



DISTRICT-WIDE RULES

Please note Activity Rules are set out in DR3.1. General Rules and Conditions are set out in Section DR3.2.1 and DR3.3. Specific Rules and Conditions relating to the National Grid are set out in DR3.4.

DR 3.1 Activity Rules

- DR 3.1.1 Any activity which is specified as a permitted activity in a particular zone or in the District Rules and which complies with:
- (a) The conditions for permitted activities in that zone or in the District Rules; and
 - (b) The general and specific rules contained in the Plan;
- shall be a permitted activity in that zone.
- DR 3.1.2 Any activity shall be a controlled activity in a particular zone requiring a resource consent where the rules provide for that activity in that zone and the activity complies with the standards and terms specified in the rules for controlled activities in that zone unless the rules of the Plan require a resource consent to be obtained for a discretionary (restricted), discretionary or non complying activity.
- DR 3.1.3 Any activity which is specified as a discretionary activity (restricted) in a particular zone shall be a discretionary activity (restricted) requiring a resource consent where the rules provide for that activity in that zone and the activity complies with any standards and terms specified in the rules for discretionary activities (restricted) in the zone unless the rules of the Plan require a resource consent to be obtained for a discretionary or non-complying activity.
- DR 3.1.4 Any activity which is specified as a discretionary activity in a particular zone shall be a discretionary activity requiring a resource consent with regard to the whole activity in that zone, unless the rules of the Plan require a resource consent to be obtained for a non-complying activity.
- DR 3.1.5 Any activity which is specified as a non-complying activity or is not provided for in a particular zone as a permitted, controlled, discretionary (restricted) or discretionary activity shall be a non-complying activity in that zone requiring a resource consent.

DR 3.2 District-Wide Rules

The following rules, shall apply to all Zones. These rules shall be read in conjunction with all other rules in the District Plan. Consideration shall also be made to all Objectives and Policies which may be relevant to any proposed activity subject to this section.

DR 3.2.1 Permitted Activities

Notwithstanding anything to the contrary in any provisions of this Plan contained in the relevant zones, the following are permitted activities in all zones unless specifically excluded:

- (a) Carnivals, bazaars, sporting events, public meetings and other activities of similar character that are limited in duration to not more than seven consecutive days, and seven days in any calendar year and are not located in a Residential Zone.
- (b) All activities that are necessary, secondary and incidental to a building or construction project that is a permitted activity in this Plan, or has obtained a resource consent, that are located on the site of the construction project and are limited in duration to that of the project or 12 months, whichever is less.



- (c) Recycling facilities with a maximum gross site area of 20m², and a height no greater than 3m provided all site boundaries, other than a road boundary, are screened so as to screen the facility from view from adjoining residential activities, and that are not situated in a Residential Zone.
- (d) The removal or demolition of any building or structure, or part of any structure on or over land, except those buildings or sites that are identified in the Heritage Schedule (see Appendix 4), or are within a identified Heritage Conservation Area (see District Plan Maps). (Refer to the Heritage and Heritage Conservation Area Rules.)
- (e) Any excavation, drilling, tunnelling, or other disturbance of land for the purpose of locating and providing a domestic or farm water supply.
Advice Note:
Regional Council rules may also apply to this activity.
- (f) The deposit of sewage or other domestic discharge on or under land provided the deposit is not the commercial or otherwise disposal of septage collected from one or more septic tanks.
Advice Note:
Consent may be required from the Regional Council.
- (g) The installation of a satellite dish, where the satellite dish has a diameter of less than 2m.
- (h) Shelter Belts

Advice Note:

Rule DR 3.2.1(f) does not seek to duplicate the functions exercised by the Manawatu-Wanganui Regional Council with respect to discharges. This rule relates to the use of the term "deposit" in Section 9(4)(d) of the Resource Management Act 1991. It does not exempt any person from compliance with Section 15 of the Act relating to discharges to land in circumstances where they may enter water, regional rules made by the Manawatu-Wanganui Regional Council, or from compliance with the Building Code.

DR 3.2.2 Restricted Discretionary Activities

The following activities are Restricted Discretionary Activities. Applicants will be assessed against, and conditions imposed, only in respect of the subject matter of the Assessment Criteria noted below in relation to the General or Specific Condition(s) with which the activity is unable to comply.

- (a) Any activity that is provided for as a Permitted Activity by Rule DR3.2.1 but fails to meet one or more of the General Conditions outlined in Section DR3.3.
- (b) Any activity identified in DR3.2.1 that fails to meet the time or size limits specified in DR3.2.1.

DR3.3 General Conditions

Compliance with the following General Conditions is required for all Permitted Activities as outlined in Rule DR3.2.1 above.

DR3.3.1 Construction Activities

- (a) Construction noise emanating from a site shall meet the limits recommended in, and shall be measured and assessed in accordance with, NZS 6803:1999 "Acoustics – Construction Noise".

DR3.3.2 Recycling Facilities

- (a) There shall be no offensive odour able to be detected at the boundary of the property. For the purpose of this condition an offensive odour is defined as that which can be detected and is defined as offensive by two observers, including at least one Council Officer.



Advice Note: Archaeological Sites

If it is possible that archaeological sites may be affected by the proposed work then the site is subject to a consenting process under the Historic Places Act 1993.

Evidence of archaeological sites may include burnt and fire cracked stones, charcoal, rubbish heaps including shell, bone and/or glass and crockery, ditches, banks, pits, old building foundations, artefacts of Māori and European origin or human burials.

If any activity associated with this proposal, such as earthworks, fencing or landscaping may modify, damage or destroy any archaeological site(s) an authority (consent) from the New Zealand Historic Places Trust must be obtained for the work prior to commencement. It is an offence to modify, damage or destroy a site for any purpose without an authority. The Historic Places Act 1993 contains penalties for unauthorised site damage. The applicant is advised to contact the New Zealand Historic Places Trust for further information

DR3.3.3 Shelter Belts

- (a) Separation from Roads
No vegetation shall be allowed to be grown in a position which will shade any road carriageway between the hours of 10am and 2pm on the shortest day of the year except where:
- (i) Topography is already preventing direct access of sunlight onto the road carriageway; or
 - (ii) The road is a private road, or an unsealed public road (which is not programmed to be sealed within the lifetime of this Plan); or
 - (iii) The written consent of the relevant road controlling authority is obtained and submitted to the Ruapehu District Council, prior to the commencement of planting, which clearly shows the location of the vegetation, and confirms that the road controlling authority is satisfied that the vegetation does not pose a safety risk having had regard to:
 - (A) The physical characteristics of the road.
 - (B) The degree of potential shading of the road carriageway.
 - (C) The nature and extent of the vegetation.
 - (D) The surrounding topography.
 - (E) Potential weather effects on the road.
- Provided further that any setback required under this rule shall not exceed 25m from the edge of the road carriageway.
- (b) Separation from Existing Dwellings
- (i) No vegetation shall be allowed to be grown to a position which will shade any dwelling existing at the time of planting, located on a site held in a separate certificate of title and owned or administered by a person or organisation other than who was undertaking the planting, between the hours of 9.30am and 3pm on the shortest day of the year.

Exception in relation to DR3.3.3(b)

Where the written approval of the affected land owner has been received the separation distance may be reduced (to the distance agreed between the two parties).

DR 3.4 District Wide Rules – Setbacks from Electricity Transmission Lines

- (a) There are a number of high voltage transmission lines traversing the Ruapehu District mainly through the rural areas. In accordance with the National Policy Statement on Electricity Transmission 2008 and the One Plan, Council is required to manage development to ensure that any third party development in the transmission corridor does not affect the ongoing operation,



- maintenance, upgrading and development of the line or result in any incompatibility or reverse sensitivity effects.
- (b) Council seeks to manage third party activities such as earthworks, vegetation and new buildings or structures within the transmission corridor. This includes a 'no build zone' whereby any buildings or structures within 12m of the centre line of a high voltage transmission line will be a non-complying activity. A further area is provided whereby any buildings, structures and earthworks within 12-32m of the centre line of a high voltage transmission line are required to be assessed as a restricted discretionary activity.
- (c) The following properties located in the Residential and Commercial Zones involve existing subdivision and development that are affected by the 32m transmission corridor.
- (i) 205 Miro Street, Manunui (Lot 8 DP 29165)
 - (ii) 207 Miro Street, Manunui (Lot 9 DP 29165)
 - (iii) 209 Miro Street, Manunui (Lot 10 and 11 DP 29165)
 - (iv) 215 Miro Street, Manunui (Lot 12 DP 29165)
 - (v) 217 Miro Street, Manunui (Lot 3 DP 29165)
 - (vi) 219 Miro Street, Manunui (Lot 14 DP 29165)
 - (vii) 202 Miro Street, Manunui (Pt Lot 3 DP 2724)
 - (viii) 204 Miro Street, Manunui (Lot 1 DP 18186 and Pt Lot 2 DP 2724)
 - (ix) 206 Miro Street, Manunui (Pt Lot 2 DP 2724)
 - (x) 208 Miro Street, Manunui (Lot 1 DP19301)
 - (xi) 212 Miro Street, Manunui (Pt Lot 2 DP 19301)
 - (xii) 218 Miro Street, Manunui (Lot 1 DP 10371)
 - (xiii) Lot 2 DP 10371 (Manunui)
- (d) Given the zoning, level of existing underbuild, lot configuration and the limited area for development, Council seeks to manage new buildings and structures on these properties whereby any buildings and structures within 0-12m of the centre line of a high voltage transmission line will be a discretionary activity and any buildings and structures within 12-32m of the centre line of a high voltage transmission line will be a permitted activity provided compliance with the New Zealand Code of Practice for Electrical Safe Distance 34:2001 (NZECP 34:2001) is achieved.
- (e) These rules shall be read in conjunction with all other rules in the District Plan. Consideration shall also be given to all Objectives and Policies which may be relevant to any proposed activity subject to this section.

DR 3.4.1 Permitted Activities

The following activities are Permitted Activities.

- (a) New buildings or structures located more than 32m either side of the centre line of a high voltage transmission line, subject to all other applicable rules of the District Plan.
- (b) Earthworks undertaken more than 12m from the closest visible edge of the foundation of a high voltage transmission line tower or more than 5m from a pole or stay wire, subject to all other applicable rules of the District Plan.
- (c) Activities within the Road, provided for as permitted by the Road Transport Infrastructure and Car Parking Rules of the District Plan.
- (d) Within 32m either side of the centre line of a high voltage transmission line the addition to, or the replacement of, any lawfully established building or structure that does not exceed the building envelope or footprint of the existing building or structure.
- (e) Rural activities, excluding any associated buildings and structures.
- (f) Network utilities located within 32m either side of the centre line of an electricity transmission line.
- (g) Any new buildings and structures located within 12-32m of the centre line of a high voltage transmission line, provided compliance with NZECP 34:2001 is achieved. This rule applies to the following properties only:



- (i) 205 Miro Street, Manunui (Lot 8 DP 29165)
- (ii) 207 Miro Street, Manunui (Lot 9 DP 29165)
- (iii) 209 Miro Street, Manunui (Lot 10 and 11 DP 29165)
- (iv) 215 Miro Street, Manunui (Lot 12 DP 29165)
- (v) 217 Miro Street, Manunui (Lot 3 DP 29165)
- (vi) 219 Miro Street, Manunui (Lot 14 DP 29165)
- (vii) 202 Miro Street, Manunui (Pt Lot 3 DP 2724)
- (viii) 204 Miro Street, Manunui (Lot 1 DP 18186 and Pt Lot 2 DP 2724)
- (ix) 206 Miro Street, Manunui (Pt Lot 2 DP 2724)
- (x) 208 Miro Street, Manunui (Lot 1 DP 19301)
- (xi) 212 Miro Street, Manunui (Pt Lot 2 DP 19301)
- (xii) 218 Miro Street, Manunui (Lot 1 DP 10371)
- (xiii) Lot 2 DP 10371 (Manunui)

Advice Note:

Vegetation to be planted within the transmission corridor as shown on Council's Planning Maps should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

DR 3.4.2 Restricted Discretionary Activities

The following activities are Restricted Discretionary Activities. Applications will be assessed against, and conditions imposed, only in respect of the subject matter of the Assessment Criteria noted below in DR3.4.5 – Assessment Criteria.

- (a) New buildings or structures (except for network utilities and as provided for by Rule DR3.4.1(g)) located between 12-32m either side of the centre line of an of a high voltage transmission line.
- (b) Earthworks (except for network utilities), within 12m of the closest visible edge of the foundation of a high voltage transmission line tower or within 5m of a pole or stay wire.
- (c) Earthworks (except for network utilities), within 12m either side of the centre line of a high voltage transmission line shown on Council's Planning Maps that results in an increase in ground level (ie, reduces the clearance distance from conductor to ground).

Non-notification: Where an activity is restricted discretionary only because it is within the Electricity Transmission Line Corridor then the application need not be publicly notified and need not be served on any affected party other than Transpower New Zealand Limited.

DR 3.4.3 Discretionary Activities

The following activities are Discretionary Activities.

Applications will be assessed against but not limited to, the relevant Assessment Criteria outlined in Section DR3.4.5.

- (a) Any land use or activity not specifically referred to in Rules DR 3.4.1, DR 3.4.2 and DR 3.4.4 that is otherwise permitted by any relevant rule or designation within the District Plan shall be considered to be a Discretionary Activity if it is located within 32m of the centre line of a high voltage transmission line.
- (b) Any new building or structure (except for network utilities) within 12m either side of the centre line of a high voltage transmission line on the following properties:
 - (i) 207 Miro Street, Manunui (Lot 9 DP 29165)
 - (ii) 209 Miro Street, Manunui (Lot 10 and 11 DP 29165)
 - (iii) 215 Miro Street, Manunui (Lot 12 DP 29165)
 - (iv) 204 Miro Street, Manunui (Lot 1 DP 18186 and Pt Lot 2 DP 2724)



- (v) 206 Miro Street, Manunui (Pt Lot 2 DP 2724)
- (vi) 208 Miro Street, Manunui (Lot 1 DP 19301)
- (c) Any new building or structure (except for network utilities) within 12-32m either side of the centre line of a high voltage transmission line that does not comply with Rule DR3.4.1(d) or Rule DR3.4.1(g).

DR 3.4.4 Non-Complying Activities

The following activities are Non-Complying Activities:

Applications will be assessed against but not limited to, the relevant Assessment Criteria outlined in Section DR3.4.5.

- (a) Any new building or structures (except for network utilities and as provided for by Rule DR3.4.3(b)) within 12m either side of the centre line of a high voltage transmission line.

DR 3.4.5 Assessment Criteria

- (a) Buildings and Structures within an electricity transmission corridor:
 - (i) The risk to the structural integrity of the high voltage transmission line.
 - (ii) The effects on the ability of the high voltage transmission line owner to operate, maintain and upgrade the transmission network.
 - (iii) The proximity of buildings and structures to electrical hazards.
 - (iv) The risk of electrical hazards affecting public safety, and risk of property damage.
 - (v) The risk of electrical faults causing disruption to electricity supply.
 - (vi) The extent of earthworks required, and use of mobile machinery near transmission lines which may put the line at risk.
 - (vii) The risk of electrical hazards due to the mature height of any associated vegetation, including within landscaped areas.
 - (viii) The siting of buildings in relation to high voltage transmission lines to minimise visual effects from the transmission line.
 - (ix) The risk of generating radio interference or earth potential rise.
 - (x) Any other matter set out in plans for buildings.
 - (xi) Extent of compliance with NZECP34:2001.
 - (xii) A qualified electrical engineer shall prepare an engineering assessment for any resource consent located within the High Voltage Transmission Line 'no build' area.
- (b) Earthworks within a high voltage transmission line corridor:
 - (i) Any effects on the integrity of the transmission line.
 - (ii) Volume, area and location of the works, including temporary activities such as stockpiles.
 - (iii) Time of the works.
 - (iv) Site remediation.
 - (v) The use of mobile machinery near transmission lines which may put the line at risk.
 - (vi) Compliance with NZECP34:2001.
 - (viii) Outcomes of any consultation with the relevant line owner.