

SECTION 3: RURAL ZONE

3.01 CATEGORIES OF ACTIVITIES

3.01.1 PERMITTED ACTIVITIES

The following activities are permitted if they fully comply with the performance standards set out or referred to in Sections 3.02.1 - 3.02.12 of the Plan and are not listed in Sections 3.01.2, 3.01.3, 3.01.4, 3.01.5 or 3.01.6:

- (a) Farming and intensive farming activities.
- (b) Residential activities.
- (c) Marae.
- (d) Community activities and essential services.
- (e) Retail and Commercial activities.
- (f) Directional Signs including on site directional signs.
- (g) Signs indicating that a site is the subject of a resource consent application.
- (h) Signs associated with an existing commercial or industrial activity.
- (i) Temporary signs (other than those of a moving, flashing, animated or reflective kind adjacent to the state highway system) advertising the sale of the property on which the sign is located, identifying a contractor working on that site, for electioneering purposes or announcing community events.
- (j) Petroleum prospecting including seismic exploration.
- (k) Forestry activities.
- (l) Hawera Airport activities.
- (m) Within land administered by the Department of Conservation:
 - (i) Construction, maintenance and removal of temporary accommodation (huts) and toilets, visitor information signs, staff accommodation, information centres, and storage sheds.
 - (ii) Commercial guiding and outdoor recreation activities.
 - (iii) Species protection and conservation management work, including restoration and revegetation work.
 - (iv) Animal and plant control.
- (n) Temporary Military Training activities.

- (o) Surface of water (rivers and lakes) activities.
- (p) Stock loading and unloading facilities.

3.01.2 CONTROLLED ACTIVITIES

The following activities are controlled activities if they comply with the performance standards set out in 3.03 of the plan:

- (a) Signs, other than those provided for as a Permitted Activity, Limited Discretionary or Discretionary activity and signs of a moving, flashing, animated, or reflective kind proposed adjacent to the State highway system.

Matters over which Council may impose conditions:

- (i) The appearance of the message
- (ii) The mounting of the sign
- (iii) Colour combinations
- (iv) Traffic safety
- (v) Moving, flashing, animated, or retro-reflective features
- (vi) Financial Contributions

- (b) Petroleum exploration and production testing.

Matters over which Council may impose conditions:

- (i) Noise
- (ii) Landscaping
- (iii) Appearance
- (iv) Access
- (v) Heavy vehicle movements
- (vi) Duration of production testing

- (c) Temporary military training activities which do not meet one or all of the performance standards as a permitted activity.

Matters over which Council may impose conditions:

- (i) Earthworks
- (ii) Heavy vehicle movements
- (iii) The duration of the activity
- (iv) The effects of the activity on amenity values.

- (d) The construction of stock underpasses where more than 20 stock are required to cross a state highway or arterial road on a daily basis.

Matters over which Council retains discretion:

- (i) Location
- (ii) Design of the structure including drainage
- (iii) Construction including reinstatement of the road surface, and refencing.

3.01.3 LIMITED DISCRETIONARY ACTIVITIES

- (a) The erection or placement of dwelling units which do not meet all the performance standards for permitted activities.

Matters over which Council retains discretion:

- (i) Landscaping
- (ii) Appearance and environmental amenity
- (iii) Financial contributions
- (iv) Compatibility with activities on adjacent land and control of the creation of potential nuisance effects

- (b) The erection or placement of buildings to be used for intensive farming between 20 metres and 75 metres from the boundary of the site.

Matters over which Council retains discretion:

- (i) Compatibility with activities on adjacent land and control of the creation of potential nuisance effects
- (ii) Landscaping
- (iii) Appearance and environmental amenity
- (iv) Financial contributions

- (c) The erection or placement of industrial buildings (including extraction and processing equipment) between 10 and 20 metres from any boundary of the site provided that this rule does not apply to structures included above under 3.01.1(j) and 3.01.2(b).

Matters over which Council retains discretion:

- (i) Landscaping
- (ii) Appearance and environmental amenity
- (iii) Financial Contribution
- (iv) Compatibility with activities on adjacent land and control of the creation of potential nuisance effects

- (d) The erection or placement of buildings, (other than dwelling units, buildings used for intensive farming and industrial buildings) between 4.5 and 10 metres from any site boundary adjoining a public road and between 1.5 and 5 metres from any other site boundary.

Matters over which Council retains discretion:

- (i) Landscaping
- (ii) Appearance and environmental amenity
- (iii) Financial Contributions
- (iv) Compatibility with activities on adjacent land and control of the creation of potential nuisance effects

- (e) The erection or placement of any building which is proposed adjacent to reserves, heritage items, schools, churches, halls and other community facilities, and is located between 3 and 10 metres from the affected boundary.

Matters over which Council retains discretion:

- (i) Landscaping
- (ii) Appearance
- (iii) Financial Contributions

- (f) The erection or placement of buildings, other than dwelling units, where the maximum height does not exceed 3 metres more than the shortest horizontal distance between the building and the nearest site boundary.

Matters over which Council retains discretion:

- (i) Height
- (ii) Appearance
- (iii) Financial Contributions

- (g) The erection or placement of any dwelling unit where there is more than 6 and less than 10 metres between the main living areas of the dwelling unit and another dwelling unit.

Matters over which Council retains discretion:

- (i) Landscaping and Screening
- (ii) Financial Contributions

- (h) Prospecting and exploration associated with extractive industry. Matters over which Council retains discretion:

- (i) Landscaping
- (ii) Appearance
- (iii) Site access
- (iv) Heavy vehicle movements
- (v) Financial Contributions

- (i) Industrial activities occupying existing buildings.

Matters over which Council retains discretion:

- (i) Location
- (ii) Landscaping
- (iii) Appearance
- (iv) Heavy vehicle movements
- (v) Financial Contributions

- (j) Any new vehicle access to a site, or road, which does not comply with the standards set out in section 9 of this plan.

Matters over which Council retains discretion:

- (i) Dimensional standards of accessways
- (ii) Separation distances between crossings, or between intersections and crossings
- (iii) Design speeds and pavement widths
- (iv) Financial Contributions

- (k) Any activity which may generate unusual heavy vehicle traffic.

Matters over which Council retains discretion:

- (i) Need for Bylaws to provide for a route or routes of any associated heavy vehicle traffic
- (ii) Times that heavy vehicle traffic may use the district roading system (other than State Highways)
- (iii) Financial Contributions

- (l) The erection, construction or placement of any building, road, vehicle access, or sign located within the visual catchment of Lake Rotorangi, or within 500 metres of the margin of the lake, whichever is the greater.

Matters over which Council retains discretion:

- (i) Visual amenity
- (ii) Landscaping and screening
- (iii) Appearance
- (iv) Site access
- (v) Soil conservation and water quality
- (vi) Financial contributions

- (m) Activities on surface of rivers and lakes which cannot meet one or more of the performance standards for permitted activities.

Matters over which Council retains discretion:

- (i) Compliance with Water Control bylaws, including Water Recreation Regulations
- (ii) Compliance with controls in respect of separate water bodies under other plans
- (iii) Noise
- (iv) Access
- (v) River or lake edge support services
- (vi) Moorings
- (vii) Impacts on ecological values associated with the water including habitat, vegetation, and fauna
- (viii) Financial contributions

- (n) Signs which do not meet one or more of the performance standards for permitted or controlled activities and which are not listed as Discretionary Activities

Matters over which the Council retains discretion:

- (i) Location, wording, mounting, size and shape of the sign
 - (ii) Lighting or illumination
 - (iii) The ability of the sign to function while avoiding adverse effects on traffic safety
- (o) Signs that are moving, flashing, animated or have retro-reflective features, adjacent to a state highway.
- (i) Location, mounting and size of the sign
 - (ii) Luminance
 - (iii) The ability of the sign to function while avoiding adverse effects on traffic safety
- (p) Farming of goats within 1km of the Egmont National Park

Matters over which the Council retains discretion:

- (i) The adequacy of fencing to prevent the escape of farmed goats into the Park
 - (ii) The means by which goats to be farmed will be identified as to 'ownership' and in particular the method of branding or marking is in accordance with the identification system registered under section 3 of the Animal Identification Act 1993
 - (iii) Documentary evidence that the Department of Conservation has been advised of any applications for goat farming that may be considered under these provisions
- (q) Petroleum exploration and production testing which cannot meet one or more of the performance standards as a Controlled Activity.

Matters over which Council retains discretion:

- (i) Noise
 - (ii) Landscaping
 - (iii) Access
 - (iv) Heavy vehicle movements
 - (v) Duration of activity
- (r) Forestry activities which do not meet one or all of the performance standards as a Permitted Activity.

Matters over which Council retains discretion:

- (i) Heavy vehicle movements and routes
- (ii) Financial Contributions
- (iii) Shading of roads
- (iv) Boundary setbacks

- (s) Relocated buildings.

Matters over which Council retains discretion:

- (i) Compliance with performance standards for permitted activities
 - (ii) External upgrading and painting
 - (iii) Financial contributions including bonds for completion of work
- (t) Permanently occupied recreational vehicles and other easily movable buildings such as caravans, motor homes which occupy a site for up to twelve months while standing in a location permitted by a similarly permanent building.

Matters over which Council retains discretion:

- (i) Appearance
- (ii) Landscaping
- (iii) Connection to services
- (iv) Financial Contributions

3.01.4 **DISCRETIONARY ACTIVITIES**

- (a) Extractive Industry (Quarrying and Mining).
- (b) Any activity in the Coastal Protection Area, other than Temporary Military Training activities specifically provided for as a permitted or controlled activity.
- (c) Any industrial activity, other than those in existing buildings, where that activity:
 - (i) Is based on the qualities of the rural environment;and only provided:
 - (i) It utilises existing services and infrastructure or provides its own; and
 - (ii) It cannot practicably be located in an existing Industrial Zone.
- (d) Petroleum production stations and well heads.
- (e) Waste Treatment Facilities.
- (f) All free-standing signs located within the boundaries of a legal road.
- (g) Any activity, other than an activity listed in Section 3.01.5 below, which cannot meet the performance standards set out or referred to in Section 3.02 or 3.03 below and which has not been granted a resource consent as a Controlled or Limited Discretionary Activity.

NOTE: Council may impose Financial Contributions in accordance with Section 16

3.01.5 NON-COMPLYING ACTIVITIES

- (a) Any retail activity which occupies more than 500 square metres gross floor area.
- (b) Extractive Industry in the Coastal Protection Area.
- (c) Any activity which cannot meet the performance standards set out or referred to in Section 3.05 below.

3.01.6 PROHIBITED ACTIVITIES

None.

NOTE: COUNCIL may impose Financial Contributions in accordance with Section 16.

3.02 PERFORMANCE STANDARDS - PERMITTED ACTIVITIES

The following performance standards must be complied with:

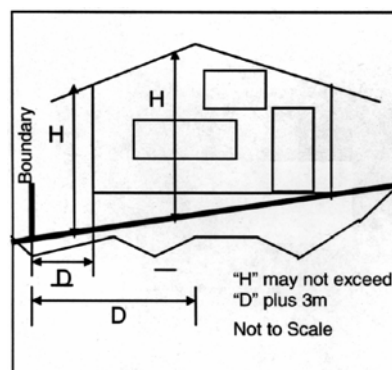
3.02.1 Bulk and Location

All Activities

1. Dwelling units shall be 10 metres from any site boundary adjoining a State Highway, 4.5 metres from any site boundary adjoining a public road, and 5 metres from any other site boundary.
2. Buildings used for intensive farming shall be a minimum of 75 metres from any boundary of the site.
3. Industrial buildings (including extraction and processing equipment) shall be a minimum of 20 metres from any boundary of the site.
4. Buildings associated with petroleum prospecting, exploration and production testing shall be a minimum of 10 metres from any site boundary, (in different ownership to that of the person undertaking the activity) and not more than 3 metres in height. If the height exceeds 3 metres such buildings are a discretionary activity.
5. Other buildings (other than dwelling units, buildings used for intensive farming and industrial buildings) shall be a minimum of 10 metres from any site boundary adjoining a public road and 5 metres from any other site boundary.

6. Where any building is proposed adjacent to public land including reserves, heritage items, schools, churches, halls and other community facilities, it shall be located at least 10 metres from the affected boundary.

7. No part of any dwelling may extend above the natural ground level at the nearest site boundary by more than 3 metres plus the horizontal distance between that part of the dwelling being measured and the nearest site boundary.



8. No part of any building, other than a dwelling or a stock loading and unloading facility, may extend above the natural ground level at the nearest site boundary more than the horizontal distance between that part of the building being measured and the nearest site boundary.
9. Where any building is proposed on a site that abuts the coastline, it shall be at least 30 metres from the boundary formed by the coastline (mean high-water mark).
10. Stock loading and unloading facilities shall be a minimum of 5 metres from any site boundary that does not adjoin a public road. Stock loading and unloading facilities may be erected up to a site boundary that adjoins a public road, as long as when loading or unloading, stock vehicles are not located within the formed road.

3.02.2 General Environmental Standards

All Activities

1. All activities and land use shall be undertaken in a manner ensuring no offensive or objectionable nuisance effects on adjacent properties.
2. Lighting necessary for the activity or generated by an activity and objectionable glare produced by reflected sunlight, shall not directly illuminate any part of an adjoining property.
3. All sites are to be kept free of litter, refuse or dangerous matter at all times.
4. Every dwelling unit shall have access to private outdoor open space at least indirectly from the main living area of the dwelling unit.
5. Every dwelling unit shall be so oriented that its main living area does not look directly into the main living area of another dwelling unit where there is less than 10 metres between main living areas.

3.02.3 **Landscape and Amenity**

All Activities

1. All activities, with the exception of farming, intensive farming, forestry, residential, petroleum prospecting, exploration and production testing, and temporary military training activities, shall provide and maintain landscaping and planting on the site. Such landscaping and planting shall be provided in areas not required for access and manoeuvring purposes, but shall be provided at site boundaries closest to the areas on site where buildings are proposed. Landscaping and planting shall be for a minimum of 2 metres depth in such areas.
2. Site development works necessary for land use shall be undertaken entirely within the site.
3. Buildings shall not be located within areas of actual or potential natural hazards, as defined in Section 12.01.3, including where their presence may accelerate or worsen the likelihood of natural hazards.

3.02.4 **Access and Infrastructure**

(a) All Activities

1. All sites shall have legal and practical access to a formed road.
2. All access, including rights-of-way, shall be formed to an all weather standard
3. All access, including rights-of-way, shall comply with the provisions of section 9 of this plan.

(b) Lake Rotorangi

1. Internal access tracks or roads shall be constructed so that as far as practicable, such tracks or roads are not visible from the surface of Lake Rotorangi.
2. Where road or access track construction takes place within the visual catchment of Lake Rotorangi, cuttings and spoil shall be disposed of at a location not visible from the Lake.

3.02.5 **Financial Contributions**

All Activities

Financial Contributions must be paid in accordance with Section 16.

3.02.6 **Rules for Forestry**

1. No planting, tracking or other potentially damaging works associated with forestry shall take place on any site listed in Schedule 1c of this Plan.

2. All planting shall be a minimum of 10 metres from any boundary of the site in different ownership from the land on which the planting is being undertaken.
3. All planting adjacent to public roads shall be located to ensure that no shading of the road pavement could result between 10.00am and 2.00pm on the shortest day.
4. Within 12 months of planting, notice of the area of land planted, its location and estimated date of harvesting, shall be given to the Council. Such notice shall include a map and title reference.

NOTE: Provision of this information in map form, highlighting the land planted, is encouraged. This information will enable provision to be made for future road upgrading and on going liaison with forestry owners.

3.02.7 Rules for Temporary Military Training Activities

1. The written consent of the owner of the property must have been obtained prior to the activity commencing.
2. No permanent structures shall be constructed.
3. No earthworks (permanent or mechanical) shall be carried out unless provided for in this plan.
4. Flying activity must be in compliance with civil aviation regulations or in agreement with the local controlling authority.
5. The activity must not exceed a period of 31 days.
6. Notice is required to be given to the Council of the date of commencement of the activity.
7. Three days notice is required to be given to the Council where any temporary military exercise involves more than 50 people.

3.02.8 Rules for Activities on Surface of Rivers and Lakes

1. No activity shall be operated and no vessel shall be navigated in a manner that contravenes nominated speed restrictions on any identified water surface.
2. No activity shall be operated or be permitted to operate in restricted areas.
3. No activity shall be operated or be permitted to operate in a manner that could lead to the contamination of the waters so being used.
4. Provision of moored accommodation on the surface of rivers and lakes will only be permitted in circumstances where onshore disposal of effluent can be achieved.

5. Licence fees for moorings, shore access, operating certificates and such similar changes shall be levied at the discretion of the Council.
6. All vessels and craft used on the surface of rivers and lakes shall comply with all relevant national statutes and regulations governing the operation of such vessels and craft.

3.02.9 **Rules for Signs within existing commercial or industrial sites**

1. All signs shall be located wholly within the property to which the signs relate, and can comprise any of the following:
 - (i) One free standing sign per road frontage up to 7 metres in height
 - (ii) Signs attached to buildings on the site where signs do not exceed the height of the building profile
 - (iii) Any sign contained within the limits of the veranda fascia
 - (iv) Under veranda signs subject to a minimum height clearance of 2.5 metres to the ground
2. Where signs are intended to be viewed from a moving vehicle such signs shall be located so they are fully visible to motorists for 80 metres in a 50 kph speed zone, and 180 metres in a 70 kph speed zone.

3.02.10 **Rules for Temporary Signs**

Temporary signs shall comply with the following performance standards:

1. Temporary signs for advertising the sale of a property or identifying a contractor working on a site shall be allowed providing the signs are located wholly within the property to which the sign relates.
2. The temporary sign shall be attached to a building on the site or it shall be free-standing providing the following standards are met:
 - (a) For temporary signs attached to buildings:
 - (i) It shall not obstruct or reduce the conspicuity of directional signs
 - (ii) It shall not be illuminated
 - (iii) Temporary signs advertising the sale of a property on which the sign is located or identifying a contractor working on that site shall not exceed 0.6m²
 - (iv) Temporary signs used for electioneering purposes or announcing community events shall collectively be no larger than the building the signs are attached to

- (b) For free-standing temporary signs:
- (i) It is located as close as practicable to the entrance of the site to which the sign relates
 - (ii) It shall not obstruct or reduce the conspicuity of directional signs
 - (iii) It shall be located as far as practicable from known accident locations with an accident record above twice the national average
 - (iv) It shall be placed at least 15 metres from any directional signs
 - (v) It shall be erected at right angles to the road
 - (vi) It shall not obstruct driver visibility along the road and at intersections and entrances
 - (vii) The temporary sign shall not exceed 7 metres in height, except for temporary signs advertising the sale of a property on which the sign is located or identifying a contractor working on that site which shall not exceed 0.6m²
 - (viii) It shall not be illuminated.
3. Where temporary signs are intended to be viewed from a moving vehicle, such signs shall be located so they are fully visible to motorists for 180 metres in a 70 kph speed zone and 250 metres in a 100 kph speed zone.
 4. Temporary signs advertising the sale of the property on which the sign is located or identifying a contractor working on that site and erected for less than 6 months, shall not exceed 0.6m² in area.
 5. Temporary signs used for electioneering purposes or announcing community events shall be erected no earlier than 9 months before the election or event and be removed within 7 days of the event concluding, unless otherwise required by statute.

3.02.11 **Hawera Airport Protection Area – Performance Standards**

1. No building, structure, mast, pole, wire, tree or other object or growth shall penetrate the flight path protection plane, or transitional side slopes, or the horizontal surface as shown on plan AL 42465, and illustrated on the district planning maps (refer to Diagrams 1 – 3 in Appendix I).
2. No road or railway shall be built above or within 4.6 metres vertically of the flight path protection plane, or transitional side slopes, or the horizontal surface as shown on plan AL 42465, and illustrated on the district planning maps (refer to Diagrams 1 – 3 in Appendix I).

3.02.12 General District Wide Performance Standards

Subdivision (See Section 8)
Parking & Transportation (See Section 9)
Noise (See Section 10)
Hazardous Substances (See Section 11)
Natural Hazards (See Section 12)

NOTE: See also:
Designations (See Section 13)
Utilities & Services (See Section 14)
Heritage Protection (See Section 15)
Financial Contributions (See Section 16)

3.03 PERFORMANCE STANDARDS - CONTROLLED ACTIVITIES

3.03.1 Signs, shall comply with the following performance standards:

1. Signs shall be allowed providing the signs are located wholly within the property to which the sign relates.
2. For residential activities, the sign shall not exceed 0.25 square metres in size.
3. For non-residential activities, the sign shall be attached to a building on the site and not exceed the profile of the building, or, it shall be free standing providing the following standards are met:
 - (a) For signs attached to buildings:
 - (i) It shall not obstruct or reduce the conspicuity of directional signs
 - (ii) It shall not be illuminated
 - (b) For free standing signs:
 - (i) It is located as close as practicable to the entrance of the site to which the sign relates
 - (ii) It shall not obstruct or reduce the conspicuity of directional signs
 - (iii) It shall be located as far as practicable from known accident locations with an accident record above twice the national average
 - (iv) It shall be placed at least 15 metres from any directional sign
 - (v) It shall be erected at right angles to the road
 - (vi) It shall not obstruct driver visibility along the road and at intersections and entrances

- (vii) The sign shall not exceed 7 metres in height
 - (viii) The sign shall not be illuminated
4. Where signs are intended to be viewed from a moving vehicle, such signs shall be located so they are fully visible to motorists for 180 metres in a 70kph speed zone and 250 metres in a 100kph speed zone.
5. Signs advertising the existence of a key tourist attraction that is not on the site where the sign is located shall have the written support of a recognised local tourist promotion organisation such as Information South Taranaki or Tourism Taranaki with regard to its design and location.
- 3.03.2 Any flaring associated with drill stem testing, well clean up and initial well testing phases of petroleum exploration and production testing may be intermittent, but shall not exceed an aggregate of 96 hours per geological formation, or zone, for a maximum of four geological formations or zones.
- 3.03.3 Buildings associated with petroleum prospecting, exploration and production testing shall be a minimum of 10 metres from any site boundary (in different ownership to that of the person undertaking the activity) and not more than 3 metres in height. If the height exceeds 3 metres, such buildings are a discretionary activity.
- 3.04 PERFORMANCE STANDARDS – LIMITED DISCRETIONARY ACTIVITIES**
- 3.04.1 All activities listed in 3.01.3 shall conform, as far as practicable, with the performance standards set out in section 3.02.
- 3.04.2 **Additional Rules – Lake Rotorangi**
1. Buildings located within the visual catchment of Lake Rotorangi or 500 metres of the margin of the lake shall be sited and erected so as to minimise visibility from the lake.
- 3.05 PERFORMANCE STANDARDS – DISCRETIONARY ACTIVITIES**
- 3.05.1 All activities listed in 3.01.4 shall conform, as far as practicable, with the performance standards set out in 3.02.
- 3.05.2 **Additional Rules for Extractive Industries**
1. Access to the site of an extractive industry from a public road shall be formed in a manner which minimises the visual effect of the roading, and does not adversely impact on landform.

2. Where the extractive industry is visible from a public road, public place or dwelling unit, (not including accessory buildings), landscaping and planting shall be undertaken to reduce the visual effects of the activity.
3. No extractive industry shall be permitted where it is likely to impact on outstanding natural features, outstanding landscapes, heritage sites, or values identified as requiring protection.
4. Blasting shall not be used as a method of exploration or extraction unless a copy of the necessary licence obtained from the Department of Occupational Safety and Health has first been submitted to the Council, and at least 48 hours notice has been given to all neighbours who have any common boundary with the site.
5. If required by the landowner or occupier of the balance of the site, areas affected by extractive industries shall be fenced to a standard which will prevent entry of stock. No extractive activities shall be carried out in paddocks without the consent of the owner/occupier.
6. All extractive industry shall provide a Management Plan to the Council prior to the establishment of the activity, which shall address all effects of the activity. (See Section 1.04.3 for requirements).