

19 RULES: Rural Zone

19.1 PERMITTED ACTIVITIES

Any of the following activities is a permitted activity in the Rural Zone provided:

- It is not a discretionary, limited discretionary, or controlled activity; and
- It complies with all relevant conditions in Clause 19.2 below and Sections 20, 21, 22 and 23 and the definitions in Section 25 where applicable.

(a) **Primary production activities.**

(b) **The felling or removal of indigenous timber for milling provided that it already has obtained approval under the Forests Act 1949 (and all amendments current at the date this Plan becomes operative) and does not involve any area identified as a significant natural feature or area, or heritage item or resource identified as needing protection.**

NOTE: Should the consent of the Minister of Forestry or his/her equivalent, no longer be required, or be changed by way of legislative amendment subsequent to the date on which this plan becomes operative, then this activity becomes a discretionary activity.

(c) **The clearance, modification, damage, destruction or removal of indigenous vegetation or habitats or indigenous fauna.**

(d) **One residential dwelling unit and one family flat on any lot or residential activities in existing buildings.**

(e) **Accessory buildings**

(f) **Marae and marae based facilities and activities**

(g) **Visitor accommodation for up to four persons within a residential dwelling.**

(h) **Home occupations.**

(i) **Open space.**

(j) **Temporary activities and buildings associated with that activity.**

(k) **Use of community facilities in existence at 1 August 1996 (including education facilities and grounds) for community activities including services having a social, community, ceremonial, cultural, educational, recreational, worship, or spiritual purpose.**

(l) **Activities on the surface of any water body which is of a recreational nature and may include boating, water-skiing, recreational fishing or other like activity.**

(m) **Activities for soil conservation, erosion protection, river control or flood protection works undertaken by, or supervised by, the Manawatu-Wanganui Regional Council or other agencies including Tangata Whenua responsible for the management of these works and activities.**

(n) **Within land administered by the Department of Conservation:**

- Construction, maintenance and removal of temporary accommodation (huts) and toilets, visitor information signs, staff accommodation, information centres, storage sheds, camping grounds, and sale of retail goods to visitors.
- Commercial guiding and outdoor recreation activities.

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- Species protection and conservation management work including construction and demolishing enclosures, traps, restoration and revegetation work and scientific research.
 - Noxious plant and pest control.
- (o) **Network Utilities and any structures associated with network utilities.**
- (p) **Temporary Military Training Activities.**
- (q) **Advertising signs located on the site to which the activity relates.**
- (r) **Official signs.**
- (s) **The minor trimming and maintenance of a Scheduled Notable Tree in order to maintain its state of health.**
- (t) **The removal of a Scheduled Notable Tree by Council where this is required as an emergency work.**

NOTE: Refer to 19.6 for rules relating to the coastal buffer area, earthworks and community signs.

19.2 Conditions for Permitted Activities

The following conditions shall apply to all permitted activities.

19.2.1 Maximum Building Height

No part of any building intended for residential activities shall exceed a height of 10 metres.

No part of any other building shall exceed a height of 15 metres, except masts, other support structures and aerials associated with network utilities.

19.2.2 Daylight Setback

Where a site adjoins any residential zone, the daylight setback requirement for the residential zone shall apply as if all buildings on the site were part of the residential zone.

19.2.3 Maximum Number of Dwellings Per Certificate of Title

A maximum of one residential dwelling unit is permitted to occupy each certificate of title.

An additional dwelling unit up to a maximum gross floor area of 50 m²; provided that no subdivision will be permitted to effect a separation of the two dwelling units.

19.2.4 Building Setback from Boundaries and Separation Distances

All buildings shall comply with the following setback and separation distances:

- **9.0 metres** from any District road boundary;
- **15 metres** from any State Highway boundary;
- **3.0 metres** from any other site boundary;

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- **30 metres** from any existing residential dwelling on adjoining land, which a subdivision consent has been applied for after 1 August 1996.
- **15 metres** from any bank or stream edge;
- **15 metres** from any Significant Natural Area where the boundary is defined by the perimeter fence line, or where the area is not fenced, the mapped boundary as identified on the planning maps.
- **Any building used for the housing of livestock or for intensive farming** shall be located so as to comply with the minimum separation distances specified in Table 19.1.

Table 19.1 Minimum Separation Distances For Buildings Housing Livestock

| Minimum Separation Distance Between any Building Housing Livestock or intensive farming and the following activities: | Minimum Separation Distance Where The Number Of Livestock Housed Is 0-500 | Minimum Separation Distance Where The Number Of Livestock Housed Is 501-2000 | Minimum Separation Distance Where The Number Of Livestock Housed (P*) Is 2,001-5,000: |
|---|---|--|---|
| Any Residential, Industrial or Commercial Zone: | 1,200 metres | 2,000 metres | P* x 1.0 metres |
| Any Marae or Community Facility Within the Rural Zone: | 900 metres | 1,500 metres | P* x 0.75 metres |
| Any Dwelling Located On any adjacent Property Within the Rural Zone: | 250 metres | 500 metres | P* x 0.25 metres |
| Any Site Boundary With Any Adjoining Property Where There Is No Existing Dwelling: | 200 metres | 500 metres | P* x 0.25 metres |

(P*) equals number of livestock units.

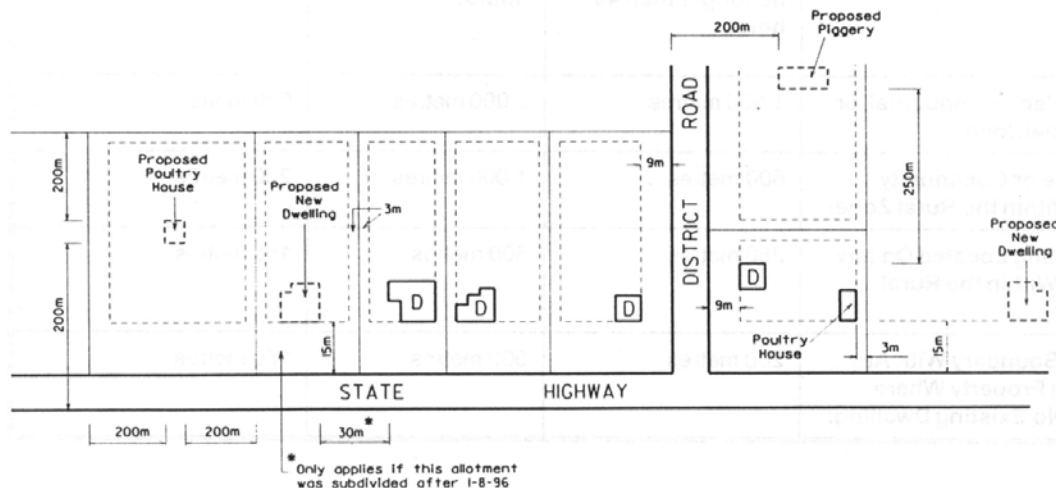


Diagram illustrating minimum yards and separation distances for buildings including those housing less than 500 livestock
Not to Scale

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19.2.5 Wastes Disposal

All wastes (including sewage, effluent, and refuse) that are generated or stored on any site shall be collected, treated, and disposed of in a manner that avoids any significant adverse effects or nuisance for

- an adjoining property
- roads and road users
- any natural habitat or indigenous species
- any channel, stream or waterbody
- any outstanding landscape or natural feature

In particular, in accordance with Section 20 of this Plan.

In the Ohau Water Catchment Area, which is identified on the Planning Maps, no septic tank or waste disposal system shall be located closer than 50 metres to an open watercourse.

Note: On site sewage disposal for new houses may require a resource consent in accordance with the Manawatu Catchment Water Quality Regional Plan. Outside this catchment on-site sewage disposal may require a resource consent unless allowed in the Regional Plan.

19.2.6 Location of Effluent Storage, Treatment, and Disposal Activities

All areas used for the storage of wastes and all effluent holding and treatment activities and all activities involving the disposal of effluent to land, shall be located so as to comply with the minimum separation distances specified in Table 19.2. This rule does not apply to septic tanks.

Table 19.2 Minimum Separation Distances For Effluent Storage, Treatment, and Disposal Activities

| Minimum Separation Distance Between any Effluent Holding Ponds or Effluent Treatment Activities or Spreading of Effluent to Land <u>and</u> : | For: (a) an anaerobic lagoon; or (b) Storage <u>or</u> spreading of effluent onto land surface where the effluent is stored for no longer than 48 hours: | For storage or spreading of effluent onto land surface where the effluent is stored, anaerobically, without treatment for longer than 48 hours: | For: (a) Subsoil injection of effluent; <u>or</u> (b) An aerobic lagoon: |
|---|---|---|--|
| Any Residential, Industrial, or Commercial Zone: | 1,500 metres | 2,000 metres | 500 metres |
| Any Marae or Community Facility Within the Rural Zone: | 500 metres | 1,000 metres | 200 metres |
| Any Dwelling Located On any Property Within the Rural Zone: | 250 metres | 500 metres | 150 metres |
| Any Site Boundary With Any Adjoining Property Where There Is No Existing Dwelling: | 200 metres | 500 metres | 150 metres |

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19.2.7 Water Supply

All activities occurring on any site shall be supplied with sufficient water suitable for consumption by the people and by the livestock associated with the activity/activities and in accordance with Section 20.

19.2.8 Surfacewater Disposal

All activities shall make provision for the collection, treatment, and disposal of surfacewater run-off in a manner that avoids significant adverse effects or nuisance.

19.2.9 Development within Stopbanks

No development, including buildings and earthworks shall be permitted within 20 metres from the inland toe of authorised stopbanks. Flood protection works undertaken by Manawatu-Wanganui Regional Council shall be exempt from the 20 metre setback.

19.2.10 Engineering Works

- (i) All activities, subdivision and development shall comply with the requirements of Part 20 relating to engineering works and land development.

19.2.11 Vehicle Access

All activities shall be provided with practicable vehicle access from a public road in accordance with the requirements of Section 21.

19.2.12 Vehicle Parking, Manoeuvring, and Loading

All activities except network utilities on sites less than 200m² shall be provided with vehicle parking spaces, manoeuvring areas, and loading facilities as specified in Section 21.

19.2.13 Hazardous Substances

The threshold hazard factor for all activities using or storing hazardous substances shall not exceed medium as defined in Section 23, and all activities involving hazardous substances shall comply with the conditions specified in Section 23.

19.2.14 Advertising Signs

The following advertising signs may be displayed:

- (a) Any complying temporary sign having a total face area not exceeding 2.0m².
- (b) Any public information sign identifying the name only of any building property or business and which has a face area not exceeding 1.0m².
- (c) Any public facility sign including any church, school or hall which has a face area not exceeding 2m²;

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- (d) Any sign advertising the sale or auction of land or premises which shall have a combined total face area not exceeding 2.0m² and be removed from the site within 5 working days of settlement of the sale;
- (e) All on-site signs attached to buildings which do not exceed the profile of the building.

provided that all signs comply with the following:

- (i) Only one permanent free standing sign for each frontage of the site shall be permitted. It may be double-sided.
- (ii) Comply with the following specifications.

| | Posted speed limit less than 70kph | Posted speed limit above 70kph |
|------------------------------|------------------------------------|--------------------------------|
| Maximum number of words | 11 or symbols | 6 or symbols |
| Maximum number of characters | 90 | 40 |
| Minimum lettering height | 120mm | 160mm |

- (iii) Be sited as close as practicable to the entrance to the site to which they relate.
- (iv) Be sited at least 15m from an "official sign" or traffic signals.
- (v) Be sited so as not to obstruct driver visibility.
- (vi) Shall be erected, if practicable, at right angles to the road.
- (vii) Shall present an unrestricted view to the motorist for a minimum distance of 180m where the posted speed limit is 70kph or greater.
- (viii) Shall not exceed 4.0 metres in height.
- (ix) Not be flashing, animated, trivision, lasers or aerial or which could produce glare or could dazzle.

19.2.15 Noise

No activity shall give rise to any noise which, when measured at any boundary of the site, exceeds the following noise levels:

On any day

7am - 10pm: 55dBA (L₁₀)

10pm - 7am: 40dBA (L₁₀)

10pm - 7am: 65dBA (A) (L_{max})

- All noise shall be measured and assessed in accordance with N.Z. 6801:1991 "Methods of Measuring Sound" and 6802:1991 "Assessment of Environmental Sound".
- All noise emitted in the course of any construction work shall comply with N.Z.S. 6803:1984.

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- The noise limits shall not apply to temporary activities required by normal agricultural practice, such as cropping and harvesting, provided that any such activity complies with the duty to avoid unreasonable noise in accordance with the provision of Section 16 of the Resource Management Act 1991.
- Audible bird-scaring devices (including firearms) may be operated in accordance with the following conditions:
 - Operate between 7.00am and 8.00pm only;
 - the sound from any bird-scaring device shall not exceed 85 dBC peak (unweighted) level at the boundary of any adjoining property, or at any point within 20 metres from any side of a dwelling or the legal boundary where this is closer to the dwelling.
 - where the sound from any bird-scaring device exceeds 70 dBC peak (unweighted), but is less than 85 dBC peak, at either the boundary of any adjoining property or at any point within 20 metres from any side of a dwelling or the legal boundary where this is closer to the dwelling, then it shall be operated at a frequency of not more than six events per hour. The term “events” includes clusters of up to three shots from gas operated devices or three multiple shots from firearms, in rapid succession. At lower noise levels, between 7.00am and 8.00pm there is no restriction on frequency of use;
 - these conditions may be waived at the boundary of any adjoining property if the owner agrees and notifies the Council of such agreement in writing.
- All noise emitted in the course of any temporary military training activities measured from a line 20 metres from and parallel to the facade of any dwelling or the legal boundary, where this is closer to the dwelling, shall not exceed the following levels:

| Time | Limits (dBA) | | |
|---|--------------|-----|------------------|
| | L10 | L95 | L _{max} |
| (Any day) | | | |
| 0630-0730 | 60 | 45 | 70 |
| 0730-1800 | 75 | 60 | 90 |
| 1800-2000 | 70 | 55 | 85 |
| 2000-0630 | 55 | | |
| Impulse Noise resulting from the use of explosives and small arms is not to exceed 122 dBC. | | | |

- The above rules relating to noise shall not apply to fire and civil emergency sirens.
- Notwithstanding the above rules, Section 16 of the Resource Management Act 1991 imposes a duty on every person to avoid unreasonable noise.

19.2.16 Odour

No activity shall give rise to offensive odours able to be detected at the boundary of any adjoining property.

For the purpose of this condition, an offensive odour is that odour which can be detected and is considered to be offensive by at least two independent observers; including at least one council officer.

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19.2.17 Planting Setback for Plantation Forestry and Shelterbelt Planting

All trees within plantation forests and shelterbelts and other vegetation shall not be permitted to grow higher than 4 metres from ground level within 10 metres horizontal distance from any site boundary without the written consent of the adjoining landowner of that site. That consent having been contemporaneously filed with Council. Further, no plantation forest or shelterbelt shall be planted or allowed to grow in any position which could result in any icing of the State Highway pavement being perpetuated as a result of shading of the road between 10 a.m. and 2p.m. on the shortest day.

19.2.18 Forestry and Timber Harvesting

Managed revegetation for any primary production activity of harvested forestry areas shall be undertaken as soon as practicable after harvesting has occurred.

Note: Resource Consents may be required from the Manawatu Wanganui Regional Council in respect of soil disturbance and vegetation clearance for the purposes of soil conservation.

19.2.19 Network Utilities

All network utilities and structures associated with network utilities shall comply with the conditions set out in Section 22. All other relevant conditions in this part of the Plan shall also apply to any network utility or associated structure.

19.2.20 Activities on the Surface of the Water

- (i) Any activity on the surface of any lake or river shall not exclusively occupy any defined area of water for more than 3 hours per day, for more than 3 consecutive days.
- (ii) Any structure erected, moored, or placed on or above any water surface but excluding any bridge or other structure forming part of the roading resource, or the maintenance, replacement or upgrading of network utilities, shall not exceed 10m² gross floor area and shall not exceed 3 metres height above the water surface.

Note: Additional resource consents or permits may be required from the Manawatu-Wanganui Regional Council in respect of other aspects of the activity including structures on the bed of any river or lake; damming or diversion of any water; or discharges to water in terms of Section 13, 14 and 15 of the Resource Management Act 1991.

19.2.21 Protection of Areas of Significant Indigenous Vegetation and Significant Habitats of Indigenous Fauna

Indigenous vegetation clearance, modification, damage, destruction or removal may not take place in an area which:

- (i) is within the coastal foredune area (as defined in the proposed Manawatu-Wanganui lands and water plan i.e. MHWS to 200 metres inland of the first line of vegetation); or
- (ii) is an area of 0.5 hectares or greater irrespective of land ownership which has an actual or emerging predominance of indigenous tree species of any height located landward of the coastal foredune area as defined in paragraph (i) above and less than 100 metres in elevation above sea level. For the purpose of this rule, if the greater part of the area to be cleared is below 100 metres in elevation above sea level, then this rule applies; or

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- (iii) is an area of 1 hectare or greater irrespective of land ownership which has an actual or emerging dominance of indigenous tree species of any height located more than 100m metres in elevation above sea level. For the purpose of this rule, if the greater part of the area to be cleared is above 100 metres in elevation above sea level, then this rule applies; or
- (iv) contains indigenous trees (excluding manuka/kanuka) over 6 metres in height unless the area to be cleared is less than 500 square metre in any 10 year period; or
- (v) contains manuka or kanuka over 6 metres in height in the coastal environment as identified on Maps 32 and 33, unless the area to be cleared is less than 500 square metres in any 10 year period; or
- (vi) is a wetland over 100 square metres in an area with an average width of at least 5 metres; or
- (vii) is within 10 metres of a third or higher order stream/river (mapped at 1:500,000) or lake or wetland, or a permanent flowing stream or river that feeds a wetland(s) or lake(s) within the coastal environment as identified on Planning Maps 32 and 33. what constitutes a third or higher order stream is to be determined pursuant to Strahler's 1952 Classification System and as otherwise defined in Part 25 of the Plan under the heading "Stream Order"; or
- (viii) contains rare or threatened species defined in Schedule 3.

Indigenous vegetation clearance, modification, damage, destruction or removal does not include:

- Vegetation that has grown under the canopy or a plantation forest; or
- Scattered trees, shrubs and scrub amongst pasture or horticultural land or production forestry land; or
- Actions necessary for the avoidance of imminent danger to human life; or
- Actions necessary for the current operation and maintenance of existing infrastructure, including roads, tracks drains, stream or river access, structures and fence lines and the maintenance and upgrading if network facilities consistent with rule 22.1.9 of this Plan; or
- The disturbance or damage (but not destruction) of indigenous vegetation as the consequence of harvesting of plantation forest; including where the harvesting involves
 - (i) the lifting and /or dragging of logs, and/or
 - (ii) the construction and maintenance of forestry roads and stream crossings
- and the modification is temporary and minor and does not compromise the ecological functioning of the area;
- diseased vegetation that creates an environmental or ecological risk.

19.2.22 Protection of Heritage Features

- (i) No activity or development work shall result in any modification, demolition, alteration or removal of any heritage feature identified in Schedule Two of this Plan. However, normal maintenance and repair work will be permitted.

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- (ii) No activity is permitted within the dripline of a Scheduled Notable Tree where that activity could result in any adverse effect on the tree.
- (iii) No person may remove, destroy or damage a tree that may adversely affect the values for which it was considered worthy of protection.

Council may grant consent as a discretionary activity where it is satisfied that one or more of the following circumstances exist:

- The tree is dead or diseased
- The tree has become a danger to life, is causing damage to property, or is likely to do so.

19.2.23 Safety and Visibility at Road and Rail Intersection

No person shall be permitted to erect any structure, or deposit any materials, or plant any tree that would obscure the sight distances from any road and rail intersection as shown in Diagram 8 (Section 21) (Traffic Sight Lines).

19.2.24 Temporary Military Training Activities

All Temporary Military Training Activities shall, in addition to conditions 19.2.15., also comply with the following conditions:

- (i) No natural habitat of indigenous species is adversely affected.
- (ii) No outstanding natural landscape or natural feature is adversely affected.
- (iii) The written consent of the owner shall have been obtained.
- (iv) No permanent structures may be constructed.
- (v) The activity shall not require excavation (permanent or mechanical), unless provided for in this District Plan.
- (vi) Flying activity shall be in compliance with civil aviation regulations or in agreement with the local controlling authority.
- (vii) The activity shall be limited to a period not exceeding 31 days.
- (viii) Noise from any temporary military training shall not exceed the noise levels provided for the activity in the Noise Conditions for permitted activities for the particular zone.

19.2.25 Sites of significance to Tangata Whenua

No activity or development shall lead to the modification, demolition or removal of any site of significance to Maori where such site has been identified to Council prior to the time that any activity or development is proposed.

19.2.26 High Voltage Transmission Lines

No part of any dwelling shall be located within 20 metres each side of the centre line of high voltage transmission lines.

19.2.27 Vibration

No activity shall create any vibration which exceeds the limits in NZS/ISO 2631.2:1989 – Continuous and Shock-Induced Vibration in Buildings and NZS 4403:1976 – Code of Practice for Storage, Handling and Use of Explosives, and any subsequent amendments.

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19.3 CONTROLLED ACTIVITIES

The following shall be controlled activities in the Rural Zone:

- (a) Road-side sales activities on roads other than State Highways (19.4.1).
- (b) Any subdivision of land (19.4.2).
- (c) The placement of any re-located residential dwelling unit and/or accessory building (19.4.3).
- (d) Any temporary military training activity that is not a permitted activity (19.4.4).
- (e) Habitable buildings within a buffer of 800 metres of the Mako Mako Road Levin Sewage Treatment Plant as identified on the district planning map (19.4.5).

(Note: the buffer zone shall be measured from and applied to all land within 800 metres of the peripheral boundary of the Levin Sewage Treatment Plan being Part Section 24, Lot 1, DP 28296 and Lot 1 DP 30808 as designated at D 70 in Schedule 1).

19.4 Controlled Matters and Conditions

The matters over which the Council may reserve its control and the required conditions are detailed below for each controlled activity:

19.4.1 Road-Side Sales Activities

Controlled Matters

The matters over which Council may reserve its control are:

- The location of buildings.
- The location of entrance and exit lanes and the configuration and dimensions of access driveways and vehicle parking and turning areas.
- The location and design of any advertising sign.

Conditions

Maximum floor area: The maximum gross floor area of premises used for retail sales shall not exceed 50 square metres.

Other: In all other respects, road-side sales activities shall comply with the relevant conditions for permitted activities.

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19.4.2 Subdivision of Land

Controlled Matters

Council reserves its control over the following matters:

- (i) The provision of:
 - Vehicular and Pedestrian Access;
 - Water supply;
 - Sewage disposal;
 - Surface water disposal;
 - Lighting of Vehicle Access Ways and Roads;
 - Electricity supply and telecommunication connections;to the subdivision, within the subdivision, and to other land in the vicinity which is expected to be developed in the future.
- (ii) The disturbance of land and effects of earthworks on any outstanding natural features or landscapes and any natural habitat, particularly the Lake Horowhenua and Hokio Stream catchments.
- (iii) The degree to which any subdivision and subsequent development of the land is likely to adversely affect any natural habitat, Significant Natural Area, Outstanding Landscape or Natural Feature or Cultural Feature located on the land being subdivided or developed , Conditions for the protection of such habitats, areas or features may include;
 - The protection of any habitat
 - Covenanteeing an area
 - Creation of an esplanade strip or reserve
 - Creation of a buffer zone to avoid any “edge effects” associated with the development. In determining the buffer zone requirement, consultation will be had with the Department of Conservation and horizons.mw.
- (iv) The degree to which the subdivision and subsequent development of the land is likely to adversely affect any land or feature having significant natural values, vegetation, natural landscape, buildings or sites of historic archaeological cultural or other significance, or wildlife habitats, whether identified in this Plan or not.
- (v) Protection and revegetation of the riparian margins of waterways and the access to them.
- (vi) The size or shape of any allotment having regard to:
 - The maximisation of the usable area of Land Use Capability (LUC) Class 1 & 2 for primary production purposes and
 - The consolidation into usable shapes and areas the distribution of (LUC) Class 1 and 2 available within any allotment; and
 - The minimisation of areas to accommodate any buildings, vehicle access, and associated household gardens and features; and
 - The avoidance of close-density urban residential patterns of subdivision; and

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- The protection of any natural habitat and any required buffer zone surrounding that habitat required to protect natural values.
 - Retention of sufficient land to ensure the disposal of sewage wastes from any existing or anticipated future dwelling house.
 - The location of existing intensive farming activities.
 - The location of existing effluent storage, treatment and disposal activities.
 - The ability to construct a future dwelling on any allotment to comply with 19.2.4.
 - The relationship of the subdivision to existing transmission lines, and the degree to which the design ensures that there will be no need to erect residential buildings within 20 metres of the centre line on each side of high voltage transmission lines.
- (vii) The degree to which Environmental Lot Subdivision is likely to preserve the value of any natural habitat.

19.4.2.2 Conditions

Numbers of Allotments Permitted in Areas of Highly Versatile Soils

(Being land of Class 1 or 2 as shown in Landcare Research NZ Ltd, Land Use Capability Sheets S24 and S25 and Planning Maps.)

- **For certificates of title created before 1 August 1983**
 - (a) Having an area less than 4 hectares, a rule shall permit the subdivision and alteration of boundaries provided no additional certificates of title are thereby created.
 - (b) For titles between 4 and less than 10 hectares, a rule shall permit no more than 1 additional certificate of title to be created.
 - (c) For titles between 10 and less than 20 hectares, a rule shall permit no more than 2 additional titles to be created; and
 - (d) For titles having greater than 20 hectares, a rule shall permit no more than 3 additional titles to be created.
- **For certificates of title created between 1 August 1983 and 1 August 1996**
 - (a) Having an area less than 7 hectares, a rule shall permit the subdivision and alteration of boundaries provided no additional certificates of title are thereby created.
 - (b) For titles between 7 and less than 10 hectares, a rule shall permit no more than 1 additional certificate of title to be created.
 - (c) For titles between 10 and less than 20 hectares, a rule shall permit no more than 2 additional titles to be created.

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- (d) For titles having greater than 20 hectares, a rule shall permit no more than 3 additional titles to be created.

Note: The subdivision of certificates of title of less than 7 hectares created after 1 August 1983 are a discretionary activity.

- **For separate certificates of title created by subdivision consents given after 1 August 1996**

- (a) Complying with the above minimum standards may not be further subdivided other than to provide for boundary adjustments.

NOTE:

Where the (LUC) Class 1 and 2 boundary passes through or appears likely to pass through a property to be subdivided, a site specific survey and report will be required to determine the classification in the property for the purpose of applying the above rules. The classification will be deemed to be the one whose boundary most closely approximates the title boundaries.

- **Allotments on land having no Land Use Capability Class 1 or 2**

- (a) Minimum allotment size = 2000m² or such larger area as is necessary to comply with the relevant conditions in Section 19.2 of this Plan.

Network Utilities: There shall be no minimum area requirements for network utility purposes.

Water Supply, Wastes and Surfacewater Disposal, and Other Services: All subdivisions shall comply with the conditions set out in Section 20.

Roads and Access: All subdivisions shall comply with the conditions set out in Section 21.

Subdivision of land containing a natural habitat of indigenous species:

Where an application is received for the subdivision of land containing all or part of a natural habitat and where a development is, or may be proposed within the vicinity of the area, Council may require one or more of the following conditions:

- Covenanteeing the area
- Creation of a buffer zone in an effort to avoid 'edge effects' associated with development. In determining the buffer zone requirements, consultation will be had with the Department of Conservation and horizons.mw.
- Specific design for any on site wastewater or stormwater disposal system associated with a dwelling
- Provision for the undergrounding of services.

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|------------------------------------|
| 19.4.3 Re-located Buildings |
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Controlled Matters

The matters over which Council reserves it's control are as follows:

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- Conditions for upgrading the exterior of the building and upgrading and reinstating the site, including any one or more of the following:
 - redecoration or reinstatement of any roof or exterior cladding
 - reinstatement of any porches, terraces, baseboards and steps
 - replacement of broken window panes, broken or rotten timber, guttering, drainpipes
 - reinstatement of that part of a dwelling where a chimney has been removed
 - reinstatement of the site and access to the site
 - details and length of time to complete site landscaping
- The length of time taken to reconstruct, repair or refurbish the building
- A bond, of the nature provided for in the Resource Management Act 1991, further secured by deposits of cash with the District Council, bank guarantee, or otherwise, to the satisfaction of the District Council, to ensure compliance with consent conditions. The bond is to be paid prior to the movement of the building to its new site, and shall be to the value of the work required, as assessed by a suitably qualified person approved by the Environmental Manager, at the cost of the applicant. The required work will be expected to be completed within a 12 month period. Portions of the bond may be refunded as substantial portions of the work are completed.
- The payment of administrative charges.

Conditions

Relocated buildings shall comply, in all respects, with the conditions specified for permitted activities in other relevant parts of the Plan.

19.4.4 Temporary Military Training Activities

Controlled Matters

The matters over which Council reserves its control are as follows:

The avoidance, remedying or mitigating any adverse effects on the environment.

19.4.5 Habitable buildings within the 800 metre buffer zone of the Mako Mako Road Levin Sewage Treatment Plant as identified on the district planning map

Controlled Matters

That in respect of any dwellinghouse or other habitable building erected in accordance with a consent otherwise granted the consent to its use for residential or habitable purposes shall endure only for so long as that use does not otherwise constrain the continued lawful operation of the Levin Sewage Treatment Plant, i.e. as if that dwellinghouse or habitable building had not been erected and the land was being used only for the grazing of animals or other such activity associated with primary production as defined in part 25 of this Plan.

19.5 LIMITED DISCRETIONARY ACTIVITIES

- (a) Any permitted or controlled activity which fails to comply with any condition in Clauses 19.2 and 19.4 and Sections 20-24 of this Plan shall be a limited discretionary activity.

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The matters over which the Council will exercise its discretion in granting or refusing any application shall be limited to the effect of the particular non-compliance on the environment.

All other aspects of the activity shall comply with any other applicable performance conditions or standards.

- (b) Consents for network utilities on outstanding landscapes and natural features shall be in accordance with Clause 22.1.10. The exercise of Council's discretion shall be restricted to the visual impact of the structures, the location of the structures, and the effect on the values for which the landscapes or features are regarded as outstanding.

19.6 DISCRETIONARY ACTIVITIES

Any activity that is not a permitted, controlled or limited discretionary activity is a discretionary activity. In addition the following are discretionary activities:

- (a) Buildings, structures and the subdivision of land in the Coastal Buffer Area (refer to the Planning Maps).
- (b) All earthworks and new roading within outstanding landscapes and on natural features scheduled in this District Plan and identified on Maps 32 and 33.
- (c) Community Signs on State Highways 1 and 57.

19.7 Conditions For Discretionary Activities

The conditions specified for permitted activities shall, where appropriate, be referred to as a guideline when determining whether or not any resource consent should be granted and any condition of such consent.