

3. Rural-Residential

Explanatory Statement

It is recognised that it is a desire of an increasing number of people to live in a semi-rural or rural environment. The subdivision provisions in the Rural Zones provide ample opportunity for rural lifestyle development to occur without the need to provide for new or expand existing rural-residential zones.

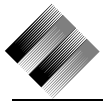
The rural-residential zone recognises existing development and provides mainly for those people who still desire urban standards of servicing while living in a “rural” environment. This lends to an intensification of development which can have an adverse effect on the existing environment and a potential conflict between established rural activities and new primarily residential activities. Rules have been developed which serve to protect the amenity of the zone while providing opportunities for productive use of the land. Although the areas all have different attributes the areas are characterised by being predominantly large lot residential developments usually serviced with water, sealed roads, kerb and channelling and often providing good views.

Specific requirements are placed on areas with identified development limitations. In particular the Minden area has a history of land instability which necessitates special care when modifying sites in this area.

While that part of the previous Tuapiro Development Zone already developed for residential purposes has been zoned Rural-Residential, in keeping with the intention of the original zone no provision has been made for further subdivision. Land within the remainder of the previous zone has been zoned Rural H in recognition of its unsuitability for residential use. The new zonings do not affect the commitment previously made by the then Tauranga County Council to develop public recreation and other facilities at Tuapiro. That commitment remains and can still be fulfilled given the status of the land under this District Plan.

3.1 Significant Issues

- 3.1.1 Activities related to rural based productivity can adversely affect the amenity values of rural-residential areas.
- 3.1.2 Residentially based activities may adversely affect the efficient operation of agricultural/horticultural activities in or adjacent to rural-residential areas.
- 3.1.3 Potential land instability within the Minden and Maketu Rural-Residential areas impose limitations on development.
- 3.1.4 Adverse impact on roading affecting traffic safety and efficiency influenced by increased traffic movement as a result of rural-residential development.



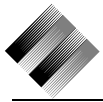
3.2 Objectives and Policies

3.2.1 Objectives

1. Protection of the ability of the inhabitants to enjoy the rural residential amenity of the area and the associated views.
2. Minimisation of the potential for incompatibilities between activities.
3. Minimisation of the risk of hazard of potential land instability in the Minden, Omokoroa and Maketu areas.
4. A safe and efficient district roading system.

3.2.2 Policies

1. The scale, type and location of activities should be such that the effects generated are compatible with the amenity values of the environment they are situated within.
2. An urban standard of servicing will be required within the zone to mitigate, avoid or remedy adverse impact on the amenity of the area caused by an intensification of traffic and population, financial contributions will also be required.
3. All development activity including building, subdivision, excavation, filling, removal of vegetation and disposal of stormwater or domestic wastewater must be carried out in such a way that there is no likelihood of land instability arising from such activity.
4. Avoid adverse effects on the residential amenity values within the Omokoroa Structure Plan areas. 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.
 - Residential development at lower densities featuring generous open space about dwellings with pockets of medium density development in identified areas.
 - 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. To maintain and enhance the significant environmental values of the Tauranga Harbour, the primarily green rural visual flanks to the urbanizing peninsula and to avoid the inappropriate use of the lands identified as having instability and flooding constraints.

3.3 Rural-Residential Zone Rules

3.3.1 Permitted Activities

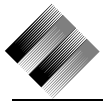
- (a) Farming except Intensive Farming Activities.
- (b) One dwelling per lot (except where 3.3.4(b) applies).
- (c) One minor dwelling in addition to (b) above.
- (d) Home Enterprises.
- (e) Activities on reserves as provided for in the Reserves Act 1977.
- (f) Works and network utilities as provided for in Section 17.
- (g) Buildings accessory to the foregoing.
- (h) Existing urupa.
- (i) Conservation forestry.

3.3.2 Controlled Activities

Works and network utilities as provided for in Section 17.

3.3.3 Restricted Discretionary Activities

- (a) Within Stormwater Management Reserves and private conservation areas 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 liquor waste, fill or any material.
 - The diversion or modification of any natural watercourses.
 - The construction of fences or other barriers, stormwater treatment facilities, bridges, dwellings or buildings, recreational structures, pumpstations, sewers, culverts and roadways.



- Walkways/cycleways.

Except that

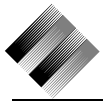
Disturbance of soil, natural ground cover and vegetation associated with activities approved in a reserve management plan prepared under the Reserves Act or Local Government Act 2002 shall be exempt from this requirement.

In assessing a restricted discretionary activity Council shall limit its discretion to and may set conditions on:

- Avoiding, remedying or mitigating the potential adverse effects on the ecological values of the reserves
- In the Omokoroa Structure Plan area, retaining the integrity of the Omokoroa Peninsula Stormwater Management Plan (June 2002) including the efficiency and effectiveness of stormwater infiltration, detention, discharge downstream and discharge to the Tauranga Harbour with particular regard to storm events
- 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.

3.3.4 Discretionary Activities

- (a) Subdivision where Activity Performance Standards 3.3.5 are complied with (except at Tuapiro).
- (b) Dwellings (one per lot), minor dwellings, other buildings, alterations and additions and accessory buildings:
 - In the Minden A, B1 and B2 Stability Areas and not within an approved building site; and
 - In the Omokoroa natural hazard areas as shown on the planning maps and not within an approved building site.
- (c) Accommodation facilities for a maximum of 4 persons.
- (d) Education facilities for a maximum of 10 persons (excluding staff).



- (e) Production forestry.
- (f) Urupa (new sites).
- (g) Works and network utilities as provided for in Section 17.

3.3.5 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**

Buildings - maximum 8 m.
Shelter belts (Tuapiro only) - maximum 5m.

Notwithstanding anything to the contrary any structure located within the height control area (A or B – as shown on the Omokoroa Stage 2 Structure Plan) that penetrates a horizontal plane (labeled control height in the diagram below) shall be a discretionary activity¹:

| Control height (Area A) | Control height (Area B) |
|--------------------------------|--------------------------------|
| 72 metres above mean sea level | 56 metres above mean sea level |

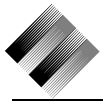
(b) **Daylight**

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.

¹ **Note:** This rule shall not be construed to imply provision for dwelling heights outside or within control areas that exceed those applicable within the relevant zone. For the avoidance of doubt the most restrictive height control shall apply to any development.



(c) **Yards**

Where no bulk and location standards have been established pursuant to a "building site" approved on a scheme plan of subdivision the bulk and location requirements shall apply as follows:

- (i) All - 5m minimum.
- (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) Any new structure in the Rural-Residential zone shall be set back at least 10m from the State Highway.

Provided that:

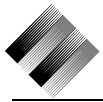
a building may be located within and up to a side or rear boundary where the written approval of the owner of the immediately adjoining property to a specified lesser distance is obtained.

(d) **Coverage**

Within the Omokoroa Structure Plan area a maximum of 15% of the site area may be covered with impermeable surfaces.

(e) **Home Enterprises**

- (i) shall be conducted within a building floor space not exceeding 50m² or an outdoor area not exceeding 120m². Carparks shall be excluded from the maximum area calculation of the activity.
- (ii) is carried out by a maximum of three persons.
- (iii) any advertising shall comply with the provisions of 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) **Discretionary Activities**

(i) Building Sites to which 3.3.4(b) applies

An approved building site shall:

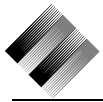
- (a) mean a site that has been approved in conjunction with a resource consent application under the Resource Management Act, and has been approved in accordance with the stability requirements contained in Section 12 (Natural Hazards). Any approval is likely to include conditions applicable to access, vegetation removal, cutting and filling, earthworks, drainage and the like.
- (b) be no less than 300m² in area to allow for buildings, amenity areas and waste disposal.
- (c) be able to be used for residential purposes.
- (d) be no closer than 3m to a boundary.
- (e) contain all buildings except for pumphouses, fences and masts which may be located outside of the building site.

- (ii) An approved building site can be formed at either subdivision or building consent stage. Any formation shall ensure the site:
- blends in with existing contours.
 - preserves stands of native bush.
 - does not compromise significant topographical features by earthworks.

(g) **Production Forestry**

In considering an application for Production forestry as a discretionary activity, Council shall have regard to the following matters:

- (i) visual impact including obstruction of views.
- (ii) potential shading effects
- (iii) effect on stability in relation to Maketu and Minden Rural-Residential Zones
- (iv) scale of activity.



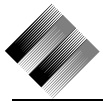
- (h) **Natural Environment** - See Section 9.
- (i) **Landscape** - See Section 10.
- (j) **Heritage** - See Section 11.
- (k) **Natural Hazards** - See Section 12.
- (l) **Noise and Vibration** - See Section 13.2.
- (m) **Storage and Disposal of Solid Waste** - See Section 13.3.
- (n) **Lighting and Welding** - See Section 13.4.
- (o) **Offensive Odours, Effluent Aerosols and Spray Drift** - See Section 13.5.
- (p) **Screening** - See Section 13.6.
- (q) **Signs** - See Section 14.
- (r) **Subdivision and Land Use Development**

Tuapiro (see Ongare Point Planning Map) - no further subdivision provided for.

Other areas:

- (i) Minimum lot size: 3000m² provided that the average area for lots shown on any plan of subdivision shall be not less than 4000m².
- (ii) Minimum frontage : 4 metres.
- (iii) Subdivision within the Structure Plan area at Omokoroa shall be a discretionary activity where:
 - the land to be subdivided is served by a Council reticulated sewerage scheme; and
 - the stormwater from the subdivision must be able to be discharged in accordance with the approved Stormwater Management Plan for Omokoroa.

Subdivision or development failing to comply with these criteria would be a non-complying activity.



- (iv) See also Section 15.
- (s) **Development Contributions** - See Section 16.
- (t) **Access, On-Site Parking and Loading** - See Section 18.
- (u) **Hazardous Substances** - See Section 19.

3.4 Other Methods

- 3.4.1 Where existing use rights apply in the Minden Rural-Residential Zone, building work must still meet the requirements of the Building Act. Before a building consent is issued, a stability analysis or assessment may be required for new houses or for alterations and additions depending on whether the building work is within an approved building site.
- 3.4.2 Removal of plant pests can be controlled in accordance with a pest management strategy prepared under the provisions of the Biosecurity Act 1993.