

5.6 RURAL RESIDENTIAL ZONE

5.6.1 BACKGROUND

Rural Residential development was provided for in both the Paeroa and Ohinemuri Sections of the Hauraki Transitional District Plan.

Under these provisions, rural residential areas developed adjoining the residential areas of Paeroa, Waihi and Whiritoa. In addition, areas separated from residential zones developed near Waikino. These areas were designed to satisfy a particular demand from people wishing to live in a rural setting, but to have minimal involvement in farming activities. By providing these rural residential areas, the use of good agricultural land for urban purposes would be avoided, thereby sustaining such land for productive purposes for future generations.

In addition, such areas could be adequately serviced. Sporadic urban development can lead to demand for services which are uneconomic and/or physically difficult to provide.

In Paeroa, the majority of the rural residential zone was located over land that served the purpose of providing land where flood waters could "pond". The conflict between allowing rural residential development while providing for flood ponding areas was not adequately addressed. In this District Plan, those areas that have a flood ponding function are specifically zoned for that purpose (see Section 5.13 - Flood Ponding Zone).

In Waihi, the Transitional District Plan provided rural residential zones to the north and east of the urban area. Also, the rural zone of the former Waihi Borough District Scheme provided for subdivision down to a 1 hectare minimum. This process has effectively created a rural residential zone in the area between the Ohinemuri River and the railway line.

The demand for rural residential living on smaller blocks is still evident. While the Resource Management Act 1991 does not specifically charge Council with the requirement to preserve land of high actual or potential value for productive purposes, such land is a finite resource that is required to be sustained to meet not only the existing needs but also the needs of future generations.

Rural residential development can lead to detrimental effects on the environment. Such detrimental effects can include groundwater contamination from septic tanks, or dust damage to horticultural crops from increased vehicular traffic. By creating specific rural residential zones (with the appropriate performance standards), and providing the services in a manner that is sustainable and uses the minimum of resources to provide and maintain them, these effects can either be avoided or minimised.

The rural residential zone in this District Plan covers those areas so zoned in the Transitional District Plan and also extends to new areas around Waihi and Paeroa.

In Waihi, the extension of the zone is required because the area zoned in the Transitional District Plan is developed to near full capacity. A new area is provided to the north of the urban area in the Bulltown Road and William Street vicinity. It is recognised that there are significant mineral resources underlying areas of the rural residential zone in the vicinity of Waihi.

Paeroa requires substantial extension of the rural residential zone. In order to avoid land that is subject to flooding or is good quality land with high potential for productive purposes, areas on the hillsides to the east of Paeroa are identified. A vehicular access pattern is shown on the Planning Maps as one of the methods of dealing with the adverse effects of traffic associated with rural residential development on the safety and efficiency of State Highway No.26. This will also ensure that a comprehensive subdivision approach is taken.

5.6.2 RESOURCE MANAGEMENT ISSUES

1. How to balance the retention of good quality rural land for productive purposes, while providing for rural residential living opportunities in appropriate locations.
2. The role that rural residential living has in enhancing the viability of the main urban centres, particularly the commercial, administrative, educative and other support services.
3. Avoiding the detrimental effects of rural residential development on the natural environment, particularly relating to groundwater contamination from septic tank effluents.
4. Ensuring that rural residential development occurs only in those areas or at a time when they can readily be serviced to the required level.
5. Ensuring that activities which can adversely affect rural residential amenities (eg factory farming, rural industry), do not locate in the rural residential zone, thereby making this area unattractive for such development and hence creating pressure to extend the rural residential zoning to other areas.
6. The differing values between the retention of the rural residential resource and amenity values in the Waihi area, and the extraction and use of the underlying mineral resource.

5.6.3 ANTICIPATED ENVIRONMENTAL RESULTS

The anticipated environmental result for this zone is to provide and sustain a low density residential style of living on land of lesser value for productive purposes and in a manner that does not detrimentally affect the natural and physical environment.

5.6.4 OBJECTIVES AND POLICIES

Objective 1

To retain good quality land for existing and future productive purposes.

Policy

Objective 1 will be achieved by implementation of the following policy:

1. Providing for rural residential activities in a number of locations on land suitable for that activity and of lesser quality for productive purposes.

Reasons

1. This objective and policy are complementary to the objectives and policies in the Rural zone, which seek to maintain the potential of productive land.
2. A range of rural residential locations need to be provided to cater for the market demands.

Objective 2

To provide rural residential zones that are attractive for development and can be serviced to appropriate standards.

Policies

Objective 2 will be achieved by implementation of the following policies:

1. Encouraging rural residential development adjacent to the main urban areas, and in locations that can be readily serviced.
2. Developing sufficient rural residential land to create an economy of scale to enable reticulated services, roading, rural mail and other services to be provided.

3. Clearly stating in the District and Annual Plans those Council services that will be provided.
4. Providing only for those activities that are compatible with the primary purpose of rural residential lifestyle.
5. Protecting and enhancing the residential amenities of the zone (eg privacy, space, quiet).
6. Encouraging the creation of a variety of different sized allotments, between minimum and maximum sizes.

Reasons

1. Rural residential development has the potential to detrimentally affect the environment. The requirement that development meets appropriate standards, can avoid those effects.
2. Services and standards should clearly be to a level appropriate to the rural residential lifestyle. Should services be installed at close to a residential standard, this would lead to pressure for the areas to develop into residential areas. This would lead to subsequent pressure to have more rural residential land made available.

Objective 3

To ensure that rural residential development does not detrimentally effect the environment.

Policies

Objective 3 will be achieved by implementation of the following policies:

1. Ensuring minimal disturbance to natural landforms such as ridges, streams, knolls, gullies and to waterbodies during subdivision and subsequent development.
2. Requiring services to be provided to avoid or minimise any detriment to the environment.
3. Providing a monitoring system to detect any detriment to the environment.

Reasons

1. As in Objectives 1 and 2 above.

Objective 4

To sustain the existing urban areas (towns and townships).

Policies

Objective 4 will be achieved by implementation of the following policies:

1. Seeking to locate rural residential developments adjacent to the main towns.
2. Discouraging rural residential development adjoining those townships, where such development would hinder the townships development and consolidation.

Reasons

1. Rural residential development can assist in sustaining the economic, social and cultural viability of the towns.
2. Allowing rural residential development on the outskirts of the town will assist the town to attain a density necessary to make it economically viable for services to be installed.

Objective 5

To provide for the utilisation of the known Martha mineral resource in Waihi.

Policies

Objective 5 will be achieved by implementation of the following policies:

1. Providing for mining and mining operations in specified areas.
2. Requiring that the adverse effects of mining and mining operations be avoided, remedied or mitigated.
3. Recognising that the Martha Mine operates under an existing Mining Licence, and that potential extensions to the mining operation need to be addressed within the planning period of this District Plan, and under the provisions of the Resource Management Act 1991.

Reasons

1. The potential for the extension of the Martha Mine to occur is likely within the planning period of the District Plan.
2. Appropriate objectives and policies to recognise the resource need to be provided as part of the resource management framework for the use and development of the resource.

5.6.5 METHODS TO IMPLEMENT OBJECTIVES AND POLICIES

The principal method by which Council will implement the above objectives and policies is by the use of the Rural Residential zone (both the physical limits and locations, and the subdivision and development rules) to control the location, type and scale of land use activities.

The provision and standard (ie capacity) of the services appropriate for a rural residential area, is one of the methods available which will assist in the development of rural residential activities in particular areas.

Monitoring of activities and the uptake of land for rural residential purposes will indicate whether the zone is meeting demand in terms of activities seeking to establish and the available land area.

Prohibited activity status has been given to surface mining activities. Council has resolved that the appropriate process and assessment of such activities is by means of a private request for a plan change (refer Section 2.2.5 – Extractive Industries for a description and reasons).

Reasons

1. Refer to Section 2.0 which sets out Council's main reasons for adopting a zone and rule based approach to the achievement of the objectives and policies.
2. Monitoring is the method proposed for the assessment of the effectiveness of the District Plan.
3. Refer to Section 2.2.5 – Extractive Industries.

5.6.6 ACTIVITIES

5.6.6.1 Permitted Activities

The following are permitted activities and shall comply with the Performance Standards specified in Rule 5.6.7 and the Special Standards in Rule 5.6.6.3 **B** below:

1. Rural residential activities.

2. Soil conservation and river control works.
3. Any permitted activity specified in Sections
 - 7.1 - Heritage Features
 - 7.3 - Protection of Outstanding Natural Features
 - 7.4 - Recognition and Protection of Significant Urban/Township Trees
 - 8.1 - Provision for Network Utilities
 - 8.7 - Signs
 - 8.10 - Surface of Water in Lakes, Rivers and Streams
 - 10.1 - Subdivision
4. Accessory buildings and activities to the above activities.
5. Excavations of up to 20m³ of material in any one year for transportation off the property of source where such works are not part of an approved subdivision or building work.
6. Placement of clean fill not undertaken as part of an approved subdivision or building consent:
 - Up to 30m³ of clean fill comprising topsoil and subsoil may be placed on a property at an average depth not exceeding 1m.
 - From 30m³ - 100m³ of clean fill comprising topsoil, subsoil and any demolition rubble (up to 100m³) may be placed on a property where Council is **informed** of the fill action before the activity is carried out. The details to be provided are:
 - legal description and street address of property
 - nature and source of fill
 - location of fill on site
 - depth of fill
 - compaction of fill
7. Prospecting and exploration not involving more than 20m³ of excavation per allotment in any one year.

5.6.6.2 Controlled Activities

The following are controlled activities, shall comply with the Performance Standards specified in Rule 5.6.7 and the Special Standards in Rule 5.6.6.3 **B**, and shall be assessed in relation to the criteria specified in each specific section:

1. Any controlled activity specified in Sections:
 - 7.1 - Heritage Features
 - 7.2 - Natural Areas of Ecological Significance
 - 7.3 - Protection of Outstanding Natural Features
 - 7.4 - Recognition and Protection of Significant Urban/Township Trees
 - 8.1 - Provision for Network Utilities
 - 8.7 - Signs
 - 8.10 - Surface of Water in Lakes, Rivers and Streams
 - 10.1 - Subdivision

5.6.6.3 Discretionary Activities (Restricted)

The following are discretionary activities (restricted), shall comply with the Performance Standards specified in Rule 5.6.7 (except for Performance Standard 9.3.3) and the Special Standards in Rule 5.6.6.3 **B**, and shall be assessed in relation to the criteria specified in Rule 5.6.6.3 **A** below:

1. Produce Stalls

A. Assessment Criteria for Produce Stalls

The degree to which the following guidelines are achieved will be assessed by Council in evaluating any application for a Produce Stall:

- (a) Site Layout
 1. Produce stalls should be located so that vehicles may readily exit and enter the site, without creating a traffic hazard.
 2. Parking and manoeuvring areas for produce stalls should be accommodated on site in a manner that does not create a nuisance to adjoining properties or a traffic conflict with vehicles on the receiving road.
- (b) Location and Design of Vehicle Access
 1. Access to and from a produce stall should be located as far as practicable from the boundary of an adjoining property in order to reduce the effects (noise, fumes) of vehicle movements.
 2. The traffic efficiency and safety of the road should not be reduced to a level that compromises these functions.
- (c) Landscape Design
 1. Parking and vehicle access areas to produce stalls should be screened from adjoining properties by landscape strips.
 2. Access points to produce stalls can be defined using landscaping along the front boundary of the property.

B. Special Standards for Permitted and Controlled Activities

- (a) Number of Buildings

Two dwellings and one produce stall are permitted per allotment.
- (b) Maximum Building Area

Produce stalls may not exceed 30m² of area (including land and building, excluding car parking, access etc).

The total area of buildings (excluding dwellings) permitted on any one allotment shall not exceed 100m² gfa.

5.6.6.4 Discretionary Activities

The following are discretionary activities and shall be assessed in relation to the criteria in Rule 5.6.6.4 **A** below:

1. Any permitted or controlled activity that exceeds the limits specified in the definition, the activity listing and any other activity not otherwise listed.
2. Any permitted or controlled activity that does not meet the performance standards specified in Rule 5.6.7.
3. Any discretionary activity specified in Sections:
 - 7.1 - Heritage Features
 - 7.4 - Recognition and Protection of Significant Urban/Township Trees
 - 8.1 - Provision for Network Utilities

- 8.7 - Signs
- 8.8 - Hazardous Substances
- 8.10 - Surface of Water in Lakes, Rivers and Streams
- 10.1 - Subdivision

The visual appearance of rehabilitated areas.

Public access and safety.

4. Surface mining, underground mining, and mining operations on that land shown on the Planning Maps as being between the notation "Extended Martha Mine" and the zone boundary of the Martha Mineral Zone.

Structural engineering and environmental integrity.

The provision of community and/or recreational facilities.

5. Underground mining and mining operations.

5.6.6.5 Prohibited Activities

Surface mining (Refer to Section 2.2.5 – Extractive Industries).

6. Reserves and recreational areas (including lakes and water bodies).

5.6.7 PERFORMANCE STANDARDS

The performance standards listed in Rule 9.5 - MATRIX OF PERFORMANCE STANDARDS and as detailed throughout Section 9.0 - PERFORMANCE STANDARDS FOR DEVELOPMENT AND SUBDIVISION shall be met by permitted and controlled activities.

A. Assessment Criteria for Discretionary Activities

The following criteria will be used to assess a discretionary activity:

1. The performance standards, special standards, environmental results and assessment criteria for permitted, controlled and restricted discretionary activities.

5.6.8 GENERAL PROVISIONS

Section 3.0	-	MONITORING AND EVALUATION	
Section 7.0	-	CONSERVATION AND HERITAGE	
Section 8.1	-	PROVISION FOR NETWORK UTILITIES OPERATIONS	
Section 8.2	-	PROVISION FOR PUBLIC WORKS	
Section 8.3	-	EXTRACTIVE INDUSTRY	
Section 8.4	-	EXCAVATION AND FILL	
Section 8.5	-	AIR QUALITY	
Section 8.7	-	SIGNS	
Section 8.8	-	HAZARDOUS SUBSTANCES	
Section 8.10	-	SURFACE OF WATER	
Section 10.0	-	SUBDIVISION, FINANCIAL CONTRIBUTIONS, RESERVES AND ESPLANADE STRIPS	ESPLANADE

B. Assessment Criteria for Prospecting, Exploration, Mining Operations, Surface and Underground Mines

The following assessment criteria will be used to assess a discretionary activity for prospecting, exploration and underground mining in both the Rural Residential zone and the Extended Martha Mine area, and will be used to assess a discretionary activity for surface mining in the Extended Martha Mine area only.

1. The assessment criteria in Rule 5.6.6.3 B above. With respect to the performance standards, Council will have regard to them for assessment purposes, in particular where either the activity or the adverse effects of the activity are in close proximity to the boundary between the Rural-Residential Zone and the Extended Martha Mine area. However, Council recognises that because of the nature of the mining activities and the existing mining licence conditions, the performance standards may not always be relevant or appropriate.

2. Whether landscaping can avoid, remedy or mitigate the adverse effects of mining operations and mines. In particular, whether the landscaping provides a visual buffer with respect to:

- screening unsightly and disturbed areas from other land beyond the Extended Martha Mine Area
- providing a visually attractive outlook without blocking intermediate and distant view
- softening any hard or bleak surfaces

The Assessment Criteria in Rule 9.3.12.4 shall also be considered.

3. Whether adequate public safety measures (eg fencing and bunds) have been provided, particularly with respect to any open pit.

4. Whether the methods proposed to avoid, remedy or mitigate the adverse effects of the activities are practical and effective.

5. Whether the proposed rehabilitation of the site and adjacent areas during and following cessation of mining activities (including open pit, conveyor, waste disposal area and surface infrastructure eg roads, plant and equipment) is undertaken and results in a landscape, features and facilities that are appropriate within the context of the environment they are located within.

With respect to proposed post-mining landscapes and features (lakes, reserves, recreation areas), their appropriateness within the environment they are located in, will be considered in relation to such matters as: