

C6.1 DESCRIPTION OF THE ZONE

The Rural Lifestyle Zone covers the hilly slopes surrounding the residential areas. This area is characterised by wide open spaces, a current lack of vegetation and a backdrop of either native bush or exotic plantation forestry. Present development in this area for the most part is limited to structures associated with pastoral farming which is the predominant activity carried out in the zone. These characteristics together assist in defining some of the amenity values associated with this zone.

A number of land use practices in the Rural lifestyle areas of the district have the potential to adversely affect the environment and therefore need to be addressed in the district plan. These adverse effects may include noise, traffic generation and visual effects.

Subject to meeting the performance and development standards a range of activities can be established in the Rural Lifestyle Zone. Provided that these activities comply with the performance and development standards, any actual or potential effects on the environment should be minor. Subdivision and development rules have been developed to reflect and assist in achieving the intended outcomes for the Rural Lifestyle Zone.

Therefore, the intended outcome in the Rural Lifestyle Zone is to encourage a wide range of rural lifestyle activities, while retaining high levels of amenity values, and encouraging the sustainable management of these activities to avoid, remedy or mitigate adverse effects on the environment.

C6.2 OBJECTIVES AND POLICIES

C6.2.2 Objectives

- C6.2.2.1 To maintain the rural landscape character of the zone.
- C6.2.2.2 To ensure existing pastoral farming activity is not adversely affected by inappropriate use and development.
- C6.2.2.3 To avoid the intensive development of buildings and to avoid activities involving large numbers of people from establishing on land within the Putauaki Structure Plan rural area adjacent to the Tasman Mill.

C6.2.2.4 To manage the environmental effects of the electricity transmission network on rural landuses and to manage adverse effects of other activities on the network.

C6.2.3 Policies

C6.2.3.1 Enable a wide range of rural activities whilst maintaining the open space rural character of the zone.

C6.2.3.2 Ensure activities within the zone are sustainable and avoid or mitigate degradation of rural land.

C6.2.3.3 Enable a range of rural activities whilst ensuring pastoral farming is not adversely affected.

C6.2.3.4 Ensure that a low intensity of use and development is maintained within the Putauaki Structure Plan rural area to avoid as far as practicable the potential for adverse effects in the event of a chemical spill at the Tasman Mill.

C6.2.3.5 Recognise and provide for the effective operation, maintenance, and upgrading of the transmission network.

C6.2.3.6 To manage activities to avoid reverse sensitivity effects on the electricity generation, transmission, and distribution network. Activities that are particularly sensitive to the risks associated with transmission lines, should avoid being located in close proximity to those lines.

C6.2.3.7 In the Putauaki Structure Plan Rural Lifestyle Zone, adverse effects on the rural amenity of neighbouring properties should be avoided or mitigated. Large scale network utility infrastructure requires assessment to enable potential adverse effects to be identified and appropriately managed.

C6.2.3.8 To manage activities to avoid reverse sensitivity effects on the Tasman Mill and network utilities.

C6.2.3.9 Ensure adverse effects of land use and development on the safe and efficient operation of the transport network are avoided, remedied or mitigated.

C6.3 ACTIVITY STATUS IN THE RURAL LIFESTYLE ZONE

C6.3.1 Permitted Activities

In the Rural Lifestyle Zone any activities which meet all the zone standard are permitted activities.

Within the Rural Lifestyle Zone in the Putauaki Structure Plan area the following activities only will be permitted activities:

- Farming Activities;
- Accessory Buildings to the activities above;
- Network Utilities (including Network Utility buildings and structures with a gross floor area up to 500m²).

C6.3.2 Restricted Discretionary Activities

- (a) Within the Rural Lifestyle Zone in the Putauaki Structure Plan area (Appendix E) Log Storage Activities will be Restricted Discretionary Activities. Furthermore Council shall restrict its discretion to those matters set out in C6.5.9.
- (b) In the Rural Lifestyle Zone any activities which cannot meet any standard shall be assessed as restricted discretionary activities only in relation to the standard which cannot be met. Furthermore Council shall restrict its discretion to those matters set out in 6.5.
- (c) Within the Rural Lifestyle Zone in the Putauaki Structure Plan area (Appendix E) Network Utility buildings and structures over 500m² gross floor area will be restricted discretionary activities. Furthermore Council shall restrict its discretion to those matters set out in C6.5.11.

C6.3.3 Discretionary Activities

Within the Rural Lifestyle Zone in the Putauaki Structure Plan area all activities other than those listed as permitted activities in Rule C6.3.1 or Restricted Discretionary Activities in Rule C6.3.2(a) will be Discretionary Activities.

Discretionary activities must be assessed in accordance with Section 104 of the RMA. Regard will also be had to the relevant assessment criteria in Rule C6.5 and C10.4.5.2.

C6.3.4 Non-complying Activities

In the Rural Lifestyle Zone any sensitive activity undertaken or located within 12m of the centre line of a high voltage electricity transmission line as shown on Council's planning maps.

C6.4 RULES OF THE RURAL LIFESTYLE ZONE

C6.4.1 Height

The maximum height of any building or structure in the Rural Lifestyle Zone shall be:

- 8.0 metres
- No part of any building or structure shall exceed a height of 2.0 metres plus the shortest horizontal distance between that part of the building and the nearest site boundary.

Note: See definition of height.

C6.4.2 Yards and Landscaping

- The minimum distance between any building or structure and the front boundary of the site shall be:

10.0 metres

- The minimum distance between any building or structure and the boundary of the site where it adjoins the Residential zone shall be:

25 metres

- The minimum distance between any plantation forest and any land zoned Residential or Road shall be:

100 metres

- In the Putauaki Structure Plan Rural Lifestyle Zone (see Appendix E) a 10 metre landscaped area shall be provided along the southern side boundary of the site where it adjoins the Whakatane District boundary as shown on the Structure Plan.

Buildings and structures shall not be located within the 10 metre landscape area. Landscaping shall contain a mix of groundcover, shrubs and trees with at least one tree with a mature height of over 2 metres at a minimum spacing of 5 metres between each tree.

The landscaping shall be established at such time as the Rural Lifestyle zone is developed for any network utility that includes a building or for any restricted discretionary or discretionary activity within 50 metres of the southern structure plan site boundary.

Advice note:

Part of the required landscape area will be located within a buffer corridor associated with high voltage transmission lines as shown on the planning maps. Consultation should be undertaken with Transpower NZ Ltd to confirm plant species selected are appropriate and/or can be appropriately managed to ensure that vegetation will not result in a breach of the Electricity (Hazards from Trees) Regulations 2003. To discuss works, including tree planting, near any electrical line, contact the line operator.

C6.4.3 Density/Coverage

- There shall be a maximum density of one dwelling house or one household-unit per site.
- No new site shall have an area (exclusive of any area used solely or principally for access) of less than 4000m².

C6.4.4 Signs

- The maximum signage on any site shall not exceed:
 - a) Maximum Area 0.5 m²
 - b) Maximum Height Above Ground Level 2.0 metres
 - c) Off-site signs which are located so as to be visible from the State Highway, are an exception to these rules, and shall be classed as discretionary activity.

C6.4.5 Traffic Management

The rules set out in Section C10 shall apply.

C6.4.6 Appearance of Buildings

Buildings, structures, plant, equipment or other material (other than a dwelling house and ancillary buildings) shall be screened from public view or from any adjoining property by vegetation or fencing. Where such vegetation or fencing does not adequately screen the buildings, structure, plant equipment or other material then they shall be painted in colours similar to the surrounding natural landscape.

C6.4.7 Natural, Cultural and Heritage Features

The rules set out in Section C8: Natural, Cultural and Heritage Features Rules shall apply.

C6.4.8 Noise

Every noise sensitive activity or extensions to those activities, located within 40 metres of a railway track or within 80 metres of a state highway: shall be designed, sited and constructed to ensure internal noise will not exceed 40dBA Leq 24 hours. Within bedrooms internal noise shall not exceed 35dBA Leq 24 hours.

- a) An acoustic design report prepared by a suitably qualified and experienced engineer shall be provided, demonstrating compliance with (this) Rule.
- b) Sound levels shall be measured in accordance with NZS6801:2008 Acoustics – Measurement of Sound and assessed in accordance with NZS 6802:2008 Acoustics – Environmental Noise, or any superseding codes of practice and/or standards.
- c) Vibration: Applications should be aware that vibration within this area may cause annoyance and possibly damage to buildings. Vibration is very site specific and applicants are advised to undertake a vibration assessment to determine whether it will be an issue for their particular development.

C6.4.9 Transmission Lines

- No buildings, structures or sensitive activities shall be undertaken or located within 12m of the centre line of a high voltage electricity transmission line as shown on Council's planning maps.
- Any buildings and structures within 12 - 16m of the centreline of the Edgecumbe – Kawerau A and B 110kV high voltage transmission lines on Pi poles shall comply with NZECP 34:2001.
- Any buildings and structures within 12 – 32m of the centreline of the Kawerau – Deviation A (KAW-DEV A) 220kV high voltage transmission line on towers shall comply with NZECP 34:2001.
- Any buildings and structures within 12 – 32m of the centreline of the Kawerau – Matahina A (KAW-MAT A) 110kV high voltage transmission line on towers shall comply with NZECP 34:2001.
- Earthworks in close proximity to high voltage electricity transmission lines or the outer edge of a support structure shall:
 - (a) be at a depth less than 300mm within 2.2m of a pole support structure or stay wire, or
 - (b) be at a depth less than 750mm between 2.2m and 5m of a pole support structure or stay wire, or
 - (c) be at a depth less than 300mm within 6m of the outer visible edge of a tower support structure, or

- (d) be at a depth less than 3m between 6m and 12m of the outer visible edge of a tower support structure, or
- (e) not create an unstable batter; or
- (f) within 12m of the centreline of an electricity transmission line, not reduce the existing conductor clearance distances.

Exceptions for earthworks:

- (a) and (b) do not apply to vertical holes, not exceeding 500mm diameter, beyond 1.5m from a pole support structure.
 - These rules do not apply to earthworks undertaken by utilities.
 - These rules do not apply to normal agricultural or domestic cultivation or repair, sealing, resealing of an existing road, footpath or driveway.
- No buildings, structures or sensitive activities shall be located or undertaken within 12m from the outer edge of a tower associated with a high voltage transmission line as shown on Council's Planning Maps.
 - No buildings, structures or sensitive activities shall be located or undertaken within 8m from the outer edge if a Pi Pole or Pole associated with a high voltage electricity transmission line.

Exemptions:

The following activities are permitted within an electricity transmission line corridor provided that compliance with NZECP34:2001 is achieved:

- Buildings and structures less than 2.5m high and 10m² in area
- Fences less than 2.5m high
- Network Utilities
- Mobile plant

Advice note:

Vegetation to be planted within the transmission corridors should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003. To discuss works, including tree planting near any electrical line contact the line operator.

C6.4.10 Putauaki Structure Plan

All new development must be undertaken in accordance with the Putauaki Structure Plan included in Appendix E.

C6.5 RESTRICTED DISCRETIONARY ACTIVITIES

Matters to which council will restrict its discretion:

C6.5.1 Height

When assessing an application to exceed the height rules Council will restrict the exercise of its discretion to the following matters:

- The distance of any building from the boundary
- The bulk of the building in relation to the bulk of the buildings in the immediate vicinity
- The potential for the building or structure to overshadow or overlook other buildings
- The effect of the building or structure on the visual amenity and landscape of the vicinity.

C6.5.2 Yards

When assessing an application to reduce the minimum specified yards the Council will restrict the exercise of its discretion to the following matters:

- The existing character and amenity of the streetscape
- The location and density of landscaping
- The distance between any proposed building and any other buildings
- The effect on traffic and public safety
- The maintenance of visual and aural privacy
- The effect on residential amenity
- The potential for reverse sensitivity effects to arise

C6.5.3 Density/Coverage

In assessing an application to increase the maximum density/coverage of a site the Council will restrict the exercise of its discretion to the following matters:

- The amount of open space on the site
- The provision of landscaping, on-site parking and outdoor living areas
- The ability of the site to cater for the increase servicing requirements caused by an increase in density/coverage
- The effect on the rural character of the zone.

C6.5.4 Signs

In assessing an application to increase the maximum standards specified in the Signs rule the Council will restrict the exercise of its discretion to the following matters:

- The size, design, construction, location and illumination of the sign
- The nature of the information displayed on the sign.

C6.5.5 Appearance of Buildings

In assessing an application that does not comply with rule C6.4.6 the Council will restrict the exercise of its discretion to the following matters:

- The bulk of the building and the way that materials, design and colour have been used
- The location and nature of landscaping.

C6.5.6 Traffic Management

Refer to Section C10: Traffic Management.

C6.5.7 Natural, Cultural and Heritage Features

Refer to Section C8: Natural, Cultural and Heritage Features.

C6.5.8 Noise

In assessing an application that does not comply with rule C6.4.8 the Council will restrict its discretion to the reverse sensitivity effects on the state highway or rail network.

C6.5.9 Log Storage Activities

In determining an application for a restricted discretionary resource consent for Log Storage Activities in terms of Rule C6.3.2(a), Council will restrict the exercise of its discretion to the following matter:

- The adverse effects of the proposal on the function, and safe and efficient operation of the state highway and adjoining transport network and any measures to avoid, remedy or mitigate these effects.

C6.5.10 Transmission Lines

- The risk to the structural integrity of the line;
- The effects on the ability of the transmission line owner to operate, maintain and upgrade the high voltage transmission network;

- The provision of adequate access to the lines and support structures for line maintenance;
- The proximity of buildings and structures to electrical hazards;
- The risk of electrical hazards affecting public safety, and the risk of property damage;
- The risk of electrical faults causing disruption to electricity supply;
- The risk of electrical hazards due to the mature height of any associated vegetation, including within landscaped areas;
- The siting of buildings in relation to transmission lines to minimise visual effects from transmission lines (reverse sensitivity effects);
- The risk of radio interference or earth potential rise;
- Compliance with NZECP34:2001;
- The objectives and policies relating to transmission lines for this zone.

For earthworks that exceed a permitted standard:

- Any effects on the integrity of the transmission line;
- Volume, area and location of the works, including temporary activities such as stockpiles;
- Timing of the works;
- Site remediation;
- The use of mobile machinery near transmission line which may put the line at risk;
- Compliance with NZECP34:2001.

The relevant network utility operator will be considered an affected party for applications for non-compliance with rules contained in C6.4.9.

C6.5.11 Network Utility Buildings & Structures Over 500m² GFA

In determining an application for a restricted discretionary resource consent for Network Utilities in terms of Rule C6.3.2(c), Council will restrict its discretion to the following matters:

- The adverse effects on the rural amenity of neighbouring properties including visual and noise effects.
- C10.4.5.2 Assessment Criteria for State Highway Access

C6.5.12 Activities in the Putauaki Structure Plan Rural Lifestyle Zone

In determining an application for a restricted discretionary or discretionary activity, in addition to the matter contained in C6.5 above, Council will consider reverse sensitivity effects on the Tasman Mill and Network Utilities.

