

Part 28 Rural-Residential Zone

For the avoidance of doubt, and notwithstanding the rules which follow, all activities (or applications for consent for such activities) must also comply with such other provisions as may affect the activity or site and which are specified in Parts [7](#), [8](#), [10](#), [11](#), [12](#), [15](#), [22](#), [26](#), [50](#), [51](#), [52](#) and [53](#) of this Plan. Where the activity involves the use of a SIGN erected on private property, the SIGN shall be consistent with matters set out in [Rule 15.4](#).

28.1 Permitted Activities

Subject to Rule 28.1 above, the following activities are Permitted activities in the Rural Residential Zone (NOTE: Within the following list, the words in CAPITALS are defined in [Part 50](#).)

- ACCESSORY BUILDINGS for lawfully established DWELLINGHOUSES;
- ACCESSORY BUILDINGS or ancillary facilities not exceeding 75m² in GROSS FLOOR AREA for any lawfully established activity except DWELLINGHOUSES;
- Swimming pools ancillary to any lawfully established activity;
- PASTORAL FARMING, FORESTRY;
- HORTICULTURE;
- Soil conservation, and erosion control work;
- TRADESPERSON'S STORAGE not exceeding 200m² (all of which must be thoroughly screened from adjoining properties and the road) and involving no more than two business vehicles (i.e. with signage) and one business trailer parked on the SITE unless the vehicles are always garaged and are essentially out of site from the ROAD or any adjoining property;
- HOME OCCUPATIONS (complying with [Rule 28.6](#));
- One SHOW HOME on a SITE but not on a REAR SITE nor with the main vehicular access to a no-exit ROAD, and for a period not exceeding 6 months from the date of building consent;
- BUILDINGS and developments on and uses of public reserves complying with operative reserve management plans that have been prepared in consultation with the public provided that where this Plan has a more onerous standard, or the reserve management plan does not specify development standards, then the standards of this plan shall prevail;
- RETAILING ACTIVITIES from SITES where retailing is at the date of notification of this plan lawfully established and where the ROAD formation in front of the SITE specifically caters for customer parking, by way of kerb indentation and/or other permanent means;
- One DWELLINGHOUSE per site, except for SITES in the Tuakau Rural Residential Zone which existed prior to 31 May 1994.

28.2 Controlled Activities

- (i) Controlled activities require a resource consent, but the consent shall be granted. An application must be submitted in the prescribed format (available from the Council).
- (ii) Applications will be assessed primarily in terms of the matters set out in Rule 28.7, and any conditions of consent will only relate to those matters (or such other matters as the Act provides).
- (iii) The information submitted with the application must be in terms of [Part 52](#) but only to the extent needed to enable a thorough assessment in terms of [Rule 28.7](#). The application must also clearly demonstrate compliance with the stated standards applicable to the activity.
- (iv) An application for a Controlled activity may be considered without public notification where Council so determines in terms of section 95 of the Act. (This is a non-notified application in terms of the Act).
- (v) Subject to Rule 28.1 above, the activities listed below are Controlled activities in the Rural-Residential Zone if they comply with Rule 28.6 (STANDARDS).

(NOTE: Within the list, the words in CAPITALS are defined in [Part 50](#).)

- One DWELLINGHOUSE per SITE in the Tuakau Rural Residential Zone provided that for sites that existed prior to 31 May 1994, a land area of at least 3000 square metres must be available, such area to be made up of one or more contiguous land titles with no part thereof separated by ROAD;
- ANTENNA DISHES that are BUILDINGS;
- BUILDINGS ancillary to lawfully established horticulture where not permitted by Rule 28.2 above;
- BUILDING alterations or additions for lawfully established non-residential activities, where not provided for by Rule 28.2.

28.3 Discretionary Activities

- (i) Discretionary activities require a resource consent, and the consent may be granted (conditionally or unconditionally) or refused. An application must be submitted in the prescribed format (available from the Council).
- (ii) Applications will be assessed in terms of the matters set out in [Part 53](#), but the Council will first consider the standards and assessment criteria applicable to Permitted and Controlled activities in the zone. In the case of a 'business' activity the Council will be guided by any relevant standards of the Business Zone in terms of establishing appropriate conditions for consent.
- (iii) The information submitted with the application must be in terms of [Part 52](#).
- (iv) An application for a Discretionary activity may be considered without public notification where Council so determines in terms of section 95 of the Act. (This is a non-notified application in terms of the Act).
- (v) Subject to [Rule 28.1](#) above, the activities listed below are Discretionary activities in the Rural Residential Zone.

(NOTE: Within the list, the words in CAPITALS are defined in [Part 50](#).)

- Activities provided for by Rules [28.1](#) and [28.2](#) above but which do not comply with the relevant prerequisites or standards.
- HOME OCCUPATIONS not complying with Rule [27.6.3.1](#) provided that the sale of goods is limited to those activities in Rule [27.6.3.1\(v\)](#).
- SPECIAL HOUSING DEVELOPMENTS;
- TRAVELLERS' ACCOMMODATION;
- CAMPING GROUNDS on SITES within 300 metres of Mean High Water Springs;
- CHILDCARE AND LEARNING CENTRES;
- COMMUNITY FACILITIES;
- SCHOOLS (includes Kokiri centres);
- HEALTH CENTRES;
- HOSPITALS;
- DAIRIES;
- SERVICE STATIONS;
- VETERINARY CENTRES;
- Catteries and Boarding Kennels;
- Business activities, not provided for in Rules [28.2](#) and [28.3](#) above, on sites that have a common boundary and stretch of ROAD frontage with SITES zoned Business Zone;
- CEMETERIES

28.4 Non-Complying Activities

- (i) Non-complying activities require a resource consent, and the consent may be granted or refused. An application must be submitted in the prescribed format (available from the Council).
- (ii) Applications will be assessed in terms of the matters set out in [Part 53](#), and where consent is granted, conditions of consent may be imposed.
- (iii) The information submitted with the application must be in terms of [Part 52](#).
- (iv) Subject to [Rule 28.2](#) above the activities listed below are Non-complying activities in the Rural Residential Zone.

(NOTE: Within the list, the words in CAPITALS are defined in [Part 50](#).)

- Any activity not provided for by Rules 28.1, 28.2, 28.3 or 28.4 above.

28.5 Standards for Permitted Activities

A. All activities in the Rural Residential Zone are required to meet the standards set out in this rule unless they:

- have a resource consent to depart from any one or more of the standards; or
- are departed from in accordance with any exemption provisions within the clause.

B. Unless otherwise stated these standards shall be satisfied prior to commencement of the activity or occupation of the structure notwithstanding that a building consent or other approval may have been obtained.

C. The standards for all activities in the Rural Residential Zone shall be as for the Residential Zone of this plan, including those for HOME OCCUPATIONS, provided however that the following more stringent standard/s set out below shall apply:

COVERAGE OF SITE BY BUILDINGS:

No more than 20 per cent of the surface area of the site shall be covered by buildings.

28.6 Assessment of Controlled Activities

A. The Controlled activities listed above in [Rule 28.3](#) will be assessed in terms of the following matters over which the Council has reserved control, and conditions of consent will only relate to these matters (or such other matters as the Act provides).

B. Information must be submitted to ensure that these matters can be fully evaluated with respect to the proposal:

- The effect on the public services the Council is responsible for in the locality or district and which the residents or occupants of the developed area would make use of, generate a need for, or have an impact on. The Council will in particular consider the extent to which a proposed DWELLINGHOUSE is or is not served by a formed legal ROAD that satisfies Council's minimum standards for such roads. The matters which are the subject of standards for Permitted activities, and the extent to which those standards are complied with; the Council will generally apply those standards as the minimum for a Controlled activity;
- The design and positioning of buildings and other structures on the site, including signs, flagpoles, architectural appurtenances, OR special apparatus essential to the activity;
- The space between and about buildings structures, including to those on adjacent sites;
- The location, design, construction, and number of vehicle crossings, driveways and parking spaces;
- The landscaping provisions of the proposal, and the extent to which they will enhance the appearance of the site, or screen structures which are quite different in style to those which predominate in the area or which could detract from the outlooks enjoyed by residents of the area;
- The extent and visual impact of any earthworks or vegetation clearance;
- The natural or heritage features of the site which are known of, and which are to be protected, altered, removed or destroyed;
- The differences between the appearance of the structures proposed and those on adjoining sites, particularly building bulk, roof slope and materials, wall claddings, window style and position, and colour scheme;
- The position and intensity of any outdoor or 'spot' lighting.
- The extent to which appropriate provision has been made for water supply, stormwater and wastewater management.

28.7 Assessment of Discretionary Activities

28.7.1 MATTERS FOR ALL ACTIVITIES

A. Discretionary activities shall be assessed in terms of [Part 53](#) and against the following matters:

B. Information must be submitted to ensure that these matters can be fully evaluated with respect to the proposal:

- The assessment matters set out in Rule 28.6;
- The objectives and policies of the plan relating to the zone;
- The effect on the public services the Council is responsible for in the locality or district and which the residents, occupants, or users of the developed area or site would make use of, generate a need for, or have an impact on (and for which "contributions" may be required);
- The matters which are the subject of standards for Permitted activities (i.e. Residential Zone) and the extent to which those standards are taken into consideration in the proposal;
- The extent to which the activity would affect the character of the locality whether visually or functionally. Where the activity incorporates aspects or activities which could result in substandard residential accommodation which could be used on a permanent basis, the Council will impose specific performance conditions, including monitoring and/or reporting conditions, to ensure that this concern does not become a reality, and that any costs of enforcement of these conditions are met fully by the applicant;
- The suitability of the various methods of servicing the proposal, including the management of refuse;
- The design and position on the site of vehicle access points, driveways and parking areas;
- The extent to which the activity would detract from or restrict the ability of adjoining and nearby sites within the Zone being used, developed or enhanced for rural residential activities or as 'lifestyle' areas;
- The extent to which any earthworks would affect the ecological, landscape or landform values of the area, or the natural character of the coast or of the margins of lakes and rivers; whether they would increase any risk of land instability or erosion; whether the proposed activity includes any proposals to revegetate land disturbed or prevent siltation or other adverse effects of stormwater runoff.