

RCPE.1

Rural Production Countryside Environment

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RPCE.1.1 Description and Expectations

The Rural Production Countryside Environment (RPCE) encompasses a large area of the Whangarei District. ~~The Environment hosts a wide range of rural land use activities and a varied array of landforms.~~ The purpose of the RCPE is to sustainably manage the natural and physical resources of the Rural Area, primarily in order to sustain, protect and promote rural production activities. ~~The~~

The Environment comprises of a varied array topography, landforms, soil types, biodiversity and catchments. It is important that the ecological and landscape values of the RPCE are recognised and where possible protected. These values contribute significantly to the rural character and distinctiveness of Whangarei District. Parts of the RPCE are located within the coastal environment. The values of these areas will be managed by way of the Coastal Area in the District Plan.

The interplay of historical land use and values has resulted in the environmental character that exists in the RPCE today. Rural character of the RCPE is dominated by the varied natural landforms and natural features, scattered built development and openness being mostly characterised by a working environment, with the noises, odours and visual effects associated with a wide range of farming, horticultural, forestry and mineral extraction activities. There is an expectation that rural production activities will be able to continue to operate without onerous or restrictive intervention in the RCPE.

Rural production activities ~~such as dairy farming, horticulture and forestry~~ are important contributors to the Whangarei and Northland economy. The RCPE includes most of the productive rural land areas of the District. It is important that these areas are not compromised for rural production. It is expected that a diverse range of rural production ~~ive rural land use~~ activities will continue to operate and new activities will establish in the RCPE. Changing demands for existing produce and new markets establishing mean that the provisions for the RCPE need to be flexible to accommodate current and future production needs.

The RCE discourages industrial and commercial activities to support the viability of rural villages and Whangarei City. Recognising the positive contribution to the District's economy, The RCE provides for commercial activities that have a functional need to service rural production activities or provide a rural location based recreation or tourist activity.

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Conflicting land use and reverse sensitivity effects must be carefully managed where the RCPE interfaces with sensitive activities including habitable buildings in other Rural Environments and Living Environments, and with Business and Industrial Environments. Where the RCPE is traversed by existing major infrastructure services land use conflicts must be managed. Mineral Extraction Quarrying Resource Areas apply over the RCPE and Strategic Rural Industry Environments are surrounded by the RCPE. Providing for mineral extraction activities and strategic rural industries to occur and avoidance of conflicting land use activities is important for their on-going operation.

A history of varied subdivision density and rural living development has resulted in inconsistent allotment size and a scattered pattern of development across the Rural Area. Where the Rural Area abuts Whangarei City RCPE will apply, areas for future urban growth, land use and subdivision development is spatially managed by the Rural (Urban Expansion) Environment to maintain options for the continued growth of the City. Where rural living clusters have reached significant density and lifestyle character they have been identified as the Rural Living Environment to manage the actual and potential reverse sensitivity effects associated with rural living activities occurring in close proximity to rural production activities.

The RCPE will not support an increased level of clustered rural living development. Consistent with a consolidated pattern of development residential, rural residential and rural living activities should be contained in identified rural villages, the Rural (Urban Expansion) Environment or the Rural Living Environment to protect the productivity, biodiversity and rural character of the RCPE. Urban type of development can erode the viability of rural productivity and can create reverse sensitivity impacts on productive uses through the visual effect of large scale buildings and ancillary structures, increased traffic generation, and loss of amenity including privacy, rural outlook, spaciousness, and quietness, particularly when a new and incompatible activity is located near an existing activity, with resulting conflicts.

The interplay of historical land use and values has resulted in the environmental character that exists in the RPE today. It is important that the ecological and landscape values of the RPE are recognised and where possible protected. These values contribute significantly to the rural character and distinctiveness of Whangarei District.

RCPE.1.2 Objectives

1. Identify and protect productive rural land resources for a diverse range of productive rural production land use activities.
2. Recognise, maintain and where appropriate protect the rural character of the RCPE, acknowledging that character is formed through a combination of values such as ecology values, openness, topography and heritage.
3. Avoid adverse effects from rural living and sprawling residential land use and development in the RCPE.
4. Support the range of amenity values associated with the RCPE.
5. Minimise fragmentation of rural land and promote allotment sizes that facilitate productive rural production activities land use.
6. Enable a wide range of productive rural production land use activities and provide for the functional need of recreation and tourist based commercial activities to establish and operate in the RCE to contribute to the District's economy.

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7. Provide for rural production activities that are compatible with the Coastal Area.

RCPE.1.3 Policies

1. To protect rural character and amenity and to encourage consolidation of activities within Whangarei City by
 - a. Preventing the operation of commercial and industrial activities in the RCPE of:
 - Commercial activities unless it is demonstrated that the commercial activity:
 - i. Has a direct connection with the rural resource or amenity of the RCPE.
 - ii. Requires a rural location for its operational function.
 - iii. Will not increase-minimise the potential for reverse sensitivity effects between incompatible land use activities.
 - iv. Will contain and manage adverse effects on-site.
 - v. Will contribute positively to the economy of the District.
 - vi. Can meet and fund local infrastructure requirements.
 - b. Providing for commercial activities in the RCE where it is demonstrated that the commercial activity:
 - i. Is ancillary to a rural production activity within the site.
 - ii. Provides a tourist or recreation service.
- 1A. To protect rural character and amenity and to encourage consolidation of activities within Whangarei City by preventing the operation industrial activities in the RCPE.
2. To manage reverse sensitivity effects by avoiding the establishment of sensitive activities within close proximity to ~~Mineral Extraction Quarrying Resource Areas~~, Strategic Rural Industries, ~~intensive farming activities~~ intensive livestock farming or other rural production activities that are ~~legally lawfully established where adverse effects are not contained within site boundaries.~~
3. To reduce the potential of exposure to noise, dust and health risks by requiring a minimum separation for residential units from unsealed roads.
4. To maintain rural amenity, ~~privacy, openness~~ and rural character by ensuring that all new buildings and rural land uses:
 - a. Are of a scale and character appropriate to the RCPE.
 - b. Are sited in a location sufficiently set back from site boundaries to enable privacy, the retention of openness and access to sunlight.
 - c. Avoid ribbon development.
 - d. Avoid a clustering of build development at a scale and character of the Rural Living Environment.
5. To preserve openness, rural character and amenity by limiting the density of residential units.
6. To avoid inappropriate subdivision and development in areas required for future urban growth by identifying 'setback buffers' between the RCPE and living environments (Living 1, 2 and 3 Environments, Urban Transition Environment, Rural Urban Interface Environment, Rural Living Environment and Rural Village Residential Sub-Environment).
7. To protect the distinctive character and amenity values of the RCPE including but not limited to:

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- a. A dominance to natural features including landforms, watercourses and vegetation.
 - a. b. A predominately working rural production environment, including:
 - i. The presence of large numbers of farmed animals and extensive areas of plant, vine or fruit crops and areas of forestry.
 - ii. Accessory buildings and structures (including crop support and crop protection structures) across the landscape.
 - b. c. Some activities are seasonal in nature Seasonal activities.
 - ~~e. d.~~ A low intensity of development, involving a combination of domestic and rural production buildings.
 - d. e. Varying levels of noise associated with seasonal and intermittent rural production activities.
 - ~~e. f~~ A high degree of privacy. Relatively open space and low density of development.
 - ~~e. g.~~ f. Sufficient access to daylight and sunlight.
 - ~~f. h~~ g. Odours, noise and dust typical of rural activities.
 - ~~g. i.~~ h. Generally low levels of vehicle traffic with seasonal fluctuations.
8. To protect the productive ~~function~~ potential of the RCPE while providing for a range of ~~productive rural production activities~~ land uses by:
- a. Not directly regulating outdoor agricultural and horticultural activities, excluding intensive livestock farming.
 - b. Permitting farming and activities ancillary to farming, forestry or Strategic Rural Industry .
 - c. Discouraging commercial and industrial activities and rural living development.
 - d. Requiring larger allotments sizes to retain ~~productive rural options.~~
 - e. Discouraging Limiting the type and managing the location of commercial activities.
9. To enable the subdivision of rural land into allotments of 20ha or more, where the following has been provided for:
- a. Efficient and effective on-site servicing.
 - b. Avoidance of erosion, subsidence, slippage, flooding or inundation from any source.
 - c. Stability of land and its suitability to provide a foundation for the erection of buildings, vehicle access and parking areas.
10. To avoid the subdivision of land into allotments less than 20ha unless it is demonstrated that all of the following criteria are achieved:
- a. The subdivision of rural land and associated buildings does not inhibit or restrict the productive potential or reasonably anticipated productive potential of rural production activities.~~is for the purpose of supporting an existing farm, forestry or horticultural enterprise associated with rural production.~~
 - b. The size, shape and arrangement of allotments is a practical size for rural productive land use activities and does not restrict the range of options for the use of production land.

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- c. The viability of the existing farm, forestry or horticultural enterprise rural production activity is not compromised and the existing rural production activity can continue to operate efficiently at the subdivided scale.
 - d. The subdivision and subsequent development will not result in significant adverse effects on the operation and viability of any adjoining farm, forestry or horticultural rural production activity.
 - e. ~~The land and buildings have greater potential for the production of primary products, forestry or crops as a result of the subdivision.~~
 - f. e. The subdivision and subsequent development will not require connection to the District's reticulated sewer or an extension or upgrading of any service or road, except where it is in the economic interest of the District and will not compromise the efficient functioning of the District's infrastructure network.
11. To provide for limited subdivision of rural land creating a new allotment for a surplus residential unit where the area and dimensions of the new allotment can accommodate the existing onsite services and provide for efficient access.
12. To locate and design subdivision and associated land development to avoid urban form and character, maintain rural character and amenity values and protect and enhance environmental features by:
- a. Designing subdivisions to respond to the topography and characteristics of the land being developed.
 - b. Identifying building platforms that respond to site topography and environmental characteristics.
 - c. Locating access ways, services, utilities and building platforms where these can be provided without the need for significant earthworks, retaining, benching or site contouring.
 - d. Locating access ways, services, utilities and building platforms where the location is sensitive to and responds to environmental features of the site.
 - e. Ensuring that the subdivision will not create reverse sensitivity effects with respect to existing lawfully established activities.
13. To design subdivision and development to avoid, remedy or mitigate adverse effects to ensure that subdivision and development is compatible with the Coastal Area.
14. To safeguard ecological integrity within the RPE by considering sites with significant indigenous vegetation or significant indigenous habitat for environmental benefit subdivision if the features:
- a. Are assessed to be acceptable quality by a qualified and experienced ecologist;
 - b. Are predominantly indigenous vegetation;
 - c. Are a threatened or rare habitat type or contain indigenous or endemic taxa that are threatened or are rare in Northland;
 - d. Contribute to ecological connectivity within the District; and
 - e. Are either
 - i. Indigenous vegetation with a minimum size of 1ha and minimum width of 50m; or
 - ii. Located in a LENZ Acutely or Chronically Threatened Environment; or
 - iii. An intact and functioning indigenous wetland

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15. To design environmental benefit subdivision in a manner which protects the character of the RPE and the productive potential within the RPE by ensuring:
 - a. All of the significant indigenous vegetation or significant indigenous habitat on the site are protected in perpetuity as part of the subdivision.
 - b. Subdivision boundaries are laid out in such a way that policy RPE 1.3.10 is clearly met.
 - c. Additional allotments are limited unless there is a net public benefit.

RCPE.1.4 Guidance Note

1. The following shall form the basis for resource consent application in the RPE:
 - a. The objectives, policies and provisions for the Rural Area in the District Plan.
 - b. The objectives, policies and provisions for Resource Areas in the District Plan.
 - c. The District Wide objectives, policies and provisions in the District Plan.

Landuse

RCPE.2.1 Eligibility Rules

1. ~~Commercial and industrial~~ activities are non-complying activities.
2. Mineral extraction activities within the Mining Area of a ~~Mineral Extraction Quarry Resource Area~~ are exempt from ~~RPE.2.1.3, RPE.2.3.3 4~~ (a) and (b) and will be assessed by applying the ~~Mineral Extraction Quarry Resource Area Chapter~~.
3. ~~Mineral extraction activities is a non-complying activity if the activity:~~
 - a. ~~Extracts over 5,000m³ in any 12 month period on the site.~~
 - b. ~~Undertakes blasting.~~
 - c. ~~Establishes within 500m of an existing sensitive activity on an adjacent site.~~
4. ~~3.~~ Intensive livestock farming activities that are closer than within 250m to of the boundary of a separate site containing a sensitive activity are a non-complying activity activities.
4. ~~Any activity ancillary to farming, or plantation forestry or Strategic Rural Industry that operates within a building with a GFA and/or from an outdoor area larger than 500m² is a non-complying activity.~~
5. ~~4.~~ Any other activity not requiring consent as a discretionary or non-complying activity is a permitted activity.

RCPE.2.2 Notification Rules

1. All land use activities are subject to the notification tests of the RMA.

RCPE.2.3 Discretionary Activities

1. Any sensitive activity (excluding non-habitable buildings):
 - a. Within 500m of:
 - a. The Mining Area of a ~~Mineral Extraction Quarrying Resource Area~~,
 - ii. A Strategic Rural Industry Environment or a Business Environment.
 - b. Within 100m of an unsealed metal road.
 - c. Within 30m of an existing production forestry on a separate site.
 - d. Within 250m of:
 - i. ~~An e~~ Existing intensive livestock farming activity on a separate site.
 - ii. An existing activity ancillary to farming, ~~or plantation forestry or Strategic Rural Industry~~ on a separate site.
2. ~~Any residential unit resulting in more than 1 residential unit per 20ha of net site area~~ More than one dwelling per 20ha, provided that one dwelling is permitted on an allotment of any size.
3. Any minor residential unit.
34. Any building:
 - a. That exceeds a maximum height of 10m.
 - b. Within 8m of a site boundary.
 - c. That results in site coverage exceeding 20% of the net site area.

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- d. Within 27m of mean high water springs (excluding bridges, culverts and fences).
 - e. Within 27m of the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).
4. ~~The destruction of any indigenous wetland.~~
5. ~~The destruction or clearance of an area exceeding 500m² of predominately indigenous vegetation that forms a contiguous area of 1ha or more.~~
- The destruction or clearance of indigenous vegetation that forms a contiguous area of 1ha or more where the maximum area of destroyed or cleared indigenous vegetation per site exceeds 500m² in any 24 month period, with the exception of vegetation clearance associated with:
- a. Routine maintenance within 3m of existing buildings, or
 - b. Operation, maintenance and repair of existing tracks, lawns, gardens, fences, drains and other lawfully established activities, or
 - c. Pest plant removal and biosecurity works, or
 - d. Vegetation removal for customary rights, or
 - e. Conservation planting, including planting for ecological restoration purposes
6. Any activity ancillary to farming, ~~or plantation forestry~~ or Strategic Rural Industry that operates within 250m of an existing sensitive activity on a separate site.
7. Any place of assembly.
8. Any building associated with emergency service.
9. Any frost protection fan:
- a. That exceeds a maximum height of 20m.
 - b. Within 8m of a site boundary.
10. Any crop support structure or artificial crop protection structure:
- a. That exceeds a maximum height of 10m.
 - b. Within 1m of a site boundary.
 - c. Within 27m of mean high water springs (excluding bridges, culverts and fences).
 - d. Within 27m of the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).
11. Any health care facility.
12. Any retirement village.
13. Any home occupation.
14. Farm quarry if the activity:
- a. Extracts over 5,000m³ in any 12 month period on the site.
 - b. Undertakes blasting.
 - c. Establishes within 500m of an existing sensitive activity on an adjacent site.
15. Any commercial activity that

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- a. Exceeds 50m² GFA.
 - b. Is not ancillary to a lawfully established rural production activity.
16. Any activity ancillary to farming, or plantation forestry or Strategic Rural Industry that operates:
- a. Within buildings with a cumulative GFA exceeding 2000m² per site.
 - b. From an outdoor area (excluding water storage and/or treatment ponds and irrigators) larger than 500m².
17. Any intensive livestock farming activity that operates within buildings with a cumulative GFA exceeding 2000m² per site.

Note: Refer to RA.4.2 for Assessment of Discretionary Activities.

RCE.2.4 Discretionary Activity Information Requirement

1. Any application under rule RCE.2.3.1.b must include a transport assessment statement which:
- a. Establishes the current and predicted transport environments/traffic volumes along the road from which the sensitive activity will be setback.
 - b. Establishes the likelihood of changes to the nature, scale and intensity of land uses and their traffic generating potential within the catchment served by the road.

Subdivision

RCPE.3.1 Eligibility Rule

1. Subdivision of a minor residential unit from a ~~principal~~ residential unit is a prohibited activity.
2. Any ~~activity~~ subdivision not requiring consent as a controlled or discretionary activity is a non-complying activity.

RCPE.3.2 Notification Rules

1. All land use activities are subject to the notification tests of the RMA.

RCPE.3.3 Controlled Activities

1. Subdivision where every proposed allotment:
 - a. Has a minimum net site area of 20ha.
 - b. Can accommodate a minimum 100m² building area on which a residential unit can be built so that there is compliance as a permitted activity with the relevant rules in the District Plan.
 - c. Demonstrates that management of water supply, stormwater and wastewater can be achieved within the proposed allotments in accordance with Whangarei District Council's Environmental Engineering Standards 2010.
2. Boundary relocation subdivision of sites which are existing at **[Operative Date]** that:
 - a. Results in the same number of ~~allotments~~ sites, except sites held together under section 80 of the Building Act 2004.
 - ~~b. — Creates no new allotment/s with a new site area less than 4ha.~~
 - ~~e. b.~~ Results in no additional vehicle accesses.
 - ~~d. c.~~ Results in every proposed allotment being able to accommodate a minimum 100m² building area on which a residential unit can be built so that there is compliance as a permitted activity with the relevant rules in the District Plan.
 - e. d. Demonstrate that management of water supply, stormwater and wastewater can be achieved within the proposed allotments in accordance with Whangarei District Council's Environmental Engineering Standards 2010.
 - ~~f. e.~~ Results in the ability to construct or locate residential units not exceeding a density of 1 residential unit per net site area of 20ha.

Note: Refer to RA.4.1 for Matters of Control.

RCPE.3.4 Discretionary Activities

1. Boundary relocation subdivision that does not comply with any standard in RPE.3.3.2.
2. Subdivision of existing lawfully established residential units:

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- a. With a minimum net site area of 2,000m² or less that are able to accommodate onsite servicing of wastewater disposal in accordance with Whangarei District Council's Environmental Engineering Standards 2010.
 - b. Resulting in no more than one additional title from the parent title within any 10 year period.
 - c. Providing a balance allotment equal to or greater than 80ha in net site area.
3. Subdivision where any proposed allotment is unable to accommodate a minimum 100m² building area on which a residential unit can be built so that there is compliance as a permitted activity with the relevant rules in this Plan.
4. Subdivision where an environmental benefit lot is proposed in-situ and where:
- a. Additional allotments do not exceed the following:
 - i. 1 allotment for up to 10ha of protected indigenous vegetation or up to 500m² of protected indigenous wetland
 - ii. 2 allotments for 10-20 ha of protected indigenous vegetation or over 500m² of protected indigenous wetland.
 - iii. 3 allotments over 20h of protected indigenous vegetation.
 - b. All of the following criteria are met
 - i. An existing feature (or features) of high ecological value is present.
 - ii. The feature(s) are unprotected at the time of application.
 - iii. Protection is to be provided in perpetuity on the relevant certificate of title.
 - iv. Every feature within the site is to be protected.
 - v. The full extent of the features located within the site are to be protected.
 - vi. Granting the environmental benefit lot will not significantly interfere with or impede the feature(s).

Note: Refer to RA.4.2 for Assessment of Discretionary Activities.

RCE.3.5 Discretionary Activity Information Requirement

1. Any application for environment benefit subdivision shall be accompanied by a report from a qualified ecologist which addresses (as a minimum):
 - a. Size and extent of the features.
 - b. The ecological quality of the feature(s), including but not limited to:
 - i. Function
 - ii. Structure
 - iii. Integrity
 - iv. Long term viability
 - c. The underlying physical characteristics of the feature(s), including but not limited to:
 - i. Soil type
 - ii. Topography
 - iii. Aspect
 - iv. LENZ classification
 - v. PNAP classification
 - d. The effects of the potential development on the feature(s), including but not limited to:
 - i. Building platforms
 - ii. Access
 - iii. Earthworks

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- iv. Services:
 - 1. Storm-water
 - 2. Reticulated sewer or septic tanks
 - 3. Reticulated freshwater or water tanks
 - 4. Telecommunications networks
 - 5. Energy (electricity and or gas) networks

- e. The potential effects of pets on the feature(s).

- f. The potential effects of farmed animals on the feature(s).

- g. A five-year management plan for the feature(s) including but not limited to:
 - i. Weed control
 - ii. Pest animal control
 - iii. Pest organism control
 - iv. Re-vegetation and restoration opportunities
 - v. Fencing plan