

RESIDENTIAL ZONES

The residential environment has traditionally played an important role in ensuring the health and wellbeing of the community. The quality of the residential environment has, to an extent, determined the quality of life provided for in the community.

In developing its approach to the management of residential development in the Ohakune Township the Council is mindful that the present reticulated sewerage, water and stormwater services and the capacity of the sewage treatment plant, may require upgrading. At the time of writing this Plan it is the Council's intention to upgrade these services in a staged and managed manner. This means that during the life of this Plan the ability to service a proposed development will need to be carefully considered when determining any resource consent application.

Although there are three distinct types of residential development within the District, there are common issues associated with them all. The common issues are dealt with below.

RE 1.0 ISSUE

- (a) **Degradation of the quality of the residential environment due to development which is not in character with the area.**

RE 1.1 OUTCOME

- (a) **Residential environment providing for the wellbeing of the community.**

RE 1.2 OBJECTIVE

- (a) **Maintenance and enhancement of the quality of the residential environment.**

RE 1.3 POLICY

- (a) **To require that different types and intensity of development are managed in such a way that the quality of the residential environment, including amenity values, is maintained and enhanced.**
- (b) **To ensure that all development is capable of being adequately serviced with respect to sewage.**
- (c) **To require all development manages stormwater in a way that avoids, remedies or mitigates the risk of flooding.**
- (d) **To avoid, remedy or mitigate the effects of unreasonable noise, including the adverse effects on residential amenity values and the health and safety of people and the community.**
- (e) **To recognise that views of parts of Tongariro National Park and particularly the volcanic cones positively contribute to the character of the townships of Ohakune and National Park.**

Explanation of Policies

The policy seeks to ensure that the quality of the residential environment is maintained and enhanced.

The quality of the residential environment includes (but not exclusively) all facets of development such as amenity values, the way sewage, water and stormwater are managed, the location, density and design of buildings, the type of activities occurring, and the management of traffic and noise.

RE 2.0 ISSUE

- (a) Fragmentation of residential areas caused by unplanned expansion promoting unsustainable infrastructural requirements and lack of urban continuity.**

RE 2.1 OUTCOME

- (a) No unplanned expansion of residential areas.**

RE 2.2 OBJECTIVE

- (a) Consolidate residential development.**

RE 2.3 POLICIES

- (a) To promote the full utilisation of residential development opportunities within existing residential areas that achieve a high quality consolidated residential environment.**

Explanation of Policies

This policy seeks to promote the full utilisation of opportunities for residential development within existing residential areas.

Principal Reasons for Adopting the Objectives and Policies

Council considers that the quality of the residential environment is of the utmost importance. Development can adversely impact on communities health and wellbeing. The Council does not want to see this occur. In particular the Council has targeted sewage and stormwater as key indicators. The Council is required to address the issue of stormwater by the Proposed Regional Policy Statement for Manawatu-Wanganui as changed by decisions on Submissions (May 1995).

Residential amenity values are of particular importance as the residential environment is the one in which many individuals spend a majority of their time. It is the environment that individuals typically seek to obtain their required rest and recreation. As a result it is the environment in which individuals are most sensitive to adverse effects. The existing residential amenity values are valued and the Council is seeking to maintain, and where appropriate, enhance those amenity values.

An analysis of development trends has shown, apart from the Ohakune Township, that there is minimal pressure for residential development, both within and outside the presently developed areas. The Council does not wish to see the continuity of residential development compromised by providing excess opportunity for green field residential development.

The protection of private views from disruption by rules in this Plan when a land use complies with the permitted activity conditions is not considered efficient, effective or necessary to achieve the

purpose of the Act. The market mechanism provides the opportunity for private views to be taken into account when an investment decision is made. However, an individual or company that is affected by a resource consent application to undertake a land use not provided for as a permitted activity, and particularly does not comply with the relevant bulk and location requirements, must have the ability to pursue the avoidance, remedying or mitigation of the adverse effects on view. Policy RE 1.3(e) recognises this.

Residential High Zone

Within the Ruapehu District there is a demand for high density residential environments (typically sites less than 600m² in area), and in particular in the townships of Ohakune and National Park which are locations where tourists choose to establish holiday homes, lodges, and other forms of residential accommodation. This has led to high density residential type environments being established within the District.

In the high density residential areas amenity values cannot be expected to be the same as the lower density residential areas. This is due to increased noise and traffic, and decreased open space and living space, to name a few.

High density residential development maximises development opportunities. Further, the Residential High Zone is used to maximise energy efficiency by providing for high density residential development within walking distance of commercial areas.

In addition to the issues, outcomes, objectives and policies set out for residential zones generally, the objectives, policies and methods, including rules, of this zone are:

RH 1.2 OBJECTIVE

- (a) Consolidated areas of high density development providing high quality residential amenity values.**

RH 1.3 POLICIES

- (a) To promote infill development in areas identified for high density residential development.**
- (b) To provide flexibility in private choice of building type and location.**

Explanation of Policies

These policies seek to provide a management framework whereby a high density residential environment promoting flexibility can be achieved.

RH 2.2 OBJECTIVE

- (a) Adverse environmental effects on residential amenity values are avoided, remedied or mitigated.**

RH 2.3 POLICIES

- (a) To provide for non-residential activities that produce environmental effects that are compatible with the high density residential environment.
- (b) To require activities to avoid, remedy or mitigate environmental effects that degrade the amenity values of the high density residential environment.

Explanation of Policies

These policies seek to ensure that appropriate residential amenity values are maintained and enhanced.

RH 3.0 METHODS

- (a) To require adequate servicing of development for stormwater and sewage disposal through the Council's power under the Building Act 1991.

RH 4.0 RULES

RH 4.1 Permitted Activities

- (a) Residential Activity
- (b) Home Enterprise Activity
- (c) Tourist Accommodation Activity
- (d) Healthcare Services Activity
- (e) Hospital Activity
- (f) Education Activity
- (g) Earthworks Activity

RH 4.2 Discretionary Activities (Restricted)

- (a) Any permitted activity specified in Rule RH 4.1 which cannot meet all the relevant conditions for permitted activities.

RH 4.3 Discretionary Activities

- (a) Commercial Activity
- (b) Recreation and Community Activity
- (c) Service Station Activity

RH 4.4 Non-complying Activities

- (a) Any land use or activity not specifically referred to in Rules RH 4.1, RH 4.2 and RH 4.3.

RH 4.5 Conditions For Permitted Activities

For Residential Activities, compliance with the following conditions is required for the activity to be a permitted activity:

- (1) Height

The maximum height of any building or part of a building, shall be 8.0 metres, or 2.0 metres plus the horizontal distance from the nearest site boundary, whichever is less.

(2) Yards

The minimum yards provided on any site shall be:

Front: The front yard requirement shall be determined by joining a line from a point 9.0 metres along the street boundary to a point 9.0 metres along the respective side boundary where no building will be permitted (see Figure RH One).

Side One side yard of 1.0 metre

Rear 0 metres

(3) Open Space

(a) In association with every dwelling unit or the equivalent there shall be a minimum of 40m² of outdoor living space per dwelling unit being able to accommodate a 3.0 metre diameter circle situated adjacent to the principal living area of the dwelling unit.

(b) Any open space provided may be inclusive of the front yard requirement but exclusive of any access space.

(c) In addition to the above, in association with every dwelling unit or the equivalent there shall be a minimum of 5.0m² of open space per dwelling unit that is able to accommodate a 2.0 metre diameter circle for storage and service purposes.

(4) Screening

All storage and service areas shall be screened from view from adjoining sites.

(5) Noise

(a) All activities shall be conducted so as to ensure that the following noise levels are not exceeded at, or within, the boundary of any site, other than the site the noise is emanating from:

(i) Average maximum noise level not to be exceeded:

- 07:00am to 10:00pm Monday to Saturday inclusive - 55dBA L₁₀
- All other times and on public holidays - 45dBA L₁₀

(ii) Maximum noise level of 75 dBA L_{max} shall not be exceeded between 10:00pm and 07:00am.

(b) Noise levels shall be measured and assessed in accordance with New Zealand Standards NZS 6801:1991 "Measurement of Sound" and NZS 6802:1991 "Assessment of Environmental Sound".

For Home Enterprise Activities, compliance with the following conditions is required for the activity to be a permitted activity:

(6) Transport

(a) The home enterprise shall involve no trips by a heavy motor vehicle.

(b) No more than 15 inward and 15 outward trips per day shall be generated by any motor vehicle (or motor vehicles) for the purpose of; transporting raw materials and finished goods, customer visits, or providing a service from the site.

(7) Noise

The home enterprise shall comply with Rule RH4.5(5)(a) and (b).

For Tourist Accommodation Activities, compliance with the following conditions is required for the activity to be a permitted activity:

(8) Scale

Accommodation shall not be provided for more than 20 people at any one time.

(9) Coverage

The maximum coverage of a net site area by buildings shall be 50%.

(10) Integration

The following permitted activity conditions for a Residential Activity shall apply to a Tourist Accommodation Activity as if the words "Tourist Accommodation Activity" were substituted for "Residential Activity"

- (i) Rule RH 4.5 (1)
- (ii) Rule RH 4.5 (2)
- (iii) Rule RH 4.5 (5)(a)and(b)

For Healthcare Services Activities, compliance with the following conditions is required for the activity to be a permitted activity:

(11) Scale

No more than one healthcare practitioner shall be accommodated on any one site.

(12) Coverage

The maximum coverage of a net site area by buildings shall be 50%.

(13) Integration

The following permitted activity conditions for a Residential Activity shall apply to a Healthcare Activity as if the words "Healthcare Activity" were substituted for "Residential Activity".

- (i) Rule RH 4.5 (1)
- (ii) Rule RH 4.5 (2)
- (iii) Rule RH 4.5 (5)(a) and (b)

For Hospital Activities, compliance with the following conditions is required for the activity to be a permitted activity:

(14) Scale

- a) Any hospital activity shall not provide more than 20 beds for patients.
- b) No outpatient services are to be provided.

(15) Coverage

The maximum coverage of a net site area by buildings shall be 50%.

(16) Integration

The following permitted activity conditions for a Residential Activity shall apply to a Hospital Activity as if the words "Hospital Activity" were substituted for "Residential Activity".

- (i) Rule RH 4.5 (1)
- (ii) Rule RH 4.5 (2)
- (iii) Rule RH 4.5(a) and (b)

For Education Activities, compliance with the following conditions is required for the activity to be a permitted activity:

(17) Scale

No education activity shall provide for more than 20 pupils at any one time.

(18) Coverage

The maximum coverage of a net site area by buildings shall be 50%.

(19) Integration

The following permitted activity conditions for a Residential Activity shall apply to an Education Activity as if the words "Education Activity" were substituted for "Residential Activity".

- (i) Rule RH 4.5 (1)
- (ii) Rule RH 4.5 (2)
- (iii) Rule RH 4.5 (5) (a) and (b)

For Earthworks Activities, compliance with the following conditions is required for the activity to be a permitted activity:

(20) Hours of Operation

Earthworks shall only occur between 08:00am and 06:00pm Monday to Saturday inclusive, excluding public holidays.

(21) Appearance

All earthworks sites shall be kept tidy and reinstated as soon as practically possible so as to avoid a prolonged visual change in the character of the area.

(22) Volume

No more than 50m³ of material, measured in its non-compacted form shall be removed from the site or shall be relocated on to the site, in any calendar year.

(23) Standard

All earthworks shall comply with the requirements of NZS 4431:1989 "Code of Practice for earth fill for residential development".

RH 4.6 Standards and Terms for Discretionary Activities (Restricted)

For Discretionary Activities (Restricted) compliance with the following standards and terms is required for an activity to be a Discretionary Activity (Restricted).

None.

RH 4.7 Matters over which the Council has Restricted the Exercise of its Discretion for Discretionary Activities (Restricted)

- a) Any actual and potential effects on the environment of the activity due to the non-compliance of the activity with the permitted activity conditions, specifically including cumulative effects which may arise over time or in combination with other effects, but for the purposes of clarification, excluding those actual and potential effects on the environment that would result in the activity complied with all the permitted activity conditions.
- b) Servicing of the development for sewage and stormwater disposal.

Principal Reasons for Adopting the Objectives, Policies and Methods

The Council recognises that there is a demand for high density residential development within the Ruapehu District and particularly in conjunction with the tourist activities in the townships of Ohakune and National Park. Further, by developing high density residential areas around some of the main commercial areas, energy efficiency is promoted by reducing the need to travel. The objectives, policies and methods seek to provide for this, while promoting an appropriate quality residential environment, and the health and safety of individuals and the community.

It is efficient and effective to provide for a range of development opportunities in the Residential High Zone that will not be contrary to the objectives and policies. Therefore, a number of activities of a specified intensity are provided for as permitted activities. Controlling the intensity of the activity will ensure that the effects are avoided, remedied or mitigated. This approach reduces private individual's exposure to time and resource costs through unnecessary resource consent processes.

The rules recognise the Residential High Zone as a finite resource and provide for its effective and full utilisation.

RH 5.0 CROSS REFERENCES

As a guide only, any person referring to the above should also refer to the parts of the District Plan addressing the following issues:

- Information Requirements
- District Rules
- Transportation
- Subdivision
- Signs
- Financial Contributions
- Hazardous Substances
- Indigenous Vegetation and Habitats of Indigenous Fauna
- Riparian Management and Public Access
- Relocatable Building
- Utilities
- Natural Hazards
- Heritage

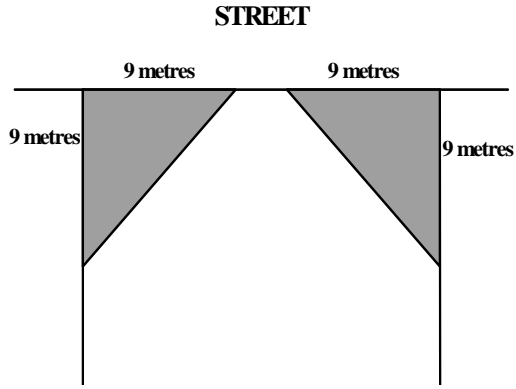


Figure RH One

Residential Medium Zone

In the Ruapehu District a majority of the residential development within the urban areas can be classified as medium density (residential sites in excess of 600m² area). There is a desire to retain this density of development because of the lifestyle it provides. Further, some areas subject to this density of development do not have reticulated services available.

Amenity values and lifestyle are closely linked. To ensure that the medium density residential areas of the District continue to be desirable places to reside in, the amenity values of these areas will be maintained and enhanced. Activities creating incompatible effects can lead to a loss in residential amenity values.

In addition to the issues, outcomes, objectives and policies set out for residential zones generally, the objectives, policies and methods, including rules, of this zone are:

RM 1.2 OBJECTIVE

- a) **Consolidated areas of medium density development promoting a high quality residential amenity values.**

RM 1.3 POLICIES

- a) **To provide for medium density residential development in areas where it can be sustained.**
- b) **To require the avoidance, remedying or mitigation of adverse environmental effects of development so as to achieve a high quality residential environment.**
- c) **To provide for non-residential activities that produce environmental effects that are compatible with the medium density residential environment.**

Explanation of Policies

These policies seek to promote a sustainable medium density residential environment of high environmental quality, including amenity values.

RM 2.0 METHODS

- 1) **To require adequate servicing of development for stormwater and sewage disposal through the Council's power under the Building Act 1991.**

RM 3.0 RULES

RM 3.1 Permitted Activities

- a) Residential Activity
- b) Home Enterprise Activity
- c) Tourist Accommodation Activity
- d) Healthcare Services Activity

- e) Hospital Activity
- f) Education Activity
- g) Earthworks Activity

RM 3.2 Discretionary Activities (Restricted)

- (a) Any permitted activity specified in Rule RM 3.1 which cannot meet all the relevant conditions for permitted activities.

RM 3.3 Discretionary Activities

- (a) Commercial Activity
- (b) Recreation and Community Activity
- (c) Service Station Activity

RM 3.4 Non-Complying Activities

- (a) Any land use or activity not specifically referred to in Rules RM 3.1, RM 3.2 and RM 3.3.

RM 3.5 Conditions For Permitted Activities

For a Residential Activity, compliance with the following conditions is required for the activity to be a permitted activity:

- (1) Coverage

The maximum coverage of a net site area by buildings shall be 35%.

- (2) Density

The maximum density on any one site shall be:

- (i) One dwelling unit or the equivalent per 600m² of net site area.

Except:

- (ii) One dwelling unit may be erected on any site existing on the date decisions on all submissions to the proposed Ruapehu District Plan (6 December 1994) were served on the submitters that is less than 600m² in net site area.

- (iii) In this context "existing sites" includes sites approved under Section 11 of the Act where the Council's subdivision consent has not lapsed.

- (3) Height

The maximum height of any building or part of building shall be 7.5 metres or 2.0 metres plus the horizontal distance from the nearest site boundary, whichever is less.

- (4) Yards

The minimum yards provided on any site shall be:

Front 4.5 metres
Side 1.5 metres

Rear 3.0 metres

(5) Open Space

In association with every dwelling unit there shall be a minimum of 50m² of outdoor living space per dwelling unit being able to accommodate a 5.0 metre diameter circle situated adjacent to the principal living area of the dwelling unit.

Any open space provided may be established inclusive of the yard requirements but exclusive of any access space.

In addition to the above, in association with every dwelling unit there shall be a minimum of 5.0m² of open space per dwelling unit that is able to accommodate a 2.0 metre diameter circle for storage and service purposes.

(6) Screening

All storage and service areas shall be screened from view from adjoining sites.

(7) Noise

(a) All activities shall be so conducted as to ensure that the following noise levels are not exceeded at, or within, the boundary of any site, other than the site the noise is emanating from:

(i) Average maximum noise level not to be exceeded:

07:00am to 10:00pm Monday to Saturday inclusive - 55dBA L₁₀

All other times and on public holidays - 45dBA L₁₀

(ii) Maximum noise level of 75 dBA L_{max} shall not be exceeded between 10:00pm and 07:00am.

(b) Subject to the express provision of this rule, noise levels shall be measured and assessed in accordance with New Zealand Standards NZS 6801:1991 "Measurement of Sound" and NZS 6802:1991 "Assessment of Environmental Sound".

For a Home Enterprise Activity, compliance with the following conditions is required for the activity to be a permitted activity:

(8) Transport

(a) The home enterprise shall involve no trips by a heavy motor vehicle.

(b) No more than five inwards and five outwards trips per day shall be generated by any motor vehicle (or motor vehicles) for the purpose of; transporting raw materials and finished goods, customer visits, or providing a service from the site.

(9) Noise

The home enterprise shall comply with Rule RM3.5(7)(a) and (b).

For a Tourist Accommodation Activity, compliance with the following conditions is required for the activity to be a permitted activity:

(10) Scale

Accommodation shall not be provided for more than 10 people at any one time.

(11) Integration

The following permitted activity conditions for a Residential Activity shall apply to a Tourist Accommodation Activity as if the words "Tourist Accommodation Activity" were substituted for "Residential Activity":

- (i) Rule RM 3.5(1)
- (ii) Rule RM 3.5(3)
- (iii) Rule RM 3.5(4)
- (iv) Rule RM 3.5(7)(a) and (b)

For a Healthcare Services Activity, compliance with the following conditions is required for the activity to be a permitted activity:

(12) Scale

No more than one healthcare practitioner shall be accommodated on any one site.

(13) Integration

The following permitted activity conditions for a Residential Activity shall apply to a Healthcare Services Activity as if the words "Healthcare Services Activity" were substituted for "Residential Activity":

- (i) Rule RM 3.5(1)
- (ii) Rule RM 3.5(3)
- (iii) Rule RM 3.5(4)
- (iv) Rule RM 3.5(7) (a) and (b)

For a Hospital Activity, compliance with the following conditions is required for the activity to be a permitted activity:

(14) Scale

- (a) Any hospital shall not provide more than 10 beds for patients.
- (b) No outpatient services are to be provided.

(15) Integration

The following permitted activity conditions for a Residential Activity shall apply to a Hospital Activity as if the words "Hospital Activity" were substituted for "Residential Activity":

- (i) Rule RM 3.5(1)
- (ii) Rule RM 3.5(3)
- (iii) Rule RM 3.5(4)
- (iv) Rule RM 3.5(7)(a) and (b)

For an Education Activity, compliance with the following conditions is required for the activity to be a permitted activity:

(16) Scale

No education activity shall provide for more than 10 pupils at any one time.

(17) Integration

The following permitted activity conditions for a Residential Activity shall apply to an Education Activity as if the words "Education Activity" were substituted for "Residential Activity":

- (i) Rule RM 3.5(1)
- (ii) Rule RM 3.5(3)
- (iii) Rule RM 3.5(4)
- (iv) Rule RM 3.5(7) (a) and (b)

For an Earthworks Activity, compliance with the following conditions is required for the activity to be a permitted activity:

(18) Hours of Operation

Earthworks shall only occur between 08:00am and 06:00pm Monday to Saturday inclusive, excluding public holidays.

(19) Appearance

All earthworks sites shall be kept tidy and shall be reinstated as soon as practically possible so as to avoid a prolonged visual change in the character of the area.

(20) Volume

No more than 50m³ of material measured in its non-compacted form shall be removed from the site or shall be relocated on the site, in any calendar year.

(21) Standard

All earthworks shall comply with the requirements of NZS 4431:1989 "Code of Practice for earth fill for residential development".

RM 3.6 Standards and Terms for Discretionary Activities (Restricted):

For Discretionary Activities (Restricted) compliance with the following standards and terms is required for an activity to be a Discretionary Activity (Restricted).

None.

RM 3.7 Matters over which the Council has Restricted the Exercise of its Discretion for Discretionary Activities (Restricted)

(a) Any actual and potential effects on the environment of the activity due to the non-compliance of the activity with the permitted activity conditions, specifically including cumulative effects which may arise over time or in combination with other effects, but for the purposes of clarification, excluding those actual and potential effects on the environment that would result if the activity complied with all the permitted activity conditions.

(b) Service of the development for sewage and stormwater disposal.

Principal Reasons for Adopting the Objectives, Policies and Methods

A majority of the present residential development within the District can be categorised as medium density. The Council wishes to retain this density of development, particularly as some residential areas are not serviced for reticulated sewage. The objectives, policies, methods and rules seek to promote residential amenity values of high value and the health and safety of individuals and the community.

It is efficient and effective to provide a range of development opportunities in the Residential Medium Zone that will not be contrary to the objectives and policies. Therefore, a number of activities of a specified intensity are provided for as permitted activities. Controlling the intensity of the activity will ensure that the effects are avoided, remedied or mitigated. This approach reduces private individual's exposure to time and resource costs through unnecessary resource consent processes.

Within the Residential Medium Zone the density of development is one of the main factors contributing to the high quality amenity values. Maintaining a maximum density of 600m² net site area is necessary to promote a medium density environment and will ensure the maintenance and enhancement of the quality of the environment. Regulation has been used to maintain this density. Rules have been used to specify other bulk and location requirements addressing site coverage, height, yards, outdoor living space and screening. These requirements are efficient and effective in maintaining and enhancing amenity values consistent with a medium density residential environment.

RM 4.0 CROSS REFERENCES

As a guide only, any person referring to the above should also refer to the parts of the District Plan addressing the following issues:

- Information Requirements
- District Rules
- Transportation
- Subdivision
- Signs
- Financial Contributions
- Hazardous Substances
- Indigenous Vegetation and Habitats of Indigenous Fauna
- Riparian Management and Public Access
- Relocatable Buildings
- Utilities
- Special Activities
- Natural Hazards
- Heritage

Residential Low Zone

Within the Ruapehu District, and in particular to the south of Ohakune and to the south west of the township of Rangataua, there are small areas of land that are subject to pressure for urban expansion.

With respect to the area to the south of Ohakune township in the vicinity of Ruapehu Road and to the south west of the township of Rangataua the sites are of such a size, and with a number of different owners, that their use for rural purposes is unlikely.

The Council recognises that there is pressure for urban development in these areas. However, at this time the Council does not wish this pressure to culminate in unplanned residential development of the character anticipated in the Residential High and Medium Zones. Further, these areas are recognised as having some rural characteristics providing rural type amenity values which are valued by the residents. The Council will seek to maintain this type of amenity values.

Within the area to the south of Ohakune the Council is aware that there are problems with the disposal of effluent by septic tank due to the presence of a water table close to ground level. This represents a constraint to a higher density of residential development before reticulated sewerage services are provided.

In addition to the issues, outcomes, objectives and policies set out for residential zone generally, the following objectives, policies and methods of this zone are:

RL 1.2 OBJECTIVE

- a) **High quality low density residential area providing a residential lifestyle in an area which has rural characteristics.**

RL 1.3 POLICIES

- (a) **To promote the maintenance and enhancement of a high quality low density residential environment by:**
 - (i) **Requiring the retention of open space.**
 - (ii) **Requiring spatial separation between structures and buildings.**
 - (iii) **Requiring structures and buildings to integrate with the environment.**
 - (iv) **Requiring sites to retain their rural character.**
- (b) **To provide for the establishment of those activities that do not adversely affect the high quality low density residential environment.**

Explanation of Policies

These policies seek to ensure that a sustainable low density residential environment is achieved in identified areas.

The policies outline the components of the low density residential environment that are important in order to maintain and enhance the amenity values and the quality of the environment. In particular the provision of open space, being areas of land unoccupied by buildings, is an important consideration, as is the spatial separation of buildings within the zone.

RL 2.0 METHODS

- (1) To require adequate servicing of development for stormwater and sewage disposal through the Council's power under the Building Act 1991.

RL 3.0 RULES

RL 3.1 Permitted Activities

- (a) Residential Activity
- (b) Home Enterprise Activity
- (c) Earthworks Activity
- (d) Boardinghouse Activity

RL 3.2 Discretionary Activities (Restricted)

- (a) Any permitted activity specified in Rule RL 3.1 which cannot meet all the relevant conditions for permitted activities.

RL 3.3 Discretionary Activities

- (a) Commercial Activity
- (b) Recreation and Community Activity
- (c) Healthcare Services Activity
- (d) Rural Activity
- (e) Hospital Activity
- (f) Education Activity
- (g) Tourist Accommodation Activity
- (h) Boardinghouse Activity for more than 10 persons

RL 3.4 Non-Complying Activities

- (a) Any land use or activity not specifically referred to in Rules RL 3.1, RL 3.2 and RL 3.3.

RL 3.5 Conditions For Permitted Activities

For Residential Activities, compliance with the following conditions is required for the activity to be a permitted activity:

- (1) Coverage
- The maximum coverage of a net site area by buildings shall be 10% unless otherwise provided in Rule 3.5(2)(b).
- (2) Density
- (a) The maximum density on any one site shall be one dwelling unit or the equivalent per 1.5 hectares of net site area.

Except:

- (b) Where a site with an area of less than 1.5 hectares was in existence on the date this Plan became operative one dwelling unit may be erected on the existing site.
- (3) Height

The maximum height of any building shall be 7.5 metres or 2.0 metres plus the horizontal distance from the nearest site boundary, whichever is less.
- (4) Yard
 - (a) The minimum yards provided on any one site shall be:
 - Front 10 metres
 - Side 10 metres
 - Rear 10 metres
 - Except:

 - (b) Where a site with an area of less than 2,000m² was in existence on the date this Plan was notified, side and rear yards of a minimum of 5.0 metres shall be provided.
- (5) Noise
 - (a) All activities shall be so conducted as to ensure that the following noise levels are not exceeded at, or within, the boundary of any site, other than the site the noise is emanating from :
 - (i) Average maximum noise level not to be exceeded:
 - 07:00am to 10:00pm Monday to Saturday inclusive - 55dBA L₁₀
 - All other times and on public holidays - 45dBA L₁₀
 - (ii) Maximum noise level of 75 dBA L_{max} shall not be exceeded between 10:00pm and 07:00am.
 - (b) Subject to the express provision of this rule, noise levels shall be measured and assessed in accordance with New Zealand Standards NZS 6801:1991 "Measurement of Sound" and NZS 6802:1991 "Assessment of Environmental Sound".

For Home Enterprise Activities, compliance with the following conditions is required for the activity to be a permitted activity:

- (6) Transport
 - (a) The home enterprise shall involve no trips by a heavy motor vehicle.
 - (b) No more than five inwards and five outward trips per day shall be generated by any motor vehicle, or motor vehicles, for the purpose of; transporting raw materials and finished goods, customer visits, or providing a service from the site.
- (7) Noise

The home enterprise shall comply with Rule RL3.5(5)(a) and (b).

For Earthworks Activities, compliance with the following conditions is required for the activity to be a permitted activity:

- (8) Hours of Operation
Earthworks Activities shall only occur between 08:00am and 06:00pm Monday to Saturday inclusive, excluding public holidays.
- (9) Appearance
All earthworks sites shall be kept tidy and shall be reinstated as soon as practically possible so as to avoid a prolonged visual change in the character of the area.
- (10) Volume
No more than 50m³ of material measured in its non-compacted form shall be removed from the site or shall be relocated on the site, in any calendar year.
- (11) Standard
All earthworks shall comply with the requirements of NZS 4431:1989 “Code of Practice for earth fill for residential development”.

For Boardinghouse Activities, compliance with the following conditions is required for the activity to be a permitted activity:

- (12) Scale
Accommodation shall not be provided for more than 10 people at any one time.
- (13) Integration
All permitted activity conditions for a Residential Activity shall apply to a Boardinghouse Activity as if the words “Boardinghouse Activity” was substituted for “Residential Activity”.

RL 3.6 Standards and Terms for Discretionary Activities (Restricted)

For Discretionary Activities (Restricted) compliance with the following standards and terms is required for an activity to be a Discretionary Activity (Restricted):

None.

RL 3.7 Matters over which the Council has Restricted the Exercise of its Discretion for Discretionary Activities (Restricted)

- (a) Any actual and potential effects on the environment of the activity due to the non-compliance of the activity with the permitted activity conditions, specifically including cumulative effects which may arise over time or in combination with other effects, but for the purposes of clarification, excluding those actual and potential effects on the environment that would result if the activity complied with all the permitted activity conditions.
- (b) Service of the development for sewage and stormwater disposal.

RL 3.8 Matters over which the Council will exercise its discretion in respect of Tourist Accommodation Activities, Hospital Activities, and Education Activities

When considering an application for discretionary consent in respect of Tourist Accommodation Activities, the following particular matters will be considered:

- (1) Amenity health and safety

All permitted activity conditions for a Residential Activity (excluding density) shall be taken in to account when considering a Tourist Accommodation Activity as if the words "Tourist Accommodation Activity" were substituted for "Residential Activity".

When considering an application for discretionary consent in respect of Hospital Activities, the following particular matters will be considered:

- (2) Amenity health and safety

All permitted activity conditions for a Residential Activity (excluding density) shall be taken in to account when considering a Hospital Activity as if the words "Hospital Activity" were substituted for "Residential Activity".

When considering an application for discretionary consent in respect of Education Activities, the following particular matters will be considered:

- (3) Amenity health and safety

All permitted activity conditions for a Residential Activity (excluding density) shall be taken in to account in respect of an Education Activity as if the words "Education Activity" were substituted for "Residential Activity".

Principal Reasons for Adopting the Objectives, Policies and Methods

The Council recognises that there is demand for residential development in the Ruapehu Road area of Ohakune and to the south west of the township of Rangataua. In recognition of this potential, the Plan provides for low density residential, and other compatible, development to occur. However, the Council wishes to ensure that there is not an unreasonable demand placed on services and the low density residential amenity values are maintained.

It is efficient and effective to provide for a range of development opportunities in the Residential Low Zone that will not be contrary to the objectives and policies. Therefore, a number of activities of a specified intensity are provided for as permitted activities. Controlling the intensity of the activity will ensure that the adverse effects are avoided, remedied or mitigated. This approach reduces private individuals exposure to time and resource costs through unnecessary resource consent processes.

Within the Residential Low Zone the density of development is one of the main factors contributing to the high quality amenity values. Providing for a density of one hectare per development is adequate to promote a low density environment and will ensure the maintenance of open space. The provision of yard areas are also important to ensure appropriate separation between buildings on adjoining sites. The rules specifying the yard requirements are necessary to maintain amenity values consistent with a low density residential environment.

The Plan provides for the doubling of the density of development in the Residential Low Zone. It is expected that this will principally be facilitated by the subdivision process. To offset the effects of this, the opportunity has been provided for the Community to secure access along the banks of the Mangateitei Stream. At present only partial public access exists in the form of esplanade reserves and marginal strips. This offset measure recognises that the opportunity for subdivision provided

promotes the only foreseeable opportunity for the provision of public access to be secured during the life of this Plan.

The Residential Low Zone does retain some rural characteristics, primarily in terms of the maintenance of open space. Rural Activities have been provided in the Plan as discretionary activities and will require a resource consent to establish. The reason for this is that Rural Activities can produce effects which are not compatible with a residential environment. The focus of the objectives and policies is to ensure that adverse effects on the environment can be avoided, remedied or mitigated. It is considered to be necessary, efficient and effective to manage the effects of rural activities through the resource consent process.

Many Rural Activities already established on land zoned Residential Low will have existing use rights in accordance with Section 10 of the Resource Management Act 1991. Providing the criteria for existing use rights as specified in the Act are met, the use will be able to continue without the need to obtain a resource consent. Also, the definition of a Residential Activity in the Plan incorporates ancillary uses secondary and accessory to the Residential Activity. Therefore in many situations rural activities accessory to Residential Activities may be a permitted activity.

RL 4.0 CROSS REFERENCES

As a guide only, any person referring to the above should also refer to the parts of the District Plan addressing the following issues:

- Information Requirements
- District Rules
- Transportation
- Subdivision
- Signs
- Financial Contributions
- Hazardous Substances
- Indigenous Vegetation and Habitats of Indigenous Fauna
- Riparian Management and Public Access
- Relocatable Buildings
- Utilities
- Natural Hazards
- Heritage