

# RUEE.1

## Rural (Urban Expansion) Environment

*Subsequent to the receipt of appeals, a 'marked up' version of the Proposed District Plan was prepared. The provisions of the Proposed Version of the Plan subject to an Environment Court appeal have been highlighted yellow and annotated with an appeal number. For a list of appeals, assigned numbers and any progress please visit the ['District Plan Appeals'](#) page on our website.*

*Please also note that the following terms which appear throughout the Plan are subject to appeal:*

- *“Activities ancillary to farming, forestry or strategic rural industry” [000028]*
- *“Rural production activities” [000018]*
- *“Building” [000022]*
- *“Home occupation” [000022]*
- *“Rural Countryside Environment” [000025]*

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### RUEE.1.1 Description and Expectations

The Rural (Urban Expansion) Environment (RUEE) covers five areas of rural residential land. These five areas contain clusters of low density residential development situated on the fringes of Whangarei City's residential suburbs, and are addressed in adopted Urban Structure Plans.

The locations of RUEE are limited to those areas containing existing rural residential development and which allow for the future reticulated development of areas contiguous to existing urban areas. The RUEE generally adjoins Living Environments or Open Space on the inner (urban) edge and Urban Transition Environment or Rural Countryside Environment on the outer (rural) edge.

There is a distinct rural residential amenity and character within RUEE areas which is different to the amenity of urban areas and of areas of Rural Countryside Environment. Part of that rural residential amenity and character relates to remnants of rural production activities such as stock loading yards, bars, sheds, fences and shelterbelts. The RUEE areas also provide amenity to the adjoining urban areas by providing a rural residential outlook until future urban expansion occurs.

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The RUEE provides for a density of rural residential development that lies between the densities of the Rural Living and Living Environments. It provides capacity for the future urban expansion of the City and accordingly must be managed for this purpose.

It is anticipated that most RUEE locations will be considered for rezoning to a Living Environment once reticulated services are available. However, two clusters of RUEE (Toe Toe Road and Whau Valley Road – see RUEE. Appendix 1 for location of these areas [000022]) have been identified as not suitable for future urban development because of natural hazards, proximity to Quarrying Resource Areas and other landuse constraints, and have been zoned RUEE solely to recognise the existing level of rural residential development.

Some non-residential activities of a compatible nature, scale and location may be located within the RUEE including home occupations.

### RUEE.1.2 Objectives

1. RUEEs, other than Toe Toe Road and Whau Valley Road [000022], are maintained as rural residential areas prior to being reticulated for urban expansion.
2. Subdivision and development within the RUEE does not compromise its future for reticulated urban expansion.
3. Subdivision and development within the RUEE avoids hazard areas and protects heritage and natural features such as landforms, watercourses and indigenous vegetation.
4. Infrastructure services for subdivision and development within the RUEE are appropriately designed and constructed.
5. Compatible small scale non-residential activities are provided for within the RUEE.

### RUEE.1.3 General Policies

1. To provide for existing clusters of rural-residential development, while recognising these areas, other than Toe Toe Road and Whau Valley Road [000022], are suitable for urban expansion.
2. Prior to urban expansion, to maintain rural residential character and amenity in the RUEE by maintaining:
  - a. A sense of spaciousness with visual connections to a range of landscapes (such as Mt Parihaka, Hurupaki, Rawhitiroa and Ngararatunua scoria cones, Parakiore, Pukenui/Western Hills Forest, and Glenbervie Forest).
  - b. Historic heritage features (such as stone walls in Maunu, Three Mile Bush and Vinegar Hill).
  - c. Dominance of the natural environment (such as landscapes, vegetation and water courses) over the built environment.
  - d. Lack of urban amenities (such as footpaths, street lights or kerb and channeling).
  - e. A high level of privacy and low levels of noise and lighting.
  - f. A range of rural residential development with associated residential units, landscaping/gardens and small scale rural production activities.
3. Prior to urban expansion, maintain rural residential amenity in the RUEE by ensuring that all new buildings are:
  - a. Of a scale and character appropriate to the RUEE.

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- b. Sufficiently setback from site boundaries to enable privacy, the retention of open space and access to sunlight.
4. Prior to urban expansion protect rural residential character and amenity in the RUEE by avoiding commercial and industrial activities **and providing for limited home occupation activities. [000022]**
5. To provide for future urban expansion in the RUEE by locating buildings, building platforms, allotment boundaries, access and on-site services to allow for future urban expansion including an urban level of servicing.
6. To avoid future urban expansion in the **Toe Toe Rd and Whau Valley Rd [000022]** RUEE areas due to hazards, proximity to Quarrying Resource Areas and land use constraints.
7. To provide for urban expansion in RUEE areas where reticulated services are available by applying the objectives, policies and rules for the Living 1 Environment to urban subdivision and subsequent land use.
8. To provide for future urban expansion by providing within each subdivision an area of protected land that allows access and linkages to existing and future services including roads, sewerage, stormwater, water, pedestrian access and open space.
9. To avoid adverse effects from home occupation activities on pedestrian safety, road safety and efficiency, and parking.
10. To manage reverse sensitivity effects by avoiding the establishment of sensitive activities within close proximity to Quarrying Resource Areas, Rural Countryside Environment, Strategic Rural industries, Business Environments and plantation forestry.
11. To ensure subdivision protects and enhances environmental features by:
  - a. Designing subdivisions to respond to the topography and characteristics of the land being developed.
  - b. Locating access ways, services, utilities and building platforms where these can be provided without the need for significant earthworks, retaining, benching or site contouring.
12. To ensure subdivision results in an efficient and safe road network by:
  - a. Limiting the number of allotments served by shared accessways and the number of shared accessways per subdivision.
  - b. Requiring Indicative Roads and cycleways to be formed.

### **RUEE.1.4 Guidance Note**

1. The following shall form the basis for assessment of resource consent application in the RUEE:
  - a. The objectives policies and provisions for the RUEE in the District Plan.
  - b. The objectives, policies and provisions for the Rural Area in the District Plan.
  - 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.

# RUEE.2

## Landuse

### RUEE.2.1 Eligibility Rules

1. Any land use activity that is undertaken on an allotment created through provision RUEE.3.1.1 will be assessed by applying the objectives, policies and rules for landuse in the Living 1 Environment.
2. Industrial activities are prohibited activities.
3. Commercial activities (other than home occupation) and intensive livestock farming are non-complying activities.
4. Home occupations that exceed 3 [000022] or more of the discretionary activity criteria in RUEE.2.3.7(a)-(f) are non-complying activities.
5. More than 1 residential unit per site where there is 1ha net site area per residential unit is a non-complying activity.
6. Any other activity not requiring consent as a non-complying or discretionary activity is a permitted activity.

### RUEE.2.2 Notification Rules

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

### RUEE.2.3 Discretionary Activities

1. Any sensitive activity (excluding non-habitable buildings):
  - a. Within 500m of:
    - i. The Mining Area of a Quarrying Resource Area.
    - ii. The Strategic Rural Industry Environment.
  - b. Within 20m of:
    - i. The Rural Countryside Environment.
    - ii. A Business Environment.
    - iii. Plantation forestry (on a separate site).
2. A minor residential unit:
  - a. Resulting in more than 1 minor residential unit per site.
  - b. That does not use the access to the primary residential unit.
3. Any building:
  - a. That exceeds a maximum height of 8m.
  - b. Setback less than 10m from any boundary.
  - c. Setback less than 6m from a right of way or common access.
  - 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).
  - f. Within 30m of an indicative road identified on the District Plan Environment Maps.

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4. Any place of assembly.
5. Impervious areas exceeding 15% of the net site area.
6. The destruction or clearance indigenous vegetation That forms **contiguous [000032]** area 1 ha or more where the maximum area of destroyed or cleared indigenous vegetation per site exceeds **500m<sup>2</sup> [000022]** in any 24 month period, with the exception of vegetation clearance associated with:
  - a. Routine maintenance within **3m [000022]** 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 [000022]**
  - e. Conservation planting, including planting for ecological restoration purposes.
7. Home occupations that:
  - a. Generate more than **20 [000022]** 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 [000022]** in providing the activity.
  - d. Occupy more than **15% [000022]** of the total GFA of all buildings on site.
  - e. Have a total signage area greater than **0.25m<sup>2</sup>. [000022]**
  - f. Have illuminated or moving signage.
8. Any farm quarry.
9. Any health care facility.

### **RUEE.2.4 Assessment Criteria**

1. In addition to those general matters listed in RA.4.2 for Assessment of Discretionary Activities, discretionary activities pursuant to RUEE.2.3.2, RUEE.2.3.3b, RUEE.2.3.3.c, RUEE.2.3.3.f and RUEE.2.3.7.a and non-complying activities pursuant to RUEE.2.1.5 shall consider the following additional criteria:
  - a. The extent to which the additional residential units, minor residential units, reduced setbacks or additional traffic movements appropriately address effects on the transportation network, including through:
    - i. The current or future provision of a well-connected street and transport network.
    - ii. Facilitation of walking, cycling and public transport.
    - iii. Methods to manage significant localised traffic effects.

*Note: Also refer to RA.4.2 for Assessment of Discretionary Activities.*

# RUEE.3

## Subdivision

### RUEE.3.1 Eligibility Rules

1. Subdivision where the proposed allotments will be connected to Council reticulated water, wastewater and stormwater services and have a net site area of at least **500m<sup>2</sup> [000022]** shall be:
  - a. Assessed using the objectives, policies and rules that apply to serviced lots in the Living 1 Environment; and
  - b. Subject to Rule RUEE.3.4.1 below.
2. Subdivision that does not meet RUEE.3.3.1.a or RUEE.3.3.1.e shall be a non-complying activity.
3. Other subdivision that is not a controlled or non-complying activity is a **discretionary [000022]** activity.

**Insert new rule. [000018]**

### RUEE.3.2 Notification Rules

1. All subdivision applications are subject to the notification tests of the RMA.

### RUEE.3.3 Controlled Activities

1. Subdivision where:
  - a. Each of the proposed allotment has a net site area of at least 1ha.
  - b. Each allotment can accommodate a minimum 100m<sup>2</sup> 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.
  - c. No more than **3 [000022]** allotments have shared access to a road.
  - d. No more than 1 right of way is created.
  - e. Except in **Toe Toe Road and Whau Valley [000022]**, the subdivision design and layout sets aside (by way of easements, bonds, covenants, consent notices or segregation strips) land for the future provision or extension of reticulated water, wastewater and stormwater and of roads, within the site and to adjoining sites, to the urban standards specified in Whangarei District Council's Environmental Engineering Standards 2010.

*Note: Refer RA.4.1 for Matters Control is Reserved Over and the additional matter in RUEE.3.5.2 for any controlled activity consent pursuant to RUEE.3.3.1.a – e*

### RUEE.3.4 Restricted Discretionary Activities

1. In addition to the activity status(s) applicable under the Living 1 Environment Rules, subdivision pursuant to RUEE.3.1.1 shall also be considered a restricted discretionary activity.
  - a. Discretion is restricted to:
    - i. The extent to which the additional allotments appropriately address effects on the transportation network, including through:
      - The current or future provision of a well-connected street and transport network.
      - Facilitation of walking cycling and public transport.
      - Methods to manage significant localised traffic effects.

## Subdivision

### ***RUEE.3.5 Assessment Criteria & Matters of Control***

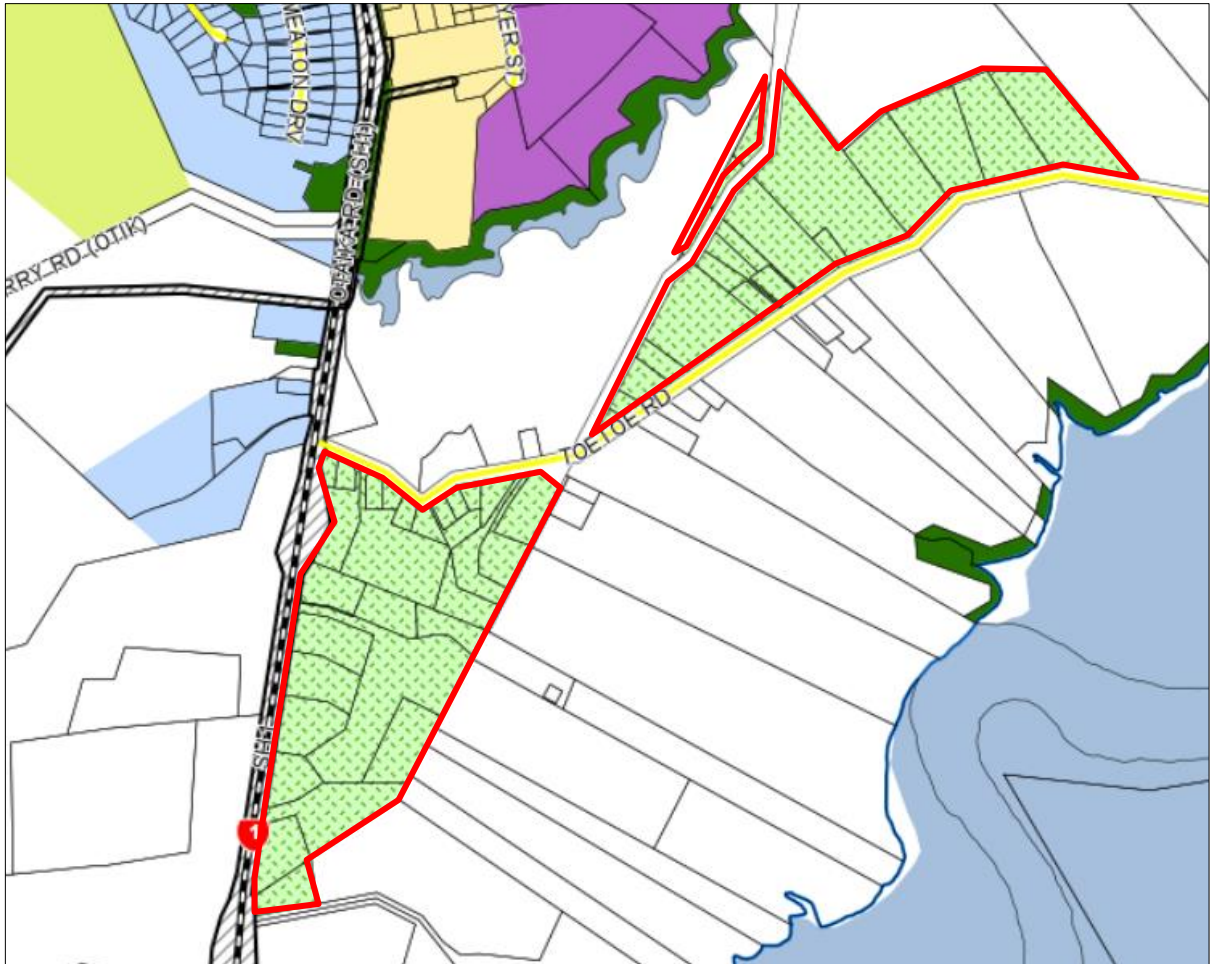
1. When assessing whether provision 3.3.1(e) has been complied with Council will consider whether a plan has been provided that includes the following:
  - a. Indication of proposed urban allotment boundaries.
  - b. The location of future urban infrastructure that demonstrates ease of access to the infrastructure for maintenance purposes and is sensitively placed to avoid environmental damage, including reticulated water, wastewater, and stormwater, roading network, and pedestrian network.
  - c. Consideration of how future urban infrastructure will link to adjacent land and to any existing areas set aside for future urban infrastructure.
  - d. How areas set aside for future urban infrastructure will be protected (for example through easements, covenants, bonds, consent notices or segregation strips).
  - e. Regard to the natural features of the site, including recognising the natural values of streams, vegetation and fauna habitat and linkages between these areas.
  - f. Identification and protection of any heritage and natural features.
  - g. Provision of linkages to existing open space and consideration of proposed open space.
2. In addition to the matters of control specified in RA.4.1 when assessing controlled activity subdivisions pursuant to RUEE.3.3.1.a – e, control is reserved over the following additional matters. Subdivision that cannot comply with the controlled activity requirements of RUEE.3.3.1.a – e shall also consider the following additional matters:
  - b. The extent to which the allotments appropriately address effects on the transportation network, including through,
    - i. The current or future provision of a well-connected street and transport network. ii. Facilitation of walking, cycling and public transport.
    - iii. Methods to manage significant localised traffic effects.

*Note: Also refer to RA.4.2 for Assessment of Discretionary Activities*

# RUEE.Appendix 1

## Toetoe and Whau Valley Areas Subject to Further Development Restrictions [000022]

Figure 1: Toetoe Road [000022] areas subject to rules RUEE.1.3.7 and RUEE.3.3.1(e) outlined in red





# RUEE.Appendix 1

## Toetoe and Whau Valley Areas Subject to Further Development Restrictions [000022]

Figure 2: Whau Valley Road [000022] areas subject to rules RUEE.1.3.7 and RUEE.3.3.1(e) outlined in red

