

2 RESIDENTIAL and RESIDENTIAL 1 ZONE

2.1 ZONE STATEMENT

The Residential Zone covers the residential areas of Oamaru, Weston, Palmerston, Omarama, Otematata, Kurow and Ohau Village and provides principally for low density and low height permanent living accommodation. The purpose of the zone is to maintain residential areas with ample open space for tree and garden plantings and with minimal adverse environmental effects experienced by residents.

The Residential 1 Zone covers a small area of land located between Oamaru and Weston principally for medium density. The purpose of the zone is, similar to the Residential Zone, to maintain residential areas with ample open space for tree and garden plantings and with minimal adverse environmental effects experienced by residents.

2.2 DISTRICT-WIDE RULES

Attention is drawn to the following District-Wide Rules which may **also** apply in addition to any relevant Zone Rules to activities undertaken in the Residential Zone. Any one or more of the District-Wide Rules may require an activity to obtain a resource consent.

- Temporary Buildings and Temporary Activities Rules.....(Refer Rule 10)
- Heritage Rules.....(Refer Rule 11)
- Transport/Car Parking Rules(Refer Rule 12)
- Sign Rules(Refer Rule 13)
- Subdivision, Development, and Financial Contributions Rules(Refer Rule 14)
- Utilities(Refer Rule 15)
- Hazardous Substances Rules(Refer Rule 16)
- Natural Hazards Rules(Refer Rule 17)

2.3 ACTIVITIES

2.3.1 PERMITTED ACTIVITIES

The following activities shall be **Permitted Activities**, provided that they comply with all of the Site Development Standards (Rule 2.4) and Critical Zone Standards (Rule 2.5)

1 Residential Activities;

2 Home Occupation, limited to

- a) 40m², or 25 % of the gross floor area of all of the buildings on a site, whichever is the greater;
- b) The manufacture, alteration, repair, dismantling, processing or storage of any materials, goods or articles within a building;
- c) The manufacturing, altering, repairing, dismantling or processing of any goods or articles associated with a home occupation within a building;
- d) One full-time equivalent person who is employed in undertaking any home occupation and who permanently resides elsewhere than on the site.

- 3 **Farming Activities**, limited to domestic livestock and domestic horticulture;
- 4 **Recreational Activities**, limited to outdoor recreational activities on public reserves during the hours of day-light;
- 5 **Visitor Accommodation**, limited to home-stays accommodating no more than 5 visitors at any one time;
- 6 **Scheduled Activities**, listed below in Sub-Section 2.7, which comply with the standards specified for the particular scheduled activity.

2.3.2 DISCRETIONARY ACTIVITIES

The following activities shall be **Discretionary Activities**:

- 1 **Home Occupations**, except where listed as a Permitted Activity;
- 2 **Visitor Accommodation**, except where listed as a Permitted Activity;
- 3 **Commercial Activities**, limited to:
 - a) retail sales of:
 - i) food or beverages from premises having a gross retail floor area, including storage, not exceeding 75m²; or
 - ii) fruit, vegetables, plants, flowers or eggs, produced on the site; or
 - iii) refreshments served to group visits to sites used for farming or residential activities;
 - iv) handcrafts produced on the site;
 - v) other retail sales where goods, which are displayed for sale, are not visible beyond the boundary of the site;
 - b) group visits to sites used for farming or residential activities;
- 4 **All Recreational Activities**, except for those listed as being a Permitted Activity;
- 5 **General Community Activities**;
- 6 **Live-in Community Activities**;
- 7 **Farming Activities**, except where listed as a Permitted Activity;
- 8 The following activities shall be **Discretionary Activities**:
 - a) **Any Activity** which is listed as a Permitted Activity and which complies with all of the relevant Critical Zone Standards under Rule 2.5, but does not comply with one or more of the relevant Site Development Standards under Rule 2.4;
 - b) **Any Scheduled Activity** listed in Sub-section 2.7 below which does not comply with one or more of the standards specified for the particular scheduled activity;
- 9 **Any Other Activity**, which is not listed as a Permitted, Discretionary or Non-Complying Activity, and which complies with all of the relevant Critical Zone Standards under Rule 2.5.

2.3.3 NON-COMPLYING ACTIVITIES

The following activities shall be **Non-Complying Activities**:

- 1 **Any Activity**, which is not a Discretionary Activity and which does not comply with one or more of the relevant **Critical Zone Standards** under Rule 2.5;
- 2 **Commercial Activities**, except for home occupations where listed as a Permitted Activity or a Discretionary Activity, and Retail Sales listed as a Discretionary Activity;
- 3 **Intensive Farming**;
- 4 **Industrial, Service and Mining Activities**;
- 5 **Forestry Activities**.
- 6 **Bee Keeping**.

2.4 SITE DEVELOPMENT STANDARDS

2.4.1 Residential Density

Minimum net area for any site for each residential unit contained within the site shall be

- 300m² in the Residential Zone; and,
- 600m² in the Residential 1 Zone

except that:

- 1 where public sewerage reticulation and treatment is not available to the site the minimum net area for any site shall be 3000m²; or
- 2 for each elderly persons housing unit with a gross floor area less than 60m² the minimum net area for any site shall be 150m².

2.4.2 Building Coverage

The combined total areas of all buildings on each site shall not exceed a Maximum building coverage of 40%; except that:

- 1 for recreational activities which shall be 1%, excluding children's play equipment.

2.4.3 Height of Buildings

Maximum height of any building(s) for an activity shall be 8m *except that no building for an activity shall exceed the maximum height determined by a 1:7 transitional side surfaces gradient or by a 1:40 Take Off / Approach Surface gradient for aircraft using the Omarama Airfield, as shown on Planning Maps 7 and 40. (Note: Contact the Council for assistance in determining the height.)*

2.4.4 Recession Lines

Buildings for an activity shall not project beyond a building envelope constructed by recession lines from points above internal boundaries, as shown in Appendix H, except that:

- 1 where buildings on adjoining sites have a common wall along an internal boundary, no recession line shall be applied along that part of the boundary covered by such a wall; and
- 2 where an internal boundary of a site immediately adjoins an access or part of an access which is owned or partly owned with that site or has a registered right-of-way over it in favour of that site, the recession lines shall be constructed from points 3m above the far side of the access.

2.4.5 Setback from Road and Neighbours

Minimum setback of buildings for an activity shall be as follows:

- 1 All Sites Other Than Corner Sites
 - a) Front yard - 4.5m
 - b) Side and rear yards - 1.6m
- 2 Corner sites (sites with two road boundaries)
 - a) Front yard - 1 of 4.5m and 1 of 1.6m
 - b) Side and rear yards - 1.6m

except that; in the Residential Zone:

- i) accessory buildings which are not for human habitation and not used for the housing of domestic livestock or hen runs, may be located within the minimum building setback from internal boundaries, where all stormwater is contained within the site and the total length of walls of accessory building(s) facing, and located within the minimum building setback of each internal boundary-
 - does not exceed 10m in length, and
 - does not contain any windows;
- ii) where buildings on adjoining sites have a common wall along a site boundary, no setback is required along that part of the boundary covered by such a wall;
- iii) where an internal boundary of a site immediately adjoins an access or part of an access, which is owned or partly owned with that site or has a registered right-of-way over it in favour of that site, the minimum setback of buildings from that internal boundary shall be 1m; and
- iv) buildings, other than principal residential buildings, designed and/or used for the housing of domestic livestock, and hen runs, shall be setback 4.5m from internal boundaries.

2.4.6 Outdoor Living Space

- 1 For each residential unit, there shall be a minimum area for outdoor living space, contained in one area within the net area of the site, of 50m² with a minimum dimension of 4m; except that for any elderly persons housing unit with a gross floor area less than 60m², the minimum area shall be reduced to 30m² with a minimum dimension of 3m;

- 2 The required minimum area of outdoor living space shall be designed to receive sunshine in mid-winter and be readily accessible from a living area of the residential unit.

2.4.7 Family Flats

Where a family flat does not on its own account separately comply with the Residential Density, Outdoor Living Space, and Parking Standards for residential units:

- 1 the family flat building shall be relocatable; and
- 2 the landowner shall enter into a bond with the Council (in a form able to be supported by a caveat) to ensure that the family flat is removed when it is no longer required for the housing of a dependent relative.

2.4.8 Access

Each residential unit shall have legal access to a formed road.

2.4.9 Setback from Zone Boundary

Minimum setback of buildings from a zone boundary in the Residential 1 Zone shall be 4m

2.5 CRITICAL ZONE STANDARDS

2.5.1 Employment of Persons

No more than one full-time equivalent person who permanently resides elsewhere than on the site, shall be employed in undertaking any activity on the property, other than residential activities.

2.5.2 Noise

On any site, activities, other than residential activities and outdoor recreation, shall be conducted such that the following noise limits are not exceeded at any point within any other site within the Residential Zone, other than the site from which the noise is generated, during the following time frames:

- | | |
|---|-------------------|
| • Monday to Friday 7am – 10pm | 55dB LAeq (15min) |
| • Saturday 8am – 7pm | 55dB LAeq (15min) |
| • At all other times and any public holiday | 40dB LAeq (15min) |
| • Daily 10pm to 7am the following day | 75dB LAFmax |

Exemption

Noise limits shall not apply to residential activities and outdoor recreation, however the activity shall comply with the requirements of Section 16 of the Resource Management Act 1991.

Sound levels shall be measured in accordance with the provisions of NZS 6801:2008 *Acoustics – Measurement of environmental sound* and assessed in accordance with the provisions of NZS 6802:2008 *Acoustics – Environmental noise*.

2.5.3 Hours of Operation

Any activity, other than residential, farming and outdoor recreation, shall be limited to the following hours of operation:

- 1 0700 to 2100 Monday to Friday and 0900 to 1700 Saturday, Sunday and public holidays; except where:
 - the entire activity is located within a building; and
 - each person engaged in the activity outside the above hours resides permanently on the site, and
 - there are no visitors, customers or deliveries to the activity outside the above hours.

2.5.4 Heavy Vehicle- Outdoor Parking

No more than one heavy vehicle shall be parked on any site.

2.5.5 Noxious or Unpleasant Activities

No activity, other than residential activities, shall involve the following: panel-beating, spray-painting, motor vehicle repairs, the outdoor storage of derelict motor vehicles, motor vehicle dismantling, fibre glassing, sheet metal work, bottle or scrap storage, rubbish collection service, motor body building, or fish or meat processing, or any activity requiring an offensive trade licence under the Health Act 1956.

Note: *Enforcement provisions under the Act will be used by the Council, where any activity produces vibration, odour, dust or other effects, or where an operator manufactures, stores, uses, transports or disposes of hazardous substances in such a way that has or is likely to be either noxious, dangerous, offensive or objectionable, to such an extent that it has or is likely to have an adverse effect on the environment.*

2.6 NON-NOTIFIED RESOURCE CONSENTS

In accordance with section 77D RMA 1991, an application for resource consent required by the following **Site Development Standards** under Rule 2.4 are precluded from public notification (s95A RMA 1991) and limited notification (s95B RMA 1991) subject to sections 95A(2)(b), 95A(2)(c), 95A94), 95B(3) and 95C of the Act:

- 2.4.6 Outdoor Living Space
- 2.4.8 Access

2.7 SCHEDULED ACTIVITIES

The following activities are Scheduled Activities within the Residential Zone.

1 Community Facilities

- a) St Kevins - Pt Lots 18, 20, 23 DP 3647, Lots 15-22 DP 4145, Pt Lot 4 DP 9475. Private Secondary School.
 - i) Education and ancillary activities.
 - ii) Residential accommodation for students and staff.

- b) St Josephs - Pt Lots 6-8, 15-17 Blk 45, DP 1505, Pt Lots 8-10, 14, 17-20, Blk 20. Private Primary School.
 - i) Education and ancillary activities.
- c) Presbyterian Home and Hospital - Pt Lot 22, Oamaru SD 1
 - i) Health care services.
 - ii) Hospital activities.
 - iii) Car-parking.
 - iv) Residential accommodation associated with primary use of the site.
- d) Oamaru Hospital - Gazette 1961, p 1308 and p 1724
 - i) Health care services
 - ii) Hospital activities
 - iii) Ambulance facilities
 - iv) Car-parking
 - v) Residential accommodation associated with primary use of the site.

2.7.1 SITE DEVELOPMENT STANDARDS FOR SCHEDULED ACTIVITIES

Notwithstanding the above Site Development Standards and Critical Zone Standards, the following Standards shall apply to the Scheduled Community Facilities:

1 Height of Buildings

Buildings for an activity shall not exceed a maximum height of 10m.

2 Recession Line

All buildings for activities shall comply with the recession line applicable to residential buildings along internal boundaries.

3 Setback from Neighbours

Subject to meeting the recession line requirement all buildings for activities shall be setback a minimum of 3m from internal boundaries.

4 Setback from Road

All buildings for an activity shall be setback a minimum of 4.5m from road boundaries.

5 Screening

A landscaped area with a minimum width of 1.5m shall be established and maintained along internal boundaries adjoining Residential zoned sections. In addition, a solid wall or close boarded fence with a minimum height of 1.8m shall screen any outdoor storage areas.

6 Landscaping

A landscaped area with a minimum width of 2m shall be established along all road boundaries.

7 Noise

On any site, activities, other than residential activities and outdoor recreation, shall be conducted such that the following noise limits are not exceeded at any point ~~beyond the boundary of that site~~ within any other site within the Residential zone, other than the site from which the noise is generated, during the following time frames:

- ~~• 55dBA L10 7am - 10pm Monday to Friday~~
- ~~• 55dBA L10 8am - 7pm Saturday~~
- ~~• 40dBA L10 At all other times and any public holidays~~
- ~~• 75dBA Lmax At all other times~~
- Monday to Friday 7am – 10pm 55dB LAeq (15min)
- Saturday 8am – 7pm 55dB LAeq (15min)
- At all other times and any public holiday 40dB LAeq (15min)
- Daily 10pm to 7am the following day 75dB LAFmax

Exemption

Noise limits shall not apply to residential activities and outdoor recreation, however the activity shall comply with the requirements of Section 16 of the Resource Management Act 1991.

Sound levels shall be measured in accordance with the provisions of NZS 6801:1991-~~2008~~ Measurement of Sound Acoustics – Measurement of environmental sound and assessed in accordance with the provisions of NZS 6802:1991-~~2008~~ Assessment of Environmental Sound Acoustics – Environmental noise.

2.8 EXISTING USE RIGHTS

The following General Community Activities are recognised as having existing use rights under Section 10 of the Resource Management Act on their described sites:

1. Oamaru Fire Station - corner of Exe and Thames Streets, Oamaru (Sec 3-5 Blk XIX)
2. Otematata Fire Station - 2 Glendhu Crescent, Otematata (Lot 48 DP 12272)
3. Weston Fire Station - 26 Charles Street, Weston (Lot 26 DP 9928)

