

PRACTICE NOTE 12/2015



# WATER TANKS IN THE RURAL GENERAL AND RURAL LIVING ZONES



# THE QLDC DISTRICT PLAN

The definition of building in the district plan is the same as the definition on the Building Act 1991, with certain exemptions, including buildings that are smaller than 5m<sup>2</sup> in area and 2m in height.

<b>BUILDING</b>	<p>Shall have the same meaning as in the Building Act 1991, but does not include:</p> <ul style="list-style-type: none"><li>- Fences or walls of 2m in height or less above ground level or retaining walls or 2m in height or less below ground level, not used for a sign or for any purpose other than as a fence, retaining wall or wall.</li><li>- Structures less than 5m<sup>2</sup> in area and in addition less than 2m in height above ground level.</li><li>- Radio and television aerials (excluding dish antennae for receiving satellite television which are greater than 1.2m in diameter), less than 2m in height above ground level.</li><li>- Masts and poles less than 2m in height above ground level.</li><li>- The upgrading and extension to the Arrow Irrigation Race provided that this exception only applies to upgrading and extension works that involve underground piping of the Arrow Irrigation Race.</li></ul> <p>Building includes the construction, erection, alteration, relocation or placement on a site of a building.</p>
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Most water tanks, however, are larger than 5m<sup>2</sup> and higher than 2m, unless they are partially buried. Therefore, given the definition of buildings above, water tanks would be considered buildings.

Rules 5.3.3.2(i) (Rural Areas) and 8.2.2.2(i) (Rural Living Areas) require consent for **ANY** building in the Rural General, Rural Residential or Rural Lifestyle Zone. Further, if there is a residential building platform on the site, then a water tank must be located within that building platform to be considered a controlled activity (rather than a discretionary and non-complying activity, for which the test to grant consent is higher).

Consent notices and conditions of resource consents to construct dwellings in the Rural and Rural Living Zones generally require the consent holder to install a 20,000 or 30,000 litre water tank on site for fire fighting water supply.

Council's interpretation is that if there is a condition of consent requiring the installation of a water tank then no further Resource Consent is required for the location of the water tank on the site.

Notwithstanding this, water tanks must comply with any relevant bulk or location controls, and be located within a building platform if there is on the site. If someone wishes to breach these rules resource consent will be required to breach the additional rule.

Water tanks should also comply with the guidance on suitable building colours in the rural zones, which include darker tones of grey, brown or green.

In summary, Council's interpretation is that no resource consent is required for a water tank provided it meets all of the following criteria:

- There is a condition of a resource consent requiring that a water tank be installed on site
- The water tank is recessive in colour and of a natural hue including brown, grey or green.
- The water tank is located within the building platform on site (if applicable) and complies with all relevant site and zone standards

Of course, the easiest way to avoid confusion is to ensure that any proposed water tanks are indicated on any site plan submitted to Council for a resource consent application to build a house.

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