

3 RURAL RESIDENTIAL (RR) ZONE

3.1 ZONE STATEMENT

Note: This chapter is **subject to reference** that only affects the area zoned Rural Residential at Bog Roy on Maps 7 and 9. New rules affecting only this area could be introduced. The remaining parts of this chapter are Operative.

The Rural Residential Zone covers areas adjoining the towns of Oamaru, Weston, Otematata, Omarama and Kurow. The zone provides for very low density residential opportunities in association with these towns as an alternative to the suburban living areas typical of the District. The zones are concentrated in close proximity to the towns in order to encourage energy conservation and to enable convenient access to the employment, services and facilities in those towns. The purpose of the zone is to maintain very low density residential areas with ample open space, tree and garden plantings and with minimal adverse environmental effects experienced by residents. However, farming is likely to remain a widespread use of land in the zone and an integral part of the rural residential environment.

3.2 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 Rural 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)

3.3 ACTIVITIES

3.3.1 PERMITTED ACTIVITIES

The following activities shall be **Permitted Activities**, provided that they comply with all of the relevant Site Development Standards (Rule 3.4) and Critical Zone Standards (Rule 3.5):

- 1 **Farming Activities**; (including bee keeping) except that the farming of pigs and poultry shall be for domestic purposes only (refer to the definition of domestic livestock);
- 2 **Residential Activities** *except where located inside the Air Noise Boundary (65 dBA Ldn) shown on Planning Maps 7 and 40*;
- 3 **Recreational Activities (other than on the surface of waterways)**, limited to:
 - a) outdoor recreational activities which are not commercial;

- b) commercial outdoor recreation activities where access is by people on foot only and the scale is limited to no more than 10 people in any one group;
- c) group visits to sites used for farming or residential activities;
- d) buildings, associated with recreational activities specified under a-c above, which do not exceed 50m² in area and are limited to use for public shelter including huts for overnight shelter, toilet facilities and information, except that group visits to sites used for farming or residential activities may use buildings principally used for farming or residential activities.

4 **Home Occupations**, limited to:

- a) a maximum gross floor area of 40m²;
- b) goods, materials or equipment associated with a home occupation which are stored 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.

5 **Visitor Accommodation**, limited to homestays accommodating no more than 5 visitors at any one time *except where located inside the Air Noise Boundary (65 dBA Ldn) shown on Planning Maps 7 and 40.*

3.3.2 CONTROLLED ACTIVITIES

The following activities shall be **Controlled Activities** provided that they meet the Site Development Standards and the Critical Zone Standards except for Site Development Standards 3.4.4 and 3.4.6:

1 **Commercial Activities**, limited to:

- a) retail sales of:
 - i) fruit, vegetables, plants, flowers, eggs produced on the site;
 - ii) refreshments served to group visits to sites used for farming or residential activities;
 - iii) handcrafts produced on the site.

The Council has reserved control over the layout of the site, buildings and vehicle crossings.

3.3.3 DISCRETIONARY ACTIVITIES

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

1 **General Community Activities**;

2 **Live-in Community Activities** *except where located inside the Air Noise Boundary (65 dBA Ldn) shown on Planning Maps 7 and 40;*

3 Forestry Activities*;

**Notwithstanding any other rules in this plan, all plantation forestry activities regulated under the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 must comply with those regulations.*

- 4 **Visitor Accommodation**, except where listed as a Permitted Activity or *where located inside the Air Noise Boundary (65 dBA Ldn) shown on Planning Maps 7 and 40;*
- 5 **Recreational Activities**, except where listed as a Permitted Activity;
- 6 **Home Occupations**, except where listed as a Permitted Activity;
- 7 **Intensive Farming**, limited to the boarding of animals;
- 8 **Farming Activities**, except where listed as a Permitted Activity;
- 9 **Any Activity** which is listed as a Permitted Activity or a Controlled Activity and which complies with all of the relevant Critical Zone Standards (Rule 3.5), but does not comply with one or more of the relevant Site Development Standards (Rule 3.4).
- 10 **Any other Activity**, which is not listed as a Permitted, Discretionary Activity or Non-Complying, and which complies with all of the relevant Critical Zone Standards (Rule 3.5).

3.3.4 NON-COMPLYING ACTIVITIES

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

- 1 **Any Activity** which is not a Permitted, Controlled or Discretionary Activity and which does **not comply** with any one or more of the relevant Critical Zone Standards;
- 2 **Intensive Farming**, except the boarding of animals;
- 3 **Commercial Activities**, except where listed as a Controlled Activity;
- 4 **Industrial, Service and Mining Activities**, other than the removal of topsoil.

3.3.5 Prohibited Activities

The following activities shall be **prohibited activities**:

- 1 Residential Activities, Hospitals, Educational Facilities, Elderly Persons Home, Visitor Accommodation or Live-In Community Activities located:
 - a) inside the Air Noise Boundary (65 dBA Ldn) shown on Planning Maps 7 and 40; or,
 - b) within the Take Off / Approach surface area located between the Outer Control Boundary (55 dBA Ldn) and the Air Noise Boundary (65 dBA Ldn) shown on Planning Maps 7 and 40.

3.4 SITE DEVELOPMENT STANDARDS

3.4.1 Residential Density

- 1 Minimum net area for any site shall be 1ha for each residential unit contained within a site.
- 2 There shall be only one residential unit on any land comprised in a separate site.

3.4.2 Building Coverage

The combined total areas of all buildings on each site shall not exceed a maximum building coverage of either 500m² or 5% of the site area, whichever is the larger.

3.4.3 Height of Buildings

Maximum height of any building for an activity shall be 10m *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.)*

3.4.4 Setback from Roads

Minimum setback of buildings for an activity from road boundaries shall be 15m.

3.4.5 Recession Lines

Buildings shall not project beyond a building envelope constructed by recession lines at 45 degrees to be horizontal from points 3m above internal boundaries as shown in Appendix H.

3.4.6 Setback from Neighbours

Minimum setback of buildings for an activity from internal boundaries shall be:

- 1 for residential units..... 10m
- 2 for buildings, other than principal residential buildings, designed and/or used for the housing of the following animals:
 - Poultry and other birds 4.5m
 - Dogs..... 4.5m
 - Other animals associated with farming 30m
- 3 for other buildings greater than 15m² in gross floor area 6m
- 4 for other buildings less than 15m² in gross floor area. 1.6m

3.4.7 Family Flats

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

- 1 the family flat building shall be relocatable;

- 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 there is no longer required for the housing of a dependent relative.

3.4.8 Tree Planting/Forestry

Setback from Neighbouring Properties

Tree planting shall be a Permitted Activity on or within 15 metres of an internal boundary where the proposal is accompanied by the written approval of the affected landowner. Where there is no written approval from the affected landowner, the activity is a restricted Discretionary Activity. Council's discretion will be restricted to setback matters only.

3.4.9 Siting of Noise Sensitive Activities – Oamarama Airfield

Any habitable rooms in a new residential unit, hospital, educational facility, elderly persons home, visitor accommodation or any new live-in community activity, or any alterations or additions to habitable rooms in conjunction with any existing residential unit, hospital, educational facility, elderly persons home, visitor accommodation, or any live-in community activity, shall, within the area between the Outer Control Boundary (55 dBA Ldn) and the Air Noise Boundary (65 dBA Ldn) shown on Planning Maps 7 and 40, be constructed with acoustic insulation materials that ensure the indoor sound environment does not exceed 40 dBA Ldn. A recognised acoustic consultant shall certify that the construction meets the above design standard.

3.5 Critical Zone Standards

3.5.1 Noise

Activities, shall be conducted such that the following noise limits are not exceeded at any point within the notional boundary of a habitable building on another site, other than the site from which noise generated:

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.

Noise limits contained in this rule shall not apply to noise emissions from aircraft, and aircraft engine testing, carried out in the Oamarama Airfield, as defined by Designation 248 shown on Planning maps 7 and 40 – Refer instead to Rule 12.2.3 contained in Part III, Chapter 12 Transport/Car Parking Rules.

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*.

3.5.2 Hours of Operation

- 1 Any activity, other than residential, farming, visitor accommodation and outdoor recreation, shall be limited to the following hours of operation:
 - a) a maximum total of 50 hours per week; and
 - b) from 0700 to 2100 Monday to Friday and 0900 to 1700 Saturday, Sunday and public holidays; except where:
 - i) the entire activity is located within a building; and
 - ii) each person engaged in the activity outside the above hours resides permanently on the site, and
 - iii) there are no visitors, customers or deliveries to the activity outside the above hours.

3.5.3 Tree Planting/Forestry

1 *Interference with structures*

No trees shall be planted near existing power poles, power lines or any underground piping such that when the trees grow they will interfere with these structures.

2 *Setback from roads*

No tree planting shall be positioned such that when the trees grow they will shade any part of a public road between the hours of 1000 and 1400 on the shortest day of the year.

3 *Setback from residential units*

No tree planting shall be positioned such that when the trees grow they will shade any part of an existing neighbouring residential unit between the hours of 0900 and 1600 on the shortest day of the year.

4 *Setback from railway line*

No tree planting shall be located on, or within 15 metres of a boundary of a site that contains the Main South Railway line.

3.6 NON-NOTIFIED RESOURCE CONSENTS

In accordance with section 77D RMA 1991, an application for resource consent required by the following activity is precluded from public notification (s95A RMA 1991) and limited notification (s95B RMA 1991) subject to sections 95A(2)(b), 95A(2)(c), 95A(94) 95B(3) and 95C of the Act:

- Retail Sales except for retail sales which has a site with frontage onto a State Highway (Rule 3.3.2)

