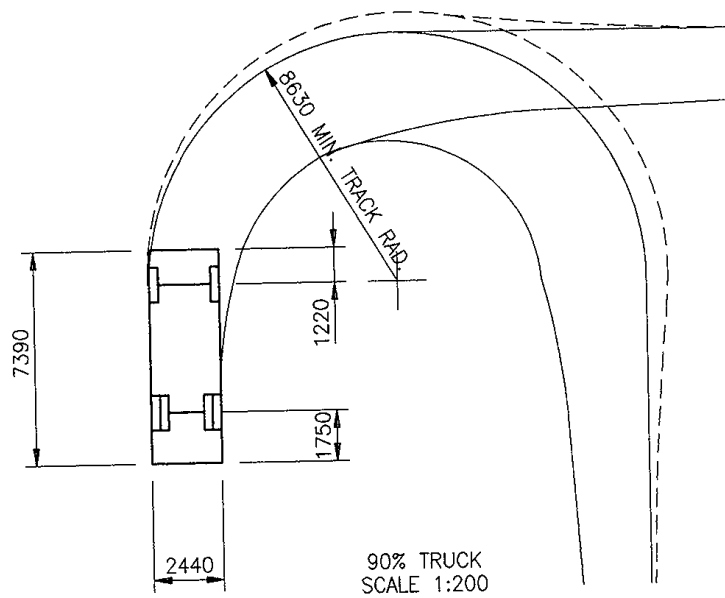
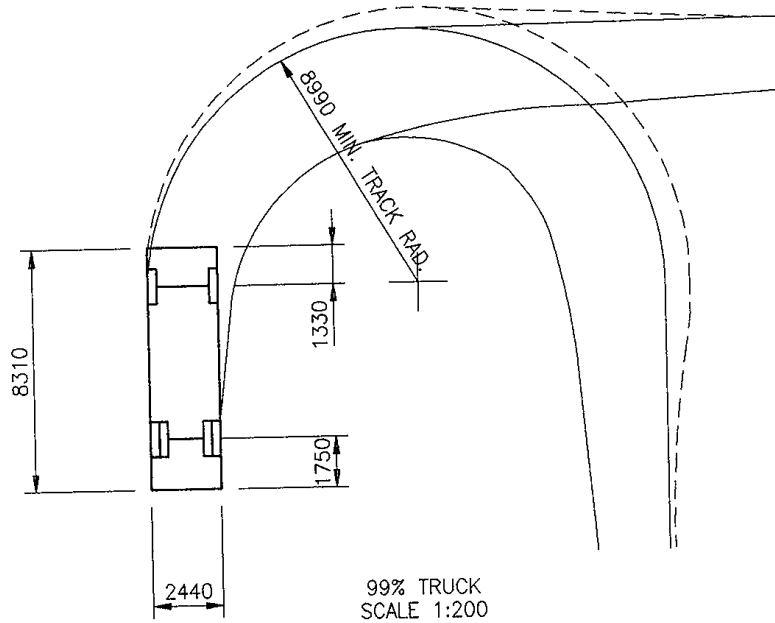


Figure 7.2C - Vehicle tracking curves - bus

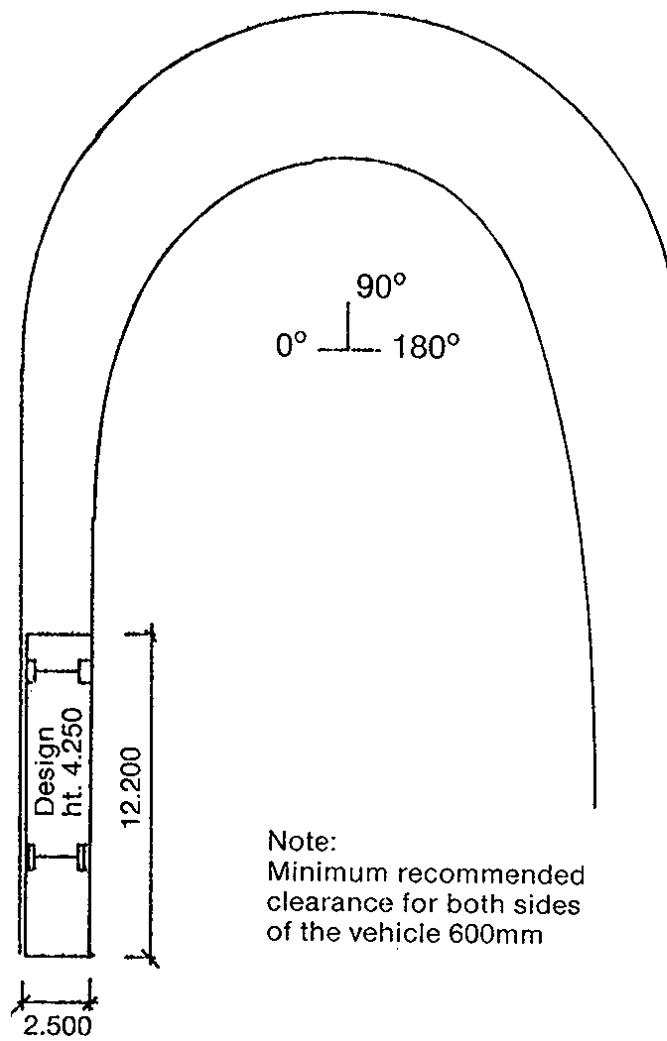


Figure 7.3a - Angled Parking Layout

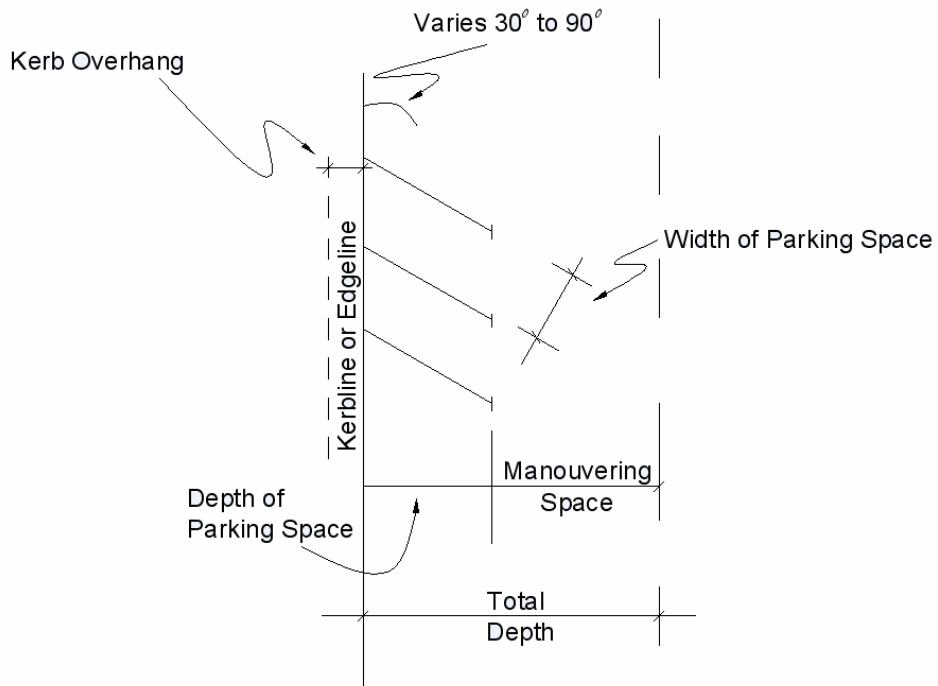


Figure 7.3b - Parallel Parking Layout

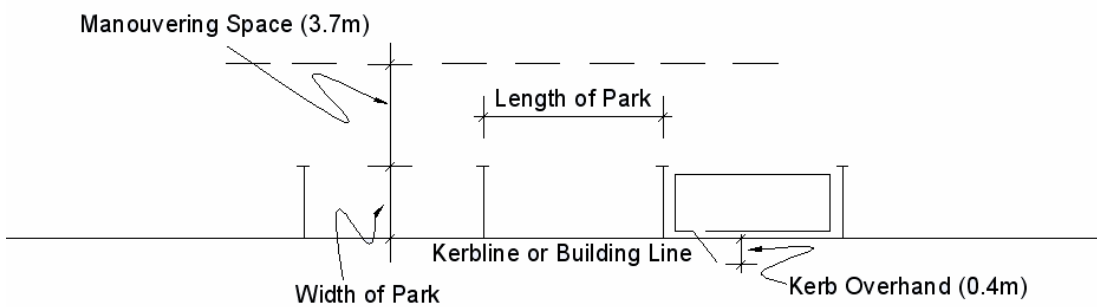


Table 7.3: Manoeuvring and Parking Space Dimensions

Parking Angle	Width of Parking Space (m)	Kerb Overhang (m)	Depth of Parking Space (m)	Manoeuvring Space (m)	Total Depth (m)
90°	2.5	1.0	4.9	8.2	13.1
	2.6			7.3	12.2
	2.7			6.4	11.3
75°	2.5	1.0	5.2	5.5	10.7
	2.6			4.9	10.1
	2.7			4.3	9.5
60°	2.5	1.0	5.2	4.0	9.2
	2.6			3.7	8.9
	2.7			3.7	8.9
45°	2.5	0.8	4.9	3.7	8.6
	2.6				
	2.7				
30°	2.5	0.6	4.0	3.7	7.7
	2.6				
	2.7				
Parallel Parking	2.5	0.4	2.9	3.7	6.2
	2.6		3.0		6.3
	2.7		3.1		6.4

Note: Spaces adjacent to walls should be 300mm wider.

7.5.7. Explanation/Reasons

7.5.7.1. On-site parking is required to ensure there are adequate off-street parking facilities to provide for the activities accommodated on a site. The standards aim to ensure that the capacity of roads is not unduly reduced by parked or manoeuvring vehicles. The specific requirements for each activity have been determined after having regard to the nature of the activity, likely traffic generating capacity and other relevant effects. However, standards may be reduced where there are unusual or unique characteristics of the activity which affect traffic generation. In the Urban Character Areas cash in lieu of car parking may be accepted into a fund which will be used solely for the provision and upgrading of public car parking facilities.

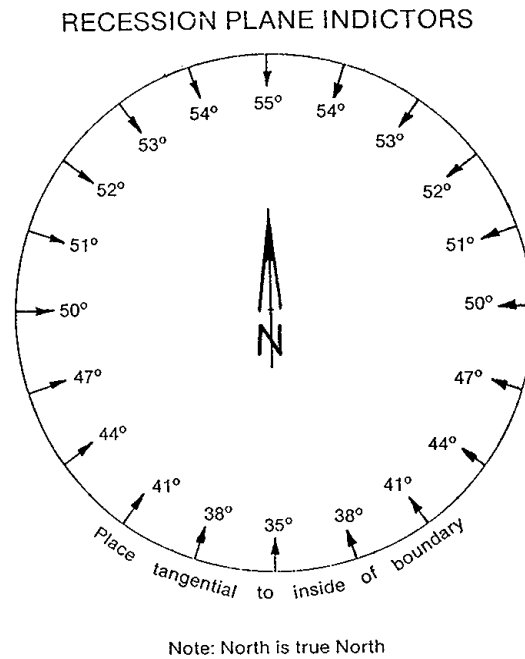
7.6. Recession Planes

- 7.6.1. No building shall exceed a height equal to the recession plane angle shown in Figure 7.3. Angles for recession planes shall vary with the direction or bearing of each site boundary according to the diagram set out in Figure 7.3. They shall commence at points 2.5m above site boundaries. This rule does not apply to buildings within the Industrial Zone, Port Zone, Cement Production Zone and Commercial Zone other than on site boundaries which abut a Residential zone.
- 7.6.2. The recession plane angle shall be calculated by orienting both site plan and relevant diagram to the true north, placing the recession diagram over the site plan with the circle tangential to the inside of the site boundary under consideration. The recession plane angle shall be that indicated by the diagram at the point where it touches the site boundary.
- 7.6.3. Where recession lines fall between those indicated on the diagram, interpolations shall be made. On irregular boundaries the same principles shall apply with the recession operating at right angles to all boundaries.
- 7.6.4. The level of site boundaries shall be measured from filled ground level except where there is an existing building at a lower level on the other side of a common boundary, where that lower level shall be adopted. For the purpose of measuring recession planes only internal boundaries shall be taken as site boundaries.

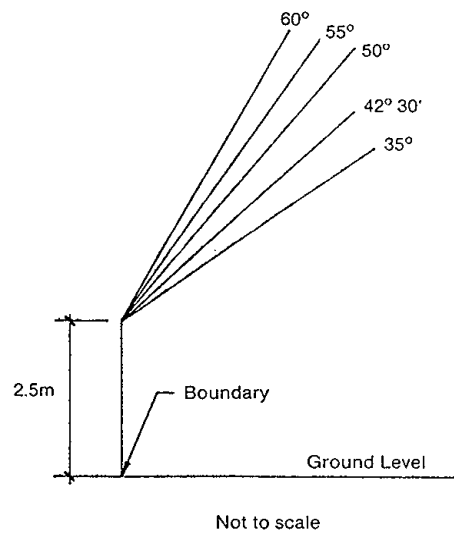
7.6.5. Explanation/Reasons

- 7.6.5.1. Sunlight and outlook both contribute to environmental quality. However buildings and other structures can be located so as to impact on these amenities. Admission of light to living and working areas is desirable for visual amenity and public health reasons. Compliance with recession plane guidelines ensures that overshadowing and loss of outlook is avoided.
- 7.6.5.2. Use of the recession planes enables minimum and maximum distances and maximum height of buildings in relation to site boundaries to be determined. The recession plane angle is based upon the azimuth and altitude of the sun at equinox.
- 7.6.5.3. Buildings may encroach closer only to those boundaries where the building height and direction of the sun will not cause significant overshadowing.

Figure 7.3 : Recession Plane Diagram



RECESSION PLANE CROSS SECTIONS



7.7. Signage

7.7.1. Permitted Activities - All zones

- 7.7.1.1. All “official signs”, including Regulatory signs which are required to be erected by the Council, and signs stating the location of, timetable or other details of any public utility or facility.
- 7.7.1.2. Signs denoting the names of the street, or the name and number of the premises.
- 7.7.1.3. All signs which comply with the following standards:
- (a) Signs which are not visible to motorists on legal roads; and
 - (b) Have a maximum area of less than 0.5m²; and
 - (c) Are used exclusively for giving directions to on-site facilities or services, such as parking, toilets or the location of items for sale.
- 7.7.1.4. Signs on land adjacent to any public road, including State Highways, and adjacent to any railway, providing that the following criteria are met (These are additional requirements for permitted activities in each zone where the land is adjacent to a road, State Highway or railway. This rule does not allow additional signage above that permitted for each zone):
- (a) Any signs also comply with the permitted rules for the applicable zone; and
 - (b) Any sign does not conflict with the conspicuity of, and can not be confused with, official signs or traffic signals; and
 - (c) Any sign is necessary and effective by having messages that are clear, concise and easily read; and
 - (d) Any sign must be located so that it does not obstruct:
 - (i) a road user’s visibility along the road, or view of any road sign, intersection, corner, private entrance, road marking, pedestrian crossing or traffic signal; and
 - (ii) a road user’s or a train driver’s visibility along the railway at a level crossing, or view of railway signals, or a train driver’s visibility around a curve in the railway; and
 - (e) Any sign is at right angles:
 - (i) to the road and is located to avoid vehicle headlight reflection onto road users; and
 - (ii) to the railway and is located to avoid vehicle headlight reflection onto the railway; and
 - (f) Any sign shall present an unrestricted view to the motorists for a minimum distance of 180 metres where the posted speed limit is 70km/h or greater; and

- (g) Unless provided for by 7.7.1.7.(f) or the Commercial Zone Rules, there are no elements of any sign which are reflective, illuminated, intermittent, flashing, animated, trivision, inflatable or aerial; and
- (h) Any signs on land adjacent to any public road where the posted speed limit is 70km/h or greater, or a State Highway, shall:
 - (i) Have a minimum lettering height of 120mm where the posted speed limit is less than 70km/h and 160mm where the posted speed limit is 70km/h or greater; and
 - (ii) For a freestanding sign, have a maximum of six words and/or symbols with a maximum of 40 characters.

7.7.1.5. Temporary signs advertising the sale of land or premises, and construction or works of a similar nature, provided that:

- (a) The sign relates directly to the activity at the site on which it is located; and
- (b) For the sale of land or premises, one sign per real estate agency involved in the sale, and/or one sign placed by the land owner, which must be removed no later than one week after settlement of the sale; and
- (c) For construction or similar works, one sign for each company involved, which must be attached to a building, structure, or fence and removed no later than one week after the completion of works; and
- (d) The sign has a maximum area of 1m² per sign; and
- (e) The sign must also comply with Rule 7.7.1.4.(a)–(g).

7.7.1.6. Temporary signs for the purpose of advertising events, including but not limited to, sporting and cultural events, galas and activities of a similar character, providing that:

- (a) There are no more than 5 signs in total per event; and
- (b) Each sign is a maximum size of 3m²; and
- (c) If freestanding, each sign is a maximum height of up to 2m (including any support structure). Sign supports must be made of frangible material; and
- (d) The landowners written approval has been obtained for the signs to be erected on their property; and
- (e) The signs shall not be erected more than 1 month prior to the event; and
- (f) The signs shall be dismantled and removed no more than five days after the completion of the event; and
- (g) Where signs are located on land adjacent to any public road, State Highway or railway they must also comply with Rule 7.7.1.4.

7.7.1.7. Temporary signs for any other purpose provided they comply with all the following standards:

- (a) The period of display must not exceed 1 month in any 12 month period; and
- (b) The sign does not exceed 1.5m² in area; and
- (c) If freestanding, the sign is a maximum height of up to 2m (including any structure). Sign supports must be made of frangible material; and
- (d) No more than one temporary sign per site; and
- (e) Where on land adjacent to any public road, State Highway or railway the sign must also comply with the Rule 7.7.1.4.; and
- (f) Where the temporary sign is aerial or inflatable the sign is permitted for a maximum of two weeks; the sign must comply with points 7c-7e; and the sign shall not be permitted on land adjacent to any roads with a speed limit of 70km/h or greater.

7.7.2. Permitted Activities - Residential Zone

7.7.2.1. The erection of one sign provided that:

- (a) The sign relates directly to the activity at the site on which it is located; and
- (b) The sign does not exceed 1.5m²; and
- (c) It has a minimum lettering height of 75mm, unless located on land adjacent to a State Highway or on a road where the posted speed limit is 70km/h or greater, in which case Rule 7.7.1.4.(h) applies; and
- (d) If freestanding, the sign must be setback 3m from any road boundary, and have a maximum height of 1.5m, (including any support structure). Sign supports must be made of frangible material; and
- (e) Where on land adjacent to any public road, State Highway or railway the sign must also comply with the Rule 7.7.1.4.

7.7.3. Permitted Activities - Commercial Zone

7.7.3.1. The erection of signs, provided that:

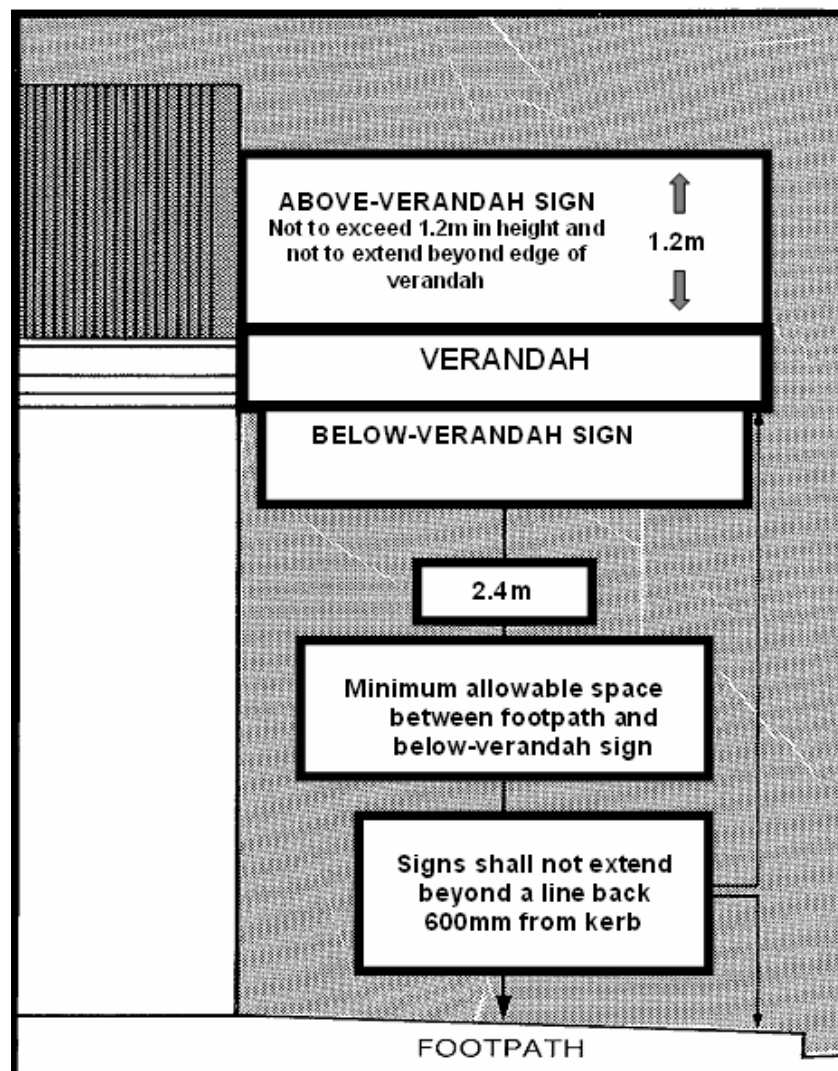
- (a) Signs relate directly to the activity at the site on which they are located; and
- (b) Signs are fixed or painted directly on existing walls of buildings or structures or fence; and
- (c) Signs cover no more than 30% of each road-facing fascia wall. (This percentage includes any Verandah Fascia Sign, but does not include above-verandah or below-verandah signs.); and
- (d) A maximum of 1m² of signage per site may be flashing, rotating, intermittent or animated.

7.7.3.2. The erection of one freestanding sign per site, provided that:

- (a) The sign is located within the property to which it relates; and
- (b) The sign is setback from the any site boundary by 2m; and
- (c) The sign is a maximum of 1m high, 1m wide and 0.5m deep; and
- (d) Any sign must be located so that it does not obstruct:
 - (i) a road user's visibility along the road, or view of any road sign, intersection, corner, private entrance, road marking, pedestrian crossing or traffic signal; and
 - (ii) a road user's or a train driver's visibility along the railway at a level crossing, or view of railway signals, or a train driver's visibility around a curve in the railway.

7.7.3.3. Verandah Signs - One of each type of verandah sign is permitted per site, provided they meet all criteria for each type below. Fig.7.7.1. shows these rules in diagram form.

Figure 7.7.1: Verandah Signs



- (a) Verandah Fascia Signs, provided the sign:
 - 1. Advertises only the business, services and products located at the site of the sign; and
 - 2. Is no more than 900mm in depth; and
 - 3. Does not protrude more than 200mm from the fascia.

- (b) Below-Verandah Sign, provided the sign:
 - 1. Advertises only the business, services and products located at the site of the sign; and
 - 2. Is positioned at right angles to the fascia line; and
 - 3. There is a minimum clearance of 2.4m between the footpath and the sign; and
 - 4. Is set back at least 600mm from the outside edge of the road kerb.

- (c) Above-Verandah Sign, provided the sign:
 - 1. Advertises only the business, services and products located at the site of the sign; and
 - 2. Is positioned at right angles to the fascia line; and
 - 3. Is no more than 1.2m high; and
 - 4. Is no more than 1.8m² in area; and
 - 5. Does not protrude beyond the edge of the verandah.

7.7.3.4. Portable Signs - The display of two portable signs per property is permitted on the edge of Council owned footpaths, or on private land, provided that:

- (a) Signs are placed adjacent to the commercial premises to which the sign relates (The placement of signs at a remote location is not a permitted activity.); and
- (b) Each sign is no larger than 1m in height and 1.2m in width; and
- (c) There are no elements of the sign which are reflective, illuminated, intermittent, flashing, animated, trivision, inflatable or aerial; and
- (d) Signs are displayed immediately adjacent to either the shop frontage or the kerb of the footpath only, (i.e. not in the middle of the footpath); and
- (e) The portion of the footpath occupied by signs allows a clear unobstructed 2.5m width of footpath to remain; and
- (f) Sign must not be placed in a way to cause any undue obstruction or danger to pedestrians, or adjoining land owners (collapse or blowover).

Note: The occupier shall be solely responsible for any harm caused by these activities to any member of the public.

7.7.4. Permitted Activities - Industrial Zone, Port Zone

7.7.4.1. The erection of signs, provided that the signs:

- (a) Do not total more than 3m² in area per site; and
- (b) Relate to the activity on the site on which the sign is located; and
- (c) Identify only the name and type of business, and
- (d) Are fixed to an existing building or structure, or freestanding within the boundary of the property; and
- (e) Where on land adjacent to any public road, State Highway or railway the sign must also comply with the Rule 7.7.1.4.

7.7.5. Controlled Activities - Scenically Sensitive Commercial Zone

7.7.5.1. One sign per site, provided that:

- (a) The sign advertises only business, services and products located at the site of the sign; and
- (b) It is painted or attached directly onto an existing wall or structure; and
- (c) There are no reflective, illuminated, flashing, intermittent, or animated features; and
- (d) Where on land adjacent to any public road, State Highway or railway the sign must also comply with the Rule 7.7.1.4.

Matters over which Council reserves Control:

- Design and Appearance, including colour; and
- Size of sign, including size of lettering and symbols; and
- Materials; and
- Location.

7.7.6. Discretionary Activities - All Zones

7.7.6.1. Any sign that does not comply with the standards for permitted or controlled signs, and is not specified as a Non-Complying or Prohibited activity.

7.7.7. Discretionary Activities - Rural Zone, Rural Airport Zone, Cement Production Zone

7.7.7.1. Up to a maximum of 3 signs per site, provided:

- (a) The combined total area of all signs does not exceed 3m²; and
- (b) Signs relate directly to the activity at the site on which they are located.

7.7.8. Discretionary Activities - Paparoa Character Area, Natural Environments Character Area, Scenically Sensitive Residential Zone

7.7.8.1. A maximum of one sign per site.

7.7.9. Non-Complying Activities - All Zones

7.7.9.1. Any permanent remote sign.

7.7.10. Non-Complying Activities - Rural Zone, Rural Airport Zone, Cement Production Zone, Paparoa Character Area, Natural Environments Character Area, Scenically Sensitive Residential Zone

7.7.10.1. All signs which do not meet the criteria for Permitted, Controlled or Discretionary Activities and are not specified as a Prohibited activity.

7.7.11. Prohibited Activities - All Zones

7.7.11.1. All signs located adjacent to any road or State Highway with a posted speed limit 80km/h or greater are prohibited where:

- (a) The sign is flashing or animated or including revolving lights or lasers; and/or
- (b) The sign is illuminated and produces glare which could dazzle road users.

7.7.11.2. Any sign or advertising material placed on a vehicle whether stationary or moving on a road, where that vehicle is being used primarily for the purpose of exhibiting advertising material.

7.7.11.3. All signs located adjacent to any railway are prohibited where:

- (a) The sign is flashing or animated or including revolving lights or lasers; and/or
- (b) The sign is illuminated and produces glare which could dazzle train drivers.

7.8. Noise Standards

7.8.1. The following maximum noise levels measured at the stated times at the boundary of any land used for a residential activity shall not be exceeded:

7.8.1.1. Monday to Friday – 8.00 am to 11.00 pm	55dBA L10
Saturday – 8.00 am to 6.00 pm	55dBA L10
At all other times including any public holiday	45dBA L10, Lmax 75dBA

7.8.2. Provided these limits shall not apply where there is any residential activity on the same site in the Industrial Zone. Road traffic noise is also exempt from these standards.

7.8.3. Subject to the provisions of paragraph 1 the following noise limits shall not be exceeded at the boundary of any site within the Industrial, Port and Cement Zones:

7.8.3.1. Monday to Friday – 8.00 am to 11.00 pm	60dBA L10
Saturday – 8.00 am to 6.00 pm	60dBA L10
At all other times including any public holiday	50dBA L10

7.8.3.2. Sound levels shall be measured in accordance with New Zealand Standard 6801:1991 “Measurement of Sound” and assessed in accordance with the provisions of New Zealand Standard 6802:1991 “Assessment of Environmental Sound”.

7.8.3.3. Noise associated with helicopter landing areas shall be measured and assessed in accordance with the provisions of New Zealand Standard 6807:1994 “Noise Management and Land Use Planning for Helicopter Landing Areas”. Helicopter operations shall be conducted so that the limits in Table 1 of New Zealand Standard 6807:1994 are not exceeded.

7.8.3.4. Construction noise emanating from any site shall not exceed the limits recommended in, and be measured and assessed in accordance with the provisions of New Zealand Standard 6803P:1984 “The Measurement and Assessment of Noise from Construction, Maintenance, and Demolition Work”.

7.8.3.5. Noise shall be measured with a sound level meter complying with the International Standard IEC 651 (1979): Sound Level Meters Type 2.

7.8.4. Compliance with any provision of this rule does not grant the right to create any nuisance as defined under the Health Act 1956 or negate the duty to avoid unreasonable noise or to avoid, remedy or mitigate adverse effects on the environment as required by Sections 16 and 17 of the Act, or to their amendments thereto and substitutions therefore.

7.8.5. Explanation/Reasons

7.8.5.1. Noise standards are set to prevent cumulative increases in background noise levels and to ensure the protection of community health and amenity.

7.8.5.2. Excessive or high levels of noise can have a detrimental impact on environmental quality. The Act requires that environmental quality is to be maintained and enhanced. Therefore the control of noise sources is justifiable in order to prevent an increase in the overall ambient noise in the environment. The standards aim at the very least to maintain noise in the environment originating from human activity at current levels and where possible to actually improve background noise exposure.

7.8.5.3. Roads and state highways are exempt from noise standards because they cannot comply with a 45dBA limit.

7.8.5.4. The Act requires the Council to control the emission of noise and to mitigate any adverse effects of noise. Noise nuisance and excessive noise are recognised as having a detrimental public health impact and can also affect amenity values of a neighbourhood. The rules set out above prescribe quantitative noise limits aimed at maintaining or even reducing existing background noise levels and to protect neighbours (and occupiers of the property) from adverse effects. The standards differ according to time of day and week, location and type of activity concerned.

7.9. Other General Rules

7.9.1. General Duty to Comply

- 7.9.1.1. No person may use any land in a manner which contravenes a rule in this Plan unless the activity is expressly allowed by a resource consent, or is an existing use allowed by Section 10 of the Act.
- 7.9.1.2. Any activity which is not specifically referred to in the Plan or does not fall within the limits of permitted, controlled or discretionary activities is deemed to be a non-complying activity and will require a resource consent.

7.9.2. Stormwater Disposal

- 7.9.2.1. Stormwater run-off from buildings shall be directed to the road channel, or to a watercourse within the property, or to an approved drain for that purpose.

7.9.3. Planting

- 7.9.3.1. No tree or vegetation shall be planted in a position which will restrict the driver's visibility to or from any road intersection or any private access intersection with the state highway, or an arterial road, or restrict the drivers view of "official signs" or adversely affect the visibility of drivers at rail level crossings.
- 7.9.3.2. No tree, plantation, shelterbelt or vegetation shall be planted or be permitted to grow in a position that could result in the shading of the road pavement of any state highway or arterial route between 10.00am and 2.00pm on the shortest day of the year.

7.9.4. Glare and light spill

- 7.9.4.1. All exterior lighting shall be designed, installed and maintained so that:
 - 7.9.4.1.1. Light emitted does not cause a distraction or glare which could create a traffic hazard on any road, or interfere with the correct operation of navigational aids;
 - 7.9.4.1.2. There is no adverse effect on residents or activities adjacent to the area being illuminated.
- 7.9.4.2. Any activity shall ensure that no greater than a 10 lux spill (horizontal or vertical) of light shall enter any adjoining property, measured 2.0 metres inside the boundary of the adjoining site.

7.9.4.3. Scenically Sensitive Commercial Zone

7.9.4.3.1. Lights will be hooded/shrouded so as to direct light spill downwards;

7.9.4.3.2. The lights will be mounted 900mm above ground (except where placed above doorway entrances) and will be located above areas of low reflectivity. Typically this means locations within landscaped areas or above gravelled paths. In all cases, lights will be sited a minimum of 300mm from any hard standing or paved areas.

7.9.5. Rifle Range Protection

Activities within the Rifle Range Protection Area (shown on Planning Maps B7 and B10) are either permitted, discretionary or prohibited as outlined below.

7.9.5.1. Permitted Activities (within the Westport Rifle Range Protection Area)

7.9.5.1.1. Agricultural activities.

7.9.5.1.2. Recreational firearms target shooting.

7.9.5.1.3. Temporary military training activities in accordance with Rule 6.2.20.

7.9.5.1.4. Works, including non-residential building, that are reasonably necessary for the operation of the Westport Rifle Range or the carrying out of another permitted activity.

7.9.5.1.5. The erection of signs where this would be permitted under the "All Zone" or the "Rural Zone" rules in Part 7.7.

7.9.5.2. Discretionary Activities (within the Westport Rifle Range Protection Area)

7.9.5.2.1. The erection of signs where this would be a discretionary activity under the "Rural Zone" rules in Part 7.7.

7.9.5.3. Prohibited Activities (within the Westport Rifle Range Protection Area)

7.9.5.3.1. Erection of buildings not permitted by 7.9.5.1.4.

7.9.5.3.2. Any activity other than those outlined in 7.9.5.1. and 7.9.5.2 .

7.9.6. Esplanade Strips and Esplanade Reserves

7.9.6.1. Rules

- 7.9.6.1.1. Where any allotment of 4ha or more is created when land adjoining the Coastal Marine Area is subdivided, other than as a result of a boundary adjustment, an esplanade strip of 20m shall be set aside in the new lot along the mark of Mean High Water Spring of the sea and along the bank of any river or margin of any lake.
- 7.9.6.1.2. Where any allotment of 4ha or more is created when land is subdivided, other than applies under 7.9.6.1.1. above, or as a result of a boundary adjustment, an esplanade strip of 20m shall be created from that allotment along the bank of any river or margin of any lake. This requirement for an esplanade strip does not apply where a legal road (formed or not) provides adequate access to the water body. This rule only applies to lakes and rivers as defined in section 230(4) of the Resource Management Act 1991.
- 7.9.6.1.3. An esplanade strip required under 7.9.6.1.1. or 7.9.6.1.2. above may on application be reduced in width or dispensed with altogether. In considering any such application the Council shall take into account the matters listed in 7.9.6.3. below.

7.9.6.2. Explanation/Reasons

- 7.9.6.2.1. Esplanade reserves and strips are defined in the Act. Esplanade reserves are required on the creation of new lots under 4ha as detailed in Section 230 of the Act. Esplanade strips are required on the creation of new lots of 4ha and over on land adjoining the Coastal Marine Area, rivers or lakes by the general rule 7.9.6.1. An instrument creating an esplanade strip will be created in accordance with Section 232 of the Act.
- 7.9.6.2.2. The matters in 7.9.6.3. below are the matters which will be considered in assessing applications for subdivision consent where a reduction or waiver of an esplanade reserve or esplanade strip is sought, in addition to any other matters the Council considers relevant. The subdivision consent may relate to a controlled, discretionary, non-complying or innominate activity.
- 7.9.6.2.3. Esplanade reserves and esplanade strips may be required as financial contributions for land use consents in accordance with 8.4.1.15.

7.9.6.3. General Matters for Assessment

- 7.9.6.3.1. The extent to which the area has low conservation values of the type listed in Section 229 of the Act.
- 7.9.6.3.2. The extent to which the reserve or strip is needed to allow the continuation of reserves, and whether this can be achieved at a reduced width.
- 7.9.6.3.3. The extent to which reduced width will impact on the value of the reserve or strip for conservation or access purposes.
- 7.9.6.3.4. Whether there are topographical features which make a 20m width impractical.
- 7.9.6.3.5. The extent to which provision for protection of conservation values and public access to and along the edge of the relevant water body has been made elsewhere, for example, through easements, covenants or other reserves.
- 7.9.6.3.6. Whether the creation of an esplanade reserve is not in the best interests of public safety or security for the landowners and/or neighbours.
- 7.9.6.3.7. Where the values sought to be protected by an esplanade reserve can be adequately protected by an instrument creating an esplanade strip, the requirement for an esplanade reserve may be waived and an esplanade strip required instead.

7.9.7. Historical/ Cultural Buildings and Sites

7.9.7.1. Permitted Activities:

- 7.9.7.1.1. No changes of use or subdivision of any historic/cultural item(s) listed in Part 14, which would adversely affect the heritage resource or detract from the values the item(s) are listed for will be allowed.

7.9.7.2. Discretionary Activities:

- 7.9.7.2.1. No destruction of any historic/cultural item listed in Part 14.

7.9.8. Notable Trees

7.9.8.1. Permitted Activities:

7.9.8.1.1. No modification or destruction of any notable tree listed in Part 15 is permitted.

7.9.8.2. Discretionary Activities:

7.9.8.2.1. No destruction of any notable tree listed in Part 15, unless the work is clearly required to prevent obvious and imminent danger to the public.