

# Rural-Residential

## 15. Rural-Residential

### Explanatory Statement

The Rural-Residential Zone is an historical zone that has been in place for some time and recognises existing development and provides mainly for those people who still desire urban standards of servicing while living in a “rural” environment. New Rural-Residential Zones are provided as part of the urbanisation of the Omokoroa Peninsula. Their purpose is to provide a less intensive interface with the Harbour and to manage areas that have development constraints.

The rules in this section serve to protect the amenity of the zone. 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.

### 15.1 Significant Issues

1. Activities related to rural based productivity can contribute to the amenity values of rural-residential areas however they may also create adverse effects.
2. Residentially based activities may adversely affect the efficient operation of agricultural/horticultural activities in or adjacent to rural-residential areas through generating reverse sensitivity toward those activities.
3. Potential land instability within some rural-residential areas imposes limitations on development.

### 15.2 Objectives and Policies

#### 15.2.1 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.

#### 15.2.2 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. To maintain and enhance the significant environmental values of the Tauranga Harbour around the Omokoroa Peninsula, the primarily green rural visual flanks to the urbanising Peninsula and to avoid the inappropriate use of the lands identified as having instability and flooding constraints

## 15.3 Activity Lists

### 15.3.1 Permitted Activities

- (a) Farming except Intensive Farming Activities;
- (b) One dwelling per lot, except as per 15.3.2(c);
- (c) *Home Enterprises*;
- (d) *Accommodation or Education Facilities* for a combined maximum of four persons (excluding staff);
- (e) Activities on reserves as provided for in the Reserves Act 1977;
- (f) Works and network utilities as provided for in Section 10;
- (g) Buildings accessory to the foregoing;
- (h) Existing urupa;
- (i) Conservation forestry.

### 15.3.2 Controlled Activities

- (a) Works and network utilities as provided for in Section 10;
- (b) One minor dwelling in addition to 15.3.1(b) above subject to performance standard 15.4.1(g);
- (c) One dwelling on a title where no dwelling currently exists and where a minor dwelling exists which was constructed after 9 February 2009.

### 15.3.3 Restricted Discretionary Activities

Within stormwater management reserves and private conservation areas regardless of whether they are designated, the following are Restricted Discretionary Activities:

- (a) The disturbance of soil, natural ground cover and vegetation, or the deposition of refuse, solid or liquor waste, fill or any material.

- (b) The diversion or modification of any natural watercourses.
- (c) The construction of fences or other barriers, stormwater treatment facilities, bridges, dwellings or buildings, recreational structures, pump stations, sewers, culverts and roadways.
- (d) 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 1977 or Local Government Act 2002 shall be exempt from this requirement.

### 15.3.4 Discretionary Activities

- (a) Subdivision where activity performance standards 15.4.2 are complied with;
- (b) *Accommodation facilities* not complying with 15.4.1(e);
- (c) *Education facilities* for more than four persons (excluding staff);
- (d) Production forestry;
- (e) Urupa (new sites);
- (f) Works and network utilities as provided for in Section 10.

## 15.4 Activity Performance Standards

### 15.4.1 General

The following performance standards shall be met by all Permitted and Controlled Activities and shall be used as a guide for the assessment of all other activities. Any Permitted or Controlled Activity that fails to comply with any of these standards shall be deemed a Restricted Discretionary Activity for the particular non compliance.

**(a) Height**

Buildings - maximum 8.0m.

Shelter belts (Tuapiro only) - maximum 5.0m.

**(b) Daylight**

All site boundaries adjoining Residential and Rural Zones:

No part of any building shall exceed a height equal to 2.0m height above ground level at all boundaries and an angle of 45° into the site from that point.

Except where the site has a boundary with a road in which case this rule shall not apply in respect to that boundary.

Provided that:

A building may encroach through the above daylighting plane where the written approval of the owner(s) of the immediately adjoining property to the specific encroachment is obtained.

**(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 – 5.0m minimum.

Provided that:

- (ii) 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.

Except that:

- (iii) Where any yard adjoins:
- A Strategic Road or a designation for a Strategic Road, it shall be a minimum of 10m;
  - A railway corridor or designation for railway purposes, it shall be a minimum of 10m.

Provided that:

On Secondary Arterial Roads, and any railway corridor or designation for railway purposes, lots created by way of an application for subdivision consent approved prior to 1 January 2010 will be exempt.

**(d) Coverage**

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

**(e) Standards for Accommodation Facilities**

- (i) Have a maximum occupancy of four persons at any one time (excluding staff);
- (ii) The total area available for exclusive use for the occupiers be no greater than 60m<sup>2</sup> gross floor area;
- (iii) Must not contain a kitchen or otherwise be self contained;
- (iv) For Discretionary Accommodation Facilities, information is to be provided in accordance with 4A.5.2.

**(f) Standards for home enterprises**

- (i) Shall be conducted in an area that does not exceed 500m<sup>2</sup> of which a maximum of 120m<sup>2</sup> shall be available for a building floor area. Carparks shall be excluded from the maximum area calculation of the activity.
- (ii) Is carried out by a maximum of three persons
- (iii) Does not involve sales of products other than those produced on the site. This does not apply to the sale of any goods stored, distributed and manufactured off the site that are sold via the internet.
- (iv) Any advertising shall comply with the provisions of Section 4D.3.1.2.

**(g) Standards for minor dwellings and dwellings where a minor dwelling was constructed after 9 February 2009 in accordance with 15.3.2(b) and (c)**

- (i) Shall be located within 20m of the principal dwelling or minor dwelling on the site.
- (ii) Shall share vehicle access with the principal dwelling or minor dwelling on the site.
- (iii) Shall pay 50% of the financial contributions that applies to the subdivision of land

**(h) Transportation, Access, Parking and Loading** - See Section 4B.

**(i) Noise and Vibration** - See Section 4C.1.

**(j) Storage and Disposal of Solid Waste** - See Section 4C.2.

**(k) Lighting and Welding** - See Section 4C.3.

**(l) Offensive Odours, Effluent Aerosols and Spray Drift** - See Section 4C.4.

**(m) Screening** - See Section 4C.5.

**(n) Signs** - See Section 4D.

**(o) Natural Environment** - See Section 5.

**(p) Landscape** - See Section 6.

**(q) Historic Heritage** - See Section 7.

**(r) Natural Hazards** – See Section 8

**(s) Hazardous Substances** - See Section 9.

**(t) Financial Contributions** - See Section 11.

## 15.4.2 Subdivision and Development (See also Section 12)

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

Other areas:

- (a) Minimum lot size: 3000m<sup>2</sup> provided that the average area for lots shown on any plan of subdivision shall be not less than 4000m<sup>2</sup>.  
  
Minimum frontage: 4.0m.
- (b) 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.
- (c) Subdivision or development failing to comply with these criteria would be a Non-Complying Activity.

## 15.5 Matters of Discretion

### 15.5.1 Restricted Discretionary Activities – Non Compliance with Activity Performance Standards

*Council* will limit its discretion to the effects of the non-compliance on the purpose of the performance standard and any relevant objectives and policies.

### 15.5.2 Restricted Discretionary Activity - Activities within Stormwater Management Reserves

In assessing a Restricted Discretionary Activity, *Council* will limit its discretion to and may set conditions on:

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

### **15.5.3 Discretionary Activity - Production Forestry**

In considering an application for production forestry as a Discretionary Activity, *Council* shall have regard to the following matters:

- (a) Visual impact including obstruction of views;
- (b) Potential shading effects;
- (c) Effect on land stability;
- (d) Scale of the activity.

## **15.6 Other Methods**

- 15.6.1 Removal of plant pests can be controlled in accordance with a pest management strategy prepared under the provisions of the Biosecurity Act 1993.