SECTION 5: TOWNSHIP ZONE RULES

5.1 CATEGORIES OF ACTIVITIES

5.1.1 PERMITTED ACTIVITIES

The following activities are permitted activities in the Residential Zone, provided activities comply with all relevant Permitted Activity Performance Standards in Section 5.2 and all other Sections of the District Plan:

(a) Residential activities.

(b) Residential care facilities.

(c) Home occupations.

(d) Marae.

(e) Papakāinga.

(f) Community activities.

(g) Open space.

(h) Home based childcare service.

(i) Home based visitor accommodation.

(j) Holiday homes.

(k) Recreational activities.

(l) Retail and commercial activities up to 500m^2 gross floor area.

(m) Rural service activities.

(n) Recreational vehicles or other easily moveable buildings, such as caravans, motor homes and porta cabins, used for temporary residential housing for up to six (6) months within a calendar year.

(o) Farming activities, except for intensive farming activities.

(p) Existing industrial activities, including an increase in size (building or outdoor area) of up to 100m^2.

(q) The construction, alteration of, addition to, and demolition of buildings and structures for any permitted activity.

5.1.2 CONTROLLED ACTIVITIES

(a) Papakāinga that do not comply with one or more of the permitted activity performance standards in Section 5.2.

Matters to which the Council restricts its control:

(i) Avoiding, remedying or mitigating of actual or potential effects deriving from non-compliance with the particular performance standard(s) that is not met, including effects on amenity values.

(ii) Connection to services.

5.1.3 RESTRICTED DISCRETIONARY ACTIVITIES

The following activities are restricted discretionary activities in the Township Zone:

(a) Unless listed elsewhere in the District Plan, any permitted activity listed in Section 5.1.1 which does not meet one or more of the Permitted Activity Performance Standards set out in Section 5.2.

Matters to which the Council restricts its discretion:

(i) Avoiding, remedying or mitigating of any effects deriving from non-compliance with the particular standard(s) that is not met, except where specifically identified in other rules below.

(b) Where a new dwelling unit (including one additional minor dwelling unit) is on a site with a net site area between 1,000m^2 and 4,000m^2.

Matters to which the Council restricts its discretion:

(i) Provision and sustainability of on-site water supply and wastewater systems.

(c) Extension of existing Industrial Activities by 100-500m^2 in area (building or outdoor area).

Matters to which the Council restricts its discretion:

(i) Effects on adjoining residential amenity.

(ii) Effects on the overall character of the surrounding area

(iii) Shading of the street or adjoining sites

(iv) Dominance of building bulk, lack of access to sunlight and loss of views.

(v) Noise and increased vehicle movements.

(vi) Location of additional storage and parking, if provided.

(d) Any childcare facility that provides for more than 4 children and up to a maximum of 30 children.

Matters to which the Council restricts its discretion:

(i) Effects on character and amenity values

(ii) Location and characteristics of the site

(iii) Traffic effects

(iv) Parking effects

(v) Noise

(e) Recreational vehicles and other easily moveable buildings, such as caravans and motor homes, used for residential housing for more than six (6) months.

Matters to which the Council restricts its discretion:

(i) Duration of use

(ii) Effects on the surrounding character and amenity values

(iii) Location

(iv) Appearance

(v) Landscaping

(vi) Connection to services

(vii) Proximity to public amenities (parks, beaches)

5.1.4 DISCRETIONARY ACTIVITIES

(a) Any childcare facility which provides for more than 30 children.

(b) Where a new dwelling unit (or including one additional minor dwelling unit) is on a site with a net site area less than 1,000m^2.

(c) Visitor accommodation.

(d) Camping grounds/motor camps.

(e) Commercial, retail, entertainment and community activities, except where provided for as a Permitted Activity.

(f) Industrial activities, except where provided for as a Restricted Discretionary Activity in Rule 5.1.3(c).

(g) Education facilities.

(h) Emergency facilities.

(i) Health care services.

(j) Private function centres/facilities.

(k) Forestry planting and forestry harvesting.

(l) Panelbeating businesses.

(m) Spray painting businesses.

(n) Conversion of any part of a papakāinga to any other activity that is not listed as permitted.

(o) Any activity that is not listed as a permitted, controlled, restricted discretionary, non-complying or prohibited activity.

5.1.5 NON-COMPLYING ACTIVITIES

(a) Refuse facilities, water and sewerage treatment plants, solid and liquid waste facilities.

(b) Intensive farming.

(c) Aggregate/soil extraction.

5.1.6 PROHIBITED ACTIVITIES

None.

5.2 PERFORMANCE STANDARDS - PERMITTED ACTIVITIES

5.2.1 Number of Dwelling Units and Minimum Site Area

(a) The maximum number of dwelling units per site shall be two dwelling units (including one minor dwelling unit).

(b) Each dwelling unit shall have, at minimum, a net site area of 4,000m².

Except that:

(c) Papakāinga is exempt from the above minimum number of dwelling unit performance standards set out in 5.2.1(a) and the net site area performance standards set out in 5.2.1(b).

5.2.2 Bulk and Location

(a) Buildings shall comply with the location requirements in Table 1.

Table 1: Height and Location Requirements

Type of activity	Minimum setback: State Highway	Minimum setback: Road boundary	Minimum setback: Other site boundaries	Additional setbacks/requirements
Dwelling unit, home occupation and other sensitive activities	10 m	5 m	1.5 m	Minimum setbacks: 5m from any retail, commercial, entertainment or community activity (including car parking and outdoor storage areas) on any other site under separate ownership. 20m from an industrial activity on any other site under separate ownership.
All buildings for Retail, Commercial, Entertainment and Community Activities including outdoor storage	10 m	5 m	1.5 m	Minimum setbacks: 5m from any dwelling unit, home occupation and other sensitive activities on any other site under separate ownership. 20m from an industrial activity on any other site under separate ownership.
All buildings for Industrial Activities and Rural Service activities, including outdoor storage	10 m	10 m	5 m	Minimum setbacks: 20m from any dwelling unit, home occupation and other sensitive activities on any other site under separate ownership.

(b) Building Recession Plane: Buildings shall not project beyond building recession plane from points 3m above site boundaries as shown in Section 4: Residential Zone Appendix 1.

Except that:

(i) The recession plane shall not apply to road boundaries.

(ii) Buildings on adjoining sites have a common wall along an internal boundary, no recession plane shall be applied along that part of the boundary covered by such a wall.

(iii) Where a boundary abuts an access lot or right of way, the boundary may be taken from the furthest boundary of the access lot or right of way.

(c) Maximum Building Height: No part of any building may extend more than 8m above natural ground level.

Except that:

(i) All poles, support structures and fixtures associated with outdoor lighting shall not exceed a height of 13.5m.

(d) Building Site Coverage: The proportion of a site when viewed in plan, which is covered by buildings or parts of buildings, shall not exceed:

(i) For residential activities: 40%.

(ii) For all other activities: 75%

5.2.3 Private Outdoor Living Area

(a) All dwelling units shall have a private outdoor living area which is at least 50m² in area and capable of containing a circle 4m in diameter, and is orientated to the east, west or north of the dwelling.

(b) All minor dwelling units shall have a private outdoor living area which is at least 10m² in area and capable of containing a circle 2.5m in diameter and is orientated to the east, west or north of the dwelling.

5.2.4 Home Occupations

(a) The total floor area dedicated to home occupations on a site shall not exceed 50m².

5.2.5 Lighting

(a) The spill of light from any outdoor artificial lighting shall not exceed 10 lux (measures horizontally and vertically) when measured at the boundary of a site zoned Residential in separate ownership, or at the notional boundary of an existing dwelling unit on a site in separate ownership in any other zone.

5.2.6 Outdoor Storage

(a) All areas used for the storage of goods, materials or waste products shall be maintained in a tidy condition and shall be screened from view from adjoining properties and from roads.

5.2.7 Odour

(a) No activity shall give rise to offensive or objectionable odours able to be detected at the boundary of any property in separate ownership.

Note: For the purpose of this performance standard, an offensive or objectionable odour is that odour which can be detected and is considered to be offensive or objectionable by at least two independent observers; including at least one Council officer. In determining whether an odour is offensive or objectionable, the "FIDOL factors" may be considered (the frequency; the intensity; the duration; the offensiveness (or character); and the location of the odour).

Note 2: This performance standard shall not apply if the discharge of odour is authorised by a discharge permit granted by the Regional Council.

5.2.8 Access and Roading

(a) Where on-site parking or loading spaces are provided, they, along with vehicle access and manoeuvring areas must be in accordance with Section 10: Parking and Transportation.

5.2.9 Flood Hazard Area

(a) Any new dwelling unit to be located within the Flood Hazard Area shall be designed with a finished floor level above a 0.5% AEP (1 in 200 year) flood event.

5.2.10 Hours of Operation

(a) Any activity, other than residential, farming, visitor accommodation, outdoor recreation and where specifically provided for within this section, shall be limited to the following hours of operation:

(i) 7.00am to 9.00pm Monday to Friday and 9.00am to 5.00pm Saturday, Sunday and public holidays; except where:

a. The entire activity is located within a building; and

b. Each person engaged in the activity outside the above hours resides permanently on the site; and

c. There are no visitors, customers or deliveries to the activity outside the above hours.

Advice Notes

Note: Vegetation to be planted near electricity lines (including the National Grid) should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.

Note: The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) contains restrictions on the location of structures and activities in relation to the telecommunication and electricity lines (including the National Grid). Compliance with the permitted activity standards of the Plan does not ensure compliance with the NZECP 34:2001.

Where works are proposed near any electrical line, individuals are advised to contact the line operator to discuss the works.

5.2.11 Papakāinga

(a) Evidence of tangata whenua status, including demonstrated whakapapa and ancestral connection to that site, shall accompany any building consent application for papakāinga that is lodged with the Council.