

15. RURAL RESIDENTIAL ZONE

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15.1 PURPOSE OF THE RURAL RESIDENTIAL ZONE

The purpose of the Rural Residential Zone is to provide part of a range of residential opportunities within *the City*. Land zoned for rural residential development is land considered unsuitable for conventional urban or suburban use; of limited productive capability; subject to topographical constraints or inefficient to service. This is reflected in the limited reticulated *services* provided within the zone with the majority of *services* provided 'on-site', and in the fact the zone has not been, and is not intended to be, redeveloped for suburban residential use. Development at higher densities than those permitted in the zone is not anticipated.

The zone is characterised by sites that are substantially larger than those in the Suburban Residential Zone, with on large on-site open space areas and some *primary production* activities being undertaken. All these factors contribute to the rural residential character and amenity of the zone.

Located on the periphery of *the City's* suburban areas the zone provides a "buffer" at the interface between suburban development and the open rural areas on *the City's* boundaries, and assists in reducing reverse sensitivity conflicts between suburban amenity expectations and ongoing *primary production* activities.

The Tara Road Rural Residential Zone provides for rural residential living on the urban fringe and has specific requirements for noise attenuation.

15.2 Objectives and Policies of the Rural Residential Zone

15.2.1 General Objectives of the Rural Residential Zone

15.2.1.1 Objective – Rural Residential Living Opportunities

Rural residential living opportunities are provided within *the City* in identified areas which are not suitable for urban development; are of limited productive capability, or inefficient to service to urban standards.

15.2.1.1.1 Policy – Rural Residential Living Opportunities

By providing for rural residential living opportunities as part of the range of residential options available within *the City* through:

- a) Zoning for rural residential appropriate areas that:
 - i) Do not contain highly productive or *versatile soils*;
 - ii) Are not suitable for conventional urban or suburban development and adjoin Rural zoned areas;
- b) Recognising the inefficiencies of servicing such areas through requiring rural residential development to provide for its own *wastewater* and stormwater disposal needs on-site;
- c) Recognising that rural residential *sites* are well provided with on-site open space for recreation and leisure opportunities through not requiring dedicated on-site outdoor living areas, or providing for the provision of *neighbourhood reserves* within the zone.

15.2.1.2 Objective - Bulk and Scale of Buildings in the Rural Residential Zone

Buildings that are of a bulk and scale compatible with the existing and anticipated rural residential character and amenity of the zone.

15.2.1.2.1 Policy – Bulk and Scale of Buildings in the Rural Residential Zone – Height and Overshadowing

By ensuring *buildings* are restricted to a *height* and *building* envelope that:

- a) Provides flexibility for a range of *building* forms in the varied topographical conditions of the zone;
- b) Avoids the potential adverse impacts of *over height buildings* on surrounding properties, particularly on dwellings, and on public open space including the *streetscape* or skyline, through overshadowing, overlooking or visual dominance of *buildings*;
- c) Avoid the potential adverse impacts of overshadowing on surrounding properties, particularly on dwellings.

15.2.1.3 Objective – Site Layout and Building Design in the Rural Residential Zone

Development of *sites* and *buildings* within the zone are characterised by large areas of on-site open space, separation from *buildings* on adjoining *sites* and generous *setbacks* from roads. *Buildings* do not dominate the rural *residential outlook*, character and amenity of the zone.

15.2.1.3.1 Policy - Site Layout and Building Design in the Rural Residential Zone

By ensuring that the layout and design of development within the zone:

- a) Provides *building setbacks* that ensure a physical separation of *buildings* between *sites*, and contributes to the visual and aural privacy of adjoining *sites*;
- b) Ensures that *buildings* are *setback* from the road *boundary* with a *streetscape* that provides opportunities for landscape planting and ensures that *buildings* do not visually dominate the rural *residential outlook* of adjacent properties or public open space;
- c) Retains the majority of the *site* as open space, retains opportunities for planting and *primary production* activities on the *site* and cumulatively contributes to the overall open nature, rural residential *landscape character* and outlook of surrounding properties and the wider zone.

15.2.1.4 Objective - Density of Development in the Rural Residential Zone

A very *low density* residential environment, at the interface between the Suburban Residential Zone and Rural Zones, characterised by single dwellings on a *site* and large areas of on-site open space in vegetation or used for *primary production* activities.

15.2.1.4.1 Policy- Development Density – Rural Residential Zone

By providing for residential densities that are significantly lower than those in the Suburban Residential Zone to ensure a less intensive development pattern.

15.2.1.5 Objective - Activities in the Rural Residential Zone

Low density residential activities are the predominant activity in the zone, but with flexibility for small scale *home-based business* and *homestays*, and a limited range of community support services (subject to their compatibility with the amenity of the Rural Residential Zone which is defined by specific provisions). *Primary production* activities compatible with rural residential use continue.

15.2.1.5.1 Policy - Activities in the Rural Residential Zone

By providing for very *low density residential activity* as the predominant activity in the zone while:

- a) Providing for the integrated development of *secondary independent dwelling units* while ensuring such development is compatible with the amenity and character of the zone;
- b) Providing for small scale *home-based businesses*, including *homestays*, that are of an ancillary and secondary nature to the *residential activity* on the *site* and do not create off-site effects on surrounding properties, rural residential character and amenity, and the *transport network*;
- c) Providing for a limited range of community support activities, being smaller scale *tertiary education premises*; *schools*; *health centres* and churches that provide community support functions for residents within the Rural Residential Zone and are compatible with existing anticipated rural residential character and amenity in terms of:
 - i) Location and scale of the activity, including the attraction of visitors to the *site*, and hours of operation of the activity;
 - ii) The nature of the activity's actual and potential adverse effects on surrounding properties, rural residential character, amenity and the *transport network*;
- d) *Primary production* activities compatible with rural *residential activity* continue through:
 - i) Limiting the types of *primary production* able to be undertaken in the zone to those activities unlikely to have adverse effects on rural residential character and amenity;
 - ii) Ensuring that *sites* within the zone are of a size to provide for separation between incompatible activities;
 - iii) Recognising voluntary, industry-based codes relating to the management and application of chemical sprays;
 - iv) Using sections 16 and 17 of the *RMA* to act upon localised nuisances including offensive discharges from *primary production* activities and nuisances caused by poor management practices;
- e) Limiting the establishment of *non-residential activities* in the Rural Residential Zone that are expected to be located in the *Business Zones* to ensure:
 - i) Avoidance of a cumulative effect on the rural residential character and amenity of the zone;
 - ii) Maintenance of the integrity of the network of *commercial centres*, with regard to the objectives and policies for commercial development;
- f) Limiting the establishment of *non-residential activities* in the Rural Residential Zone that are expected to be located in the *Industrial Zones* to ensure:
 - i) Avoidance of potential adverse effects, including cumulative effects, on the rural residential character and amenity of the zone.

15.3 Activity Status Rules

15.3.1 Activities in the Rural Residential Zone

All activities in the Rural Residential Zone shall have the status identified in *Table 15.3A*. Symbols used in *Table 15.3A* have the meaning described in *Table 1B: Activity Status*

Table 15.3A: Rural Residential Zone Activity Status

Use/Activity	Relevant Rule	Rural Residential
<i>Accessory buildings, structures and activities</i>	15.4	P
<i>Business activities not listed elsewhere in this Activity Table</i>	15.7	NC
<i>Health centres</i>	15.6	D
<i>Home-based businesses</i>	15.4	P
<i>Homestay</i>	15.4	P
<i>Independent dwelling unit</i>	15.4	P
<i>Industrial activities</i>	15.7	NC
<i>Minor public recreation facilities and activities</i>	15.4	P
<i>Offensive trades</i>	15.7	NC
<i>Primary production activities excluding forestry, factory farming and aerial spraying of crops</i>	15.4	P
<i>Produce stalls</i>	15.4	P
<i>Schools</i>	15.5	D
<i>Secondary independent dwelling unit</i>	15.4	P
<i>Shared accommodation</i>	15.4	P
<i>Tertiary education premises</i>	15.6	D
<i>Urupa</i>	15.4	P
<i>Visitor accommodation</i>	15.7	NC

15.4 Permitted Activity Rules

Note: Any activity that does not comply with a Permitted Activity Rule shall be considered a Restricted Discretionary Activity, unless stated otherwise.

15.4.1 Development Density and Scale

- a) Maximum density for *independent dwelling units* on a *site* shall be 1 per *site*.
- b) Maximum density for *shared accommodation* on the *site* shall be as follows:
 - i) When added together the maximum *gross floor area* of all *habitable rooms* associated with the *shared accommodation* on the *site* shall not exceed 65m²;
 - ii) *Shared accommodation* shall be limited to a maximum of 8 permanent residents per *site*.

Note: Any activity that does not comply with Permitted Activity Rule 15.4.1 Density and Scale shall be considered a Discretionary Activity.

15.4.2 Building Height

- a) The maximum *height* of any *building*, with the exception of the permitted intrusions in *Rule 4.8.2.3* shall be 9 metres.
- b) Provided that no *building* or *structure* within any identified *Viewshaft Protection Area* with the exception of the Permitted Intrusions in *Rule 4.8.2.3*, shall exceed the maximum *height* identified within the *Plan Maps (Part B)*.

Note: Any activity that does not comply with Permitted Activity Rule 15.4.2 – Building Height shall be considered a Discretionary Activity.

15.4.3 Streetscape

- a) All *buildings* on a *site* with a frontage to a legal road shall be setback 10 metres from the road *boundary* of the *site*.
- b) All *buildings* on a *site* adjoining a Future Road Widening designation (as identified on *Plan Maps, Part B*) shall have the required *setback* measured from that designation *boundary*.
- c) The provision of on-site parking shall not be located within the required *streetscape setback*.

15.4.4 Setbacks

All *buildings*, excluding any *setback* intrusions permitted under *Rule 4.8.2.1* shall provide the following *setbacks* from a side or rear *boundary*:

- a) A minimum of 1.5 metres from a side or rear *boundary*;
- b) A minimum of 5 metres from the *boundary* of the Conservation Zone.

Note: Any activity that does not comply with Permitted Activity Rule 15.4.4 b) – Setbacks shall be considered a Non-Complying Activity.

15.4.5 Overshadowing

All *buildings*, excluding any overshadowing intrusions permitted under *Rule 4.8.2.2*, shall be within a *building envelope* calculated in accordance with *Appendix 14D: Overshadowing*.

15.4.6 Site coverage

The maximum *site coverage* shall be 30% of the *site area*.

Note: Any activity that does not comply with Permitted Activity Rule 15.4.6 –Site Coverage shall be considered a Discretionary Activity.

15.4.7 Access

The maximum number of *independent dwelling units*, *homestays* or *shared accommodation* that can be served by private rights-of-ways, private accessway or legal access lot shall be:

Up to and including 2 <i>independent dwelling units</i> (including any <i>secondary independent dwelling units</i>) or 1 <i>shared accommodation</i> premises	2.7m minimum <i>legal width</i>
3-4 <i>independent dwelling units</i> (including any <i>secondary independent dwelling units</i>), or up to 2 <i>independent dwelling units</i> that include any 1 permitted <i>homestay</i> per <i>independent dwelling unit</i> or 3 <i>shared accommodation</i> premises	3m minimum <i>legal width</i>
5-12 <i>independent dwelling units</i> (including any <i>secondary independent dwelling units</i>) or up to 8 <i>independent dwelling units</i> that include any one permitted <i>homestay</i> or up to 8 <i>shared accommodation</i> premises	6m minimum <i>legal width</i> , provided that the shared access is constructed to allow 2 vehicles to pass within its boundaries

15.4.8 Homestay

- a) A *homestay* shall be associated with and ancillary to an *independent dwelling unit* (excluding any *secondary independent dwelling unit*) on the *site*.
- b) When added together the maximum *gross floor area* of all *habitable rooms* associated with the *homestay* on the *site* shall not exceed 65m².

Note: Any activity that does not comply with Permitted Activity Rule 15.4.8 –Homestay shall be considered a Non-Complying Activity.

15.4.9 Home-Based Business

- a) Every *home-based business* or combination of *home-based business activities* on a single *site* may employ not more than 2 other persons (Full Time Equivalent (FTE)) additional to the members of the household who permanently reside on the *site* and who own and operate the business from that *site*;
- b) The activity shall be carried out either within a dwelling, an *accessory building*, or in an outdoor activity area clearly designed and constructed for the purpose of the business or businesses, or a combination of these areas. The maximum total gross area used for the *home-based business* or combination of businesses, including *retail* sales space, shall be 50m²;
- c) The activity, including any aspect of it undertaken in an outdoor activity area, shall not encroach on the *streetscape* or *setbacks* of the *site* as defined in *the Plan*;
- d) *Retail* sales from a *home-based business* or businesses shall be limited to those goods and materials produced by the *home-based business* or used in the direct operation and management of that business or those businesses on the *site*;
- e) *Retail* sales shall take place from within a *building* or *structure* on the same *site* and the area occupied for *retail* sales shall be a constituent part of the gross area of the activity.

Note: Any activity that does not comply with Permitted Activity Rule 15.4.9 –Home-based business shall be considered a Non-Complying Activity.

15.4.10 Secondary Independent Dwelling Unit

- a) 1 *secondary independent dwelling unit* is permitted per *site*.
- b) The *secondary independent dwelling unit* shall be ancillary to, and associated with, the *principal independent dwelling unit* on-site.
- c) The *secondary independent dwelling unit* shall have a maximum *gross floor area* of 80m²
- d) The *secondary independent dwelling unit* may be incorporated into the bulk of the existing *principal independent dwelling unit* or be a separate detached *building*.
- e) Where the *secondary independent dwelling unit* is detached from the *principal independent dwelling unit* it shall be sited within 20 metres of the *principal independent dwelling unit* and shall share a driveway with the *principal independent dwelling unit*.

Note: Any activity that does not comply with Permitted Activity Rule 15.4.10 –Secondary Independent Dwelling Unit shall be considered a Discretionary Activity.

15.4.11 Produce Stalls

Produce stalls shall have a maximum *gross floor area* per *site* of 50m².

Note: Any activity that does not comply with Permitted Activity Rule 15.4.11 – Produce Stalls shall be considered a Non-Complying Activity.

15.4.12 Heavy Machinery

No *heavy machinery* shall be parked, stored or displayed on a *site*. This excludes one private motor home vehicle per site, if that vehicle falls within the definition of *heavy machinery*. *Heavy machinery* may visit and use a *site* to pick up or deliver goods or materials or during construction.

Note: Any activity that does not comply with Permitted Activity Rule 15.4.12 – Heavy Machinery shall be considered a Non-Complying Activity.

15.4.13 Tara Road Urban Growth Plan

- a) Any *subdivision* or development of the land within the Rural Residential Zone at Tara Road shall be designed, approved and developed to incorporate and illustrate amenity screen landscaping, acoustic earth bunds/fences and a stormwater collection system generally in accordance with the Tara Road Urban Growth Plan.
- b) There shall be only one road connection from the Tara Road Rural Residential Zone onto Tara Road in accordance with the Urban Growth Plan.
- c) For any development within the Tara Road Urban Growth Plan area a geotechnical engineering assessment by an experienced geotechnical engineer shall accompany applications for Resource Consent.
- d) Within the Tara Road Urban Growth Plan area the following rules shall apply:
 - i) That the bedrooms of all dwellings within 80 metres of Tara Road, be designed and constructed to provide an interior *night-time* noise of no more than 30 *dB*A *Leq* to protect against sleep disturbance. Written evidence that this standard can be achieved shall be provided to the *Council* from a suitably qualified acoustic consultant at the time any application for building consent is lodged with *Council*. Where the *building* is required to have its windows closed to achieve the required 30 *dB*A *Leq*, the *building* shall be designed and constructed to provide for an alternative means of sufficient internal ventilation.
 - ii) That the bedrooms of all dwellings within 100 metres of the Tauranga Eastern Motorway (TEM), be designed and constructed to provide an interior *night-time* noise of no more than 30 *dB*A *Leq* to protect against sleep disturbance. Written evidence that this standard can be achieved shall be provided to the *Council* from a suitably qualified acoustic consultant at the time any application for building consent is lodged with *Council*. Where the *building* is required to have its windows closed to achieve the required 30 *dB*A *Leq*, the *building* shall be designed and constructed to provide for an alternative means of sufficient internal ventilation.

Note: Any activity that does not comply with Permitted Activity Rule 15.4.13 – Tara Road Urban Growth Plan shall be considered a Non-Complying Activity.

15.4.14 Natural Character: Coastal Environment, Wetlands, Rivers and Streams

Within:

- a) 30 metres inland of *mean high water springs*;
- b) 20 metres of the *edge of a bank of any permanently flowing river or stream*;
- c) 20 metres from any *wetland*;
No activity shall result in:
- d) The clearance of more than 5m² of *indigenous* vegetation on any *site* in any calendar year;
- e) Additions to, or the replacement of, any existing lawfully established *building* or *structure* that is proposed to exceed the existing *building* or *structure* envelope or footprint;
- f) The erection of any *building* or *structure*.

Note: Any activity that does not comply with Permitted Activity Rule 15.4.14 – Natural Character shall be considered a Non-Complying Activity.

15.4.15 Clearance of Indigenous Vegetation

No activity shall result in the clearance of more than 20m² of *indigenous* vegetation in any calendar year.

Note: Any activity that does not comply with Permitted Activity Rule 15.4.15 – Clearance of Indigenous Vegetation shall be considered a Non-Complying Activity.

Note: Rule 15.3.14 is required to be met where indigenous vegetation is proposed to be cleared or removed within 30 metres inland of mean high water springs, 20 metres of the edge of a bank of any permanently flowing river or stream and 20 metres from any wetland.

15.4.16 Rules in Other Sections of the Plan

Activities within the Rural Residential Zone shall also comply with the following sections of *the Plan*:

- a) The provisions of *Chapter 4 – General Rules*;
- b) The provisions of *Chapter 7 - Heritage*;
- c) The provision of *Chapter 8 - Natural Hazards*;
- d) The provisions of *Chapter 9 - Hazardous Substances and Contaminated Land*;
- e) The provisions of *Chapter 11 – Financial Contributions*;
- f) The provisions of *Chapter 12 – Subdivision, Infrastructure and Services, Section 12.16 – Infrastructure and Services*
- g) The provisions of any Plan Area.

15.5 Restricted Discretionary Activity Rules

The following are Restricted Discretionary Activities:

- a) Any Permitted Activity that does not comply with:
 - i) *Rule 15.4.3 - Streetscape*;
 - ii) *Rule 15.4.4 a) - Setbacks*;
 - iii) *Rule 15.4.5 – Overshadowing*;
 - iv) *Rule 15.4.7 – Access*.

15.5.1 Restricted Discretionary Activities – Matters of Discretion and Conditions

15.5.1.1 Streetscape

In considering activities that do not comply with *Rule 15.4.3 - Streetscape* the *Council* restricts the exercise of its discretion to:

- a) The extent to which the proposal would adversely impact on the maintenance of a consistent *setback* from the street and result in the reduction of the visual amenity of the existing and anticipated *streetscape* pattern when viewed from the street and from adjoining *sites*;
- b) The extent to which the proposal addresses potential adverse impacts through on-site design measures or contribution to the maintenance of amenity at the public-private interface.

15.5.1.2 Setback

In considering activities that do not comply with *Rule 15.4.4 a) - Setback* the *Council* restricts the exercise of its discretion to:

- a) The extent to which the proposal would adversely impact on the visual and aural privacy of occupants on adjoining *sites*;
- b) The extent to which the proposal would reduce the ability to maintain access for maintenance, including for *buildings* on adjoining *sites*;
- c) The extent to which the proposal would address potential adverse impacts through design measures including, but not restricted to, step in breaks in façades and minimisation of the length of encroachment into the *setback*.

15.5.1.3 Overshadowing

In considering activities that do not comply with *Rule 15.4.5 - Overshadowing* the *Council* restricts the exercise of its discretion to the extent to which the proposal would overshadow other *sites* resulting in reduced sunlight and daylight.

15.5.1.4 Access

In considering activities that do not comply with *Rule 15.4.7 - Access* the *Council* restricts the exercise of its discretion to the extent to which vehicular traffic generated by any activity can be accommodated without compromising the functionality of the access and the road on to which the access links (taking into account its place in the hierarchy, traffic volumes, safety and efficient pedestrian movement), or without loss of rural residential character and amenity.

15.6 Discretionary Activity Rules

The following are Discretionary Activities:

- a) Any Permitted Activity that does not comply with:
 - i) *Rule 15.4.1 a) - Maximum Intensity for Independent Dwelling Units;*
 - ii) *Rule 15.4.1 b) – Shared Accommodation;*
 - iii) *Rule 15.4.2 – Building Height;*
 - iv) *Rule 15.4.6 - Site Coverage;*
 - v) *Rule 15.4.10 – Secondary Independent Dwelling Units;*
- b) Any activity which is not a Permitted, Controlled, Restricted Discretionary or Non-Complying Activity;
- c) Any activity listed as a Discretionary Activity in *Table 15.3A*.

15.6.1 Discretionary Activity – Assessment of Discretionary Activities

In considering a Discretionary Activity the *Council's* discretion is unrestricted. The *Council* will consider any relevant matter with particular regard to the relevant Objectives and Policies of the *Plan*.

15.7 Non-Complying Activities

The following are Non-Complying Activities, with the exception of the Permitted Intrusions in *Rule 4.8.1.3*, shall

- a) Any activity listed as a Permitted Activity that does not meet *Rule 15.4.4 b) – Setbacks;*
- b) Any activity listed as a Permitted Activity that does not meet *Rule 15.4.8 – Homestays;*
- c) Any activity listed as a Permitted Activity that does not meet *Rule 15.4.9 – Home-based Businesses;*
- d) Any activity listed as a Permitted Activity that does not meet *Rule 15.4.11 – Produce Stalls;*
- e) Any activity listed as a Permitted Activity that does not meet *Rule 15.4.12 – Heavy Machinery;*
- f) Any activity listed as a Permitted Activity that does not meet *Rule 15.4.13 – Tara Road Urban Growth Plan;*
- g) Any activity listed as a Permitted Activity that does not meet *Rule 15.4.14 - Natural Character: Coastal Environment, Wetlands, Rivers and Streams.;*

- h) Any activity listed as a Permitted Activity that does not meet *Rule 15.4.15 - Clearance of Indigenous Vegetation*.