

# Appendix 4

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## Marked Up Text

Proposed Plan Change 36 - Rural

January 2015

## 3 RURAL ENVIRONMENT

Note:

1. Provisions relating to the Rural B zone have been reviewed previously and are not subject to this Plan Change.
2. The Coastal Residential zone is not being reviewed as part of the current review process.
3. The performance standards relating to Noise will be reviewed separately in Phase 6. They are not subject to this Plan Change.
4. All the excluded provisions referred to above are shown **shaded grey in this marked up version of the proposed Plan text.**)

The rural area covers nearly 99% of the land area of the District. The land is used predominantly as a natural resource for primary production and associated activities and rural settlements. The rural settlements are quite small and include a number of Maori settlements, some of which are located on the banks of the middle reaches of the Whanganui River.

There is a significant proportion of land within the rural part of the District which is not used for productive purposes at all. This is due to the physical limitations of the land resource, or the desire to protect areas with important landscape and ecological values. The Whanganui National Park occupies the northern part of the District.

Activities in the rural area use up resources and generate standards which, if unmanaged, and over time, may reduce the productive capability of the land resource base. The potential of the land to support future needs and the quality of life of people and communities in the rural environment may also be adversely affected.

The ~~quality of the~~<sup>1</sup> rural environment is characterised by openness and greenness and dominant physical features; and the operational characteristics of rural land use activities; e.g. smell, noise and traffic movement.

### Rural A<sup>2</sup> Production<sup>2</sup> zone:

Wanganui has good soils and climate, which is a rare coincidence in the NZ context. Future rural focus for Wanganui is to produce high end product; our future lies with increasing productive use of the land.

The extent of <sup>3</sup>LUC Class I4 and II2 soils<sup>4</sup> in the Wanganui District is limited. It comprises just seven percent (15,712 hectares) of the land in the

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<sup>1</sup> Sub 71 by Horticulture NZ

<sup>2</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>3</sup> Sub 57 Federated Farmers

District (237,415.81 ha)<sup>5</sup>, with much of it located close to the urban area. Approximately 12 percent of this land is now occupied by non or low productive activities.

With increased residential and lifestyle settlement particularly in the Westmere area, reverse sensitivity issues arise. This may results in an even greater further loss of productive land, as where buffer areas are informally created at boundaries where which avoid or limit productive activities are limited or avoided, around each productive unit, in which no productive activities occur to avoid minimise reverse sensitivity and neighbour issues. However the onus is not on the lawfully established rural activity to mitigate effects in this way.<sup>6</sup>

The productive capability of the land is affected by subdivision, particularly close to the urban fringe where close subdivision is prevalent. Small lots, which cannot accommodate a variety of primary productive uses, should be avoided to ensure a range of options are available in the future. Experience has shown that amalgamation of small lots is difficult to achieve, thus retention of larger site areas is critical to protecting the productive capabilities of the quality soil resources in the District.

The Rural AProduction<sup>7</sup> zone identifies those areas close to the urban area which comprise<sup>8</sup> LUC Class I4 soils<sup>9</sup> and those areas of<sup>10</sup> LUC Class II2 soils<sup>11</sup> which are subject to potential residential or rural lifestyle development pressure. Such activities are discouraged as they have resulted in significant loss of productive land. This zone provides for most types of rural activities with a focus on not compromising the productive qualities of the land.

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<sup>4</sup> Sub 71 by Horticulture NZ

<sup>5</sup> Sub 71 by Horticulture NZ

<sup>6</sup> Sub 71 by Horticulture NZ

<sup>7</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>8</sup> Sub 57 Federated Farmers

<sup>9</sup> Sub 71 by Horticulture NZ

<sup>10</sup> Sub 57 Federated Farmers

<sup>11</sup> Sub 71 by Horticulture NZ

## Rural B Lifestyle<sup>12</sup> zone:

The Rural B Lifestyle<sup>13</sup> zone identifies large areas of rural land adjacent to or surrounding the urban area where lifestyle living development<sup>14</sup> is actively encouraged. Sites generally have independent on-site water, wastewater and stormwater services. Although in some areas sites have been connected to urban reticulated services. In future this will only be accommodated where it is demonstrated that there is no additional demand on the infrastructure network and no adverse effects on the environment.

This zone provides for most types of rural activities as well as rural lifestyle development. Increased rural lifestyle development changes the character of the rural landscape. It also brings expectations of urban amenities which are quite different from those in the rural environment. The effects of rural activities may be regarded as a nuisance. The location of rural lifestyle activities in the rural environment needs to be managed to provide for the farming operations and other rural activities, as well as reasonable amenities for rural living.

## Rural C General<sup>15</sup> zone:

The hill country covers approximately 80% of the land area of the District. The landform is characterised by moderately to steeply dissected slopes and dominant ridges.

The soft rock hill country is inherently unstable and has the potential for erosion. The present actual level of erosion is moderate. There are limitations to the land use capability of much of this land. About 87% of the hill country falls within the New Zealand Land Resource Inventory Land Use Capability Classes VII and VIII.

The coastal belt of sand dunes, sea cliffs, plains and wetlands covers around 4% of the total land area of the District. The potential and present actual erosion over much of this land is extreme. Nearly 55% of this coastal belt is made up of unstable dunes, with limitations to their land use capability. These dune areas fall within the New Zealand Land Resource Inventory Land Use Capability Classes VII and VIII.

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<sup>12</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>13</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>14</sup> Sub 71 by Horticulture NZ

<sup>15</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

The Rural CGeneral<sup>16</sup> zone identifies the majority of rural land in the District. It is not subject to the same peri-urban development pressures as experienced in the Rural AProduction and BLifestyle<sup>17</sup> zones, so controls are less stringent. This zone provides for all types of rural activities. It is intended to provide for a predominance of rural activities and a range of complementary activities compatible with the surrounding rural environment.

### Rural Settlement zone:

The Rural Settlement zone identifies the rural service centres. The zone is intended to provide for a range of residential, community and rural activities on a small scale to complement the rural area.

Rural Settlement zones, are defined on the Planning Maps, at:

- Mowhanau
- Marybank
- Fordell
- Upokongaro
- Kaiwhaiki
- Jerusalem

Rural lifestyle livingdevelopment<sup>18</sup> is also provided for within this zone. Some rural settlements have issues with drainage, water supply and/ or sewage disposal. Subdivision and land use is constrained by the ability of the environment to sustain such activities in the rural context.

## 3.1 ISSUES

### ~~Rural A and Rural Settlement zones only~~

#### ~~3.1.1 Protection and enhancement of rural amenities.~~

~~The quality of the rural environment is currently characterised by openness and greenness and dominant physical features; and the operational characteristics of the land use activities; e.g. smell, noise and traffic movement. Changes in land use activities may modify the visual character of rural landscapes and rural amenities although it is recognised that, as landscapes are continually evolving, such changes will not necessarily be adverse.~~

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<sup>16</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>17</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>18</sup> Sub 71 by Horticulture NZ

The effects of subdivision, use and development of land in the rural environment which result in significant modifications to the physical character and amenity of the rural environment need to be managed. This is to ensure that the quality of the rural landscape is maintained and enhanced and any loss of quality is avoided, remedied or mitigated. For example a land use may establish in the rural environment and potentially create significant noise, or visual intrusion effects which may impact on the amenity of the area.

Primary production activities generate varying levels of smells, noise and spray drift which can affect adjacent properties. These effects can become more localised and stronger with intensification of farming activities. These effects are even more significant as intensification is occurring at the fringe of urban areas.

Increased residential development changes the character of the rural landscape. It also brings expectations of rural amenities which are quite different from, and usually higher than, the prevalent standards in the rural environment. The effects of rural land uses may be regarded as nuisances. Management which guides the location and operation of various land use activities in the rural environment needs to be employed in a way which provides for the operations of farming and other rural activities, as well as reasonable amenities for rural living.

Some rural settlements have problems with drainage, water supply, sewage disposal, accessibility and parking. There are questions regarding the expectations and affordability of the rural community for the level of infrastructure service for rural settlements.

There is a need for an assessment of the levels of demand for infrastructure services and development of a comprehensive strategy to guide future infrastructure development in the rural environment.

This issue is concerned with the effects of activities on people and communities in the rural area, particularly with matters that contribute to the quality of experience for people living and working in, or visiting, the rural environment.

Components of amenity include:

- a.— Scenery and Visual Characteristics: landscape features, ecological areas of significance, public views, vegetation, location, bulk and design of buildings relative to landscape features, openness/density of development, signs.
- b.— Nuisances, Health and Safety: noise, smell, vibrations, sprays, traffic movements, access points, glare from artificial lighting, shading from trees, proximity of neighbours, farm animals on public roads.

- c. ~~Convenience and Comfort: accessibility, roading standards, availability of footpaths, water supply, network utilities, waste disposal, recreation/community facilities.~~

### **3.1.2 ~~Maintain the long term productive capability of soil.~~**

~~The hill country covers approximately 80% of the land area of the District. The landform is characterised by moderately to steeply dissected slopes and dominant ridges.~~

~~The soft rock hill country is inherently unstable and has the potential for erosion. The present actual level of erosion is moderate. There are limitations to the land use capability of much of this land. About 87% of the hill country falls within the New Zealand Land Resource Inventory Land Use Capability of Class VII and VIII.~~

~~The coastal belt of sand dunes, sea cliffs, plains and wetlands covers around 4% of the total land area of the District. The potential and present actual erosion over much of this land is extreme. Nearly 55% of this coastal belt is made up of unstable dunes, with limitations to their land use capability. These dune areas fall within the New Zealand Land Resource Inventory Land Use Capability of Class VII and VIII.~~

~~While some of the erosion processes are natural, others are accelerated through inappropriate land use and land management practices on land which is inherently unstable and has limitations in long term productivity.~~

~~The most common causes of accelerated soil erosion are:~~

- a. ~~Clearance of vegetation cover.~~
- b. ~~Inappropriate farming practices.~~
- c. ~~Soil disturbance and earthworks.~~

~~The net effect of accelerated soil erosion is the gradual loss of some productive capability of the land, which in turn can reduce the potential of the land resource to sustain the foreseeable future needs of the District.~~

~~Accelerated soil erosion also leads to sedimentation in water courses, with associated reduction in water quality and the health of ecosystems.~~

~~The productive capability of the land is affected by subdivision, particularly close to the urban fringe where close subdivision is prevalent. Small lots, which cannot accommodate a variety of primary productive uses, should be avoided to ensure a range of options are available in the future. Experience has shown that amalgamation of small lots is much more difficult than subdividing large lots. The subdivision process should therefore be controlled to enable flexibility in future resource use.~~

~~Under the Resource Management Act the Manawatu-Wanganui Regional Council and the Wanganui District Council have complementary functions to manage land uses, or the effects of land uses. The Regional Council~~

~~has primary responsibility for controlling vegetation clearance and soil disturbance where this may lead to accelerated erosion. The District Council has primary responsibility for controlling the effects of all other land uses where they may lead to land instability. The Manawatu-Wanganui Regional Council's Regional Policy Statement specifies roles in relation to land subsidence hazards (soil conservation) to avoid the two councils duplicating functions.~~

- 3.1.1 Inappropriate subdivision, land use or development can lead to adverse effects on the visual amenity value of the open space rural characteristics, particularly the generally open nature<sup>19</sup> of the rural environment.
- 3.1.2 Trees and structures adjacent to boundaries can cause shading which may comprise activities on neighbouring properties.
- 3.1.3 Conflicts between expectations of the rural community for infrastructure service in rural areas and the community's ability to sustain and afford those services.
- 3.1.4 Some infrastructure facilities, especially the roading network, electricity transmission and distribution feeders<sup>20</sup> and telecommunications facilities have specific locational and operational requirements resulting in a need to establish in the rural environment.<sup>21</sup>

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<sup>19</sup> Sub 71 by Horticulture NZ

<sup>20</sup> Sub56 and further submission 1.1 Powerco Ltd

<sup>21</sup> Sub 56 Transpower NZ Ltd



## Rural A Production<sup>22</sup> zone

- 3.1.54 The extent of <sup>23</sup>LUC Class I1 and I2 soils<sup>24</sup> in the Wanganui District is limited with much of it located close to the urban area. Approximately 12% of it is now occupied by non or low productive activities. With an increase in residential and lifestyle development particularly in the Westmere area, reverse sensitivity issues can arise. This may result in less an even greater loss of productive soils<sup>25</sup> being available for rural production activities.
- 3.1.65 Subdivision, land use and development that fragments soil<sup>26</sup> the land resource can adversely affect the long term versatility and sustainability of the life supporting capacity of soil<sup>27</sup> the land and/or reduce economic viability and productivity. Lifestyle development in the Rural A zone contributes to fragmentation and detracts from the primary use of this area for rural purposes.

## Rural B Lifestyle<sup>28</sup> zone

- 3.1.76 Rural lifestyle activities can lead to pressure to extend or upgrade wastewater, stormwater, and water supply into rural lifestyle areas. There are associated capital and maintenance cost implications for Council which are uneconomic when they are required in an ad-hoc manner.
- 3.1.87 The amenity of rural lifestyle areas are being compromised by development of an urban scale which conflicts with the character of the area.

## Rural Settlement Zone

- 3.1.98 Some rural settlements have problems with drainage and sewage disposal especially in settlements where there is pressure for more dense lifestyle development.

## 3.2 OBJECTIVES

### Rural A and Rural Settlement zone only

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<sup>22</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>23</sup> Sub 57 Federated Farmers

<sup>24</sup> Sub 71 by Horticulture NZ

<sup>25</sup> Sub 71 by Horticulture NZ

<sup>26</sup> Sub 71 by Horticulture NZ

<sup>27</sup> Sub 71 by Horticulture NZ

<sup>28</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

**3.2.1 To manage the effects of activities in the rural area to ensure that rural amenity values are maintained.**

Amenities are those matters that relate to the visual character of the landscape and contribute to the quality of life of people living or working in, or visiting the rural part of the District (refer to Issue 3.1.1). This objective seeks to maintain the rural area as a pleasant place to live, where interrelationships between differing uses and differing types of activities and differing effects will as far as possible be compatible.

**3.2.2 Rural development which is within the long term capability of the land.**

There are inherent physical limitations to the capability of some of the District's soil resources. It is essential that the physical limitations are recognised and that the productive potential of the resource can be sustained to meet present and future needs. Human activities will not compromise the long term health, flexibility and qualities of the land.

3.2.1 Safeguard the versatility and life supporting capacity of soils within the District, particularly <sup>29</sup>LUC Class I4 and II2 soils<sup>30</sup>, from inappropriate subdivision, use and development.<sup>31</sup>

3.2.2 Rural activities land use<sup>32</sup> and development and other established land uses that have a functional necessity to be located within the rural environment, including National Grid assets is are <sup>33</sup>not compromised by the establishment of non-rural activities.

3.2.3 Trees and structures are located in a manner that does not cause adverse environmental effects across property boundaries.

3.2.4 Protect rural character and amenity values, from inappropriate subdivision, use and development,<sup>34</sup> to ensure that a predominance of rural productive activities and open, low density development continues to define the character of<sup>35</sup> the wider rural environment

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<sup>29</sup> Sub 57 Federated Farmers

<sup>30</sup> Sub 71 by Horticulture NZ

<sup>31</sup> Sub 56 Transpower NZ Ltd

<sup>32</sup> Sub 71 by Horticulture NZ

<sup>33</sup> Sub 56 Transpower NZ Ltd

<sup>34</sup> Sub 56 Transpower NZ Ltd

<sup>35</sup> Sub 56 Transpower NZ Ltd

3.2.5 The establishment, operation, maintenance and upgrading of infrastructure and other physical resources of regional or national importance is provided for within all rural zones.<sup>36</sup>

### Rural AProduction<sup>37</sup> zone

3.2.56 Avoid the establishment of new lifestyle-development in the Rural AProduction<sup>38</sup> zone, on land comprising<sup>39</sup> LUC Class I4 and II2 soils<sup>40</sup>.

### Rural BLifestyle<sup>41</sup> zone

3.2.67 New connections to urban water, wastewater and stormwater services are avoided.

3.2.78 Water, wastewater and stormwater services are contained onsite and sustainably managed to avoid any environmental effect beyond the site.

3.2.89 Retention of the amenity of the Rural BLifestyle<sup>42</sup> zone.

3.2.910 A variety of scales and opportunities for rural living within close proximity to the city centre.

### Rural Settlement zone

3.2.101 Avoid new connections to urban reticulated water, wastewater and stormwater services.

3.2.142 Water, wastewater and stormwater services are contained onsite and sustainably managed to avoid any environmental effect beyond the site.

3.2.123 Maintain or enhance the amenity of the Rural Settlement zone.

3.2.134 Opportunities for various types of rural living within close proximity to the city centre.

## **3.3 POLICIES**

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<sup>36</sup> Sub 48 NZDF and FS 5.3 Transpower NZ Ltd

<sup>37</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>38</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>39</sup> Sub 57 Federated Farmers

<sup>40</sup> Sub 71 by Horticulture NZ

<sup>41</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>42</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

- 3.3.1 Require minimum lot sizes for rural subdivision to protect the productive capability and versatility of land from irreversible loss and to actively encourage lifestyle development in the Rural B Lifestyle<sup>43</sup> zone close to the urban fringe and protect rural productive capacity of the Rural A zone.
- 3.3.2 Council will maintain urban reticulated infrastructure connections to existing allotments (where connections were in existence at the Operative date of Section 3.41st May 2014)<sup>44</sup> but these connections will not be extended to serve any new allotments created by subdivision.
- 3.3.3 Urban water and waste water services will not generally be extended to serve any new allotments created by subdivision except where the effects can be avoided, remedied or mitigated.
- 3.3.4 Minimise the demand for lifestyle living development<sup>45</sup> on productive land, by providing areas in the Rural B Lifestyle<sup>46</sup> zone, which do not compromise<sup>47</sup> LUC Class I1 and I2 soils and<sup>48</sup>.
- 3.3.5 When assessing applications for the establishment, operation, maintenance and other physical resources of regional or national importance, significant weight shall be given to the benefits of the facility.<sup>49</sup>

## Rural A Production<sup>50</sup> Zone

- 3.3.56 To ensure a Rural A Production<sup>51</sup> zone where the following characteristics are maintained:
- a. a predominance of rural activities;
  - b. a range of complementary activities where their effects are compatible with the predominantly rural character, scale and amenities of the area;
  - c. regionally or nationally significant infrastructure including National Grid assets;<sup>52</sup>

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<sup>43</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>44</sup> Sub 72 O'Sullivan, Archer, Loughlin-Drover and Bullock

<sup>45</sup> Sub 71 by Horticulture NZ

<sup>46</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>47</sup> Sub 57 Federated Farmers

<sup>48</sup> Sub 71 by Horticulture NZ

<sup>49</sup> Sub 48 NZDF and FS 5.3 Transpower NZ Ltd

<sup>50</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>51</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

- d open, low density development, with relatively few structures and signs, which does not detract from rural landscapes;
  - e. rural activities and practices and rural odours from rural activities are generally<sup>53</sup> acceptable, provided best practicable options are used.
  - f. a varied noise environment may exist with including intermittent noise from rural machinery and equipment<sup>54</sup>;
  - g. retain or enhance natural and cultural heritage features;
  - h. street lighting is not provided;
  - i. reticulated services generally do not exist.
- 3.3.76 Avoid ad hoc urban development in the Rural A Production<sup>55</sup> zone especially on the fringes of the Rural B Lifestyle<sup>56</sup> and Rural Settlement zones.
- 3.3.87 Retain<sup>57</sup> LUC Class I1 and I12 land in large holdings of sufficient size to protect future versatility and enable<sup>58</sup> opportunities for a range of rural activities to occur.
- 3.3.98 Ensure that rural activities are not adversely affected by the establishment of non-rural activities sensitive to effects associated with rural activities, such as, but not limited to, noise, odour or spray drift.

### **~~3.3.5 To adopt a co-ordinated approach to promote sustainable land management.~~**

~~This policy sets the Wanganui District Council's overall approach to land management. It recognises that good land management practice cannot be achieved through regulation alone.~~

~~It also recognises that the Wanganui District Council is not the only agency responsible for achieving sustainable land management and that a co-ordinated approach between agencies and resource users will have the best results. Also for some aspects of land management the Manawatu-Wanganui Regional Council is the lead agency (in particular accelerated soil erosion related to soil disturbance and vegetation clearance).~~

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<sup>52</sup> Sub 56 Transpower NZ Ltd

<sup>53</sup> Sub 71 by Horticulture NZ

<sup>54</sup> Sub 71 by Horticulture NZ

<sup>55</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>56</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>57</sup> Sub 57 Federated Farmers

<sup>58</sup> Sub 71 by Horticulture NZ

It is considered more effective and efficient for the Council to work in a supporting capacity and avoid unnecessary duplication and increasing the complexity of the statutory framework for land management. Co-operation with other agencies, land owners, land users, and industry groups, eg Ministry for Agriculture, Federated Farmers, Small Farmers Association, Forest Owners Association etc, is also intended.

**3.3.6 — Promote better land owner, land user and community understanding of land use capability and the effects of activities on the land resource in the District.**

This policy needs to be read in the context of Sustainable Land Management (3.3.5) which recognises that for some aspects of land management the Regional Council is the lead agency (in particular regarding accelerated soil erosion related to soil disturbance and vegetation clearance). The approach of the Council is to support and complement the work of the Regional Council.

The key to sustainable land management is better knowledge and understanding of the inherent capabilities of the land. This has been recognised in the Regional Policy Statement for the Manawatu-Wanganui Region.

While action for land management rests with the land owners or land users, there is a wider community interest in the land resource.

Environmental problems associated with unsustainable land use or land management practices have effects off-site, e.g. reduced water quality, damage to the health of ecosystems; and, therefore, community costs. The understanding and support of the wider community in promoting sustainable land management is necessary.

**3.3.7 — Promote the protection of community resources and assets by sustainable management of land use.**

This policy may require initiatives to change the attitude and influence actions of land owners and land users. It also requires Council to act in certain circumstances, either in undertaking engineering works to protect District assets, or in providing incentives to landowners to undertake work on private land which may protect public assets.

In areas of Council action, co-ordination with the Regional Council may be required. This is to ensure efficient and cost-effective action.

The use of this approach is considered appropriate for the long term protection of the land resource and specific public assets.

**3.3.8 — Ensure the development of targeted and integrated monitoring of the effects of land use activities on the land resource of the District.**

The effects of land use activities on the land resource are complex, cumulative and are not easily detected or defined.

There is a need for clear, meaningful and quantifiable indicators or standards to measure the effects of land use activities and land management practices on the land resource in the District.

Monitoring is a core function of the Council. A number of agencies also have responsibilities for and interest in monitoring. It is important that efforts and resources are not duplicated and that a consistent approach can be developed to enable exchange and comparison of information.

**3.3.9 — Enable a range of land use activities to operate in the rural area within acceptable standards to protect the long term productive capability of the land.**

This policy should be read in the context of Sustainable Land Management (3.3.5) which recognises that for some aspects of land management the Regional Council is the lead agency (in particular for accelerated soil erosion related to soil disturbance and vegetation clearance). The Wanganui District Plan should not create unnecessary duplications in the area of land management.

Pastoral farming, forestry, horticulture, livestock farming and rural settlements are the major land uses in the rural area. However, the land use pattern is constantly changing and market forces influence the nature, scale and location of land use activities.

Performance standards will be established to manage the location, scale and operation of activities. This is to ensure that activities will not or are not likely to cause accelerated soil erosion and associated off-site effects. In areas that are particularly vulnerable to erosion, it will be necessary to seek greater degrees of management. The controls adopted will avoid those matters where the Regional Council has primary responsibility, in particular where activities involve vegetation clearance or soil disturbance. Control of subdivision aims to discourage residential activity and in turn reduce the effect of urban activity on the long term productive capability of the land.

This is considered to be a flexible, clear, equitable and efficient way of managing the effects of land use activities.

**3.3.6 Adopt a 1ha minimum lot sizes for rural subdivision to protect the productive capability of land from significant irreversible loss.**

The productive capability of land may be affected by subdivision, particularly close to the urban fringe where close subdivision is prevalent. Much of this land around Wanganui City contains highly productive Class I and II land which is especially valued by the district for productive potential. Small lots, which cannot accommodate a variety of primary productive uses, could limit the range of options available in the future. Experience has shown that amalgamation of small lots is much more difficult than subdividing large lots. The subdivision process should therefore be controlled to ensure that a range of options exists for the future. The intention is to avoid the irreversible loss of the productive potential of land and maintain flexibility for the future.

The Council has analysed the actual and potential threats from subdivision on the productive capability of land in the District. A report was published

in 1994 entitled “The Extent of Rural/Residential Development on Class 1 and 2 Land” which investigated a large area of Class 1 and 2 land in the Westmere area. This is the area which is under the most significant pressure from rural/residential subdivision. The land occupied for purely residential use represented a very small part (0.21%) of the total area, and was generally limited to properties under 1ha. Most land units over 1 ha continued to be used in part for productive use. The results suggest that lots over 1 ha have only a minor impact on the productive use of the land in the area studied. The results have been used to establish 1ha as a threshold size for rural subdivision to protect the productive capability of land in the District.

### **3.3.11 — Monitor development trends and the impact of a 1ha minimum lot size on the productive capability of land in the District.**

There has been demand for low density residential subdivision in the rural area. The long term demand for this form of development is uncertain. Small lot subdivision may have an adverse effect on the productive capability of the land in the district.

The management of non-rural activities in rural areas should aim to take into account the value of the land resources for productive use, the effective utilisation of those resources, and the conflicts that may arise between productive and non-productive uses. The effectiveness of controls on activities in the District’s rural areas needs to be evaluated over time, and include an assessment of trends in lot size patterns and changes in land uses.

Monitoring is a core function of Council. It is an indirect, long term approach which provides information on development trends and a basis for the review and refinement of future policies.

### **3.3.7 Protect Rural areas from ad hoc urban development**

Rural residential development is regarded as a form of urban encroachment. It is likely to lead to the irreversible loss of highly productive land and demand for urban standards or infrastructure development. This is considered to be an inefficient use of land and infrastructure resources. It can also reduce options for future development. The intention of this policy is to discourage urban encroachment beyond the identified urban boundary. Subdivision of land for residential development outside of the urban boundary will be managed. Conversely, new low density residential developments will be encouraged to locate within the urban boundary through the use of zoning.

It is considered necessary and appropriate to target the subdivision of land as a management tool as subdivision is usually the start of the development process, and there is a relationship between lot size and intended use. The use of incentives is considered to be a cost-effective way of complementing the use of controls.



The whole question of demand and supply of land for low density residential development needs to be monitored. This is to provide information on development trends and a basis for the review and refinement of future policies.

## Rural BLifestyle<sup>59</sup> \_ zone

(Appellant Kiwirail seeks inclusion of additional policy for Rural B zone)

- 3.3.109 To achieve a Rural BLifestyle<sup>60</sup> \_ zone with the following amenity characteristics:
- a. A mix of rural and residential activities.
  - b. Large self-serviced lots.
  - c. Vehicle traffic movement is slow as roads are narrow and private trees and foliage reduces sight distances.
  - d. Absence of kerb and channelling or footpaths identifies the area as rural lifestyle in character, as does the presence of wide grassed verges and open swale drainage that are safe for walking.
  - e. Low traffic on roads used primarily for property access with greater traffic on roads with a distribution function.
  - f. A rural living environment with low traffic and moderate noise levels given the relatively low productive use made of land, and low development density.
  - g. Protection of natural and cultural heritage features.
  - h. Development fits within the natural landscape contour with minimal changes to landform.
- 3.3.110 Subdivision and rural development in the Rural BLifestyle<sup>61</sup> \_ zone, shall maintain or enhance the rural lifestyle character.
- 3.3.124 Ensure pedestrian safety by providing sufficient verge space for non-vehicular movement.
- 3.3.132 Council will maintain urban reticulated infrastructure connections to existing allotments (in existence at 1<sup>st</sup> November 2012) but these connections will not be extended to serve any new allotments created by subdivision.
- 3.3.143 Maintain overall low density character of the Rural BLifestyle<sup>62</sup> \_ zone.

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<sup>59</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>60</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>61</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

## Rural C General<sup>63</sup> and Rural Settlement Zones<sup>64</sup>

- 3.3.154 To define a Rural C zone areas where the following characteristics are maintained:
- a. a predominance of rural activities;
  - b. a range of complementary activities where their effects are compatible with the predominantly rural character, scale and amenities of the area;
  - c. choice and diversity for different rural lifestyle options;
  - d. open, low density development, with relatively few structures and signs, which does not detract from rural landscapes;
  - e. rural activities and practices and rural odours from rural activities are generally<sup>65</sup> acceptable, provided best practicable options are used.
  - f. a varied noise environment may exist with including intermittent noise from rural machinery and equipment<sup>66</sup>;
  - g. retention of natural and cultural heritage features;
  - h. street lighting is not provided;
  - i. reticulated services generally do not exist.

~~3.3.15 To avoid, remedy or mitigate adverse effects of subdivision on people's health and safety and convenience and the character of the rural environment by:~~

- ~~a. ensuring, prior to granting consent to subdivide, building platforms are identified to allow adequate distances between buildings on adjacent properties to retain the privacy of the occupants of each property;~~
- ~~b. Require sites to be of a minimum lot size ensuring a minimum lot size, except where the Council is satisfied that the subdivision and likely future land use will not change the general character of the area, and that the likely future uses will be compatible with the effects generated by existing neighbouring land uses, especially to avoid the any potential for reverse sensitivity issues arising; and~~

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<sup>62</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>63</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>64</sup> Minor Amendment Clause 16 first Schedule RMA

<sup>65</sup> Sub 71 by Horticulture NZ

<sup>66</sup> Sub 71 by Horticulture NZ

- 
- ~~c. ensuring that all new lots can be self-serviced, including for sewage, water and stormwater.<sup>67</sup>~~

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## Rural Settlement

- 3.3.16 To define rural settlement areas where the following characteristics are maintained:
- a. small clusters of development;
  - b. a range of residential, community and rural activities that are developed and managed in such a way that their effects are compatible with the rural character and amenities of the settlement and surrounding rural area;
  - c. activities are consolidated in a manner which maximises the efficient use of infrastructure and reticulated services;
  - d. adequate disposal of effluent without causing (or potentially causing) adverse environmental effects;
  - e. ~~retention of~~ Maintain or enhance natural or cultural heritage features. ~~including ecological areas of significance.~~
- 3.3.17 To avoid, remedy or mitigate adverse effects of subdivision on people's health and safety and convenience and the character of the rural environment by:
- a. ensuring, prior to granting consent to subdivide, building platforms are identified to allow adequate distances between buildings on adjacent properties to retain the privacy of the occupants of each property;
  - b. Require sites to be of a minimum lot size ~~ensuring a minimum lot size~~, except where the Council is satisfied that the subdivision and likely future land use will not change the general character of the area, and that the likely future uses will be compatible with the effects generated by existing neighbouring land uses, especially to avoid ~~the~~ any potential for reverse sensitivity issues arising; and
  - c. ensuring that all new lots can be self-serviced, including for sewage, water and stormwater.

## Coastal Residential Zone

- 3.3.18** To define rural coastal areas where the following characteristics are maintained:

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<sup>67</sup> Repetition – Minor Amendment Clause 16 first Schedule RMA

- a. preservation of the predominantly natural character of the coastal environment;
- b. public access to the coast is maintained and enhanced where consistent with (d) below;
- c. avoidance of activities which are susceptible to coastal or wind erosion;
- d. avoidance of activities which could increase coastal or wind erosion;
- e. retention of natural and cultural heritage features.

## 3.4 RULES – RURAL AProduction<sup>68</sup> ZONE

The Council seeks to maintain rural areas with the following characteristics:

- a. a predominance of rural activities;
- b. a range of complementary activities where their effects are compatible with the predominantly rural character, scale and amenities of the area;
- c. choice and diversity for different rural lifestyle options;
- d. open, low density development, with relatively few structures and signs, which does not detract from rural landscapes;
- e. rural practices and rural odours are generally acceptable;
- f. a varied noise environment may exist with intermittent noise from rural machinery;
- g. retention of natural and cultural heritage features;
- h. street lighting is not provided;
- i. reticulated services generally do not exist.

The “Rural zone” rules in this chapter aim to:

- a. maintain the scale and character of rural areas;
- b. address nuisance from noise, light spill, glare and vibration;
- c. address visual amenity and safety problems from advertising signs;
- d. address potential environmental effects from effluent disposal and the use and storage of hazardous substances;
- e. ensure appropriate standards for property access;
- f. manage the effects of home occupations;
- g. manage the effects of trees on property boundaries;
- h. manage the effects of relocated buildings.

### 3.4.1 Permitted Activities.

All activities shall comply with Performance Standards and District Wide rules where relevant.

The following are permitted activities in the Rural AProduction<sup>69</sup> zone:

- a. Rural activities.

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<sup>68</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>69</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

- b. Home Occupation
- c. Farm stays for up to five people
- d. Signs
- e. Retail activities not exceeding less than<sup>70</sup> 75m<sup>2</sup> gross floor area that are ancillary to any permitted activity. except where adjoining a state highway.
- f. Conservation works.
- g. ~~Residential activities~~ One dwelling per 10 hectares site area.
- h. ~~Wastewater treatment ponds.~~
- h. One dwelling on a site of less than 10 hectares, but at least 5000m<sup>2</sup> site area, created by a subdivision consent granted on or before the Operative date of this rule<sup>1<sup>st</sup> May 2014.</sup><sup>71</sup>
- i. Network utilities as provided permitted<sup>72</sup> by District Wide Rule 10.1 Utilities. ~~This rule contains some exemptions from the zone rules for network utilities.~~
- j. Residential activities excluding residential care facilities<sup>73</sup>

~~Which comply with the relevant zone rules.~~

**Advice Note:** Works in close proximity to any electricity line can be dangerous. Compliance with the New Zealand Electrical Code of Proactive Practice<sup>74</sup> 34:2001 is mandatory for all buildings, earthworks and mobile plant within close proximity to all electric lines.

Vegetation to be planted within near electricity lines should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003. To discuss works, including tree planting, near any electrical line, contact the line operator. Compliance with the permitted activity standards of this Plan does not ensure compliance with NZECP34:2001.<sup>75</sup>

### **3.4.2 Controlled Activities.**

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<sup>70</sup> Sub 54 WDC & Fsub 3.3 Horticulture NZ

<sup>71</sup> Sub 72 O'Sullivan, Archer, Loughlin-Drover and Bullock, Sub 57 Federated Farmers

<sup>72</sup> Sub 56 Transpower NZ Ltd

<sup>73</sup> Sub 54 WDC & Fsub 3.3 Horticulture NZ

<sup>74</sup> Sub Transpower NZ Ltd, Sub 11 Powerco NZ Ltd and Further Sub 5.1 Transpower NZ Ltd

<sup>75</sup> Sub 56 Transpower NZ Ltd

The following activities are controlled activities in the Rural zone:

a. ~~Subdivision.~~

~~Refer to Chapter 11 on Subdivision.~~

### 3.4.2 Restricted Discretionary Activities.

The following are restricted discretionary activities in the Rural

AProduction<sup>76</sup> zone:

a. Any permitted activity which does not comply with a Rural AProduction<sup>77</sup> zone performance standard.

Council restricts its discretion to the following matter:

- The effect of the particular non-compliance on the environment, including the cumulative or combined effect of non-compliances.

b. Subdivision provided that:

- Minimum site area is 10 hectares per allotment except that this shall not apply to allotments required for network utility activities.
- Complies with Rules in 11.4 regarding subdivision.
- The identified Building Platform shall be located outside the National Grid Yard<sup>78</sup>

Council restricts its discretion to the following matters:

- the ability of sites to:
    - be independently serviced for water, wastewater; and
    - comply with subdivision provisions Section 11.4;
    - maintain or enhance rural lifestyle<sup>79</sup> character and to avoid potential reverse sensitivity.<sup>80</sup>
    - impact on the operation, maintenance, upgrade and development of the National Grid, including compliance with NZECP34:2001.<sup>81</sup>
- c. Subdivision to create one allotment with a minimum site area of 50002500m<sup>2</sup> and a maximum site area of one hectare 5000m<sup>2</sup><sup>82</sup> site area provided that:

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<sup>76</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>77</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>78</sup> Sub 56 Transpower NZ Ltd

<sup>79</sup> Sub 71 Horticulture NZ

<sup>80</sup> Sub 71 Horticulture NZ

<sup>81</sup> Sub 56 Transpower NZ Ltd

- i. The site proposed for subdivision, legally existed at the Operative date of this rule 1<sup>st</sup> May 2014.<sup>83</sup>
- ii. The balance site area is at least 10 hectares.
- iii. The identified Building Platform shall be located outside the National Grid Yard<sup>84</sup>
- iv. Complies with Rules in 11.4 regarding Subdivision.

Council restricts its discretion to the following matters:

- The ability of the development to be serviced by on-site means with regard to effluent and stormwater disposal.
- Impact on the character of the surrounding area, ability of the site to achieve quality urban design outcomes<sup>85</sup> and to avoid potential reverse sensitivity.<sup>86</sup>
- Impact on the operation, maintenance, upgrade and development of the National Grid, including compliance with NZECP34:2001.<sup>87</sup>

- d. Any building within 20m of the secured yard of a National Grid substation.

Council restricts its discretion to the following matters:

- Impacts on the operation, maintenance, upgrade and development of the National Grid
- Compliance with NZECP34:2001
- The risk of electrical hazards affecting public or individual safety, and the risk of property damage.<sup>88</sup>

- e. Earthworks within 12m of a National Grid support structure that fails to comply with performance standard 10.2.7(b)(i)

Council restricts its discretion to the following matters:

- Impacts on the operation, maintenance, upgrade and development of the National Grid.

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<sup>82</sup> Sub 26 Horizons Regional Council

<sup>83</sup> Sub 72 O'Sullivan, Archer, Loughlin-Drover and Bullock

<sup>84</sup> Sub 56 Transpower NZ Ltd

<sup>85</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ, Sub 71 Horticulture NZ

<sup>86</sup> Sub 71 Horticulture NZ

<sup>87</sup> Sub 56 Transpower NZ Ltd

<sup>88</sup> Sub 56 Transpower NZ Ltd



- Compliance with NZECP34:2001.
- The risk of electrical hazards affecting public or individual safety, and the risk of property damage.<sup>89</sup>

~~Any permitted or controlled activity which does not comply with the relevant zone rules is a restricted discretionary activity, except that this rule does not apply to retail activities which exceed the maximum area standards.~~

~~In exercising its discretion, the Council shall be limited to the standards with which that activity fails to comply.~~

~~An application need not be notified if the consent authority is satisfied that the adverse effect on the environment of the activity will be minor and written approval has been obtained from every person whom the Council is satisfied may be adversely affected by the granting of the resource consent, unless the Council considers it is unreasonable in the circumstances to require the obtaining of every such approval.~~

### 3.4.3 Discretionary Activities.

The following activities are discretionary activities in the Rural A zone:

- a. ~~Community activities.~~ Animal boarding establishments
- b. ~~The following commercial activities:~~ Retail activities not exceeding up to <sup>90</sup>75m<sup>2</sup> gross floor area adjoining a state highway.
  - i. ~~Service stations.~~
  - ii. ~~Tourism facilities.~~
  - iii. ~~Visitor accommodation.~~
  - iv. ~~Veterinary clinics.~~
  - vii. ~~Retail activities where the retail floor space exceeds 75m<sup>2</sup>.~~
- c. Intensive farming.
- d. Quarrying.
- e. Rural industry.
- f. Network utilities as not provided for as permitted or restricted discretionary activities<sup>91</sup> by District Wide Rule 10.1.
- f. ~~Any other activity which is not provided for.~~

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<sup>89</sup> Sub 56 Transpower NZ Ltd

<sup>90</sup> Sub 54 WDC & Fsub 3.3 Horticulture NZ

<sup>91</sup> Sub 56 Transpower NZ Ltd

### 3.4.4 Non Complying Activities.

The following are non-complying activities in the Rural AProduction<sup>92</sup> zone:

- ~~a. Subdivision into lots less than 1ha. (refer to Subdivision rules chapter 11).~~
- a. The establishment or expansion of any sensitive activity within an electricity transmission yard. Any activity, structure or earthworks within the National Grid Yard which does not comply with performance standard 10.2.7<sup>93</sup>
- b. Buildings and structures located within the electricity transmission yard, which are more than 2.5m in height and/or 10m<sup>2</sup> in area. Establishment of any sensitive activity or any structure or addition to a structure associated with a sensitive activity and located within the National Grid Yard.<sup>94</sup>
- ~~b. Manufacturing activities.~~
- ~~c. Commercial activities except where specified as a discretionary activity.~~
- c. A hazardous facility within the National Grid Yard.<sup>95</sup>
- d. Subdivision with a building platform for a principal building or dwelling located within the National Grid Yard.<sup>96</sup>
- e. Any other activity which is not provided for as a permitted, restricted discretionary or discretionary activity.

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<sup>92</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>93</sup> Sub 56 Transpower NZ Ltd

<sup>94</sup> Sub 56 Transpower NZ Ltd, Sub 71 Horticulture NZ

<sup>95</sup> Sub 56 Transpower NZ Ltd

<sup>96</sup> Sub 56 Transpower NZ Ltd

## 3.5 PERFORMANCE STANDARDS

### 3.5.1 Noise.

Emissions shall not exceed the following limits when measured within 20 metres of any dwelling (other than any other dwelling on the site from which the noise is being emitted).

7am to 6pm 55 dBA(L10)

All other times 45 dBA(L10)

Lmax: the lower of L95 background sound plus 30 dBA or 75 dBA

The above noise standards shall not apply to temporary military training activities as these activities are subject to separate standards contained in [District Wide Rule 10.8](#).

Note: Livestock noise is exempt from the noise standards in this zone.

These standards shall be read with and are subject to the provisions of [Appendix D - Noise](#).

### 3.5.2 Light and Glare.

- a. Any particular Artificial lighting system shall not result in increased luminance in excess of 8 lux in the measured ambient level in the vertical plane at the windows of any residential building in any other adjacent property zone<sup>97</sup>. ~~the Residential, Coastal Residential, Rural or Rural Settlement zones.~~
- b. No light source shall cause glare which may adversely affect the vision of motorists on a road.

### 3.5.3 Vibration.

No activity shall cause a vibration considered offensive or objectionable.

~~In assessing whether vibration is offensive or objectionable, the limits set in NZS 2631: 1985-1989, Parts 1-3 shall be used.~~

### 3.5.4 ~~Air discharge.~~

~~Note: There are no District Plan standards for air discharges. Discharges to air are controlled by regional councils. The Wanganui District Council has been authorised by the Manawatu-Wanganui Regional Council to exercise all powers and functions of Enforcement Officers for the purpose of investigating complaints about the discharge of contaminants to air within the boundary of the Wanganui urban area. Persons responsible for causing discharges to air should consult Wanganui District Council or Manawatu-Wanganui Regional Council staff about provisions in the~~

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<sup>97</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

~~Regional Air Plan for Manawatu-Wanganui. Furthermore, it should be noted that Section 17 of the Resource Management Act imposes a duty on all persons to avoid, remedy or mitigate adverse effects, including those relating to odour, dust and smoke, regardless of any rules in plans or standards of resource consents.~~

### **3.5.4 Hazardous substances.**

Any new or expanded hazardous facility is subject to the provisions of Appendix F Hazardous Facility Screening Procedure.

### **3.5.5 Structures.**

- a. All new structures shall be less than 10 metres in height.
- b. New structures shall be a minimum of ~~105~~<sup>98</sup> metres from any site boundary, except;
  - i. Fences less than ~~three~~<sup>99</sup> metres high, and;
  - ii. Loading racks in relation to road frontage.
  - iii. Dwellings shall be located at least 10 metres from any site boundary<sup>100</sup>
- c. Antenna dishes - antenna dishes shall not exceed 3 metres in diameter (except as provided for in District Wide Rule 10.1 in relation to network utilities).
- d. Pedestal mounted dish antenna pivoted up to 4m above ground level with a maximum diameter of 5m.
- e. All new habitable structures to be used for residential, commercial or industrial purposes shall be provided with a fire fighting water supply and access to this supply in accordance with New Zealand Fire Service Fire Fighting Water Supply Code of Practice 2008 SNZ PAS 4509:2008<sup>101</sup>

### **3.5.6 Advertising.**

No signs shall be erected, constructed or displayed in ~~this~~ the Rural A zone other than the following, which are to be neither neon nor flashing in type:

- a. One property identification sign not exceeding 3m<sup>2</sup> total sign face area provided it is located on the same site to which it relates.
- b. Any official sign.

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<sup>98</sup> Sub 6 CA Jones and FS3.1 Hort NZ

<sup>99</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>100</sup> Sub 6 CA Jones and FS3.1 Hort NZ

<sup>101</sup> Sub 68 NZ Fire Service Commission

- c. A sign not exceeding 2m<sup>2</sup> erected in connection with tourist publicity or special public information denoting places or points of special interest. These signs shall be located on the property to which they relate.
- d. Signs not exceeding 2m<sup>2</sup> advertising the disposal of the land or premises on which the sign is situated.
- e. The general rules for advertising in District Wide Rule 10.10 - Advertising shall apply.
- f. Identification and/or health and safety signs associated with infrastructure not exceeding 0.5m<sup>2</sup> and attached to the corresponding infrastructure.

### **3.5.7 Vehicular access and parking.**

All activities shall comply with the vehicular access and parking standards provided in District Wide Rule 10.3.

### **3.5.8 Trees.**

- a. No tree for forestry, shelter belt or soil conservation purposes shall:  
a. be planted within 10 metres of any boundary;
- b. No ornamental other tree (with a height at maturity of more than 2 metres) shall be planted within 4 metres of any road boundary<sup>102</sup>. ~~shall be planted within 4 metres of any boundary for have any branch that projects from the tree trunk between ground level and a height of 6 metres overhanging the adjoining boundary.~~

unless written consent of the adjacent neighbour and the any adjacent network utility (if there are existing lines near the boundary) has been obtained and registered with the Council.

### **3.5.12 Wastewater treatment ponds.**

~~Any wastewater treatment pond shall be located at least:~~

- ~~a. 400m from an Urban Residential zone and a Rural Settlement zone.~~
- ~~b. 30m from any isolated residential building.~~
- ~~c. 20m from any river or lake.~~
- ~~d. 30m from any established well for domestic purposes.~~
- ~~e. 20m from any public road.~~

~~Note: Any activity which results in disturbance of soil or vegetation may require consent from the Manawatu-Wanganui Regional Council.~~

### **3.5.9 Additional standards for Hhome Occupations.**

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<sup>102</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

~~In addition to the above permitted activity standards and District Wide Rules, every home occupation shall be required to comply with the following performance standards:~~

- a. ~~Not more than Only one person not living at the same site outside the family shall be employed in the home occupation; the total number of persons shall not to exceed three.~~
- b. ~~Electrical Interference.~~  
Home occupations shall not use equipment which creates electrical interference beyond the site boundaries.
- c. ~~Storage.~~  
No equipment or materials for a home occupation, nor refuse arising from a home occupation, shall be stored outdoors.
- b. ~~Amenity.~~  
There shall be no exterior display, no exterior advertising (except as permitted under this Plan), no exterior storage of materials, nor any other exterior indication of the occupation or variation from the character of the neighbourhood.
- c. ~~Hours of Operation.~~  
Home occupations may operate only between the hours of 7am and 10pm and the sale of goods is limited to the hours between 7.00am and 7.00pm. Hours of operation do not apply to Farm Stays or Home Stays.
- d. ~~Loading and Access.~~  
Ingress and egress and provision for loading to be in accordance with District Wide Rule 10.3. Use of right-of-way systems is not permitted for public vehicular traffic.

**3.5.10 Retail activities ancillary to a permitted activity. (except where adjoining a State Highway).**

- a. The majority of products sold are produced entirely onsite.
- b. The retail floor space does not exceed 75m<sup>2</sup> gross floor area.
- c. The entrance to any retail activity shall be located at least 200m from any intersection with the State Highway and at least 100m from any other intersection.
- e. ~~Provision of at least four off-road parking spaces shall be provided in accordance with District Wide Rule 10.3. These parking spaces shall be located adjacent to the retail activity.~~
- d. Only one sign shall be permitted at the entrance to the retail activity on the road boundary of the property and shall comply with the advertising performance standards of this zone.

**Note:**

1. The domestic wastewater requirements under Horizons Regional Council One Plan Rule 13-1 may apply.<sup>103</sup>

## **3.6 RULES – RURAL BLifestyle<sup>104</sup> ZONE**

### **3.6.1 Permitted Activities.**

All activities shall comply with Performance Standards and General Rules where relevant:

The following are permitted activities.

- a. Residential activities.
- b. Rural activities.
- c. Community activities.
- d. Reserves and open space.
- e. Network utilities as provided for by District Wide Rule 10.1.

Note: This rule contains some exemptions from the zone rules for network utilities.

Note: Works in close proximity to any electricity line can be dangerous. Compliance with the New Zealand Electrical Code of Practice 34:2001 is mandatory for all buildings, earthworks and mobile plant within close proximity to all electric lines.

Vegetation to be planted near electricity lines should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003. To discuss works, including tree planting, near any electrical line, contact the line operator.

### **3.6.2 Restricted Discretionary Activities.**

The following are restricted discretionary activities:

- a. Any permitted activity which does not comply with a Rural BLifestyle<sup>105</sup> zone performance standard.

Council restricts its discretion to the following matter:

- The effect of the particular non-compliance on the environment, including the cumulative or combined effect of non-compliances.

- b. One residential dwelling on a site of less than 5000m<sup>2</sup>.

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<sup>103</sup> Sub 26 Horizons Regional Council

<sup>104</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>105</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

Council restricts its discretion to the following matters:

i. The ability of the development to be serviced by either off peak pumping or on-site means with regard to effluent and stormwater disposal.

ii. Impact on the character of the surrounding area, ability of the site to achieve quality urban design outcomes.

More than one residential dwelling on a site.

c. Council restricts its discretion to the following matters:

i. The ability of the development to be serviced by on-site means with regard to effluent and stormwater disposal.

ii. Impact on the character of the surrounding area, ability of the site to achieve quality urban design outcomes.

d. Subdivision provided that:

i. Minimum site size is 5000m<sup>2</sup> except that this shall not apply to allotments required for network utility activities.

ii. Complies with Rules in 11.4 regarding Subdivision.

Council restricts its discretion to the following matters:

i. the ability of sites to:

- be independently serviced for water, wastewater; and
- comply with subdivision provisions section 11.4;
- Maintain or enhance rural lifestyle character.

### **3.6.3 Discretionary Activities.**

The following are discretionary activities:

a. Any activity which is not provided for as a permitted, restricted discretionary or non-complying activity.

### **3.6.4 Non Complying Activities.**

The following are non complying activities:

a. Activities that require connection to reticulated water services, wastewater services and stormwater services

b. Manufacturing activities.

c. The establishment or expansion of any sensitive activity within an electricity transmission National Grid<sup>106</sup> yard.

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<sup>106</sup> Clause 16 First Schedule RMA – for consistency with Sub 71 Horticulture NZ (Sub point 27).



- d. Buildings and structures located within the ~~electricity transmission~~ National Grid<sup>107</sup> yard, which are more than 2.5m in height and/or 10m<sup>2</sup> in area.

### 3.7 PERFORMANCE STANDARDS

#### 3.7.1 Amenity. (Rule 3.7.1 (a) is subject to appeal)

- a. Minimum site area 5000m<sup>2</sup> per dwelling.
- b. New structures shall be a minimum of 5 metres from any site boundary.

Exception: For Longbeach Drive Rural B Lifestyle<sup>108</sup> zone – Rule 4.5.5 (a) Height applies.

- c. Building height shall not exceed 10 metres. Except that the standard shall not apply to supporting structures such as masts and poles providing that, above 10 metres in height, they have a maximum horizontal dimension of 0.7 metres (excluding aerials and antennas).
- d. Antenna dishes:
  - i. antenna dishes shall not exceed 2 metres in diameter (except as provided for in District Wide Rule 10.1 in relation to network utilities).
  - ii. Pedestal mounted dish antenna pivoted up to 4m above ground level and with a maximum diameter of 5 meters.

#### 3.7.2 Noise.

Emissions shall not exceed the following limits when measured within 20 metres of any dwelling (other than any other dwelling on the site from which the noise is being emitted).

7am to 6pm	55 dBA (L10)	
All other times	45 dBA(L10)	Lmax: the lower of L95

background sound plus 30 dBA, or 70 dBA

The above noise standards shall not apply to temporary military training activities as these activities are subject to separate standards contained in District Wide Rule 10.8.

<sup>107</sup> Clause 16 First Schedule RMA – for consistency with Sub 71 Horticulture NZ (Sub point 27).

<sup>108</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

The above noise standards shall not apply to sirens or warning devices used by emergency services.

These standards shall be read with and are subject to the provisions of [Appendix D - Noise](#).

### **3.7.3 Light and Glare.**

- a. Artificial lighting system shall not result in increased luminance in excess of 8 lux in the measured ambient level in the vertical plane at the boundary of any site in the Rural [BLifestyle](#)<sup>109</sup> zone.
- b. No light source shall cause glare which may adversely affect the vision of motorists on a road.

### **3.7.4 Vibration.**

No activity shall cause a vibration considered offensive or objectionable. In assessing whether vibration is offensive or objectionable, the limits set in NZS 2631: 1985-1989, Parts 1 - 3 shall apply.

### **3.7.5 Trees.**

- a. No tree for forestry, shelter belt or soil conservation purposes shall:
  - a. be planted within 10 metres of any boundary;
  - b. ~~No ornamental other tree (with a height at maturity of more than 2 metres)~~<sup>110</sup> shall be planted within 4 metres of any boundary for have any branch that projects from the tree trunk between ground level and a height of 6 metres overhanging the adjoining boundary.

unless written consent of the adjacent neighbour and the any adjacent network utility (if there are existing lines near the boundary) has been obtained and registered with the Council.

### **3.7.6 Advertising.**

No signs shall be erected, constructed or displayed in the Rural [BLifestyle](#)<sup>111</sup> zone other than the following which are to be neither neon nor flashing in type:

- a. One property identification sign not exceeding 1m<sup>2</sup> total area.
- b. Any official sign.
- c. One sign not exceeding 2 m<sup>2</sup> erected in connection with tourist publicity or special public information, travellers' accommodation,

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<sup>109</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>110</sup> Sub 54 WDC and Fsub 3.1, 3.2 and 3.3 Horticulture NZ

<sup>111</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

churches, educational establishments, residential care facilities or hospitals, or denoting places or points of special interest. These signs shall be located on the property to which they relate.

- d. One sign not exceeding 2m<sup>2</sup> advertising the disposal of land or premises on which the sign is situated. These shall be located within the property.
- e. One sign not exceeding 0.5 m<sup>2</sup> used for a home occupation, and bearing only the name, occupation and hours of attendance or business of a person residing at that address. These signs shall be located on the property to which they relate.
- f. One identification and/or health and safety sign associated with infrastructure, not exceeding 0.5m<sup>2</sup> and attached to the corresponding infrastructure.

### **3.7.7 Home Occupation.**

In addition to the above permitted activity standards and district wide rules, every home occupation shall be required to comply with the following:

- a. Only one person not living within the same site shall be employed in the home occupation; the total number of persons not to exceed three.
- b. There shall be no exterior display, no exterior advertising (except as permitted under this Plan), no exterior storage of materials, nor any other exterior indication of the occupation or variation from the residential character of the neighbourhood.
- c. Home occupations may operate only between the hours of 7am and 10pm and the sale of goods is limited to the hours between 7.00am and 7.00pm. Hours of operation do not apply to Home Stays.
- d. Loading and access shall be in accordance with District Wide Rule 10.3.

#### **Note:**

1. The domestic wastewater requirements under Horizons Regional Council One Plan Rule 13-1 may apply.<sup>112</sup>

### **3.7.8 Hazardous substances<sup>113</sup>**

Any new or expanded hazardous facility is subject to the provisions of Appendix F Hazardous facility screening procedure.

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<sup>112</sup> Sub 26 Horizons Regional Council

<sup>113</sup> Reinstate as a Minor Amendment – Clause 16 First Schedule RMA, as PC23 did not delete this rule.

### 3.8 RULES – RURAL GENERAL<sup>114</sup> ZONE

Rural Settlement zones, are defined on the Planning Maps, at:

- Mowhanau
- Marybank
- Fordell
- Upokengare
- Kaiwhaiki
- Jerusalem

The Council seeks to maintain rural areas with the following characteristics:

- a. a predominance of rural activities;
- b. a range of complementary activities where their effects are compatible with the predominantly rural character, scale and amenities of the area;
- c. choice and diversity for different rural lifestyle options;
- d. open, low density development, with relatively few structures and signs, which does not detract from rural landscapes;
- e. rural practices and rural odours are generally acceptable;
- f. a varied noise environment may exist with intermittent noise from rural machinery;
- g. retention of natural and cultural heritage features;
- h. street lighting is not provided;
- i. reticulated services generally do not exist.

The “Rural zone” rules in this chapter aim to:

- a. maintain the scale and character of rural areas;
- b. address nuisance from noise, light spill, glare and vibration;
- c. address visual amenity and safety problems from advertising signs;
- d. address potential environmental effects from effluent disposal and the use and storage of hazardous substances;
- e. ensure appropriate standards for property access;
- f. manage the effects of home occupations;
- g. manage the effects of trees on property boundaries;
- h. manage the effects of relocated buildings.

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<sup>114</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

### 3.8.1 Permitted Activities.

All activities shall comply with Performance Standards and District Wide rules where relevant:

The following are permitted activities in the Rural ~~CG~~General<sup>115</sup> zone:

- a. Rural activities.
- b. Home Occupation
- c. Farm stays for up to five people
- d. Signs
- e. Retail activities not exceeding less than <sup>116</sup> 75m<sup>2</sup> gross floor area that are ancillary to any permitted activity. ~~except where adjoining a state highway.~~
- f. Conservation works.
- g. ~~Residential activities~~ One dwelling per 1 hectare site area.
- h. ~~Wastewater treatment ponds.~~ One dwelling on a site of less than 1 hectare but at least 5000m<sup>2</sup> site area, created by a subdivision consent granted on or before the Operative date of this rule<sup>117</sup> ~~1<sup>st</sup> May 2014.~~ <sup>117</sup>
- i. Network utilities as ~~provided permitted~~<sup>118</sup> by District Wide Rule 10.1 Utilities. ~~This rule contains some exemptions from the zone rules for network utilities.~~
- j. Residential activities excluding residential care facilities<sup>119</sup>

~~Which comply with the relevant zone rules.~~

**Advice Note:** works in close proximity to any electricity line can be dangerous. Compliance with the New Zealand Electrical Code of Proactive Practice<sup>120</sup> 34:2001 is mandatory for all buildings, earthworks and mobile plant within close proximity to all electric lines.

Vegetation to be planted within near electricity lines should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003. To discuss works, including tree planting, near any electrical line, contact the

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<sup>115</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>116</sup> Sub 54 WDC & Fsub 3.3 Horticulture NZ

<sup>117</sup> Sub 72 O'Sullivan, Archer, Loughlin-Drover and Bullock

<sup>118</sup> Sub 56 Transpower NZ Ltd

<sup>119</sup> Sub 54 WDC & Fsub 3.3 Horticulture NZ

<sup>120</sup> Sub 11 Powerco NZ Ltd and Further Sub 5.1 Transpower NZ Ltd

line operator. Compliance with the permitted activity standards of this Plan does not ensure compliance with NZECP34:2001.<sup>121</sup>

### **3.4.2 Controlled Activities.**

The following activities are controlled activities in the Rural zone:

a. Subdivision.

Refer to Chapter 11 on Subdivision.

### **3.8.2 Restricted Discretionary Activities.**

The following are restricted discretionary activities:

a. Any permitted activity which does not comply with a Rural CGeneral<sup>122</sup>  
zone performance standard.

Council restricts its discretion to the following matter:

i. The effect of the particular non-compliance on the environment, including the cumulative or combined effect of non-compliances.

b. Subdivision provided that:

i. Minimum site area is 1 hectare per allotment' except that this shall not apply to allotments required for network utility activities.

ii. Complies with Rules in 11.4 regarding subdivision.

iii. The identified Building Platform shall be located outside the National Grid Yard<sup>123</sup>

Council restricts its discretion to the following matters:

i. the ability of sites to:

- be independently serviced for water, wastewater; and
- comply with subdivision provisions Section 11.4;
- maintain or enhance rural lifestyle character.
- Impact on the operation, maintenance, upgrade and development of the National Grid., including compliance with NZECP34:2001.<sup>124</sup>

c. Any building within 20m of the secured yard of a National Grid substation.

Council restricts its discretion to the following matters:

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<sup>121</sup> Sub 56 Transpower NZ Ltd

<sup>122</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>123</sup> Sub 56 Transpower NZ Ltd

<sup>124</sup> Sub 56 Transpower NZ Ltd

- Impacts on the operation, maintenance, upgrade and development of the National Grid
- Compliance with NZECP34:2001
- The risk of electrical hazards affecting public or individual safety, and the risk of property damage.<sup>125</sup>

d. Earthworks within 12m of a National Grid support structure that fails to comply with performance standard 10.2.7(b)(i)

Council restricts its discretion to the following matters:

- Impacts on the operation, maintenance, upgrade and development of the National Grid.
- Compliance with NZECP34:2001.
- The risk of electrical hazards affecting public or individual safety, and the risk of property damage.<sup>126</sup>

~~Any permitted or controlled activity which does not comply with the relevant zone rules is a restricted discretionary activity, except that this rule does not apply to retail activities which exceed the maximum area standards.~~

~~In exercising its discretion, the Council shall be limited to the standards with which that activity fails to comply.~~

~~An application need not be notified if the consent authority is satisfied that the adverse effect on the environment of the activity will be minor and written approval has been obtained from every person whom the Council is satisfied may be adversely affected by the granting of the resource consent, unless the Council considers it is unreasonable in the circumstances to require the obtaining of every such approval.~~

### **3.8.3 Discretionary Activities.**

The following activities are discretionary activities in the Rural CGeneral<sup>127</sup> zone:

- a. Community activities.
- b. The following commercial activities:
  - i. Service stations.
  - ii. Tourism facilities.

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<sup>125</sup> Sub 56 Transpower NZ Ltd

<sup>126</sup> Sub 56 Transpower NZ Ltd

<sup>127</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

- iii Visitor accommodation.
- iv. Veterinary clinics.
- v. Animal boarding establishments.
- vi. Retail activities not exceeding up to<sup>128</sup> 75m<sup>2</sup> gross floor area adjoining a state highway.
- ~~vii. Retail activities where the retail floor space exceeds 75m<sup>2</sup>.~~
- c. Intensive farming.
- d. Quarrying.
- e. Rural industry.
- f. Network utilities as not provided for as permitted or restricted discretionary activities<sup>129</sup> by District Wide Rule 10.1.
- ~~g. Any other activity which is not provided for.~~

#### **3.8.4 Non Complying Activities.**

The following are non-complying activities in the Rural General<sup>130</sup> zone:

- a. Any other activity which is not provided for as a permitted, restricted discretionary or discretionary activity. Subdivision into lots less than 4ha. (refer to Subdivision rules chapter 11).
- b. The establishment or expansion of any sensitive activity within an electricity transmission yard. Any activity, structure or earthworks within the National Grid Yard which does not comply with performance standard 10.2.7<sup>131</sup>
- c. Buildings and structures located within the electricity transmission yard, which are more than 2.5m in height and/or 10m<sup>2</sup> in area. Establishment of any sensitive activity or any structure or addition to a structure associated with a sensitive activity and located within the National Grid Yard<sup>132</sup>.
- ~~b. Manufacturing activities.~~
- ~~c. Commercial activities except where specified as a discretionary activity.~~
- d. A hazardous facility within the National Grid Yard.<sup>133</sup>

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<sup>128</sup> Sub 54 WDC & Fsub 3.3 Horticulture NZ

<sup>129</sup> Sub 56 Transpower NZ Ltd

<sup>130</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>131</sup> Sub 56 Transpower NZ Ltd, Sub 71 Horticulture NZ

<sup>132</sup> Sub 56 Transpower NZ Ltd

<sup>133</sup> Sub 56 Transpower NZ Ltd



- e. Subdivision with a building platform for a principal building or dwelling located within the National Grid Yard.<sup>134</sup>

## 3.9 PERFORMANCE STANDARDS

### 3.9.1 Noise.

Emissions shall not exceed the following limits when measured within 20 metres of any dwelling (other than any other dwelling on the site from which the noise is being emitted).

7am to 6pm      55 dBA(L10)

All other times      45 dBA(L10)

Lmax: the lower of L95 background sound plus 30 dBA or 75 dBA

The above noise standards shall not apply to temporary military training activities as these activities are subject to separate standards contained in District Wide Rule 10.8.

Note: Livestock noise is exempt from the noise standards in this zone.

These standards shall be read with and are subject to the provisions of Appendix D - Noise.

### 3.9.2 Light and Glare.

- a. ~~Any particular a~~ Artificial lighting system shall not result in increased luminance in excess of 8 lux in the measured ambient level in the vertical plane at the windows of any residential building in any other adjacent zone. ~~the Residential, Coastal Residential, Rural or Rural Settlement zones.~~
- b. No light source shall cause glare which may adversely affect the vision of motorists on a road.

### 3.9.3 Vibration.

No activity shall cause a vibration considered offensive or objectionable.

~~In assessing whether vibration is offensive or objectionable, the limits set in NZS 2631: 1985-1989, Parts 1 - 3 shall be used.~~

### ~~3.5.4~~ Air discharge.

~~Note: There are no District Plan standards for air discharges. Discharges to air are controlled by regional councils. The Wanganui District Council has been authorised by the Manawatu-Wanganui Regional Council to exercise all powers and functions of Enforcement Officers for the purpose of investigating complaints about the discharge of contaminants to air~~

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<sup>134</sup> Sub 56 Transpower NZ Ltd

~~within the boundary of the Wanganui urban area. Persons responsible for causing discharges to air should consult Wanganui District Council or Manawatu-Wanganui Regional Council staff about provisions in the Regional Air Plan for Manawatu-Wanganui. Furthermore, it should be noted that Section 17 of the Resource Management Act imposes a duty on all persons to avoid, remedy or mitigate adverse effects, including those relating to odour, dust and smoke, regardless of any rules in plans or standards of resource consents.~~

#### **3.9.4 Hazardous substances.**

Any new or expanded hazardous facility is subject to the provisions of Appendix F Hazardous Facility Screening Procedure.

#### **3.9.5 Structures.**

- a. All new structures shall be less than 10 metres in height.
- b. New structures shall be a minimum of 10 metres from any site boundary, except;
  - i. Fences less than three metres high, and;
  - ii. Loading racks in relation to road frontage.
- a. Antenna dishes - antenna dishes shall not exceed 3 metres in diameter (except as provided for in District Wide Rule 10.1 in relation to network utilities).
- b. Pedestal mounted dish antenna pivoted up to 4m above ground level with a maximum diameter of 5m.
- c. All new habitable structures to be used for residential, commercial or industrial purposes shall be provided with a fire fighting water supply and access to this supply in accordance with New Zealand Fire Service Fire Fighting Water Supply Code of Practice 2008 SNZ PAS 4509:2008<sup>135</sup>

#### **3.9.6 Advertising.**

No signs shall be erected, constructed or displayed in ~~this~~ the Rural General<sup>136</sup> zone other than the following, which are to be neither neon nor flashing in type:

- a. One property identification sign not exceeding 3m<sup>2</sup> total sign face area provided it is located on the same site to which it relates.
- b. Any official sign.

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<sup>135</sup> Sub 68 NZ Fire Service Commission

<sup>136</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

- c. A sign not exceeding 2m<sup>2</sup> erected in connection with tourist publicity or special public information denoting places or points of special interest. These signs shall be located on the property to which they relate.
- d. Signs not exceeding 2m<sup>2</sup> advertising the disposal of the land or premises on which the sign is situated.
- e. The general rules for advertising in District Wide Rule 10.10 - Advertising shall apply.
- f. Identification and/or health and safety signs associated with infrastructure not exceeding 0.5m<sup>2</sup> and attached to the corresponding infrastructure.

### **3.9.7 Vehicular access and parking.**

All activities shall comply with the vehicular access and parking standards provided in District Wide Rule 10.3.

### **3.9.8 Trees.**

- a. No tree for forestry, shelter belt or soil conservation purposes shall:  
a.—be planted within 10 metres of any boundary;
- b. No ornamental other tree (with a height at maturity of more than 2 metres)<sup>137</sup>. tree shall be planted within 4 metres of any boundary for  
~~have any branch that projects from the tree trunk between ground level and a height of 6 metres overhanging the adjoining boundary.~~

unless written consent of the adjacent neighbour and ~~the~~ any adjacent network utility (if there are existing lines near the boundary) has been obtained and registered with the Council.

### **3.9.9 ~~Additional standards for h~~Home ~~e~~Occupations.**

~~In addition to the above permitted activity standards and District Wide Rules, every home occupation shall be required to comply with the following performance standards:~~

- a. ~~Not more than~~ Only one person not living at the same site outside the family shall be employed in the home occupation; the total number of persons not to exceed three.
- b. ~~Electrical Interference.~~  
Home occupations shall not use equipment which creates electrical interference beyond the site boundaries.
- c. ~~Storage.~~

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<sup>137</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

~~No equipment or materials for a home occupation, nor refuse arising from a home occupation, shall be stored outdoors.~~

b. ~~Amenity.~~

~~There shall be no exterior display, no exterior advertising (except as permitted under this Plan), no exterior storage of materials, nor any other exterior indication of the occupation or variation from the character of the neighbourhood.~~

c. ~~Hours of Operation.~~

~~Home occupations may operate only between the hours of 7am and 10pm and the sale of goods is limited to the hours between 7.00am and 7.00pm. Hours of operation do not apply to Farm Stays or Home Stays.~~

a. ~~Loading and Access.~~

~~Loading and access shall be in accordance with District Wide Rule 10.3.~~

~~Ingress and egress and provision for loading to be in accordance with District Wide Rule 10.3. Use of right-of-way systems is not permitted for public vehicular traffic.~~

**3.9.8 Retail activities ancillary to a permitted activity. (except where adjoining a State Highway).**

a. The majority of products sold are produced entirely onsite.

b. The retail floor space does not exceed 75m<sup>2</sup> gross floor area.

c. The entrance to any retail activity shall be located at least 200m from any intersection with the State Highway and at least 100m from any other intersection.

~~c. Provision of at least four off-road parking spaces shall be provided in accordance with District Wide Rule 10.3. These parking spaces shall be located adjacent to the retail activity.~~

d. Only one sign shall be permitted at the entrance to the retail activity on the road boundary of the property and shall comply with the advertising performance standards of this zone.

~~**3.5.12 Wastewater treatment ponds.**~~

~~Any wastewater treatment pond shall be located at least:~~

~~a. 400m from an Urban Residential zone and a Rural Settlement zone.~~

~~b. 30m from any isolated residential building.~~

~~c. 20m from any river or lake.~~

~~d. 30m from any established well for domestic purposes.~~

~~e. 20m from any public road.~~

Note: Any activity which results in disturbance of soil or vegetation may require consent from the Manawatu-Wanganui Regional Council.

**Note:**

1. The domestic wastewater requirements under Horizons Regional Council One Plan Rule 13-1 may apply.<sup>138</sup>

## 3.10 RULES – RURAL SETTLEMENT ZONE

The Council seeks to maintain rural settlement areas with the following characteristics:

- a. a range of residential, community and rural activities that are developed and managed in such a way that their effects are compatible with the rural character and amenities of the settlement;
- b. retention of natural and cultural heritage features;
- c. where there is adequate on-site disposal of effluent without causing adverse environmental effects;
- d. where activities are consolidated in a manner which maximises the efficient use of infrastructure and reticulated services.

Rural Settlement zone rules in this chapter aim to:

- a. maintain the scale and character of rural settlement areas;
- b. recognise streetscape as having high public value;
- c. address nuisance from noise, light spill, glare and vibration;
- d. address visual amenity and safety problems from advertising signs;
- e. address potential environmental effects from effluent disposal and the use and storage of hazardous substances;
- f. ensure appropriate standards for property access;
- g. manage effects of home occupations;
- h. manage effects of relocated buildings.

### 3.10.1 Permitted Activities.

All activities shall comply with Performance Standards and District Wide rules where relevant.

The following are permitted activities in the Rural Settlement zone:

- a. Residential activities.
- b. One dwelling per site.
- c. Community activities.
- d. Rural activities.
- e. Retail activities except where adjoining a state highway.

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<sup>138</sup> Sub 26 Horizons Regional Council

- f. Network utilities as provided by District Wide Rule 10.1 contains ~~some exemptions from the zone rules for network utilities.~~

~~Which comply with the relevant zone rules.~~

**Advice Note:** works in close proximity to any electricity line can be dangerous. Compliance with the New Zealand Code of Practice 34:2001 is mandatory for all buildings, earthworks and mobile plant within close proximity to all electric lines.

Vegetation to be planted within near electricity lines should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003. To discuss works, including tree planting, near any electrical line, contact the line operator.<sup>139</sup>

### **3.10.2 ~~Controlled Activities.~~**

~~The following are controlled activities Rural Settlement zone:~~

- ~~a. Subdivision.~~

~~Refer to the section on Subdivision for standards, terms and zones of control relating to subdivision in this zone.~~

### **3.10.2 Restricted Discretionary Activities.**

The following are restricted discretionary activities in the Rural Settlement zone:

- a. Any permitted activity which does not comply with a Rural Settlement zone performance standard.

Council restricts its discretion to the following matter:

- i. The effect of the particular non-compliance on the environment, including the cumulative or combined effect of non-compliances.

- b. More than one dwelling per site.

Council restricts its discretion to the following matters:

- i. The ability of the development to be serviced by on-site means with regard to effluent and stormwater disposal.
- ii. Impact on the character of the surrounding area, ability of the site to achieve quality urban design outcomes.<sup>140</sup>

- c. Subdivision provided that:

- i. Complies with Rules in 11.4 regarding Subdivision.

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<sup>139</sup> Sub 11 Powerco NZ Ltd and Further Sub 5.1 Transpower NZ Ltd

<sup>140</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

Council restricts its discretion to the following matters:

- i. the ability of sites to:
- be independently serviced for water, wastewater; and
  - comply with subdivision provisions section 11.4;
  - maintain or enhance rural settlement character.

~~The following are discretionary activities in the rural settlement zone where the Council shall restrict the exercise of its discretion:~~

- ~~a. Any permitted or controlled activity which does not comply with the relevant performance standards. In exercising its discretion the Council shall be limited to the standards which that activity fails to comply.~~

~~An application need not be notified if the consent authority is satisfied that the adverse effect on the environment of the activity will be minor and written approval has been obtained from every person whom the Council is satisfied may be adversely affected by the granting of the resource consent, unless the Council considers it is unreasonable in the circumstances to require the obtaining of every such approval.~~

- ~~b. Any activity which does not comply with District Wide Rule 10.3; traffic generation, from non-residential activities.~~

~~In exercising its discretion the Council will be restricted to whether:~~

- ~~i. the nature of neighbouring activities (whether they are also non-residential);~~
- ~~ii. the proposed parking provisions accompanying the applications;~~
- ~~iii. the status of the road that the activity accesses (as shown on the planning maps).~~

### **3.10.3 Discretionary Activities.**

The following activities are discretionary activities in the Rural Settlement zone where the exercise of the Council's discretion is unrestricted:

- a. Retail activities adjoining a state highway.
- b. Commercial activities.
- c. Network utilities as provided by District Wide Rule 10.1.
- d. Any other activity which is not provided for as a permitted, controlled, restricted discretionary or non-complying activity.

Assessment criteria for discretionary activities are provided in the Assessment Criteria section.

### **3.10.4 Non Complying Activities.**

The following are non-complying activities in the Rural Settlement zone:

- a. Manufacturing.

## 3.11 PERFORMANCE STANDARDS

### 3.11.1 Noise.

Sound emissions from any non-residential activity shall not exceed the following limits when measured on, or within, the boundary of any other site used for residential purposes (other than the land from which the noise is emitted and any road).

7am to 6pm      50 dBA(L10)

All other times      40 dBA(L10)      Lmax: the lower of L95 background sound plus 30 dBA or 70 dBA

The above noise standards shall not apply to temporary military training activities as these activities are subject to separate standards contained in District Wide Rule 10.8.

These standards shall be read with and are subject to the provisions of Appendix D - Noise.

### 3.11.2 Light and Glare.

- a. ~~Any particular~~ A artificial lighting system shall not result in increased luminance in excess of 8 lux in the measured ambient level in the vertical plane at the windows of any residential building in any other adjacent zone. ~~the Residential, Coastal Residential, Rural or Rural Settlement zones.~~
- b. No light source shall cause glare which may adversely affect the vision of motorists on a road.

### 3.11.3 Vibration.

No activity shall cause a vibration considered offensive or objectionable.

~~In assessing whether vibration is offensive or objectionable, the limits set in NZS 2631: 1985-1989, Parts 1 - 3 shall be used.~~

### 3.9.4 Air discharge.

~~Note: There are no District Plan standards for air discharges. Discharges to air are controlled by regional councils. The Wanganui District Council has been authorised by the Manawatu-Wanganui Regional Council to exercise all powers and functions of Enforcement Officers for the purpose of investigating complaints about the discharge of contaminants to air within the boundary of the Wanganui urban area. Persons responsible for causing discharges to air should consult Wanganui District Council or Manawatu-Wanganui Regional Council staff about provisions in the Regional Air Plan for Manawatu-Wanganui. Furthermore, it should be noted that Section 17 of the Resource Management Act imposes a duty on all persons to avoid, remedy or mitigate adverse effects, including those relating to odour, dust and smoke, regardless of any rules in plans or standards of resource consents.~~



### 3.11.4 Hazardous substances.

Any new or expanded hazardous facility is subject to the provisions of Appendix F Hazardous facility screening procedure.

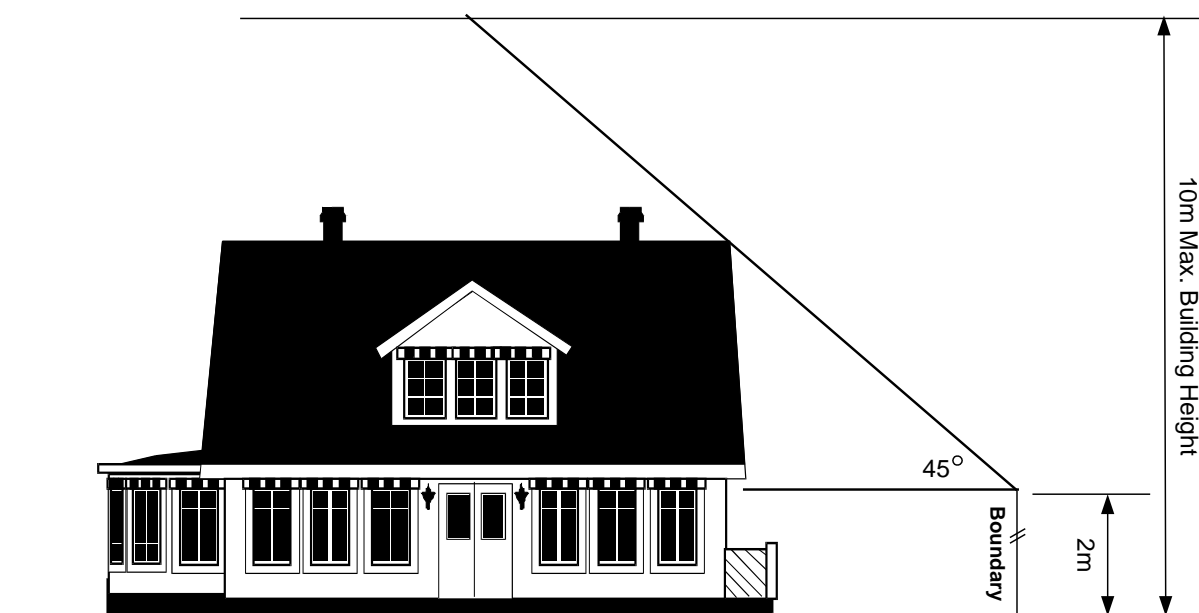
### 3.11.5 Structures.

~~Structures shall comply with the following performance standards:~~

a. Height recession plane.

All new buildings and structures, and additions to buildings and structures shall be designed and constructed to fit within a recession plane (or height-to-boundary plane) which commences at 2 metres above the existing ground level at all site boundaries and then projects from this line inwards at a 45 degree angle.

This standard also applies to **all** front boundaries.



b. Multiple dwelling units.

Where more than one unit is to be erected on a site and the units are not joined together, the above height recession plane standard shall apply from a notional site boundary between the units (such as any proposed cross-lease or unit title boundary).

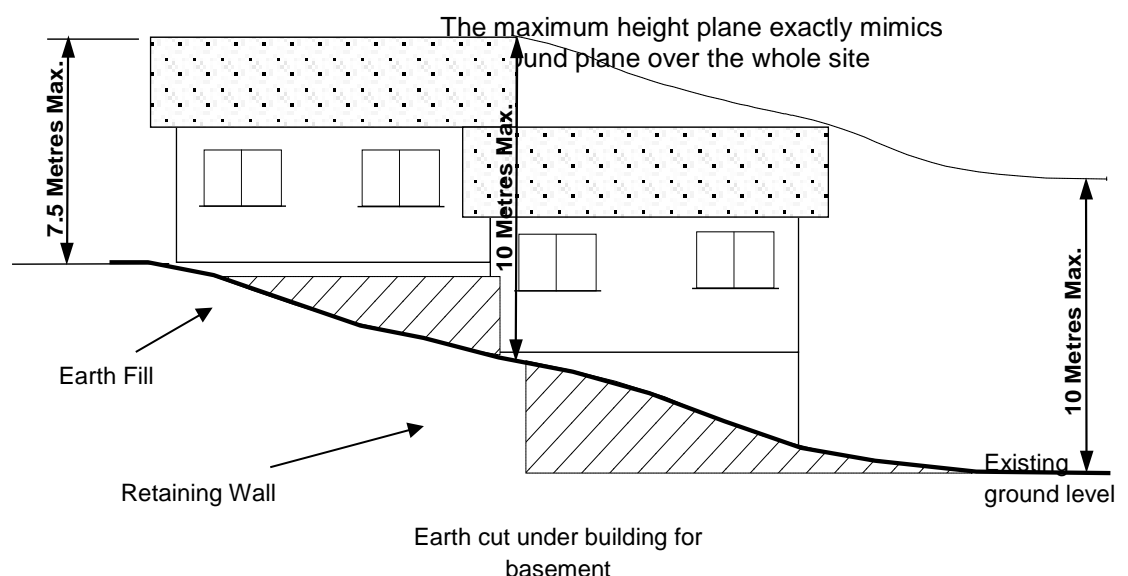
c. Exceptions from height recession plane standard.

The following structures are exempt from the above height recession plane standard:

- i. Network utility masts, poles and antennas.
- ii. Flagpoles.
- iii. Wires.
- iv. Television and radio antennas and support structures.
- v. Chimneys.
- vi. Vertical ventilation shafts

- vii. Solar heating devices
  - viii. Photovoltaic panels no more than 200mm from the main block dwelling
  - ix. Up to one-third of the height of gable end roofs and dormer windows not more than 3 metres wide.
  - x. Garages and accessory buildings not more than 3.5 metres high and maximum ~~7.5~~ 6 metres length (exempt height recession plane from side and rear boundaries only).
- d. The height recession plane standard ensures that buildings are setback in proportion to their height from residential zone boundaries and street boundaries.
- e. Height.
- i. Building height shall not exceed 10 metres in the rural settlement zone. Except that the standard shall not apply to supporting structures such as masts and poles providing that, above 10 metres in height, they have a maximum horizontal dimension of 0.7 metres (excluding aerials and antennas). This rule does not apply to the Mowhanau settlement zone.
  - ii. Height – Mowhanau settlement zone.  
Building height shall not exceed 7.5 metres at the highest point of the building footprint on the existing ground level in the Mowhanau settlement zone.

Where a building platform lies on sloping ground the building height may increase up to a maximum of 10 metres, above the existing ground level, provided that no part of the building exceeds the 7.5 metres as measured at the highest point of building footprint on the existing ground level.



Except that the standard shall not apply to supporting structures such as masts and poles providing that, above 10 metres in height, they have a maximum horizontal dimension of 0.7 metres (excluding aerials and antennas).

- f. Site coverage.  
Buildings shall not cover more than 40% of the net site area.
- g. Accessory buildings.  
Any garage or accessory building located in front of the principal building on a site shall be built to the same design and construction standard as the principal building.
- h. Antenna dishes - antenna dishes shall not exceed ~~3~~ 2 metres in diameter District Wide Rule 10.1 in relation to network utilities).
- i. Pedestal mounted dish antenna pivoted up to 4 metres above ground level with a maximum diameter of 5 metres.
  - i. Site amenity - for more than one dwelling.
  - ii. On a site there shall be a minimum of 30m<sup>2</sup> outdoor living space for each dwelling unit provided adjacent to the main glazing of the main living area, and the least dimension in any direction shall be 3m.
  - iii. For upper storey units, the outdoor space requirement shall be a minimum of 15m<sup>2</sup>, and the least dimension in any direction shall be 1.5m.
  - iv. An enclosed storage space, with a minimum area of 2m<sup>2</sup> and with outdoor access shall be provided.

All new habitable structures to be used for residential, commercial or industrial purposes shall be provided with a fire fighting water supply and access to this supply in accordance with New Zealand Fire Service Fire Fighting Water Supply Code of Practice 2008 SNZ PAS 4509:2008<sup>141</sup>

### **3.9.7** ~~————~~ **Parking.**

All activities shall comply with the parking standards in the ~~District Wide Rule 10.3.~~

### **3.11.6** ~~————~~ **Access.**<sup>142</sup>

~~Sealed vehicular access shall be provided and formed to the widths detailed in the following table:~~

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<sup>141</sup> Sub 68 NZ Fire Service Commission

<sup>142</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

No of Units Served by Access	Minimum Width of Access
<del>2 - 4</del> <u>1 - 3</u>	<del>3.0m</del> <u>3.6 metres</u>
<del>5 or 6</del> <u>4 - 6</u>	<del>4.2m</del> <u>6.5 metres</u>
<del>7 or more</del>	<del>6.0m</del> <u>Road</u>

~~Parking areas, vehicle crossings, manoeuvring and access shall comply with the standards in the District Wide Rule 10.3.~~

### 3.11.7 Traffic generation.

Non-residential activities shall not accommodate more than:

- a. 50 people where an activity is accessed from a local road (as shown on planning maps).
- b. 100 people for roads which are national routes, primary arterials, secondary arterials or collector roads (as shown on planning maps).

### 3.11.8 Advertising.

No signs shall be erected, constructed or displayed in ~~this~~ the Rural Settlement zone other than the following, which are to be neither neon nor flashing in type:

- a. One property identification sign not exceeding 3m<sup>2</sup> total sign face area provided it is located on the same site to which it relates.
- b. Any official sign.
- c. A sign not exceeding 2m<sup>2</sup> erected in connection with tourist publicity or special public information denoting places or points of special interest. These signs shall be located on the property to which they relate.
- d. Signs not exceeding 2m<sup>2</sup> advertising the disposal of the land or premises on which the sign is situated.
- e. The general rules for advertising in District Wide Rule 10.10 - Advertising shall apply.
- f. Identification and/or health and safety signs associated with infrastructure not exceeding 0.5m<sup>2</sup> and attached to the corresponding infrastructure.

### 3.11.9 Vehicular access and parking.

All activities shall comply with the Vehicular Access and Parking Standards provided in the District Wide Rule 10.3.

### 3.11.10 Additional standards for Home Occupations.

~~In addition to the above permitted activity standards and District Wide Rules, every home occupation shall be required to comply with the following performance standards:~~

- a. ~~Not more than~~ Only one person not living within the same site outside the family shall be employed in the home occupation; the total number of persons not to exceed three.
- b. ~~Electrical Interference.~~  
Home occupations shall not use equipment which creates electrical interference beyond the site boundaries.
- c. ~~Storage.~~  
~~No equipment or materials for a home occupation, nor refuse arising from a home occupation, shall be stored outdoors.~~
- b. ~~Amenity.~~  
There shall be no exterior display, no exterior advertising (except as permitted under this Plan), no exterior storage of materials, nor any other exterior indication of the occupation or variation from the character of the neighbourhood.
- c. ~~Hours of Operation.~~  
Home occupations may operate only between the hours of 7am and 10pm and the sale of goods is limited to the hours between 7.00am and 7.00pm. Hours of operation do not apply to Farm Stays or Home Stays.
- b. ~~Loading and Access.~~  
~~Ingress and egress and provision for loading to be in accordance with District Wide Rule 10.3. Use of right-of-way systems is not permitted for public vehicular traffic.~~

### **3.11.12 Retail activities (except where adjoining a State Highway).**

~~Are required to comply with the following terms and conditions:~~

- a. The retail floor spacedoes shall not exceed 75m<sup>2</sup> gross floor area.
- b. The entrance to any retail activity shall be located at least 200m from any intersection with the State Highway and at least 100m from any other intersection.
- c. Provision of at least four off-road parking spaces shall be provided in accordance with the provisions in District Wide Rule 10.3. These parking spaces shall be located adjacent to the stall.
- d. Only one sign shall be permitted at the entrance to the retail activity on the road boundary of the property and shall comply with the advertising performance standards of this zone.

#### **Note:**

1. The domestic wastewater requirements under Horizons Regional Council One Plan Rule 13-11 (new and upgraded discharge of domestic wastewater) may apply.<sup>143</sup>

## 10 DISTRICT WIDE PROVISIONS

### 10.1 UTILITIES

#### Objectives

- 10.1.1 Avoid land use activities and subdivision that could adversely affect (including through reverse sensitivity) the operation, maintenance, upgrading and development of the National Grid.<sup>144</sup>

#### Policies

- 10.1.1 Recognise and provide for the development, operation, maintenance and upgrading of essential network utilities, including the National Grid.<sup>145</sup>
- 10.1.2 When managing the effects of essential network utilities consider the locational, technical and operational requirements of network utilities and the contribution they make to the functioning and wellbeing of the community and beyond in assessing their location, design and appearance.<sup>146</sup>

#### 10.1.1 Permitted Activities.

The following are permitted activities throughout the District:....

- b. The following activities within the National Grid Yard (applies to Rural zones only) provided they comply with Performance Standards 10.2.7:
  - i. Fences less than 2.5m in height;
  - ii. Network Utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid;
  - iii. Uninhabited farm structures associated with farming activities (excluding milking/dairy sheds, PSA3 Structures, or intensive farming buildings);
  - iv. Uninhabited horticultural structures other than a commercial greenhouse or intensive farming building<sup>147</sup>

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<sup>143</sup> Sub 26 Horizons Regional Council – to be renumbered as part of Phase 6 review

<sup>144</sup> Sub 56 Transpower NZ Ltd– to be renumbered as part of Phase 6 review

<sup>145</sup> Sub 56 Transpower NZ Ltd– to be renumbered as part of Phase 6 review

<sup>146</sup> Sub 56 Transpower NZ Ltd

<sup>147</sup> Sub 56 Transpower NZ Ltd, Sub 71 Horticulture NZ

- c. The following structures (excluding horticultural structures) within 12 metres of the National Grid support structures (applies to Rural zones only):
- i. Fences less than 2.5m in height;
  - ii. A fence located within 5m of a support structure where Transpower NZ Ltd has given written approval in accordance with clause 2.3.3 of NZECP34:2001;
  - iii. A Network Utility within a transport corridor or any part of electricity infrastructure that connects to the National Grid;
  - iv. Commercial scale electricity generation infrastructure<sup>148</sup>
- d. Agricultural and horticultural structures within 12 metres of any National Grid support structure (applies to Rural zones only) provided they comply with performance standard 10.2.8.

## 10.2 PERFORMANCE STANDARDS

The following Performance Standards apply to network utilities, except that they do not apply in relation to the maintenance or upgrading of existing utilities where the character, intensity and scale of the utility remains the same or similar.

Performance standards 10.2.7 and 10.2.8 apply to structures (within the rural zones only) located within the National Grid Yard.

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### **10.2.7 Structures within the National Grid Yard (applies to Rural zones only)**

- a. Any new structure shall:
- i. Have a minimum vertical clearance of 10m below the lowest point of the conductor associated with National Grid lines; or.
  - ii. Demonstrate that safe electrical clearance distances required by NZECP34:2001 are maintained under all National Grid line operating conditions
- b. Earthworks (excluding where associated with a Network Utility or agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, driveway or farm track) shall not:
- i. exceed a depth of 300mm within 12m of any National Grid support structure foundation, except that vertical holes not exceeding 500mm in diameter which are more than 1.5m from

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<sup>148</sup> Sub 56 Transpower NZ Ltd, Sub 71 Horticulture NZ

the outer edge of any pole support structure or stay wire are exempt.

- ii. compromise the stability of a National Grid support structure;
- iii. result in a reduction in the ground to conductor clearance distances below what is required by Table 4 of NZECP34.<sup>149</sup>

#### **10.2.8 Agricultural and horticultural structures within 12m of the National Grid support structures (applies to Rural zones only)**

- a. Any new structure shall:
  - i. Meet the requirements of the NZECP34:2001 for separation distances from the conductor; and
  - ii. Be less than 2.5m in height; and
  - iii. Be removable or temporary, to allow a clear working space 12 metres from the pole for maintenance and emergency repair purposes; and
  - iv. Allow all weather access to the pole and a sufficient area for maintenance equipment, including a crane; and
  - v. Have obtained the written approval from Transpower in accordance with Clause 2.4.1 of NZECP34:2001 to be located within 12m of a tower or 8m of a pole support structure.<sup>150</sup>

## **11 Subdivision and Infrastructure**

### **11.4 RULES FOR SUBDIVISION (Part 1)**

Note: The following provisions only apply to subdivision and land use activity in the Residential, Rural Production, B\_Lifestyle, C\_General and Rural Settlement, Neighbour Commercial and Reserves and Open Spaces zones.<sup>151</sup>

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<sup>149</sup> Sub 56 Transpower NZ Ltd Sub 71 Horticulture NZ

<sup>150</sup> Sub 56 Transpower NZ Ltd, Sub 71 Horticulture NZ

<sup>151</sup> Minor Amendment under Clause 16 First Schedule RMA, Sub 54 WDC and Fsub 3.3 Horticulture NZ



#### 11.5.4 Allotment size.

a. New allotments, including balance allotments, shall meet the requirements of the following table:

Zone	Allotment Size Requirements - Net Site Area (Metres <sup>2</sup> (m <sup>2</sup> ) or Hectares (ha))
<u>Rural A Production</u> <sup>152</sup>	10ha <u>2500m<sup>2</sup> to 5000m<sup>2</sup> for allotments subject to rule 3.4.2(c)</u>
<u>Rural B Lifestyle</u> <sup>153</sup>	5000m <sup>2</sup> or 0.5ha
<u>Rural C General</u> <sup>154</sup>	10,000m <sup>2</sup> or 1ha
<u>Rural Settlement</u>	Allotments shall be of sufficient size and shape to contain an activity or development in a manner that complies with the rules and standards for the zone concerned.

Table 1 Minimum Net Allotment Area

## 13 Definitions

Insert or amend definitions as indicated below:

### **Sensitive Activities**

Sensitive activities, means those activities within an electricity transmission National Grid<sup>155</sup> subdivision<sup>156</sup> corridor that are particularly sensitive to the risks associated with electricity National Grid high voltage transmission lines because of either the potential for prolonged exposure to the risk or the vulnerability<sup>157</sup> of the equipment or population that is exposed to the risk. Such activities include childcare and educational facilities residential buildings hospitals and health care facilities.

### **Amenity Values**

Means the natural or physical qualities or characteristics of an area that contributes to peoples appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes — including but not limited to; land scape and visual characters;

<sup>152</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>153</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>154</sup> Sub 54 WDC and Fsub 3.3 Horticulture NZ

<sup>155</sup> Sub 71 Horticulture NZ (Sub point 27).

<sup>156</sup> Sub 56 Transpower NZ Ltd

<sup>157</sup> Sub 56 Transpower NZ Ltd

land use, environmental health and safety characteristics, conscience, comfort and character.<sup>158</sup>

### **Lifestyle Development**

Lifestyle Development means development in any rural zone where the predominant purpose for the site is rural residential living rather than rural production activities.<sup>159</sup>

### **National Grid Subdivision Corridor**

National Grid Subdivision Corridor means the area measured either side of the centreline of above ground National Grid line as follows:

- 16m for the 110kV lines on pi poles
- 32m for 110kV lines on towers
- 37m for the 220kV transmission line<sup>160</sup>

### **National Grid Yard:**

National Grid Yard means:

- the area located 12 metres in any direction from the outer edge of a National Grid support structure; and
- the area located 12 metres either side of the centreline of any overhead National Grid line.<sup>161</sup>

### **Rural Activities**

Rural activities: means the use of land, buildings and other structures for the purposes of breeding animals or growing vegetative matter, and includes forestry, horticulture, aquaculture, beekeeping, seed growing, viticulture, cropping and the keeping of livestock for food, wool, skins or fur, and ancillary uses which are incidental and secondary to the rural activity, including but not limited to artificial crop protection structures and agricultural airstrips<sup>162</sup>

- a. Does not include rural industry.
- b. Does not include intensive farming.

### **Non-Rural Activities**

Non-rural activities means any activity that is not a Rural Activity as defined in this Plan.

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<sup>158</sup> Sub 71 Horticulture NZ and Sub 57 Federated Farmers and FSub 3.5 Horticulture NZ

<sup>159</sup> Sub 71 Horticulture NZ

<sup>160</sup> Sub 56 Transpower NZ Ltd, Sub 71 Horticulture NZ

<sup>161</sup> Sub 56 Transpower NZ Ltd, Sub 71 Horticulture NZ

<sup>162</sup> Sub 71 Horticulture NZ

### **Artificial Crop Protection Structures**

Artificial Crop Protection Structures means structures built to protect crops and/or enhance growth (excluding greenhouses).<sup>163</sup>

### **Shelterbelt**

Shelterbelt means a row or rows of trees or hedges planted to partially block wind flow, primarily on cultivated land<sup>164</sup>.

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<sup>163</sup> Sub 71 Horticulture NZ

<sup>164</sup> Sub 57 Federated Farmers and FSub 3.5 Horticulture NZ