

5. Residential

Explanatory Statement

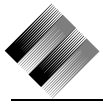
The Western Bay of Plenty District contains a range of sizes and types of settlements. The expansion of the larger growth orientated settlements such as Athenree, Katikati, Omokoroa and Te Puke is provided for. The smaller settlements retain their character by limiting their size.

There are acknowledged wastewater disposal problems in parts of Waihi Beach, Maketu and Omokoroa. In the Waihi Beach area a hold and maintain approach has been adopted until the wastewater issue has been resolved. In Maketu and Omokoroa and in existing residential areas such as Island View/Pios, Tuapiro, Ongare, Te Kauri, Pukehina and Paengaroa, septic tank performance will be monitored. As development in Omokoroa intensifies it is anticipated that a sewerage system will be necessary because of the potential cumulative effect of urban development reliant on on-site effluent treatment, particularly in close proximity to the Tauranga Harbour. The planned urban expansion of Omokoroa will support a range of housing forms including medium to high density housing in suitable locations. This will contribute to a need to accommodate anticipated subregional population growth through fully serviced urban areas in a sustainable manner.

The amenity values of residential areas may be adversely affected by activities which generate adverse effects such as parking and congestion problems, odours, noise, or a reduction of sunlight, daylight or privacy. The District's residential areas are characterised by low density, low rise dwellings and low noise levels. Infill development is provided for, subject to mitigating adverse effects and to ease the pressure to expand residential zones onto productive rural land. Provision is made for more intensive residential development in specially created zones incorporating rules and performance standards to protect amenity values. Objectives, policies and rules regarding general amenity matters are included in Section 13 of this Plan.

Where urban expansion does occur it must make efficient use of resources, whether they be infrastructure or land. Contiguous development achieves this, as well as reducing the amount of interface for rural/urban conflict. Appropriate application of development impact fees will provide an economic incentive for efficient use of land for urban purposes.

A special zone is also provided for settlements associated with community facilities in rural areas. The Maori Community Zones in the Transitional District Plan were essentially settlements located around Marae which are regarded as community facilities for Maori, particularly whanau (extended Maori family). The concept is continued in this District Plan. It is seen as appropriate, in terms of effects, to allow other settlements to be developed in association with other community facilities, such as rural primary schools.



A new zone is provided for these developments and is called a Residential (Rural Community) Zone, except where it is associated with a Marae, it shall be known as a Papakainga Zone and incorporate the name of the respective Marae. In general the Residential Zone rules will apply except that a different level of development standards (roading etc) is provided in recognition of the "low key" rural nature of such settlements.

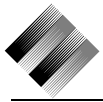
5.1 Significant Issues

- 5.1.1 The adverse effects of urban expansion and/or intensification on the amenity values of residential areas.
- 5.1.2 Non-residential activities such as churches, halls, sports clubs are often intensively used and generate significant noise levels and often street parking and congestion difficulties.
- 5.1.3 The increasing use of homes as a working base can generate adverse effects such as increased traffic generation, carparking and noise.
- 5.1.4 Premature development of rural areas into residential areas can have a displacement effect on existing urban areas resulting in an inefficient utilisation of the urban infrastructure, energy resources and premature loss of the productive potential of the land.
- 5.1.5 Wastewater disposal problems associated with residential development can increase the risk of pollution.
- 5.1.6 Desire for Maori to live on their ancestral land.
- 5.1.7 Appropriate level of services and infrastructure to be provided for multiple housing.
- 5.1.8 There is insufficient capacity within existing settlements (including Tauranga) to physically accommodate the forecast subregional population growth in a sustainable manner.

5.2 Objectives and Policies

5.2.1 Objectives

1. Protection of the amenity values of residential areas from the adverse effects of activities.
2. Efficient residential/urban expansion into rural areas.
3. Provision for more efficient use of land in areas capable of accommodating a greater intensity and scale of residential development.



4. Avoidance of pollution associated with wastewater disposal difficulties.
5. Provision for the special relationship of Maori with their ancestral land and the associated need for housing.

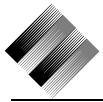
5.2.2 Policies

1. Activities should not have effects which are incompatible with the existing amenity values of the residential environment.
2. Residential/urban expansion should not occur in areas unless they have been identified for future urban development and are contiguous with existing urban/residential areas.
3. Activities involving wastewater disposal should not cause any off site adverse effects.
4. Financial contributions and other consent conditions will be used to assist in avoiding or mitigating potential adverse effects of future subdivision and development.
5. Avoid adverse effects on the residential amenity values within the Omokoroa Structure Plan area. The unique amenity values of the new growth areas will be:
 - The vegetative quality within the residential areas, and along Omokoroa Road with boulevard planting.
 - Local residential communities framed by greenways and open space.
 - Optimise the community appreciation of the Tauranga harbour and its coastal margins, two central high points on either side of the railway and the Omokoroa Golf Course.
 - A range of transportation links including walkways, cycle ways and minor roads to community and commercial centres, coastal margins, active reserves and the golf course."

5.3 Residential Zone Rules

5.3.1 Permitted Activities

- (a) One dwelling per lot.
- (b) One minor dwelling in addition to (a) above.
- (c) Activities on reserves as provided for in the Reserves Act 1977.
- (d) Accommodation or education facility for a maximum of 4 persons (excluding staff).
- (e) Home enterprises.



- (f) Public works and network utilities as provided for in Section 17.
- (g) Buildings accessory to the foregoing.
- (h) Existing urupa.
- (i) Construction of stormwater ponds within areas identified for stormwater in an operative structure plan.

5.3.2 Controlled Activities

- (a) Excluding the Omokoroa Structure Plan area, more than one dwelling per lot, subject to a minimum net land area of 350m² per dwelling on sewerer lots and 800m² on unsewered lots.

- (b) **Higher density housing in the Katikati Structure Plan Area**

Provided that in the Katikati Structure Plan at Moore Park South in the areas identified for higher density housing the minimum net land area (density) of 300m² per dwelling on sewerer lots provided that the parent site shall be greater than 1 hectare in gross area.

- (c) **Higher density housing in the Omokoroa Structure Plan Area**

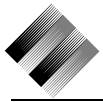
Within the Omokoroa Structure Plan area (refer Appendix (ix) (c)) land served by a reticulated Council sewerage system and which complies with the criteria set out below may be developed at a maximum density of at least 250m² net land per dwelling.

- (i) The minimum gross area of land subject to such development shall be 3000m²; and
- (ii) The land shall adjoin any one of the following:
 - The Omokoroa Golf Course; or
 - A gazetted public recreation reserve identified by Council for active sports use; or
 - A Stormwater Management Reserve identified on the Structure Plan and which has a width of at least 50m;

For the purpose of this rule “adjoin” shall include land which is separated from any of the above by a road, but excluding Omokoroa Road)

and

- (iii) The land subject to the high density housing shall not adjoin Omokoroa Road



Council shall exercise its control over the following matters:

The bulk and location of the buildings, particularly the length of continuous buildings that are close to boundaries and the provision for steps in the building bulk or the separation of the building.

- (d) Dwellings associated with multi-unit development within the Waihi Beach Intensive Residential Zone provided the parent lot has a minimum lot size of 1400m² and a minimum street frontage of 30 metres.
- (e) Subdivision as provided for in 5.3.5.

Except that:

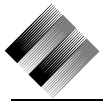
- subdivision in the Residential Zone at Kauri Point and lots within the subdivision known as Pacific Vista at the Northern end of Koutunui Road, Athenree is not provided for.
- (f) Works and network utilities as provided for in Section 17.

5.3.3 Restricted Discretionary Activities

- (a) Within Stormwater Management Reserves regardless of whether they are designated the following are Restricted Discretionary Activities:
 - the disturbance of soil, natural ground cover and vegetation, or the deposition of refuse, solid or liquid waste, fill or any material
 - the diversion or modification of any natural watercourses
 - the construction of fences or other barriers, dams, ponds and other stormwater treatment facilities, bridges, sports facilities, dwellings or buildings, playgrounds, pumpstations, sewers, culverts and roadways.
 - Walkways/Cycleways

Council shall limit its discretion to:

- Avoiding, remedying or mitigating the potential adverse effects of the ecological values of the reserves.
- Avoiding, remedying or mitigating the potential for natural hazard events such as flooding ie natural hazards must not be made more severe as the consequence of a proposal.
- Avoiding, remedying or mitigating the adverse effects on public amenity values of the reserves including public walkway/cycleway functions.



- In the Omokoroa Structure Plan area retaining the integrity of the Omokoroa Peninsula Stormwater Management Plan (June 2002).

5.3.4 Discretionary Activities

- (a) Places of assembly.
- (b) Accommodation or education facility for more than 4 persons (excluding staff).
- (c) Hospitals.
- (d) Medical or scientific facilities.
- (e) Dairies no greater than 60m² gross floor area.
- (f) Urupa (new sites).
- (g) Works and network utilities as provided for in Section 17.
- (h) Subdivision or development within the Structure Plan area at Omokoroa.

5.3.5 Activity Performance Standards

The following performance standards shall be met by all permitted and controlled activities and shall be used as a guide for all other activities. Any permitted activity which fails to comply with any of these standards shall be deemed a discretionary activity for the particular non-compliance.

(a) **Height**

Maximum - 8m.

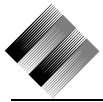
Except that

Higher density housing locations within the Katikati Structure Plan, Moore Park South and Omokoroa Structure Plan area – maximum 9m.

(b) **Daylight**

No part of any building shall exceed a height equal to 2 metres plus the shortest horizontal distance between that part of the building and the nearest site boundary except where the site has a boundary with a road in which case this rule shall not apply in respect of that boundary.

Provided that:



a building may exceed the aforementioned height where the written approval of the owner of the immediately adjoining property to a specified greater height is obtained.

(c) **Yards**

(i) Front - 5m.

Except that:

- where the yard adjoins a State highway, that yard shall be 10m.

(ii) Tauranga Harbour Landward Edge Protection Yard. For controls on activities up to 40m landward of MHWS around Tauranga Harbour see Section 10.3.

(iii) All Other - 1.5m minimum except for:

- The lots within the subdivision known as Pacific Vista at the northern end of Koutunui Road, Athenree, that yard shall be 5 metres.

Provided that:

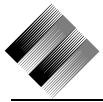
a building may be located within and up to a side or rear boundary where the written approval of the owner of the immediately adjoining property to a specified lesser distance is obtained.

(d) **Coverage**

(i) Omokoroa Structure Plan Area

Residential Zones; a maximum of 40% of the site area may be covered in impermeable surfaces provided that within the high density housing locations this may be relaxed to 50% where at least 50% of the longest or equivalent longest rear or side boundary shall:

- Adjoin a gazetted public reserve for active sports use or the Omokoroa Golf Course, or
- Directly adjoin a Stormwater Management Reserve as identified on the Structure Plan that has a width of 50 metres or more.



(e) **Standards for Home Enterprises**

- (i) shall be conducted within a building floor area not exceeding 25m². Carparks shall be excluded from the maximum area calculation of the activity.
- (ii) is carried out by a maximum of 2 persons.
- (iii) any advertising shall comply with Section 14.3.1.2.
- (iv) does not involve sales of products other than those produced on the site.
- (v) where a home enterprise involves clients visiting a site there shall be no more than one vehicle associated with the home enterprise and residential activity parked on the adjacent street.

(f) **Standards for Controlled Activities (more than one dwelling per lot)**

The relevant subdivision standards would apply as if the land was being subdivided with each dwelling site being treated as if a new lot is being created, including the application of Development Impact Fees.

(g) **Natural Environment** - see Section 9.

(h) **Landscape** - see Section 10.

(i) **Heritage** - see Section 11.

(j) **Natural Hazards** - see Section 12.

(k) **Noise and Vibration** - See Section 13.2.

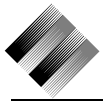
(l) **Storage and Disposal of Solid Waste** - See Section 13.3.

(m) **Lighting and Welding** - See Section 13.4.

(n) **Offensive Odours, Effluent Aerosols and Spray Drift** - See Section 13.5.

(o) **Screening** - See Section 13.6.

(p) **Signs** - See Section 14.



(q) **Subdivision and Land Use Development** (see also Section 15).

(i) Minimum net lot size:

- Sewered - 350m²
- Unsewered - 800m² subject to compliance with 15.3.5.5(d).

Subject to Rule 5.3.2(b) in the higher density housing area at Moore Park South, Katikati, the minimum net lot size will be 300m².

In the new residential areas identified on the Structure Plan for Omokoroa the lot sizes shall be:

- Minimum net lot size – 400m²
- Maximum average net lot size – 800m²
- Minimum net lot size for higher density housing shall be 250m² subject to Rule 5.3.2(c), provided that any balance area resulting from such subdivision shall comply with the minimum and maximum average net lot sizes for sewerred lots set out above.

Provided that:

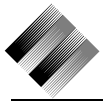
- The land to be subdivided is served by a Council reticulated wastewater scheme.
- Notwithstanding the foregoing minimum and maximum average net lot size requirements, a lot of no greater than 2000m² may be created to accommodate an existing dwelling for which a building consent was granted prior to 09 December 2006. Any such lot shall be excluded from the calculation of maximum average net lot size.

(ii) For access to Omokoroa Road see 15.3.5.7(b).

(r) **Development Contributions** - See Section 16.

(s) **Access, On-Site Parking and Loading**- See Section 18.

(t) All subdivision use and development in the identified Structure Plan areas shown on Planning Maps A5, B5, Waihi Beach 1,2, and 3, Island View, Pios Beach and Athenree 1 and 2, and Appendix IX shall provide Stormwater Management Reserves and access thereto, roading, ecological areas as applicable in the general proximity of the locations shown on the Plan. Non-compliance with the Structure Plans will require a resource consent approval for a non-complying activity.



- (u) **Hazardous Substances** - See Section 19.

5.4 Residential (Rural Community) Zone/Papakainga Zone Rules

5.4.1 Residential Zone rules shall apply, subject to the following exceptions and criteria:

- (a) Development (subdivision) standards shall be as provided in Section 15.
- (b) Access to the settlement shall be via sealed legal public roads currently maintained by Council.

5.5 Intensive Residential Zone (Waihi Beach)

5.5.1 Residential Zone rules shall apply, except for multi-unit development as specifically modified below:

- (a) **Height**

- (i) The maximum height shall be 10m, except for rooftop elevator and mechanical equipment rooms where the maximum height is 13m.

- (b) **Daylight**

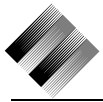
- (i) No part of any building shall exceed height equal to 2m plus the shortest horizontal distance between that part of the building and the nearest site boundary.

- (c) **Yards**

- (i) Front – 5m.
- (ii) All other – 1.5m minimum.
- (iii) All yards shall be planted with a mixture of grass, ground covers, shrubs and trees except where crossed by a driveway or vehicular access.

- (d) **Site Coverage**

- (i) No more than 35% of the net site or land area shall be covered by buildings; except where parking is provided below ground level when no more than 50% of the net site or land area shall be covered by buildings.



For the purposes of this rule, "Site Coverage" means that proportion of the net site area which may be covered by buildings. For this purpose "buildings" includes accessory buildings, overhangs and those parts of eaves that are more than one metre from an outside wall, but excludes eaves less than 1 metre wide, pergolas or similar structure of a substantially open nature, and uncovered decks, uncovered terraces, uncovered steps and swimming pools less than 1 metre in height.

(e) **Floor Area Ratio**

(i) The maximum floor area ratio (FAR) shall be 0.65, except where parking is provided below ground level the maximum Floor Area Ratio is 1.0.

(f) **Outdoor Living Area**

(i) Each dwelling unit shall be provided with an unenclosed outdoor living area in the form of a balcony, deck, or patio with a minimum area of 10m² and a minimum width or depth of 2.0m.

(g) **Subdivision**

(i) The minimum net lot size for multi-unit residential buildings is 1400m² with a minimum street frontage of 30m. This lot may be re-subdivided by way of unit titles, provided the net land area of the body corporate's permit title is 1400m² or greater.

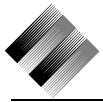
(h) **Landscape**

- (i) A minimum of 15% of the site be planted with a combination of grass, ground covers, shrubs and trees and this shall be maintained on an ongoing basis.
- (ii) A minimum of one specimen tree (size PB150 or greater) per 35m² of planted area shall be planted and maintained to best horticultural practice

(i) **Access, On-site Parking and Loading**

(i) The required parking for apartments, terrace, semi-detached or other multi-dwelling residential buildings shall be:

Activity	Parking Spaces Required
Dwellings (being one household unit) of less than 55m ²	1 space for each dwelling
Dwellings (being one household unit) of between 55m ² and 85m ²	1.5 spaces for each dwelling
Dwellings (being one household unit) of 85m ² or greater	2 spaces for each dwelling



- (ii) Provision shall be made for on-site manoeuvring.

Note: Where more than one carpark is required, one may be stacked provided it does not interfere with shared access.

- (j) **Common Rubbish and Recycling**

- (i) An enclosed shed or screened area shall be provided in an unobtrusive but easily accessible location for the common storage and retrieval of rubbish and recycling bins.