D4 RURAL ZONE RULES AND STANDARDS

There are two maps that cover the Rural Zone and the majority of rules and standards that follow apply to the whole Rural Zone as outlined on these maps.

Refer to Figure 4 for an explanation of how to determine whether an activity requires a resource consent and what type of activity it will be considered as, i.e. permitted, controlled, restricted discretionary, discretionary or non-complying.

The following rules and standards must also be read in conjunction with:

- Part E – Financial Contributions
- Part F – Information to be Supplied
- Part H – Car Parking, Vehicle Movements & Roads
- Part HH – Historic Heritage
- Part I – Hazardous Facility Screening Procedures
- Part K – Designations
- Part M – Interpretation
- Part N – Map Updates
- Any relevant National Policy Statement or National Environmental Standard.

D4.1 Rural Zone Rules

D4.1.1 Permitted activities

Any one or more of the following are permitted activities:

(i) All primary production activities, excluding buildings, which do not contravene any permitted activity standard.

(ii) Buildings and structures less than 2.5m in height and less than 10m² in area located within the National Grid Yard that meet all the permitted activity standards and are not being used for a Sensitive Activity.

(iii) Earthworks within a National Grid Yard that:

a) are undertaken by a Network Utility Operator or undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, driveway or farm track; or

b) comply with the permitted activity standards for earthworks within a National Grid Yard.

(iv) Removed by Plan Change 16

(v) Removed by Plan Change 16

(vi) Temporary Military Training Activities in compliance with Temporary Military Training Activities Standards.

(vii) Use of existing school facilities, buildings and associated grounds and halls for activities or services having either a social, community, sporting, ceremonial, cultural, educational, recreational, worship, and
spiritual purposes subject to compliance with the permitted activity standards for carparking, noise and signs.

(viii) Alterations and additions to existing dwellings, where the alterations and additions do not contravene any permitted activity standard and do not increase the gross floor area by more than 10% in any 12 month period.

(ix) Alterations and additions to existing buildings (other than dwellings) accessory to a permitted or controlled activity, where the alterations and additions do not contravene any permitted activity standard and do not increase the gross floor area by more than 10% in any 12 month period.

(x) Except in a Landscape Protection Area, the harvesting of production forestry one hectare or less in area in any 12 month period.

The permitted activity standards apply only to those activities for which a direct reference is made to those standards.

**D4.1.2 Controlled activities**

Any one or more of the following are Controlled Activities:

(i) Except in a Landscape Protection Area, one dwelling per certificate of title containing a minimum land area of 2000m² where the dwelling does not contravene any permitted activity standard.

The matters over which Council reserves control for the purpose of assessment are:

(a) the location of the dwelling,

(b) earthworks,

(c) native vegetation clearance,

(d) the imposition of financial contributions in accordance with Part E of this plan,

(e) The design and layout of the subdivision where any lot may affect the safe and effective operation and maintenance of and access to regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.

(f) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.

**Note:** Rule 4.1.3(v) covers subdivision within the National Grid Corridor.

**Note:** Earthworks may also require consent under the Proposed Regional Soil Plan.

(ii) Except in a Landscape Protection Area, buildings (other than dwellings) accessory to a permitted or controlled activity and which do not exceed any permitted activity standard.
The matters over which Council reserves control for the purpose of assessment are:

(a) the location of the building,
(b) earthworks,
(c) native vegetation clearance.
(d) the imposition of financial contributions in accordance with Part E of this plan,

Note: Earthworks may also require consent under the Proposed Regional Soil Plan.

(iii) Harvesting of production forestry where the area being harvested exceeds 1 hectare in area in any 12 month period and, in Landscape Protection Areas, any harvesting of production forestry, regardless of the area.

The matters over which Council reserves control for the purpose of assessment are:

(a) the method and time of year of the harvesting,
(b) the hours of operation of the harvesting,
(c) the location of access to the site,
(d) the imposition of financial contributions in accordance with Part E of this plan.

(iv) New vehicle crossings onto roads in the Rural Zone (except state highways and limited access roads).

The matters over which Council reserves control for the purpose of assessment are:

(a) the location of the crossing,
(b) the imposition of financial contributions in accordance with Part E of this plan.

(v) Removed by Plan Change 16
(vi) Removed by Plan Change 16
(vii) Subdivisions of allotments where the following requirements are met:

(a) the number of allotments will not be increased, and
(b) no resultant allotment shall be reduced in area by more than 5% from the area of the existing allotment from which it is derived, and
(c) the length of the road frontage of any allotment shall not be reduced by more than 5% from the existing allotment from which it is derived, and

(d) the number of allotments with road frontage is not increased.

The matters over which Council reserves control for the purpose of assessment are:

(a) earthworks,

(b) native vegetation clearance.

(c) the imposition of financial contributions in accordance with Part E of this plan,

(d) the imposition of any conditions in accordance with s220 of the RMA.

Note: Earthworks may also require consent under the Proposed Regional Soil Plan.

(viii) Subdivisions which result in all allotments being 40 hectares or more in area. The matters over which Council reserves control for the purpose of assessment are:

(a) earthworks,

(b) native vegetation clearance.

(c) the imposition of financial contributions in accordance with Part E of this plan.

(d) the imposition of any conditions in accordance with s220 of the RMA.

(e) The design and layout of the subdivision where any lot may affect the safe and effective operation and maintenance of and access to regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.

(f) The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.

Note: Rule 4.1.3(v) covers subdivision within the National Grid Corridor.

Note: Earthworks may also require consent under the Proposed Regional Soil Plan.

(ix) Alterations and additions to existing dwellings and buildings (other than dwellings) accessory to a permitted or controlled activity which do not comply with the Permitted Activity Rule and which do not contravene any permitted activity standard.

The matters over which Council reserves control for the purpose of assessment are:
(a) the location of the alteration or addition,

(b) earthworks,

(c) native vegetation clearance,

(d) the imposition of financial contributions in accordance with Part E of this Plan.

Note: Earthworks may also require consent under the Proposed Regional Soil Plan.

(x) Temporary Military Training Activities except in a Landscape Protection Area that do not comply with Temporary Military Training Activity Standards.

The matters over which Council reserves control for the purpose of assessment are:

(a) Any restrictions on public access to recreational areas.

(b) Likely land degradation by vehicles including tracked vehicles and the need for land reinstatement.

(c) Impact upon: water courses and riparian margins, wetlands, historic sites, sites of significance to the tangata whenua, and native vegetation.

(d) Number of personnel.

(e) Duration of the consent.

(f) Impact on rural roads, including points of access.

D4.1.3 Restricted discretionary activities

Any one or more of the following are a restricted discretionary activity:

(i) Essential activities in the Seismic Hazard Area, where these activities meet all the permitted activity standards.

The Council restricts the exercise of its discretion to the following matters:

(a) the appropriateness of the proposed activity on the site having regard to the potential of seismic hazard to disrupt that activity,

(b) the imposition of financial contributions in accordance with Part E of this plan.

(ii) Repealed by Plan Change 15, refer to Part HH of the Plan for relevant rules relating to Historic Heritage.

(iii) Temporary Military Training Activities in a Landscape Protection Area that do not comply with Temporary Military Training Activity Standards.
The Council restricts the exercise of its discretion to the following matters:

(a) Any restrictions on public access to recreational areas.

(b) Likely land degradation by vehicles including tracked vehicles and the need for land reinstatement.

(c) Impact upon: water courses and riparian margins, wetlands, historic sites, sites of significance to the tangata whenua, and native vegetation.

(d) Number of personnel.

(e) Duration of the consent.

(f) Impact on rural roads, including points of access.

(iv) New buildings and structures and additions and alterations to existing buildings and structures that are over 2.5m in height and / or more than 10m² in area located within the National Grid Yard.

The Council has restricted its discretion to the following matters when considering an application for resource consent:

(a) Any risk to the structural integrity of the transmission line;

(b) Any effects on the ability of the transmission line owner to operate, maintain and/or upgrade the National Grid;

(c) The proximity of buildings and structures to electrical hazards;

(d) Operational risks relating to health or public safety, and the risk of property damage;

(e) Amenity effects; and

(f) Any actual or potential reverse sensitivity effects.

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on the National Grid Operator as the only affected party under section 95B.

**Advice Note:** Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

Vegetation to be planted within the National Grid Yard as shown on the planning maps should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support structures. To discuss works, including tree planting near any electricity line especially
Subdivision of land which is within an National Grid Corridor and provides a complying nominal building platform for a dwelling for each new lot, which is fully located outside the National Grid Yard.

The Council has restricted its discretion to the following matters when considering an application for resource consent and/or appropriate conditions:

(a) the extent to which the design, construction and layout of the subdivision (including landscaping) demonstrates that a suitable building platform for a dwelling for each new lot can be located outside of the National Grid Yard to ensure adverse effects on and from the National Grid and on public health and safety are appropriately avoided, remedied or mitigated;

(b) The provision for the on-going operation, maintenance (including access) and planned upgrade of Electricity Transmission Lines;

(c) The risk to the structural integrity of the National Grid;

(d) The extent to which the subdivision design and consequential development will minimise the risk of injury and/or property damage from such lines;

(e) The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity on and amenity and nuisance effects of the transmission asset.

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on the National Grid Operator as the only affected party under section 95B.

Advice Note: Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

Vegetation to be planted within the National Grid Yard as shown on the planning maps should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support structures. To discuss works, including tree planting near any electricity line especially works within the transmission corridor; contact the relevant network utility operator.

Earthworks within a National Grid Yard that do not comply with permitted activity standard D4.2.1 (i) but comply with standard (ii).
Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on the National Grid Operator as the only affected party under section 95B.

**D4.1.4 Discretionary activities**

Any one or more of the following are discretionary activities:

(i) All activities which are not a permitted, controlled, limited discretionary, or prohibited activity, and are not specified in D4.1.5 (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix) or (x) as a non-complying activity.

(ii) Subdivision where any of the resultant allotments are 5 hectares or more in area and less than 40 hectares.

(iii) New buildings (including new dwellings) in a Landscape Protection Area.

(iv) New vehicle crossings onto State Highway No 1 and State Highway No 58.

*Note:* Refer to Figure 6 in Part H of this Plan for the requirements relating to private access onto state highways.

(v) Extractive industries.

(vi) Service Stations.

*Note:* Council may require financial contributions as a condition of a resource consent in accordance with Part E of this plan.

(vii) Wind farms where no turbine is located within a Landscape Protection Area or within 700 metres of:

a) A zone boundary (excluding district boundaries); or

b) The boundary of a site that is not part of the wind farm.

**Assessment Criteria**

In considering whether to grant consent to an application for resource consent made under Rule D4.1.4(vii) and, if granted, what conditions to impose, Council will have specific regard to (but will not be restricted to) the following criteria:

a) The contribution to achieving national, regional and local energy policy objectives and renewable energy targets;

b) Visual impacts, including the design, location, appearance and concentration of structures and their impact on the natural character of the coastal environment, outstanding natural features and landscapes, rural character, values associated with a Landscape Protection Area, and visibility from residences and public places;
c) The effects of noise, and particularly the ability to meet NZS 6808:2010 (Acoustics – wind farm noise);

d) Impacts on the amenity values of the surrounding environment, including a consideration of electromagnetic interference, vibration, aviation navigation lighting and turbine blade shadow or glare flicker;

e) Ecological impacts, particularly impacts on the coastal environment, water bodies, impacts associated with native vegetation removal and impacts on indigenous avifauna, indigenous fauna and their habitats;

f) Impacts on archaeological and historic features and items, and sites of significance to tangata whenua;

g) Impacts of earthworks and the modification of natural landforms, including impacts on water quality and proposed remedial and mitigation measures;

h) Traffic impacts (including construction and post-construction traffic) and impacts on the roading network, including the nature and extent of vehicle movements, access, management and mitigation measures; road safety and levels of service; and impacts associated with traffic distraction;

i) Impacts on aviation, navigation and existing network utilities;

j) Construction effects, including construction noise (and the ability to meet NZS 6803:1999 Acoustics – Construction Noise);

k) Cumulative effects, including a consideration of visual saturation and the cumulative visual effects of wind farms across the Region;

l) Positive effects.

In submitting an application for resource consent the applicant will be required to undertake a full assessment of environmental effects in accordance with the information requirements of Part F Information to be Supplied.

It is acknowledged that a wind farm is likely to encompass more than one site or land contained within a single certificate of title). For the purpose of this Rule, the provisions of Rule D4.1.4 (vii) apply to all sites that form the wind farm.

D4.1.5 Non-complying activities

Any one or more of the following are non-complying activities:

(i) All activities which are not a permitted, controlled, restricted discretionary, discretionary activity, or prohibited activity.

(ii) Activities which emit an objectionable odour.

(iii) Offensive trades.
(iv) Vehicle yards.

(v) Any subdivision which would result in any allotment of less than 5Ha (except as provided for in Rule D4.1.2(vii)).

Note: Council may require financial contributions as a condition of resource consent in accordance with Part E of this plan.

(vi) Wind farms that are not provided for by Rule D4.1.4 (vii).

Note: The Assessment Criteria contained in Rule D4.1.4 (vii) shall apply to an application made under Rule D4.1.5 (vi).

(vii) The construction and use, establishment, or change of use, of any building and structure located within the National Grid Yard for a Sensitive Activity.

(viii) Any subdivision of land within the National Grid Corridor that does not identify a complying nominal building platform for a dwelling for each new lot, which is fully located outside the National Grid Yard.

(ix) Milking Shed building(s) (excluding associated ancillary structures and stockyards) or building(s) used for an intensive rural production activity (excluding associated ancillary structures), located within the National Grid Yard.

(x) Earthworks that do not comply with permitted activity standard D4.2.1(ii) for Earthworks within a National Grid Yard.

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### D4.2 Rural Zone Standards

#### D4.2.1 Permitted activity standards

**Car parking**

The number of car parks must be located on site. Every car park shall comply with the technical standards in Part H of this Plan.

*Note: Where parking spaces standards for non-school activities cannot be provided to the Technical Standards in Part H of the Plan, parking is permitted on school grounds subject to practical access.*

**Earthworks**

The following shall apply to earthworks on a site:

(i) Earthworks, except earthworks as part of any dwelling or building shall not exceed, in a 12 month period:

(a) 25m² in area within a riparian setback, or

(b) 500m² in area in a Landscape Protection Area, or

(c) 1000m² in area elsewhere in the Rural Zone, or
(d) 0.5 metres in height or depth in a riparian setback and 1.5 metres in height or depth elsewhere.

(b) and (c) shall not apply to earthworks for the purposes of the maintenance of existing farm roads and tracks, or for the construction or maintenance of drains or fences.

(ii) Earthworks as part of any proposed dwelling or building on the site, except for:

- earthworks (cut and fill) under a proposed building and building platform which do not extend further than 2 metres beyond the exterior walls of any proposed building when measured in plan view; and

- earthworks (cut) for a swimming pool which do not extend further than 2 metres from the edge of the swimming pool:

shall not exceed, in a 12 month period:

(a) 25m$^2$ in area within a riparian setback, or

(b) 100m$^2$ in area elsewhere in the Rural Zone, or

(c) 0.5 metres in height or depth in a riparian setback and 1.5 metres in height or depth elsewhere.

(iii) Earthworks shall not be undertaken on land with a slope in excess of 45 degrees.

(iv) Earthworks within a yard shall not exceed a height recession plane measured at an angle of 45 degrees from the closest boundary into the site.

Note: Earthworks may also require consent under the Regional Soil Plan or an archaeological authority under the Historic Places Act 1993 if the earthworks will damage, destroy or modify an archaeological site.

Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

Figure 1: Extent of earthworks not subject to the permitted activity standard for earthworks
Earthworks within a National Grid Yard

Any earthworks within a National Grid Yard:

(i) within a distance measured 12 metres from the outer visible edge of any National Grid support structure, any earthworks shall not exceed a depth (measured vertically) of 300mm

(ii) shall not result in a ground to conductor clearance of less than:

- 6.5m (measured vertically) from a 110kV National Grid transmission line; or

- 8m (measured vertically) from a 220kV National Grid transmission line.

Financial contributions

The payment of all financial contributions in respect of a permitted activity as provided for in Part E of this plan shall be made before the commencement of that activity.

Hazardous substances

No activity shall exceed a Hazardous Substance Threshold of 0.75.

Height

The maximum height of any building or part of a building (including any sign) on a site shall be: 10m. The maximum height of new masts (as a permitted activity) shall be 6 metres.
Height recession plane

All buildings must be within a building envelope of 3m height and a vertical angle of 45° into the site, measured from any point along the boundary of the site with an adjacent site.

Loading

All loading and unloading of goods shall take place within the site and clear of all yards.

Native Vegetation Clearance

There shall be no destruction of any native vegetation where:

(a) the area of native vegetation exceeds 1 hectare with an average height of 3 metres or more, or

(b) the area of native vegetation is part of an area in one or more sites, which exceeds 1 hectare with an average height of 3 metres or more.

The word “area” in (a) and (b) above refers to the existing area covered by native vegetation, (i.e. if it is the sum of the area of native vegetation which is proposed to be disturbed or removed, plus the balance area of native vegetation).

Noise

(i) The maximum noise levels from any activity on a site located in the Rural Zone, measured at the Suburban Zone boundary or within 20m of any dwelling on another property shall not exceed the following levels:

(a) \( L_{10} \) 55 dBA day time (7am-10pm),

\( L_{10} \) 45 dBA night (10pm-7am);

(b) \( L_{\text{max}} \) 75 dBA night time (10pm – 7am).

(ii) The sound level from any activity on a Rural Zone site when measured at least 20 metres inside the boundary of any site in the Recreation or Public Open Space Zone shall not exceed the following limits:

\( L_{10} \) 60 dBA day time (7am – 10pm)

\( L_{10} \) 50 dBA night time (10 pm – 7am)

\( L_{\text{max}} \) 75 dBA night time (10pm – 7am)

All sound levels shall be measured in accordance with NZS 6801:1991 Acoustics – “Measurement of Sound”. Where NZS 6802:1991 does not include assessment of the type of noise in question, the appropriate New Zealand Standards may be used. The measurement time interval shall be a minimum of 10 minutes.
Screening

All materials which are stored outside a building shall be screened from view from adjoining properties and any road. For the purpose of this standard materials includes wrecked or derelict vehicles and the ongoing storage of building materials or scrap metal.

Signs

One sign per site provided it relates to the activities on the site and does not exceed 1 m² in total area; but excluding signs visible to drivers on a State Highway, and flashing signs.

Note: Refer to the height standard to determine the maximum permitted height of signs.

Siting of Production Forestry

The last row of plantings shall be planted no closer than 10m to a site boundary, and no closer than 20m to any boundary where the site abuts the Suburban Zone.

Temporary Military Training Activities Standards

(a) Noise from temporary military training activities shall not exceed the following limits when measured at, or within, any residentially zoned site, or the 20 metre notional boundary to any rural residence (or the legal boundary where this is closest to the residence):

<table>
<thead>
<tr>
<th>Time</th>
<th>Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>7am to 10pm</td>
<td>75dBA L₁₀</td>
</tr>
<tr>
<td>7am to 10pm</td>
<td>90dBALₘₐₓ</td>
</tr>
<tr>
<td>10pm to 7am</td>
<td>45dBA L₁₀</td>
</tr>
<tr>
<td>10pm to 7am</td>
<td>75dBA Lₘₐₓ</td>
</tr>
</tbody>
</table>

Noise resulting from the use of explosives shall not exceed 122dBC “peak” time weighting. Measurements shall be in accordance with the provisions of NZS6801: 1991 Measurement of Sound.

(b) There shall be no use of tracked or half-tracked vehicles.

(c) Traffic movements generated on adjoining roads shall not exceed twenty movements per day. In order to comply with this standard the New Zealand Defence Force shall advise the Council not less than one week prior to the commencement date of the proposed military training activity the:

- Total number of vehicles to be used during the exercise;
- Type of vehicles to be used during the exercise; and
- The points of access onto adjoining roads.

(d) Temporary Military Training Activities shall comply with all other relevant rural zone standards.
Yards

The minimum yards for a site shall be:

(a) Front yard

Minimum front yard - 5m.

(b) Riparian setback

Minimum riparian setback for buildings - 20m

(c) Other yard

Minimum other yard - 5m.

Note: Vegetation to be planted within the National Grid Yard as shown on the planning maps should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support structures. To discuss works, including tree planting near any electricity line especially works within the transmission corridor; contact the relevant network utility operator.

D4.2.2 Discretionary activity standards

There are no discretionary activity standards in the Rural Zone.
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