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Rural Living Environment

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RLE.1.1 Description and Expectations

The Rural Living Environment (RLE) covers rural areas within the District that are ~~either already characterised by rural living activities or are desirable areas for rural living type development to occur.~~ The Whangarei Rural Development Strategy 2013 acknowledges that people choose to live in the Rural Area for different reasons. The range of rural living activities occurring in the District are varied, with people choosing to live on bush blocks, hobby farms, or properties with sweeping coastal and rural views. Many people are now choosing to work from home or commute to work to allow a rural lifestyle that is closely aligned with the urban environment for work, education and services.

Historic subdivision patterns have resulted in a more fragmented land tenure pattern than is expected in the Rural ~~Countryside-Production~~ Environment in certain areas. Smaller site sizes mean that the RLE is characterised more by rural living activities and small scale hobby farming. In order to achieve the best environmental outcomes it is considered necessary to reflect the existing rural living character and amenity of the rural living clusters through zoning that acknowledges the existing development pattern and provides for future development where appropriate. Enabling rural living opportunities to occur on an ad-hoc basis throughout the Rural Area will not achieve the sustainable management of natural and physical resources because of effects such as reverse sensitivity, cumulative effects, fragmented land and scattered development compromising the efficient use of the rural land resource.

The locations of RLEs (rural living clusters) will generally be limited to contain potential adverse effects on rural amenity and productivity, particularly those that are cumulative due to increased population being surrounded by the Rural ~~Countryside-Production~~ Environment and key infrastructure corridors. Impacts on the local roading network have been considered in the selection of suitable areas for the RLE, and unsealed roads have been avoided due to dust nuisance and the impacts on future road maintenance and seal extensions. The RLE aims to support rural communities and identification of RLEs ~~(rural living clusters)~~ has specifically considered distance to social infrastructure such as schools and Rural Villages. Due to the locations of RLEs ~~(rural living clusters)~~ and the potential sizes of allotments it is considered unsustainable and uneconomic to provide the reticulation of services within the RLE. Onsite servicing of rural living development is common throughout the District.

In the RLE it is expected that rural character will be retained through the careful siting of buildings and the provision of landscaping to maintain a sense of spaciousness, and the continuation of some rural ~~productive land use activities (albeit at a smaller scale than activities such as dairy farming and forestry).~~ A variety of land uses is provided for including productive rural land uses, some non rural activities, and

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~~rural living related activities.~~ The ability to undertake non rural land use activities will be determined by the scale, nature and location of the activity. The effects from ~~productive rural land uses production activities~~ will generally be limited in scale because of smaller site sizes and the requirement to comply with the environmental standards set out in the District wide provisions.

Subdivision is limited to development that is in keeping with the average lot size of the RLE existing environment. Rural living subdivision in the RLE will be required to be consistent with the specified policies to ensure that the effects on the environment are acceptable.

RLE.1.2 Objectives

1. Provide for a variety of rural living opportunities whilst preserving rural character and amenity values.
2. Ensure that a variety of site sizes are provided to enable rural land use activities to occur in combination with rural living development options.
3. Enable the establishment of non rural activities that are of a scale, nature and character appropriate to, and compatible with the characteristics of RLEs.
4. Rural living options are provided which promote opportunities to pursue space-intensive hobbies, self-sufficiency, hobby farming, or home occupations, compatible with rural production activities and the sustainable function of ecosystems.
- ~~5. Consolidate rural living development in appropriate locations where rural production activities are already compromised, and adverse effects, (including reverse sensitivity effects) can be avoided.~~
6. Growth ~~within~~ of the RLE is managed to protect the viability of Rural Villages.

RLE.1.3 Policies

1. To ~~preserve rural character and amenity while enabling~~ enable rural living development in the RLE and to ~~maintain~~ preserve factors that contribute to rural living character and amenity including:
 - a. Low levels of noise and lighting, particularly at night.
 - b. A high degree of privacy.
 - c. Ample access to daylight and sunlight.
 - d. Generally low levels of traffic, other than that associated with seasonal ~~rural production~~ activities.
 - e. A range of landscapes and a sense of spaciousness, with visual connections to the wider environment.
 - f. Informal arrangement and design of roadways and structures, subservient to natural landform patterns.
 - g. A clustering Existing low density and clustered of built rural living development including dwellings, landscaping/gardens and small scale rural production activities.
 - h. Dominance Presence of natural features including landforms, watercourses and indigenous vegetation.
 - i. Presence of rural production activities (such as farming, forestry and horticulture), and associated effects (such as odour, noise from machinery and livestock and buildings such as barns, greenhouses and silos).

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2. To ensure buildings are designed, constructed and located to minimise the need for significant earthworks, the loss of native vegetation and / or natural habitats.
3. To ensure that the scale and nature of new land use activities are consistent with the level of the amenity of the surrounding environment.
4. To preserve rural character and amenity by considering the extent to which proposed land use and subdivision activities relate to the stated Expectations for the Rural Living Environment.
5. To protect rural character and amenity by avoiding the operation of commercial and industrial activities.
6. To maintain and enhance rural character and amenity values by limiting the establishment of activities that generate high levels of traffic movements or traffic movements that are of a nature that is incompatible with the character of the Rural Living Environment.
7. To manage reverse sensitivity effects by avoiding the establishment of a sensitive activities ~~habitable buildings~~ within close proximity to Mineral Extraction Activities and the Rural Production, Business and Strategic Rural Industry Environments.
8. To maintain rural amenity, privacy, open space and rural character by ensuring that all new buildings and rural land uses:
 - a. Are of a scale and character appropriate to the Rural Living Environment; and
 - b. Are sited in a location sufficiently set back from site boundaries to enable privacy, the retention of open space and access to sunlight;
 - c. Avoid adverse effects on ecological values, water quality, versatile soils, open space character, historic heritage values or landform.
9. To manage the effects of stormwater runoff by utilising the principles of low impact design and ensuring that additional stormwater flows arising from proposed subdivision and development are managed so that they will ~~be hydrologically neutral~~ not result in any increase in peak discharge rates.
10. To manage the effects of wastewater discharge by requiring site specific design and any other evidence or mitigation measures necessary to demonstrate that the effects of wastewater disposal can be adequately addressed.
11. To design subdivision and locate associated development to avoid urban form and character; and to maintain and enhance 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. Requiring subdivisions to meet a minimum and average allotment size so that development results in non-uniform development patterns that respond to the features of the environment in which they are located.
 - c. Identifying building platforms that respond to site topography and environmental characteristics.
 - d. Locating access ways, services, utilities and building platforms where these can be provided without the need for significant earthworks, retaining, benching or site contouring.
 - e. Locating access ways, services, utilities and building platforms where the location is sensitive to and responds to environmental features of the site.

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12. To avoid a uniform pattern of development at the minimum lot size and maintain at least an average lot size of 2 ha across the Rural Living Environment by providing a single opportunity to subdivide titles created before [operative date].

RLE.1.4 Guidance

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

Landuse

RLE 2.1 Eligibility Rules

1. Industrial activities ~~and mineral extraction~~ are prohibited activities in the RLE.
2. Commercial activities and intensive livestock farming are non-complying activities in the RLE.
3. Any other activity not requiring consent as a discretionary or non-complying activity is a permitted activity.

RLE.2.2 Notification Rules

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

RLE 2.3 Discretionary Activities

1. Any sensitive activity (excluding non-habitable buildings) within:
 - a. 500m of:
 - i. The Mining Area of a Quarrying Resource Mineral Extraction Area,
ii. ~~a~~ Strategic Rural Industry Environment or a Business Environment.
 - b. 30m of the Rural Countryside Production Environment.
 - c. 100m of an unsealed road.
 - d. 30m of production forestry.
 - e. 250m of:
 - i. Existing intensive livestock on a separate site.
 - ii. An existing activity ancillary to farming, plantation forestry or strategic rural industry on a separate site
2. Construction of more than one residential unit per site.
3. Any place of assembly.
4. Any building:
 - a. That exceeds a height equal to 3m plus the shortest horizontal distance between that part of the building and the site boundary.
 - b. That exceeds a maximum height of 8m.
 - c. Within 10 metres of any road boundary or within 3m of any other boundary.
 - d. That results in site coverage exceeding 500m².
 - e. Within 27m of Mean High Water Springs, (excluding bridges, culverts and fences).
 - f. Within 27m of the top of the bank of any river that has a width exceeding 3m (excluding bridges, culverts and fences).
5. Impervious areas greater than 15% of the net site area.
6. Construction of minor residential units:
 - a. Resulting in more than one minor residential unit per site.
 - b. That has a separate access/driveway from the principal residential unit.

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7. Home occupations that:
 - a. Generate more than 20 traffic movements per day, per site.
 - b. Do not provide the following required parking spaces:
 - i. 1 in addition to that of the residential unit,
 - ii. Plus 1 per employee,
 - iii. Plus 1 in circumstances where clients visit the site.
 - c. In addition to the principal operator, have more than two other persons engaged in providing the activity.
 - d. Use more than 15% of the total GFA of all buildings on site.
 - e. Have a total signage area greater than 0.25m².
 - f. Have illuminated or moving signage.
8. Any health care facility.
9. Any retirement village.
10. The destruction or clearance of an area exceeding 500m² of predominately indigenous vegetation that forms a contiguous area of 1ha or more.
11. The destruction or clearance of an area exceeding 500m², of predominately 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.
12. Any crop support structure or artificial crop protection:
 - 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).
13. Any farm quarry.

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

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Subdivision

RLE.3.1 Eligibility

1. Subdivision of a minor residential unit from a residential unit is a prohibited activity.
2. Subdivision that is not a controlled, non-complying or prohibited activity is a discretionary activity.

RLE.3.2 Notification Rules

1. All subdivision is subject to the notification tests of the RMA.

RLE.3.3 Controlled Activities

1. Subdivision where:
 - a. The proposed allotments are created from an allotment that existed on [operative date].
 - b. ~~The average size of~~ proposed allotments is have an average size of not less than 2ha and a minimum size of 4000m².
 - c. ~~The minimum size of the proposed allotments is not less than 4000m².~~
 - d. ~~Each allotment:~~
 - i. ~~Is provided with a connection to an electrical supply system at the boundary of the site.~~
 - ii. ~~Does not result in more than 8 allotments having shared access to the road.~~
 - iii. Every proposed allotment can accommodate a minimum 100m² building area on which a residential unit sensitive activity can be built so that there is compliance as a permitted activity with the relevant rules in this Plan.
 - iii. Can accommodate management of stormwater and wastewater in accordance with Whangarei District Council's Environmental Engineering Standards 2010.

Note: Refer RA.4.1 for Matters Control is Reserved Over.

RLE.3.4 Non-Complying Activities

1. Subdivision where the average lot size is less than 1 ha or any lot is less than 2000m².