15 Rural Residential Zone

Section 15A

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Section 15A

15A Purpose of the Rural Residential Zone

The purpose of the Rural Residential Zone is to provide part of a range of residential opportunities within the City. Land zoned for rural residential development is land considered unsuitable for conventional urban or suburban use; of limited productive capability; subject to topographical constraints or inefficient to service. This is reflected in the limited reticulated services provided within the Rural Residential Zone with the majority of services provided on-site, and in the fact the Rural Residential Zone has not been, and is not intended to be, redeveloped for suburban residential use. Development at higher densities than those permitted in the Rural Residential Zone is not anticipated.

The Rural Residential Zone is characterised by sites that are substantially larger than those in the Suburban Residential Zone, with large on-site open space areas and some primary production activities being undertaken. All these factors contribute to the rural residential character and amenity of the Rural Residential Zone.

Located on the periphery of the City’s suburban areas the Rural Residential Zone provides a buffer at the interface between suburban development and the open rural areas on the City’s boundaries, and assists in reducing reverse sensitivity conflicts between suburban amenity expectations and ongoing primary production activities.

The Tara Road Urban Growth Plan Area provides for rural residential living on the urban fringe of Tauranga and has specific requirements to avoid reverse sensitivity, geotechnical, and stormwater effects on the strategically important infrastructure of the Tauranga Eastern Link and Tara Road. In particular rural residential development in this locality should not commence until the Tauranga Eastern Link is operational in order to avoid the potential for reverse sensitivity.

15A.1 Objectives and Policies of the Rural Residential Zone

15A.1.1 Objective – Rural Residential Living Opportunities

Rural residential living opportunities are provided within the City in identified areas which are not suitable for urban development; are of limited productive capability, or inefficient to service to urban standards. In the Tara Road Urban Growth Plan Area rural residential subdivision and development avoids the potential for incompatibilities (including reverse sensitivity effects) between activities within the Rural Residential Zone and between the Rural Residential Zone and its surrounding environment.

15A.1.1.1 Policy – Rural Residential Living Opportunities

By providing for rural residential living opportunities as part of the range of residential options available within the City through:

a) Zoning for rural residential appropriate areas that:
   i) Do not contain highly productive or versatile land;
   ii) Are not suitable for conventional urban or suburban development and adjoin Rural zoned areas;

b) Recognising the inefficiencies of servicing such areas through requiring rural residential development to provide for its own wastewater and stormwater disposal needs on-site;

c) Recognising that rural residential sites are well provided with on-site open space for recreation and leisure opportunities through not requiring dedicated on-site outdoor living areas, or providing for the provision of neighbourhood reserves within the Rural Residential Zone;

d) Recognising in the Tara Road Urban Growth Plan Area that rural residential subdivision and development should be designed, located and constructed in a way that avoids adverse geotechnical, reverse sensitivity, and stormwater effects on the Tauranga Eastern Link and Tara Road.
15A.1.2 Objective - Bulk and Scale of Buildings in the Rural Residential Zone

Buildings that are of a bulk and scale compatible with the existing and anticipated rural residential character and amenity of the Rural Residential Zone.

15A.1.2.1 Policy – Bulk and Scale of Buildings in the Rural Residential Zone – Height and Overshadowing

By ensuring buildings are restricted to a height and building envelope that:

a) Provides flexibility for a range of building forms in the varied topographical conditions of the Rural Residential Zone;

b) Avoids the potential adverse impacts of over height buildings on surrounding properties, particularly on dwellings, and on public open space including the streetscape or skyline, through overshadowing, overlooking or visual dominance of buildings;

c) Avoid the potential adverse impacts of overshadowing on surrounding properties, particularly on dwellings.

15A.1.3 Objective – Site Layout and Building Design in the Rural Residential Zone

Development of sites and buildings within the Rural Residential Zone are characterised by large areas of on-site open space, separation from buildings on adjoining sites and generous setbacks from roads. Buildings do not dominate the rural residential outlook, character and amenity of the Rural Residential Zone.

15A.1.3.1 Policy - Site Layout and Building Design in the Rural Residential Zone

By ensuring that the layout and design of development within the Rural Residential Zone:

a) Provides building setbacks that ensure a physical separation of buildings between sites, and contributes to the visual and aural privacy of adjoining sites;

b) Ensures that buildings are setback from the road boundary with a streetscape that provides opportunities for landscape planting and ensures that buildings do not visually dominate the rural residential outlook of adjacent properties or public open space;

c) Retains the majority of the site as open space, retains opportunities for planting and primary production activities on the site and cumulatively contributes to the overall open nature, rural residential landscape character and outlook of surrounding properties and the wider zone.

d) Ensures development is appropriately set back from areas of natural character or land within the Conservation Zone sufficient to preserve the amenity, character and intrinsic natural values of those areas.

15A.1.4 Objective - Density of Development in the Rural Residential Zone

A very low density residential environment, at the interface between the Suburban Residential Zone and Rural Zones, characterised by single dwellings on a site and large areas of on-site open space in vegetation or used for primary production activities.

15A.1.4.1 Policy - Development Density – Rural Residential Zone

By providing for residential densities that are significantly lower than those in the Suburban Residential Zone to ensure a less intensive development pattern.
15A.1.5 **Objective - Activities in the Rural Residential Zone**

*Low density residential activities* are the predominant *activity* in the Rural Residential Zone, but with flexibility for small scale *home-based business* and *homestays*, and a limited range of community support services (subject to their compatibility with the amenity of the Rural Residential Zone which is defined by specific provisions). *Primary production activities* compatible with rural residential use continue.

15A.1.5.1 **Policy - Activities in the Rural Residential Zone**

By providing for very *low density residential activity* as the predominant *activity* in the Rural Residential Zone while:

a) Providing for the integrated development of *secondary independent dwelling units* while ensuring such development is compatible with the amenity and character of the Rural Residential Zone;

b) Providing for small scale *home-based businesses*, including *homestays*, that are of an ancillary and secondary nature to the *residential activity* on the *site* and do not create off-site effects on surrounding properties, rural residential character and amenity, and the *transport network*;

c) Providing for a limited range of community support *activities*, being smaller scale *tertiary education premises; schools; health centres and places of worship* that provide community support functions for residents within the Rural Residential Zone and are compatible with existing anticipated rural residential character and amenity in terms of:

i) Location and scale of the *activity*, including the attraction of visitors to the *site*, and hours of operation of the *activity*;

ii) The nature of the *activity’s* actual and potential adverse effects on surrounding properties, rural residential character, amenity and the *transport network*;

iii) *Primary production activities* compatible with rural residential *activity* continue through:

iv) Limiting the types of *primary production* able to be undertaken in the Rural Residential Zone to those *activities* unlikely to have adverse effects on rural residential character and amenity;

v) Ensuring that *sites* within the Rural Residential Zone are of a size to provide for separation between incompatible *activities*;

vi) Recognising voluntary, industry-based codes relating to the management and application of chemical sprays;

vii) Using sections 16 and 17 of the *RMA* to act upon localised nuisances including offensive discharges from *primary production activities* and nuisances caused by poor management practices;

d) Limiting the establishment of *non-residential activities* in the Rural Residential Zone that are expected to be located in the *Commercial Zones* to ensure:

i) Avoidance of a cumulative effect on the rural residential character and amenity of the Rural Residential Zone;

ii) Maintenance of the integrity of the network of *commercial centres*, with regard to the objectives and policies for commercial development;

e) Limiting the establishment of *non-residential activities* in the Rural Residential Zone that are expected to be located in the *Industrial Zones* to ensure:

i) Avoidance of potential adverse effects, including cumulative effects, on the rural residential character and amenity of the Rural Residential Zone.
15A.1.6 Objective – Scheduled Sites in the Rural Residential Zones

The effects of the development of specific Scheduled Sites on the surrounding environment have been mitigated.

15A.1.6.1 Policy – Scheduled Sites in the Rural Residential Zone

a) By ensuring that any land use activity within the Central Bethlehem Scheduled Site is carried out in a manner that:

i) Mitigates adverse effects on landscape character and amenity effects on the surrounding environment, with particular regard to be given to the Central Bethlehem Scheduled Site’s pre-development rural landscape character, in terms of:

1) The interface of the Central Bethlehem Scheduled Site with adjoining the Rural Zone and Rural Residential Zone and Open Space Zones and along the northern and southern escarpments within the Central Bethlehem Scheduled Site. In this location, the identified mitigation option is landscape planting; and

2) Visual connectivity across the Central Bethlehem Scheduled Site to the Wairoa River, as viewed from the top of the northern escarpment and from Moffat Road. In this location the identified mitigation option is an open landscaped corridor/stormwater swale system;

ii) Avoids, remedies or mitigates potential adverse effects associated with the geotechnical constraints and natural hazards within the Central Bethlehem Scheduled Site and on adjoining escarpments;

iii) Recognises the limitations of Council’s existing infrastructural capacity;

iv) Avoids, remedies or mitigates adverse effects on the function, and safe and efficient operation of the transport network, with particular regard to the State Highway 2/Te Paeroa Road roundabout.
15A.2 Activity Status Rules

15A.2.1 Activities in the Rural Residential Zone

All activities in the Rural Residential Zone shall have the status identified in Table 15A.1: Rural Residential Zone Activity Status. Symbols used in Table 15A.1: Rural Residential Zone Activity Status have the meaning described in Table 1A.2: Activity Status.

Table 15A.1: Rural Residential Zone Activity Status

<table>
<thead>
<tr>
<th>Use/Activity</th>
<th>Relevant Rule</th>
<th>Rural Residential</th>
<th>Tara Road Urban Growth Plan Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessory buildings, structures and activities</td>
<td>15A.3</td>
<td>P</td>
<td>C</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>With the exception of permitted Amateur Radio Configurations (refer relevant Rule 4H.2.4)</td>
</tr>
<tr>
<td>Business activities not listed elsewhere in this Activity Table</td>
<td>15A.7</td>
<td>NC</td>
<td>NC</td>
</tr>
<tr>
<td>Demolition of a building or structure</td>
<td>15A.3.14</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Health centres</td>
<td>15A.6</td>
<td>D</td>
<td>D</td>
</tr>
<tr>
<td>Home-based businesses</td>
<td>15A.3</td>
<td>P</td>
<td>C</td>
</tr>
<tr>
<td>Homestay</td>
<td>15A.3</td>
<td>P</td>
<td>C</td>
</tr>
<tr>
<td>Independent dwelling unit</td>
<td>15A.3</td>
<td>P</td>
<td>C</td>
</tr>
<tr>
<td>Industrial activities</td>
<td>15A.7</td>
<td>NC</td>
<td>NC</td>
</tr>
<tr>
<td>Minor public recreational facilities and activities</td>
<td>15A.3</td>
<td>P</td>
<td>C</td>
</tr>
<tr>
<td>Offensive trades</td>
<td>15A.7</td>
<td>NC</td>
<td>NC</td>
</tr>
<tr>
<td>Permitted activities in the Central Bethlehem Scheduled Site that are otherwise listed in this table as permitted in the Rural Residential Zone.</td>
<td>15A.5</td>
<td>RD (P)</td>
<td>-</td>
</tr>
<tr>
<td>Primary production activities excluding forestry, factory farming and aerial spraying of crops</td>
<td>15A.3</td>
<td>P</td>
<td>C</td>
</tr>
<tr>
<td>Use/Activity</td>
<td>Relevant Rule</td>
<td>Rural Residential</td>
<td>Tara Road Urban Growth Plan Area</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>---------------</td>
<td>-------------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td>Produce stalls</td>
<td>15A.3</td>
<td>P</td>
<td>C</td>
</tr>
<tr>
<td>Schools</td>
<td>15A.6</td>
<td>D</td>
<td>D</td>
</tr>
<tr>
<td>Secondary independent dwelling unit</td>
<td>15A.3</td>
<td>P</td>
<td>C</td>
</tr>
<tr>
<td>Shared accommodation</td>
<td>15A.3</td>
<td>P</td>
<td>C</td>
</tr>
<tr>
<td>Tertiary education premises</td>
<td>15A.6</td>
<td>D</td>
<td>D</td>
</tr>
<tr>
<td>Urupa</td>
<td>15A.3</td>
<td>P</td>
<td>C</td>
</tr>
<tr>
<td>Visitor accommodation</td>
<td>15A.7</td>
<td>NC</td>
<td>NC</td>
</tr>
</tbody>
</table>

Note: in this table (P) means that a land use activity within the Central Bethlehem Scheduled Site is a Permitted Activity if it is identified as a Permitted Activity within Table 15A.1: Rural Residential Zone Activity Status Activity Status in the Rural Residential Zone, complies with all the relevant Permitted Activity Rules, and is on an allotment created after 1 January 2013 through subdivision consent granted under Rule 12C.4 b) - Restricted Discretionary Activity Rules.
15A.3 Permitted Activity Rules

Note: Where an activity that does not comply with a Permitted Activity Rule shall be considered a Restricted Discretionary Activity, unless stated otherwise.

15A.3.1 Development Density and Scale

a) Maximum density for independent dwelling units on a site shall be 1 per site.

b) Maximum density for shared accommodation on the site shall be as follows:
   i) When added together the maximum gross floor area of all habitable rooms associated with the shared accommodation on the site shall not exceed 65m²;
   ii) Shared accommodation shall be limited to a maximum of 8 permanent residents per site.

Note: Any activity that does not comply with Permitted Activity Rule 15A.3.1 - Development Density and Scale shall be considered a Discretionary Activity.

15A.3.2 Building Height

a) The maximum height of any building, with the exception of the permitted intrusions under either Rule 4H.2.3 – Permitted Height and Viewshaft Protection Area Intrusions or Rule 4H.2.4 –Permitted Activities – Permitted Intrusions for Amateur Radio Configurations in the Residential and Rural Residential Zones shall be 9 metres;

b) Provided that no building or structure within any identified Viewshaft Protection Area with the exception of the Permitted Intrusions in Rule 4H.2.3 – Permitted Height and Viewshaft Protection Area Intrusions, shall exceed the maximum height identified within the Plan Maps (Part B).

Note: Any activity that does not comply with Permitted Activity Rule 15A.3.2 – Building Height shall be considered a Discretionary Activity.

15A.3.3 Streetscape

a) All buildings on a site with a frontage to a legal road shall be setback 10 metres from the road boundary of the site;

b) All buildings on a site adjoining a Future Road Widening designation (as identified on Plan Maps (Part B)) shall have the required setback measured from that designation boundary;

c) The provision of on-site parking shall not be located within the required streetscape setback.

15A.3.4 Setbacks

All buildings, excluding any setback intrusions permitted under either Rule 4H.2.1 – Permitted Setback Intrusions or Rule 4H.2.4 –Permitted Activities – Permitted Intrusions for Amateur Radio Configurations in the Residential and Rural Residential Zones shall provide the following setbacks from a side or rear boundary:

a) A minimum of 1.5 metres from a side or rear boundary;

b) A minimum of 5 metres from the boundary of the Conservation Zone;

c) All new buildings, excluding minor structures and activities, shall be setback a minimum of 30 metres from Mean High Water Springs;

d) All new buildings, excluding minor structures and activities, shall be setback a minimum of 20 metres from a permanently flowing river or stream, or wetland;
e) Where a site adjoins an Open Space Zone or the Coastal Marine Area, the common boundary (that being the zone boundary) may be fenced to a maximum of:
   i) 1.2 metres in height; or
   ii) 1.8 metres in height, consisting of visually permeable materials.

Note: Any activity that does not comply with Permitted Activity Rule 15A.3.4 – Setbacks a), c), d), e) shall be considered a Restricted Discretionary Activity.

Note: Any activity that does not comply with Permitted Activity Rule 15A.3.4 – Setbacks b) shall be considered a Non-Complying Activity.

15A.3.5 Overshadowing

All buildings, excluding any overshadowing intrusions permitted under either Rule 4H.2.2 – Permitted Overshadowing Envelope Intrusions or Rule 4H.2.4 – Permitted Activities – Permitted Intrusions for Amateur Radio Configurations in the Residential and Rural Residential Zones, shall be within a building envelope calculated in accordance with Appendix 14C: Overshadowing.

15A.3.6 Site coverage

The maximum site coverage shall be 30% of the site area.

Note: Any activity that does not comply with Permitted Activity Rule 15A.3.6 – Site Coverage shall be considered a Discretionary Activity.

15A.3.7 Access

The maximum number of independent dwelling units, homestays or shared accommodation that can be served by private rights-of-ways, private accessway or legal access lot shall be:

<table>
<thead>
<tr>
<th>Number of Independent Dwelling Units</th>
<th>Legal Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to and including 2 independent dwelling units (including any secondary independent dwelling units) or 1 shared accommodation premises</td>
<td>3m minimum legal width</td>
</tr>
<tr>
<td>3-4 independent dwelling units (including any secondary independent dwelling units), or up to 2 independent dwelling units that include any 1 permitted homestay per independent dwelling unit or 3 shared accommodation premises</td>
<td>3m minimum legal width</td>
</tr>
<tr>
<td>5-12 independent dwelling units (including any secondary independent dwelling units) or up to 8 independent dwelling units that include any one permitted homestay or up to 8 shared accommodation premises</td>
<td>6m minimum legal width, provided that the shared access is constructed to allow 2 vehicles to pass within its boundaries</td>
</tr>
</tbody>
</table>

Note: Any land use activity that requires additional access to Tara Road is a Non-Complying Activity in accordance with Rule 4B.6 – Non-Complying Activities.

15A.3.8 Homestay

a) A homestay shall be associated with and ancillary to an independent dwelling unit (excluding any secondary independent dwelling unit) on the site;

b) When added together the maximum gross floor area of all habitable rooms associated with the homestay on the site shall not exceed 65m².

Note: Any activity that does not comply with Permitted Activity Rule 15A.3.8 – Homestay shall be considered a Non-Complying Activity.
15A.3.9 Home-Based Business

a) Every home-based business or combination of home-based business activities on a single site may employ not more than 2 other persons (Full Time Equivalent (FTE)) additional to the members of the household who permanently reside on the site and who own and operate the business from that site;

b) The activity shall be carried out either within a dwelling, an accessory building, or in an outdoor activity area clearly designed and constructed for the purpose of the business or businesses, or a combination of these areas. The maximum total gross area used for the home-based business or combination of businesses, including retail sales space, shall be 50m²;

c) The activity, including any aspect of it undertaken in an outdoor activity area, shall not encroach on the streetscape or setbacks of the site as defined in the Plan;

d) Retail sales from a home-based business or businesses shall be limited to those goods and materials produced by the home-based business or used in the direct operation and management of that business or those businesses on the site;

e) Retail sales shall take place from within a building or structure on the same site and the area occupied for retail sales shall be a constituent part of the gross area of the activity.

Note: Any activity that does not comply with Permitted Activity Rule 15A.3.9 – Home-Based Business shall be considered a Non-Complying Activity.

15A.3.10 Secondary Independent Dwelling Unit

a) 1 secondary independent dwelling unit is permitted per site;

b) The secondary independent dwelling unit shall be ancillary to, and associated with, the principal independent dwelling unit on-site;

b) The secondary independent dwelling unit shall have a maximum gross floor area of 80m²;

d) The secondary independent dwelling unit may be incorporated into the bulk of the existing principal independent dwelling unit or be a separate detached building.

e) Where the secondary independent dwelling unit is detached from the principal independent dwelling unit it shall be sited within 20 metres of the principal independent dwelling unit and shall share a driveway with the principal independent dwelling unit.

Note: Any activity that does not comply with Permitted Activity Rule 15A.3.10 – Secondary Independent Dwelling Unit shall be considered a Discretionary Activity.

15A.3.11 Produce Stalls

Produce stalls shall have a maximum gross floor area per site of 50m².

Note: Any activity that does not comply with Permitted Activity Rule 15A.3.11 – Produce Stalls shall be considered a Non-Complying Activity.

15A.3.12 Heavy Machinery

No heavy machinery shall be parked, stored or displayed on a site. This excludes one private motor home vehicle per site, regardless of whether that vehicle falls within the definition of heavy machinery, providing the motor home vehicle is parked in compliance with Rule 15A.3.4 – Setbacks and Rule 15A.3.5 – Overshadowing. Heavy machinery may visit and use a site to pick up or deliver goods or materials, or during construction.

Note: Any activity that does not comply with Permitted Activity Rule 15A.3.12 – Heavy Machinery shall be considered a Non-Complying Activity.
15A.3.13 Clearance of Indigenous Vegetation

No activity shall result in the clearance of more than 20m² of indigenous vegetation in any calendar year.

Note: Any activity that does not comply with Permitted Activity Rule 15A.3.13 – Clearance of Indigenous Vegetation shall be considered a Non-Complying Activity.

15A.3.14 Rules in Other Sections of the Plan

Activities within the Rural Residential Zone shall also comply with the following sections of the Plan:

a) The provisions of Chapter 4 – General Rules Provisions;
b) The provisions of Chapter 7 – Heritage;
c) The provision of Chapter 8 – Natural Hazards;
d) The provisions of Chapter 9 – Hazardous Substances and Contaminated Land;
e) The provisions of Chapter 11 – Financial Contributions;
f) The provisions of Chapter 12 – Subdivision, Services and Infrastructure, Section 12G – Purpose of Service and Infrastructure Provisions;
g) The provisions of any Plan Area.
15A.4 Controlled Activity Rules

The following are Controlled Activities:

a) Any activity listed as a Controlled Activity in Table 15A.1 Rural Residential Zone Activity Status.

15A.4.1 Controlled Activity Standards and Terms: Tara Road Urban Growth Plan Area

a) The land to be developed shall only be accessed from Tara Road via the Doncaster Road roundabout and shall be in accordance with UG5, Section 6, Urban Growth Plans (Plan Maps, Part B) as it applies to the zone within Tauranga City.

b) Dwellings shall be designed and constructed so that internal noise levels do not exceed 35 dBA $L_{eq 24hr}$ in bedrooms and 40 dBA $L_{eq 24hr}$ in other habitable rooms. Written evidence that this standard will be achieved through the design of the building shall be provided to the Council from a suitably qualified acoustic consultant at the time an application for resource consent to build is lodged with the Council under this rule. Where a building is required to have its windows closed to achieve the required noise standard, the building shall be designed and constructed to provide for an alternative means of internal ventilation.

c) Development shall be designed and constructed so that external noise levels do not exceed 64 dBA $L_{eq 24hr}$ (see (d) below). The acoustic mitigation adjacent to the Tauranga Eastern Link and/or Tara Road required to achieve this standard shall be addressed at the time of development under this Rule or subdivision under Rule 12C.3.1.11 b) – Tara Road Urban Growth Plan Area (whichever comes first). Written evidence that this standard will be achieved shall be provided to the Council from a suitably qualified acoustic consultant as part of the application for development. The evidence shall be based on predictions of road-traffic noise in accordance with Section 5.3 of NZS 6806:2010, using terrain data at 1m ground contour intervals including the final earthworks for the Tauranga Eastern Link.

d) The design parameters for noise measurement for b) and c) above are as follows:

Tara Road
i) Design year – 2026
ii) Flow rate (AADT) – Tara Road 26,100 vpd, Parton Road 6,000 vpd
iii) Speed – 100 kph
iv) Road surface – Open graded porous ashphalt
v) Percentage of heavy vehicles – 7%

Tauranga Eastern Link
vi) Design year – 2026
vii) Flow rate (AADT) – 28,000 with Papamoa East Interchange
viii) Design speed – 100kph
ix) Road surface – Chip seal
x) Percentage of heavy vehicles – 16%

e) At the time of development a landscape plan detailing planting species and spacing shall be provided to screen the Rural Residential Zone from the Tauranga Eastern Link and to provide an amenity buffer with Tara Road. The landscape plan shall detail the planting along the 10m Amenity Planting Strip adjoining Tara Road, within the Landscape Swale, on the acoustic bund adjoining the Tauranga Eastern Link and/or Tara Road (if proposed), and between any acoustic barrier and the Tauranga Eastern Link and/or Tara Road (if proposed).

f) The acoustic mitigation (e.g. bund; barrier) and landscaping shall be designed so that it does not have any adverse geotechnical effect on the Tauranga Eastern Link and/or Tara Road (including all infrastructure within the road reserve). Prior to the establishment of any acoustic mitigation or landscaping required by clauses c) and e) of this rule a geotechnical assessment by a suitably qualified geotechnical engineer shall be prepared in consultation with the NZ Transport Agency or Tauranga City Council (as relevant) and submitted to Council to confirm that the acoustic mitigation and landscaping has no adverse geotechnical effect on Tauranga Eastern Link or Tara Road (including all infrastructure within the road reserve).
g) The acoustic mitigation required by c) above (e.g. bund or barrier) and the landscape mitigation required by e) above shall be vested in Council at the time of subdivision as required by Rule 12C.3.1.11 f) – Tara Road Urban Growth Plan Area or prior to resource consent for a dwelling being issued, whichever occurs first.

h) Any development shall be in accordance with an approved stormwater management plan for the entire Tara Road Urban Growth Plan Area. For the avoidance of doubt, this means an integrated management approach is required with the Rural Residential zoned land directly east, within the Western Bay of Plenty District.

i) Development shall not be commenced until the Tauranga Eastern Link is operational. Operational means that TEL construction is complete and public vehicles are able to use the full length of TEL including both lanes in each direction.

j) Development associated with the Tauranga Eastern Link shall be exempt from this rule.

k) For the avoidance of doubt, development shall also comply with Permitted Activity Rule 15A.3 - Permitted Activity Rules, except where they are inconsistent with this Rule, in which case this Rule shall prevail.

Note: Water supply is to be provided privately, unless prior arrangements have been made with the Council to reticulate the whole of the Tara Road Urban Growth Plan Area with a public reticulation system.

15A.4.2 Controlled Activity – Matters of Control and Conditions: Tara Road Urban Growth Plan Area

The Council reserves control over the following matters:

a) Noise mitigation;

b) Landscaping;

c) Geotechnical effects;

d) Access to Tara Road;

e) Stormwater management;

f) Compliance with the UGS, Section 6, Urban Growth Plans (Plan Maps, Part B).

15A.5 Restricted Discretionary Activity Rules

The following are Restricted Discretionary Activities:

a) Any Permitted Activity that does not comply with:
   i) Rule 15A.3.3 - Streetscape;
   ii) Rule 15A.3.4 a), c), d), e) - Setbacks;
   iii) New, or alterations to existing fences, where a site adjoins an Open Space Zone, the Coastal Marine Area or the edge of a bank of a permanently flowing river or stream, or wetland located within the defined setback where that fence is proposed to be constructed greater than:
      1) 1.2 metres in height;
      2) 1.8 metres in height and does not consist of visually permeable materials;
   iv) Rule 15A.3.5 – Overshadowing;
   v) Rule 15A.3.7 – Access.

15A.5.1 Restricted Discretionary Activities – Standards and Terms – Activities that Do Not Comply with Rule 15A.3.4 a), c), d), e) - Setbacks

Restricted Discretionary Activities shall comply with the following standards and terms:

a) A qualified landscape architect shall prepare a landscape and visual assessment for any application for resource consent;

b) The assessment shall have particular regard to the open space character and factors, values and associations that contribute to the area’s landscape character and natural character, including its interface with the Coastal Marine Area, permanently flowing river or stream or wetland.
Note: Any activity that does not comply with Rule 15A.5.1 – Restricted Discretionary Activities – Standards and Terms – Activities that Do Not Comply with Rule 15A.3.4 a), c), d), e) - Setbacks shall be considered a Discretionary Activity.

15A.5.2 Restricted Discretionary Activities – Matters of Discretion and Conditions

15A.5.2.1 Streetscape
In considering activities that do not comply with Rule 15A.3.3 - Streetscape the Council restricts the exercise of its discretion to:

a) The extent to which the proposal would adversely impact on the maintenance of a consistent setback from the street and result in the reduction of the visual amenity of the existing and anticipated streetscape pattern when viewed from the street and from adjoining sites;

b) The extent to which the proposal addresses potential adverse impacts through on-site design measures or contribution to the maintenance of amenity at the public-private interface.

15A.5.2.2 Setbacks

a) In considering activities that do not comply with Rule 15A.3.4 a) - Setbacks the Council restricts the exercise of its discretion to:

i) The extent to which the proposal would adversely impact on the visual and aural privacy of occupants on adjoining sites;

ii) The extent to which the proposal would reduce the ability to maintain access for maintenance, including for buildings on adjoining sites;

iii) The extent to which the proposal would address potential adverse impacts through design measures including, but not restricted to, step in breaks in façades and minimisation of the length of encroachment into the setback.

b) In considering activities that do not comply with Rule 15A.3.4 c), d), e) - Setbacks the Council restricts the exercise of its discretion to:

i) The height, scale, and location of any building, structure, or sign;

ii) The use of material on the exterior of any building or structure, including the use of colour;

iii) The nature, location and extent of any proposed earthworks;

iv) The location and design of access, parking areas, infrastructure and services or fences;

v) Whether the proposed activity, building or structure will adversely affect the indigenous flora and fauna values and whether retention of indigenous and exotic vegetation, reinstatement of indigenous vegetation or provision of new indigenous planting is required;

vi) Whether the proposed activity, building or structure will adversely affect the factors, values and associations of a specific landscape feature and whether retention of specific landscape features or reinstatement of those features is required.

15A.5.2.3 Overshadowing
In considering activities that do not comply with Rule 15A.3.5 - Overshadowing the Council restricts the exercise of its discretion to the extent to which the proposal would overshadow other sites resulting in reduced sunlight and daylight.

15A.5.2.4 Access
In considering activities that do not comply with Rule 15A.3.7 - Access the Council restricts the exercise of its discretion to the extent to which vehicular traffic generated by any activity can be accommodated without compromising the functionality of the access and the road on to which the access links (taking into account its place in the hierarchy, traffic volumes, safety and efficient pedestrian movement), or without loss of rural residential character and amenity.
15A.5.3 Special Restricted Discretionary Activities – Standards and Terms – Central Bethlehem Scheduled Site

a) Any application for a restricted discretionary land use consent within the part of the Central Bethlehem Scheduled Site zoned Rural-Residential shall comply with:

i) Rule 15A.3.1 – Development Density and Scale
ii) Rule 15A.3.2 – Building Height;
iii) Rule 15A.3.3 - Streetscape;
iv) Rule 15A.3.4 - Setbacks;
v) Rule 15A.3.5 - Overshadowing;
vi) Rule 15A.3.6 - Site Coverage;
vii) Rule 15A.3.7 - Access;
viii) Rule 15A.3.8 - Homestay;
i) Rule 15A.3.9 - Home-Based Business;
x) Rule 15A.3.10 - Secondary Independent Dwelling Unit;
xii) Rule 15A.3.11 - Produce Stalls;
xiii) Rule 15A.3.12 - Heavy Machinery;
xiv) Rule 15A.3.13 - Clearance of Indigenous Vegetation;

b) Any application for a restricted discretionary land use consent shall be accompanied by a geotechnical assessment prepared by a qualified geotechnical engineer and shall as a minimum:

i) Consider the proposal against 15A.1.6.1 a) ii) Policy - Scheduled Sites in the Rural Residential Zone;
ii) Consider the proposal against the requirements of QA-2.2 Development Evaluation Report and QA-2.4.1 Geotechnical Assessment Report as outlined within the Tauranga City Infrastructure Development Code.

c) Any application for a restricted discretionary land use consent shall be in accordance with Appendix 15A: Outline Development Plan - Central Bethlehem Scheduled Site (Sheets 1 & 2);

d) Any application for a restricted discretionary land use consent shall comply with UG1, Section 6, Urban Growth Plan, (Plan Maps Part B);

e) Any application for a restricted discretionary land use consent shall be accompanied by a stormwater assessment prepared by a suitably qualified engineer with expertise in the field of stormwater management. This assessment shall identify the extent to which the proposed stormwater infrastructure (stormwater management areas, swales, wetlands and drains) serving the land use development achieves:

i) A comprehensive stormwater management system that accommodates flows from a 50 year return period storm event (2% AEP) for the entire Central Bethlehem Scheduled Site;
ii) A primary conveyance method of the stormwater management system that accommodates flows from a 10 year return period storm event (10% AEP) for the entire Central Bethlehem Scheduled Site;
iii) The avoidance and/or mitigation of potential adverse effects on the upstream and downstream catchment within the subject stormwater catchment;
iv) An overall design utilising low impact stormwater design in accordance with DC-1.4.8 Infrastructure Stormwater Management and Low Impact Design and DS-1.4.8.1 Design Elements as outlined within the Tauranga City Infrastructure Development Code;

f) Any application for a restricted discretionary land use consent shall be accompanied by an ecological assessment prepared by a suitably qualified ecologist. This assessment shall provide for the management of native fish species within the Central Bethlehem Scheduled Site to ensure their habitat protection within either existing wetlands or modified watercourses;

g) Any application for a restricted discretionary land use consent shall ensure that no building or structure may be established within the Landscape Planted Areas shown on Appendix 15A: Outline Development Plan - Central Bethlehem Scheduled Site (Sheets 1 & 2);

h) Any application for a restricted discretionary land use consent shall be accompanied by an earthworks development plan, identifying how raising of the ground level shall be battered to integrate with the surrounding environment and contours, including the existing drains and existing wetland areas (to the extent that they are retained) and proposed wetland areas, to mitigate effects on the pre-development rural landscape character;
i) Any application for a restricted discretionary land use consent shall be accompanied by a landscape and visual assessment and a landscape planting plan prepared by a suitably qualified landscape architect. This shall, as a minimum:

   i) Consider the proposal against 6A.1.10 Objective – Rural Residential and Rural Landscape Character, 6A.1.10.1 Policy – Maintenance and Enhancement of Rural-Residential and Rural Landscape Character and 15A.1.6.1 a) i) Policy – Scheduled Sites in the Rural Residential Zones.

   ii) Have particular regard to the interface of the Central Bethlehem Scheduled Site with adjoining sites in the context of the Central Bethlehem Scheduled Sites pre-development rural landscape character which is intended to be mitigated by the Landscape Planting Areas shown on Appendix 15A: Outline Development Plan - Central Bethlehem Scheduled Site (Sheets 1 & 2);

   iii) Outline the proposed finished earthworks and finished contours for the site;

   iv) Outline the proposed landscape planting of the Landscape Planting Areas, 20m Wide Open Corridor, the internal margins of the Internal Road Corridor and all existing and proposed Stormwater Treatment Areas, swales, wetlands and drains identified in Appendix 15A: Outline Development Plan - Central Bethlehem Scheduled Site (Sheets 1 & 2);

   v) Include a planting, maintenance and replacement schedule, which includes plant species, grades and quantities at time of planting, and responsibilities of landowners to implement and maintain the Landscape Planted Areas;

   vi) Where fencing is proposed, specify fencing that is of a rural landscape character with a minimum of 50 per cent visual permeability in the following locations:

      1) Adjacent to the boundary with Parau Farms Active Reserve;

      2) Adjacent to all proposed pedestrian walkways, public and private open spaces;

      3) Adjacent to all zoned Rural and Rural Residential allotments within the Central Bethlehem Scheduled Site

      4) On the external boundaries of the Central Bethlehem Scheduled Site.

Note: Any application for land use consent that does not comply with Rule 15A.5.3 - Special Restricted Discretionary Activities – Standards and Terms – Central Bethlehem Scheduled Site shall be considered as a Discretionary Activity under Rule 15A.6: Discretionary Activity Rules, with the exception of non-compliance with Rules 15A.5.3 a) iii)-v) vii)-viii) and xi)-xiii) Special Restricted Discretionary Activities – Standards and Terms – Central Bethlehem Scheduled Site.

Note: Any application for a restricted discretionary land use consent that does not comply with Rules 15A.5.3 a) iii)-v) - Special Restricted Discretionary Activities – Standards and Terms – Central Bethlehem Scheduled Site shall be considered as a Restricted Discretionary Activity and assessed in accordance with Rule 15A.5.2 - Restricted Discretionary Activities – Matters of Discretion and Conditions.

Note: Any application for land use consent that does not comply with Rules 15A.5.3 a) vii), viii), xi) - xiii) - Special Restricted Discretionary Activities – Standards and Terms – Central Bethlehem Scheduled Site shall be considered as a Non-Complying Activity.

15A.5.4 Restricted Discretionary Activities – Matters of Discretion and Conditions - Central Bethlehem Scheduled Site

In considering any restricted discretionary land use application for the Central Bethlehem Scheduled Site, the Council restricts the exercise of its discretion to:

   a) The matters in 6A.1.10 Objective – Rural Residential and Rural Landscape Character, 6A.1.10.1 Policy – Maintenance and Enhancement of Rural-Residential and Rural Landscape Character and 15A.1.6.1 a) Policy – Scheduled Sites in the Rural Residential Zones;

   b) Compliance with the matters outlined in Rule 15A.5.2 - Restricted Discretionary Activities – Matters of Discretion and Conditions;

   c) The extent to which the proposal is in accordance with and supports the implementation of Appendix 15A: Outline Development Plan - Central Bethlehem Scheduled Site (Sheets 1 & 2) and UG1, Section 6, Urban Growth Plans, (Plan Maps Part B);

   d) The matters in objectives and policies under the heading 8A.1 Objectives and Policies for the Natural Hazards Provisions and 15A.1.6.1 a) ii) Policy – Scheduled Sites in the Rural Residential Zone;
e) The extent to which the proposal avoids or mitigates any adverse effects on:
   i) The capacity of Council’s water infrastructure;
   ii) Stormwater management within the Central Bethlehem Scheduled Site and its integration with the wider stormwater catchment;
   iii) The management of native fish species within the Central Bethlehem Scheduled Site to ensure their habitat protection within either existing wetlands or modified watercourses;
   iv) The rural landscape character of adjoining Rural and Rural Residential zoned properties along the northern and southern escarpments including the existing rural aspect and visual connectivity to the Wairoa River;

f) The extent to which all earthworks (excluding earthworks associated with the internal road corridor as identified on Appendix 15A: Outline Development Plan - Central Bethlehem Scheduled Site (Sheets 1 & 2)) are battered to integrate with the surrounding environment and contours, including the existing drains and wetland areas, and the extent of mitigation of effects on the pre-development rural landscape character;

g) In addition to the matters above, any matters required to be included or assessed in a document prepared by a qualified expert in accordance with Rules 15A.5.3 b), e), f) and i) – Special Restricted Discretionary Activities – Standards and Terms - Central Bethlehem Scheduled Site and any recommendations or mitigation measures included in such a document.

15A.5.5 Non-Notification of Resource Consents - Central Bethlehem Scheduled Site

Any application for a restricted discretionary resource consent within the Central Bethlehem Scheduled Site shall not be notified or served on affected parties.

15A.6 Discretionary Activity Rules

The following are Discretionary Activities:

a) Any Permitted Activity that does not comply with:
   i) Rule 15A.3.1 – Development Density and Scale;
   ii) Rule 15A.3.2 – Building Height;
   iii) Rule 15A.3.6 – Site Coverage;
   iv) Rule 15A.3.10 – Secondary Independent Dwelling Unit;

b) Any activity which is not a Permitted, Controlled, Restricted Discretionary or Non-Complying Activity;

c) Any activity which does not comply with Rule 15A.5.1 – Restricted Discretionary Activity – Standards and Terms – Activities that Do Not Comply with Rule 15A.3.4 a), c), d), e) - Setbacks;

d) Any activity listed as a Discretionary Activity in Table 15A.1: Rural Residential Zone Activity Status.

e) Any activity that does not comply with Rule 15A.5.3 Special Restricted Discretionary Activities – Standards and Terms – Central Bethlehem Scheduled Site with the exception of non-compliance with:
   i) Rules 15A.5.3 a) iii)-v) - Special Restricted Discretionary Activities – Standards and Terms – Central Bethlehem Scheduled Site which shall be considered as a Restricted Discretionary Activity;
   ii) Rules 15A.5.3 a) vii), viii), xi) - xiii) - Special Restricted Discretionary Activities – Standards and Terms – Central Bethlehem Scheduled Site which shall still be considered as a Non-Complying Activity.

15A.6.1 Discretionary Activity – Assessment of Discretionary Activities

In considering a Discretionary Activity the Council’s discretion is unrestricted. The Council shall consider any relevant matter with particular regard to the relevant Objectives and Policies of the Plan.
15A.7 Non-Complying Activities

The following are Non-Complying Activities:

a) Any activity listed as a Permitted Activity that does not meet Rule 15A.3.4 b) – Setbacks;
b) Any activity listed as a Permitted Activity that does not meet Rule 15A.3.8 – Homestays;
c) Any activity listed as a Permitted Activity that does not meet Rule 15A.3.9 – Home-based Businesses;
d) Any activity listed as a Permitted Activity that does not meet Rule 15A.3.11 – Produce Stalls;
e) Any activity listed as a Permitted Activity that does not meet Rule 15A.3.12 – Heavy Machinery;
f) Any activity listed as a Permitted Activity that does not meet Rule 15A.3.13 – Clearance of Indigenous Vegetation;
g) Any activity that does not meet Rule 15A.4.1 - Controlled Activity Standards and Terms: Tara Road Urban Growth Plan Area;
h) Any activity that is listed as Non-Complying in Table 15A.1 – Rural Residential Zone Activity Status;
i) Any activity that does not comply with Rules 15A.5.3 a) vii), viii), xi) - xiii) - Special Restricted Discretionary Activities – Standards and Terms – Central Bethlehem Scheduled Site.
Appendices

Appendix 15A: Outline Development Plan – Central Bethlehem Scheduled Site - Sheet 1
## Appendix 15A: Outline Development Plan – Central Bethlehem Scheduled Site  
### Sheet 2

<table>
<thead>
<tr>
<th>Area</th>
<th>Requirements</th>
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| Landscape Planted Area (1) (Northern Boundary)                      | Landscape Planted Area (1):  
  a) Shall be designed to achieve a minimum of 30% tree canopy cover, at maturity;  
  b) Shall be planted in clusters of 5-7 tree specimens;  
  c) Tree Specimens shall be a minimum grade of PB95;  
  d) Open areas, void of specimen tree planting, shall be no more than 30m apart;  
  e) Shall remain in private ownership. |
| Landscape Planted Area (2 & 3) (Southern & Western Boundaries)     | Landscape Planted Area (2 & 3):  
  a) Shall be designed to achieve a minimum of 50% tree canopy cover, at maturity;  
  b) Shall be planted in clusters of 5-7 tree specimens;  
  c) Tree Specimens shall be a minimum grade of PB95;  
  d) Open Areas, void of specimen tree planting, shall be no more than 30m apart;  
  e) Shall remain in private ownership. |
| Landscape Planted Area (4) (Intersection of Internal Road Corridor and 20m Wide Open Corridor) | Landscape Planted Area (4):  
  a) Shall be an open space grassed reserve and comply with Appendix 12E: Performance Standard, Reserves. |
| 20m Wide Open Corridor                                              | 20m Wide Open Corridor:  
  a) Shall be designed to comply with Appendix 12B: Performance Standard, Stormwater. |
| Internal Road Corridor and Internal Local Roads                    | Specimen tree planting shall be provided along the Internal Road Corridor and all local roads in accordance with Appendix 12A: Performance Standard, Transportation Network. |
| Existing Wetland                                                   | Note: Ecological values of the Existing Wetland are low.  
  Note: Effects on existing native fish species shall be managed by providing alternative equivalent habitats through the proposed stormwater treatment area. |