

RLZ – Rural Lifestyle Zone

Introduction

The Rural Lifestyle Zone is located on rolling to hilly land with soils of generally lower productivity on the outskirts of Waipukurau and Waipawa.

The Rural Lifestyle Zone provides a valuable residential choice for people wanting a lifestyle on larger sites, with the opportunity to carry out small scale productive activities in a semi-rural setting, in close commuting distance to Waipawa and Waipukurau for employment, education, shopping, entertainment and recreation activities, but without the responsibility of owning and maintaining a larger rural property.

In addition to addressing demand for low density residential development, the Rural Lifestyle Zone reduces pressure for urban expansion onto the highly productive land of the District and enables the avoidance or mitigation of potential reverse sensitivity effects and land use conflicts within the zone and at the rural interface.

Issues

RLZ-I1 Providing a Choice of Residential Environments

There is a need to provide for a choice of different residential environments to enable current and future residents to meet their lifestyle aspirations within the District.

Explanation

Providing a range of residential environments within the District is important to enable people to choose what best suits their particular lifestyle needs and aspirations. Historically, there has been no zone for rural residential living specifically provided in a planned manner, and rural-residential developments (with lots of 4000m² or more) have tended to be scattered across the rural area. It is now recognised that identifying appropriate locations for this type of large-lot residential development would provide for a more sustainable form of development into the future.

Locating Rural Lifestyle Zones immediately adjacent to the existing urban areas of Waipawa and Waipukurau enables the sustainable management of the District's natural and physical resources, including infrastructure.

RLZ-I2 Protecting the Productive and Finite Rural Land Resource from Future Ad Hoc Rural Residential Development

The subdivision and development of rural land for rural residential living can, over time, result in the irreversible loss of the District's finite rural soil resource (particularly the highly productive land of the Ruataniwha and Takapau Plains and areas around Waipukurau, Waipawa and Ōtane), and diminish the capacity of the resource to be used productively.

Explanation

The increasing pressure for rural residential subdivision or lifestyle uses in the District, including the associated development of buildings and hard stand surfaces, can cumulatively result in the productive potential of the District's rural and highly productive land resources being compromised. It is important that rural residential living be directed away from these finite resources to areas of lower productivity in the rural environment.

RLZ-13 Managing Reverse Sensitivity

Rural residential activities establishing within, or at the interface of, the rural environment can create potential conflict with and compromise the effective and efficient operation of legitimate primary production activities, where rural residential activities have higher environmental expectations about amenity values than are reasonably achievable in terms of the working needs of rural activities.

Explanation

The Rural Zones include productive activities that can generate potential adverse effects from 24-hour harvesting operations, odour and noise associated with the use of farm machinery, heavy traffic, animals, cropping, frost protection and bird-scaring. The establishment of more sensitive rural residential activities within, or at the interface of, the rural environment can result in reverse sensitivity conflicts with legitimate rural activities and their ability to be effectively and efficiently carried out.

Objectives

- RLZ-O1 Low density residential needs are met within a Rural Lifestyle Zone located on land with soils of generally lower productivity in close proximity to the urban areas of Waipawa and Waipukurau.**
- RLZ-O2 Compatible land use activities within the Rural Lifestyle Zone which enable sufficient flexibility for rural residential living and/or small-scale primary production activities, and which avoid or mitigate adverse effects within the zone and at the interface with other zones.**

Policies

- RLZ-P1 To maintain and enhance the attractive open space character of the Rural Lifestyle Zone with larger section sizes that are sufficient to accommodate a residential unit, minor residential unit and accessory buildings and an area of open space for amenity and/or productive purposes.**
- RLZ-P2 To limit the number of residential units and minor residential units that can establish as of right on sites within the Rural Lifestyle Zone.**

- RLZ-P3** To provide for home businesses, rural commercial activities, emergency service activities, visitor accommodation and educational facilities which are complementary to the rural residential use of the land and are compatible in scale with rural residential living in the zone.
- RLZ-P4** To require activities within the Rural Lifestyle Zone to be self-sufficient in the provision of on-site water supply, wastewater and stormwater disposal, unless a reticulated supply is available to connect to.
- RLZ-P5** To require buildings within the Rural Lifestyle Zone to be setback a minimum distance from property boundaries to avoid or mitigate potential adverse cross-boundary effects and land use conflicts.
- RLZ-P6** To manage the bulk, scale and location of buildings within the Rural Lifestyle Zone to ensure they are in keeping with the low density rural residential character and amenity of the Zone.
- RLZ-P7** To limit the scale of enable Community Facilities and Educational Facilities in the Rural Lifestyle Zone to in a way that maintains the character and amenity of the zone while providing for the social and cultural wellbeing and the health and safety of residents of the zone.
- RLZ-P8** To avoid adverse effects of shading from trees on adjoining public roads and properties.

Commented [JKS1]: S57.157 FENZ – Rural Topic, Volume 4, Key Issue 20.

Commented [JKS2]: S73.022 Ministry of Education – Rural Topic, Volume 4, Key Issue 19.

3. Rule Overview Table

Use/activity	Rule Number
Residential activities	RLZ-R1
Primary production activities	RLZ-R2
Home businesses	RLZ-R3
Visitor accommodation	RLZ-R4
Commercial activities not otherwise provided for	RLZ-R5
Community facilities	RLZ-R6
Educational facilities	RLZ-R7
Emergency service activities and emergency aviation movements	RLZ-R8

Relocated buildings	RLZ-R9
Commercial boarding and/or breeding of cats, dogs, and other domestic pets	RLZ-R10
Post-harvest facilities	RLZ-R11
Any other activity not otherwise provided for	RLZ-R12
Intensive primary production activities	RLZ-R13
Industrial activities	RLZ-R14

Rules

It is important to note that in addition to the provisions in this chapter, a number of other Part 2: District-Wide Matters chapters also contain provisions that may be relevant for activities undertaken in the Rural Lifestyle Zone.

Also, check to see if consents are required from Hawke's Bay Regional Council, for instance in relation to:

- discharges of contaminants to land or water (e.g. on-site disposal of effluent, stormwater from industrial or trade premises).
- taking of water (e.g. from water courses or underground wells).
- discharge of contaminants to air (e.g. spray drift, odour).
- disturbance of the beds of rivers, lakes, or wetlands (i.e. earthworks in the bed, gravel extraction, culverts, and access structures).
- activities which impede access to rivers, lakes or wetlands, or artificial watercourse, within a land drainage or flood control scheme area.

RLZ-R1 Residential activities

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to:
 - i. one residential unit per site, and
 - ii. one minor residential unit per site:
 - a. limited to a maximum gross floor area of 100m² (exclusive of garages, and verandahs less than 20m²); and
 - b. must share vehicle access with the principal residential unit on the site; and

2. Activity status where compliance with condition RLZ-R1(1)(b) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. RLZ-AM1.
 - ii. RLZ-AM2.
 - iii. RLZ-AM3.
 - iv. RLZ-AM4.
 - v. RLZ-AM5.
 - vi. **RLZ-AM11.**

Commented [JKS4]: S90.044 Centralines Limited – Rural Topic, Volume 4, Key Issue 18.

- c. must be located no further than 25m from the principal residential unit on the site.
- b. Compliance with:
 - i. RLZ-S2;
 - ii. RLZ-S3;
 - iii. RLZ-S4;
 - iv. RLZ-S5;
 - v. RLZ-S6;
 - vi. RLZ-S7;
 - vii. RLZ-S8;
 - viii. RLZ-S9;
 - ix. RLZ-S10;
 - x. RLZ-S11;
 - xi. RLZ-S12;
 - xii. RLZ-S13;
 - xiii. RLZ-S14; ~~and~~
 - xiv. RLZ-S15; ~~and~~
 - xv. RLZ-S16;

- vii. RLZ-AM12;
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

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3. Activity status where compliance with condition RLZ-R1(1)(a) is not achieved: DIS

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RLZ-R2 Primary production activities (including ancillary buildings and structures, but excluding post-harvest facilities, mining and quarrying)

1. Activity Status: PER

Where the following conditions are met:

- a. Compliance with:
 - i. RLZ-S2;
 - ii. RLZ-S3;
 - iii. RLZ-S4;
 - iv. RLZ-S5;
 - v. RLZ-S6;
 - vi. RLZ-S7;
 - vii. RLZ-S8;
 - viii. RLZ-S9;
 - ix. RLZ-S10;
 - x. RLZ-S11;
 - xi. RLZ-S12;
 - xii. RLZ-S13;
 - xiii. RLZ-S14; ~~and~~
 - xiv. RLZ-S15; ~~and~~
 - xv. RLZ-S16;

2. Activity status where compliance not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. RLZ-AM1.
 - ii. RLZ-AM2.
 - iii. RLZ-AM3.
 - iv. RLZ-AM4.
 - v. RLZ-AM5.
 - vi. RLZ-AM11;
 - vii. RLZ-AM12;
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

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RLZ-R3 Home businesses

1. Activity Status: PER

Where the following conditions are met:

- a. Compliance with the relevant activity thresholds in RLZ-S1.
- b. Compliance with:
 - i. RLZ-S2;
 - ii. RLZ-S3;
 - iii. RLZ-S4;
 - iv. RLZ-S5;
 - v. RLZ-S6;
 - vi. RLZ-S7;
 - vii. RLZ-S8;
 - viii. RLZ-S9;
 - ix. RLZ-S10;
 - x. RLZ-S11;
 - xi. RLZ-S12;
 - xii. RLZ-S13;
 - xiii. RLZ-S14; *and*
 - xiv. RLZ-S15; *and*
 - xv. RLZ-S15;

2. Activity status where compliance with condition RLZ-R3(1)(b) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. RLZ-AM1.
 - ii. RLZ-AM2.
 - iii. RLZ-AM3.
 - iv. RLZ-AM4.
 - v. RLZ-AM5.
 - vi. RLZ-AM11.
 - vii. RLZ-AM12.
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

3. Activity status where compliance with condition RLZ-R3(1)(a) is not achieved: DIS

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RLZ-R4 Visitor accommodation

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to:
 - i. Length of stay for any one guest must be no greater than 3 months in any 12-month period.
Note: activities involving longer term tenancy within a residential unit are assessed as a 'Residential Activity'.
- b. Compliance with the relevant activity thresholds in RLZ-S1.
- c. Compliance with:
 - i. RLZ-S2;
 - ii. RLZ-S3;
 - iii. RLZ-S4;
 - iv. RLZ-S5;
 - v. RLZ-S6;

2. Activity status where compliance with condition RLZ-R4(1)(c) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. RLZ-AM1.
 - ii. RLZ-AM2.
 - iii. RLZ-AM3.
 - iv. RLZ-AM4.
 - v. RLZ-AM5.
 - vi. RLZ-AM11.
 - vii. RLZ-AM12.
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.

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<ul style="list-style-type: none"> vi. RLZ-S7; vii. RLZ-S8; viii. RLZ-S9; ix. RLZ-S10; x. RLZ-S11; xi. RLZ-S12; xii. RLZ-S13; xiii. RLZ-S14; and xiv. RLZ-S15; and xv. <u>RLZ-S16</u>. 	<ul style="list-style-type: none"> ii. LIGHT – Light. iii. NOISE – Noise.
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3. Activity status where compliance with conditions RLZ-R4(1)(a) and/or RLZ-R4(1)(b) is not achieved: DIS

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RLZ-R5 Commercial activities not otherwise provided for

<p>1. Activity Status: PER</p> <p>Where the following conditions are met:</p> <ul style="list-style-type: none"> a. Any retail sales are limited to produce reared or produced on the site. b. Compliance with activity thresholds in RLZ-S1. c. Compliance with: <ul style="list-style-type: none"> i. RLZ-S2; ii. RLZ-S3; iii. RLZ-S4; iv. RLZ-S5; v. RLZ-S6; vi. RLZ-S7; vii. RLZ-S8; viii. RLZ-S9; ix. RLZ-S10; x. RLZ-S11; xi. RLZ-S12; xii. RLZ-S13; xiii. RLZ-S14; and xiv. <u>RLZ-S15</u>; and xv. <u>RLZ-S16</u>. 	<p>2. Activity status where compliance with condition RLZ-R5(1)(c) is not achieved: RDIS</p> <p>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</p> <ul style="list-style-type: none"> a. Assessment matters: <ul style="list-style-type: none"> i. RLZ-AM1. ii. RLZ-AM2. iii. RLZ-AM3. iv. RLZ-AM4. v. RLZ-AM5. vi. <u>RLZ-AM11</u>. vii. <u>RLZ-AM12</u>. b. Assessment matters in the following chapters: <ul style="list-style-type: none"> i. TRAN – Transport. ii. LIGHT – Light. iii. NOISE – Noise.
<p>3. Activity status where compliance with conditions RLZ-R5(1)(a) and/or RLZ-R5(1)(b) is not achieved: DIS</p>	

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RLZ-R6 Community facilities

<p>1. Activity Status: PER</p> <p>Where the following conditions are met:</p> <ul style="list-style-type: none"> a. Limited to 100m² gross floor area per site. b. Compliance with: <ul style="list-style-type: none"> i. RLZ-S2; ii. RLZ-S3; 	<p>2. Activity status where compliance with condition RLZ-R6(1)(b) is not achieved: RDIS</p> <p>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</p>
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<ul style="list-style-type: none"> iii. RLZ-S4; iv. RLZ-S5; v. RLZ-S6; vi. RLZ-S7; vii. RLZ-S8; viii. RLZ-S9; ix. RLZ-S10; x. RLZ-S11; xi. RLZ-S12; xii. RLZ-S13; xiii. RLZ-S14; and xiv. RLZ-S15; and xv. RLZ-S16. 	<ul style="list-style-type: none"> a. Assessment matters: <ul style="list-style-type: none"> i. RLZ-AM1. ii. RLZ-AM2. iii. RLZ-AM3. iv. RLZ-AM4. v. RLZ-AM5. vi. RLZ-AM11. vii. RLZ-AM12. b. Assessment matters in the following chapters: <ul style="list-style-type: none"> i. TRAN – Transport. ii. LIGHT – Light. iii. NOISE – Noise.
<p>3. Activity status where compliance with condition RLZ-R6(1)(a) is not achieved: DIS</p>	

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RLZ-R7 Educational facilities

<p>1. Activity Status: PER</p> <p>Where the following conditions are met:</p> <ul style="list-style-type: none"> a. Limited to 100m²200m² gross floor area per site. b. Compliance with: <ul style="list-style-type: none"> i. RLZ-S2; ii. RLZ-S3; iii. RLZ-S4; iv. RLZ-S5; v. RLZ-S6; vi. RLZ-S7; vii. RLZ-S8; viii. RLZ-S9; ix. RLZ-S10; x. RLZ-S11; xi. RLZ-S12; xii. RLZ-S13; xiii. RLZ-S14; and xiv. RLZ-S15; and xv. RLZ-S16. 	<p>2. Activity status where compliance with condition RLZ-R7(1)(b) is not achieved: RDIS</p> <p>Matters over which discretion is restricted (where relevant to the infringed standard(s)):</p> <ul style="list-style-type: none"> a. Assessment matters: <ul style="list-style-type: none"> i. RLZ-AM1. ii. RLZ-AM2. iii. RLZ-AM3. iv. RLZ-AM4. v. RLZ-AM5. vi. RLZ-AM11. vii. RLZ-AM12. b. Assessment matters in the following chapters: <ul style="list-style-type: none"> i. TRAN – Transport. ii. LIGHT – Light. iii. NOISE – Noise.
<p>3. Activity status where compliance with condition RLZ-R7(1)(a) is not achieved: DIS</p>	

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Commented [JKS23]: S90.044 Centralines Limited – Rural Topic, Volume 4, Key Issue 18.

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RLZ-R8 Emergency service activities and emergency aviation movements

1. Activity Status: PER

Where the following conditions are met:

- a. Limited to 100m² gross floor area per site.
- b. Compliance with:
 - i. RLZ-S2;
 - ii. RLZ-S3;
 - iii. RLZ-S4;
 - iv. RLZ-S5;
 - v. RLZ-S6;
 - vi. RLZ-S7;
 - vii. RLZ-S8;
 - viii. RLZ-S9;
 - ix. RLZ-S10;
 - x. RLZ-S11;
 - xi. RLZ-S12;
 - xii. RLZ-S13;
 - xiii. RLZ-S14; and
 - xiv. RLZ-S15; and
 - xv. RLZ-S16.

2. Activity status where compliance with condition RLZ-R8(1)(b) is not achieved: RDIS

Matters over which discretion is restricted (where relevant to the infringed standard(s)):

- a. Assessment matters:
 - i. RLZ-AM1.
 - ii. RLZ-AM2.
 - iii. RLZ-AM3.
 - iv. RLZ-AM4.
 - v. RLZ-AM5.
 - vi. RLZ-AM11.
 - vii. RLZ-AM12.
- b. Assessment matters in the following chapters:
 - i. TRAN – Transport.
 - ii. LIGHT – Light.
 - iii. NOISE – Noise.

3. Activity status where compliance with condition RLZ-R8(1)(a) is not achieved: DIS

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RLZ-R9 Relocated buildings

1. Activity Status: PER

Where the following conditions are met:

- a. The building must be for the purpose of accommodating a permitted or consented activity on the site.
- b. Compliance with RLZ-S15.

2. Activity status where compliance not achieved: RDIS

Matters over which discretion is restricted:

- a. Whether the building is structurally sound, the condition of the building and the works needed to bring the exterior of the building up to an external visual appearance that is tidy, of appropriate standard, and compatible with other buildings in the vicinity.
- b. The bulk and location of the building in relation to the requirements of the zone.
- c. The need for structural repairs and reinstatement of the building and

	<p>the length of time for completion of that work.</p> <p>d. The imposition of a performance bond to ensure compliance with the consent conditions.</p> <p><i>Note: this rule applies to the building only. Any activities occurring within the building are subject to the District Plan rules relating to the activity itself.</i></p>
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RLZ-R10 Commercial boarding and/or breeding of cats, dogs, and other domestic pets

<p>1. Activity Status: DIS</p> <p>Where the following conditions are met: N/A</p>	<p>2. Activity status where compliance not achieved: N/A</p>
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RLZ-R11 Post-harvest facilities

<p>1. Activity Status: DIS</p> <p>Where the following conditions are met: N/A</p>	<p>2. Activity status where compliance not achieved: N/A</p>
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RLZ-R12 Any other activity not otherwise provided for

<p>1. Activity Status: DIS</p> <p>Where the following conditions are met: N/A</p>	<p>2. Activity status where compliance not achieved: N/A</p>
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RLZ-R13 Intensive primary production activities (other than commercial boarding and/or breeding of cats, dogs, and other domestic pets)

<p>1. Activity Status: NC</p> <p>Where the following conditions are met: N/A</p>	<p>2. Activity status where compliance not achieved: N/A</p>
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RLZ-R14 Industrial activities

<p>1. Activity Status: NC</p> <p>Where the following conditions are met: N/A</p>	<p>2. Activity status where compliance not achieved: N/A</p>
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Standards

RLZ-S1 Activity Threshold	
Commercial Activities Visitor Accommodation Home Businesses (excludes retail sales)	1. Maximum gross floor area per site is 50m ² . 2. Personnel limited to: <ol style="list-style-type: none"> At least one person resident on the site must carry out the activity. A maximum of three additional employees (in addition to those resident on the site). <p><i>Note: Visitor accommodation within an existing residential unit or existing minor residential unit will be exempt from the 50m² maximum floor area, provided the existing residential activity does not cease.</i></p>
Retail Sales of produce reared or produced on the site	3. Maximum gross floor area per site is 50m ² . 4. Limited to the following hours of operation: <ol style="list-style-type: none"> 0800 – 2200 hours, seven days a week.
Cumulative Limits	5. Maximum combined gross floor area per site, for any of the above activities, is 75m ² . 6. Maximum combined outdoor display area per site, for any of the above activities, is 75m ² . <p><i>Note: Cumulative limits are calculated per site, not per activity.</i></p>
RLZ-S2 Height of Buildings	
All	1. Maximum height of any building(s) is 10m. <p><i>Note: in all instances, height is measured from the natural ground level.</i></p>
RLZ-S3 Height in Relation to Boundary	
All	1. No part of a building must exceed a height of 2 metres plus the shortest horizontal distance between that part of the building and the nearest site boundary, except for the following: <ol style="list-style-type: none"> chimneys, ventilation shafts, lift and stair shafts and spires, poles and masts that meet the maximum height standard for the relevant zone, provided the maximum dimension of these structures measured parallel to the boundary under consideration must not exceed 3m; domestic water storage tanks, provided the maximum dimension of these structures measured

	<p>parallel to the boundary under consideration must not exceed 3m;</p> <p>c. solar panels or solar hot water systems (and associated hardware), provided that the panels do not protrude more than 500mm from the surface of the roof.</p> <p>2. Where an internal boundary of a site immediately adjoins an access or part of an access which is owned or partly owned with that site, or has a registered right-of-way over it in favour of that site, the height in relation to boundary is measured from the far side of the access.</p>
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RLZ-S4 Setback from Roads and Rail Network

Residential Activities (including accessory buildings)	<ol style="list-style-type: none"> 1. Minimum setback of any building(s) from road boundaries is 5m. 2. Minimum setback of any building(s) from the Rail Network Boundary is 5m.
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Accessory Ancillary Buildings and Structures (associated with Primary Production Activities)	<ol style="list-style-type: none"> 3. Minimum setback of any building(s) from road boundaries is 5m. 4. Minimum setback of stockyards and stock loading ramps/races fronting roads that are classified as Arterial or Primary Collector Roads is 20m. 5. Minimum setback of any building(s) from the Rail Network Boundary is 5m.
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All Other Buildings	<ol style="list-style-type: none"> 6. Minimum setback of any building(s) from road boundaries is 20m, except that: <ol style="list-style-type: none"> a. buildings less than 10m² in gross floor area, and buildings used by Emergency Service Activities, may be located within the above setbacks from road boundaries. 7. Minimum setback of any building(s) from the Rail Network Boundary is 5m.
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RLZ-S5 Setback from Neighbours

All Buildings (excluding Accessory Buildings)	<ol style="list-style-type: none"> 1. Minimum setback of buildings for an activity from internal side and rear boundaries, or boundary with the General Rural Zone or Rural Production Zone, is 15m. Domestic water storage tanks up to 2m in height are exempt from this standard.
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Accessory Buildings	<ol style="list-style-type: none"> 2. Minimum setback of buildings for an activity from internal side and rear boundaries is 5m. Domestic water storage tanks up to 2m in height are exempt from this standard.
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Commented [RM29]: Hearing Stream 3 - Right of Reply dated 5 Aug 2022 - consequential amendment in response to S81.126, S81.171 Hort NZ

Commented [RM30]: S81.138 Hort NZ - Rural Topic, Key Issue 8

<p><u>Sites created before 28 May 2021 and less than 4000m² net site area</u></p>	<p>3. <u>Minimum setback of buildings for a residential activity from side and rear boundaries is 5m, except where located on a boundary with the General Rural Zone or Rural Production Zone where 15m will apply.</u></p>
<p><u>Where a subdivision consent application to create a site is lodged with Council before 28 May 2021, and accepted under section 88 of the RMA 1991 and thereafter granted</u></p>	<p>4. <u>Minimum setback of buildings for all other activities from side and rear boundaries is 10m.</u></p>

Commented [RM31]: Hearing Stream 3 - Right of Reply dated 5 Aug 2022 - revised recommended wording in response to evidence from Hort NZ (FS17.77 opposing S128.002)

Commented [RM32]: Hearing Stream 3 - Right of Reply dated 5 Aug 2022 - revised recommended wording in response to evidence from Hort NZ (FS17.77 opposing S128.002)

Commented [RM33]: S128.002 Surveying the Bay - Rural Topic, Key Issue 6

RLZ-S6 Setback from Existing Intensive Primary Production Activities

<p>Sensitive Activities</p>	<p>1. Minimum setback of buildings for sensitive activities from any buildings or enclosure housing animals reared intensively, or from organic matter and effluent storage, treatment and utilisation associated with intensive primary production activities, is 200 metres.</p>
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RLZ-S7 Shading of Land and Roads

<p>Trees on boundaries</p>	<p>1. Trees forming a continuous line for a distance of more than 20 metres on a side or rear boundary of a property under separate ownership:</p> <ul style="list-style-type: none"> a. must be planted a minimum distance of 5m from an adjoining property boundary and be maintained so that the branches do not extend over that boundary; and b. where planted a distance between 5m and 10m from an adjoining property boundary, must be maintained at a height of no more than their distance from the boundary +4m (for example, at a distance of 5m from the boundary, the height limit is 9m; at a distance of 9m from the boundary, the height limit is 13m).
<p>Trees adjoining public roads</p>	<p>2. Trees forming a continuous line for a distance of more than 20 metres within 5 metres of a public road must be maintained at a height of less than 9 metres.</p>

RLZ-S8 Hours of Operation

<p>Community Facilities</p>	<p>1. Limited to the following hours of operation:</p> <ul style="list-style-type: none"> a. 0700 – 2200 hours, seven days a week; except where:
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	<ul style="list-style-type: none"> i. the entire activity is located within a building; and ii. each person engaged in the activity outside the above hours resides permanently on the site; and iii. there are no visitors, customers, or deliveries to the activity outside the above hours.
RLZ-S9 Heavy Vehicle Storage	
All	1. There must be no more than one heavy vehicle stored on a site.
RLZ-S10 Screening of Outdoor Storage and Service Areas	
Non-Residential Activities	<p>1. Any outdoor storage (including waste) or service area associated with non-residential activities must be fully screened from adjoining sites and from the street by fencing to a maximum height of 2 metres, and/or by landscaping.</p> <p>2. If using landscaping to achieve the above rule, trees must have a minimum height of 2 metres at the time of planting (PB95) and shrubs must have a minimum height of 1 metre at the time of planting and be able to grow to 2 metres in height.</p> <p>2.3. <u>Screening shall not obscure emergency or safety signage or obstruct access to emergency panels, hydrants, shut-off valves, or other emergency response facilities.</u></p>
RLZ-S11 Electricity Safety Distances	
All	1. <u>Any activity, including the establishment of buildings and structures within the vicinity of overhead electric lines must comply with the New Zealand Electrical Code of Practice for Electrical Safety Distances (NZCECP 34:2001).</u>
RLZ-S12 Transport (Access, Parking, Loading)	
All	1. Activities must comply with the provisions of the TRAN – Transport chapter.
RLZ-S13 Light	
All	1. Activities must comply with the provisions of the LIGHT – Light chapter.

Commented [JKS34]: S57.172 FENZ – Rural Topic, Volume 4, Key Issue 20.

Commented [JKS35]: Error corrected pursuant to clause 16(2), First Schedule of the RMA.

RLZ-S14 Noise

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| All | 1. Activities must comply with the provisions of the NOISE – Noise chapter. |
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RLZ-S15 Relocated Buildings

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| All | <ol style="list-style-type: none">1. Any relocated building intended for use as a dwelling or for visitor accommodation must have previously been designed, built and used as a dwelling or for visitor accommodation.2. The relocated building must comply with all other relevant performance standards for the zone.3. A Building Pre-Inspection Report must be submitted to the Council with each application to relocate a building. The report must:<ol style="list-style-type: none">a. state whether the building is structurally sound;b. describe the condition of the building and identify all reinstatement works needed to bring the exterior of the building up to an external visual appearance that is tidy, workmanlike and compatible with other buildings in the vicinity;c. state the proposed timetable to complete the external reinstatement works (including connections to all infrastructure services and closing in and ventilation to the foundations) within 12 months from the date the building is moved to the site;d. provide clear photographs of the building in its current state; ande. provide such plans and elevations of the building as are necessary to illustrate the new site location and likely external design and appearance of the building as a result of the reinstatement work.4. The Building Pre-Inspection Report must be prepared by:<ol style="list-style-type: none">a. A Member of Engineering New Zealand (the Institute of Engineering Professionals) (Structural and Civil); orb. A member of the New Zealand Institute of Building Surveyors; orc. An independent person, persons, or company as approved by Central Hawke's Bay District Council Building Control Authority; ord. A Building Control Officer (or equivalent) from the Territorial Local Authority where the building is being relocated from outside of the District.5. The Council must be notified of the intended delivery date at least 48 hours before the building is relocated. Relocation must not be undertaken until the site is visited by Council |
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- officers to inspect the standard of the site, footpath, vehicle entrance and road. This standard will be met provided that the building is relocated within 5 days of the notified date.
6. The building must be placed on permanent foundations no later than two weeks from the date the building is moved to the site.
 7. All external reinstatement works identified in the Building Pre-Inspection Report, including connections to all infrastructure services and closing in and ventilation to the foundations, must be completed within 12 months from the date the building is moved to the site.
 8. The owner of the site on which the relocated building is placed must certify to the Council that the reinstatement work identified in the Building Pre-Inspection Report will be completed within the 12-month period. The site owner will be responsible for ensuring this work is completed.

Note: All necessary building consents under the Building Act 2004 (including consent to place the building on permanent foundations) must be obtained prior to the relocated building being placed on the destination site, unless otherwise agreed in writing by the Council.

RLZ-S16 Water supply for firefighting

All buildings (excluding accessory buildings that do not include a habitable room)

1. Where water is not supplied to a site by Council or a private community supply, or water is supplied by Council but is a restricted supply flow, access to a water supply for firefighting purposes shall be made available to all buildings on a site that is or will be:
 - a. accessible to firefighting equipment; and
 - b. between 6 and 90 metres from the buildings on the site; and
 - c. on the same site as the buildings (except where the specified volume or flow of water is in a pond, dam or river that is within the required distances); and
 - d. either:
 - i. stores at least 45,000 litres, in addition to a potable water supply on the site; or
 - ii. provides at least 25 litres per second for a minimum of 30 minutes.

Note: Further advice and information about managing fire risk and storage of water for firefighting purposes can be obtained from Fire and Emergency New Zealand and SNZ PAS

4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice.

Note: The above does not replace Regional Council rules which control the taking and use of groundwater and surface water.

Commented [JKS36]: S57.174 FENZ – Rural Topic, Volume 4, Key Issue 20.

Assessment Matters

For Discretionary Activities, Council's assessment is not restricted to these matters, but it may consider them (among other factors).

RLZ-AM1 Height of Buildings, Height in Relation to Boundary, Setback from Roads and Rail Network, Setback from Neighbours

1. The degree to which the proposed buildings:
 - a. will be compatible with the character and amenity of the area, including the nature and scale of other buildings in the surrounding area;
 - b. will overshadow adjoining sites and result in reduced sunlight and daylight;
 - c. will cause a loss of privacy through being over-looked from neighbouring buildings;
 - d. will block views from properties in the vicinity, or from roads or public open space in the surrounding area;
 - e. will diminish the openness and attractiveness of the street scene;
 - f. will detract from the amenity of adjoining sites, in terms of such matters as noise, odour, dust, glare or vibration occurring as a result of the building; and
 - g. will adversely affect the safe and efficient operation of the land transport network.
2. The ability of the applicant to:
 - a. provide adequate opportunity for garden and tree planting around buildings;
 - b. provide adequate vehicle parking and manoeuvring space on site;
 - c. provide adequate outdoor space on the site for all outdoor activities associated with residential and other activities permitted on the site;
 - d. mitigate any adverse effects of increased height or exceedance of the height in relation to boundary, such as through increased separation distances between the building and adjoining sites or the provision of screening; and
 - e. mitigate any adverse effects on people affected by the proposal.
3. The ability of the applicant to adequately dispose of effluent, which avoids:
 - a. any potential contamination of groundwater;
 - b. any potential slope instability problems;
 - c. any potential odour, noise and vibration nuisance to neighbours; and
 - d. any potential seepage of effluent at ground surface.
4. The degree to which the non-compliance with the standard allows more efficient, practical and/or pleasant use of the remainder of the site.
5. The degree to which alternative practical locations are available for the building.

RLZ-AM2 Setback for Sensitive Activities from Existing Intensive Primary Production Activities

1. The likelihood of the proposed activity to generate reverse sensitivity effects on the intensive primary production activity and the potential impact these effects may have on the continuing effective and efficient operation of the intensive primary production activity.
2. The extent to which alternative locations have been considered.

RLZ-AM3 Shading of Land and Roads

1. Trees on Boundaries
 - a. The degree to which planting within the setback area can adversely affect the health of vegetation or stock, or cause a significant increase in the risk of fire.
 - b. The degree to which the planting of trees will overshadow adjoining sites and result in reduced sunlight and daylight, and/or result in the loss of productive land.
 - c. The degree to which trees may potentially damage structures due to wind fall or root growth.
2. Trees adjoining Public Roads
 - a. The degree to which planting will cause shading and ice forming on roads in winter, or root damage to the road.
 - b. The degree to which trees may potentially cause a road safety risk due to wind fall.

RLZ-AM4 Heavy Vehicle Storage

1. The degree to which the vehicles being stored can be viewed from adjoining sections, the road and public places and the degree to which screening (either by fences, buildings, or landscaping) may mitigate any adverse visual impact.
2. The degree of noise that may be generated from the starting, manoeuvring and mechanical repair of vehicles on site and the degree to which this will contrast with the existing noise environment.
3. Where a heavy vehicle to be stored has been used for the cartage of animals the procedures to be adopted for the washing down of the vehicles and the disposal of the waste and wash water.

RLZ-AM5 Screening of Outdoor Storage and Service Areas

1. The degree to which the visual characteristics of the activity to be established are compatible with the character and amenity of the surrounding area and the degree to which screening or landscaping can mitigate any adverse impact.

RLZ-AM6 Residential Activities

1. The impact of the scale of the residential activity on the character and amenity values of adjoining activities and the surrounding rural lifestyle environment.

2. Any cumulative effects of the residential activity, including adverse effects on traffic and road safety.
3. Whether the activity can be adequately serviced.

RLZ-AM7 Commercial Activities, Visitor Accommodation and Home Businesses

1. Whether the proposal will maintain or enhance the character and amenity values of the surrounding area.
2. The impact of the scale, character and/or effects of the activity and its compatibility with surrounding activities, including proximity to sensitive activities.
3. The potential for the activity to generate more than minor adverse effects on the environment in terms of noise, dust, glare, vibration, and road safety.
4. Whether the proposal will have any potential for reverse sensitivity effects to arise.

RLZ-AM8 Hours of Operation

1. The degree to which additional visitors, employees, customers, or suppliers to the site will result in traffic generation and pedestrian activity that is incompatible with the character of the surrounding area.
2. Any adverse effects of the extended hours in terms of noise, vibration, glare, loss of privacy, traffic and/or parking congestion.

RLZ-AM9 Community Facilities and Educational Facilities

1. The degree to which the proposed buildings will be compatible and integrate with the character of the surrounding area, including the layout, height, bulk, and scale of buildings.
2. Any adverse effects from the proposed activity in terms of:
 - a. any potential for reverse sensitivity effects to arise;
 - b. loss of privacy to neighbours through being over-looked, including by buildings;
 - c. loss of openness and attractiveness of the street scene;
 - d. noise, vibration, and glare; and
 - e. admission of sunlight and daylight to adjoining sites.
3. The volume and type of traffic which may be generated by the activity and the ability to avoid or mitigate any adverse effects on the function of the road network and/or the safety of pedestrians, cyclists and vehicles using the road network (including cumulative effects) through the provision of appropriate on-site parking, vehicle queuing, loading, manoeuvring and access design.
4. Whether the amenity of the residential environment will be adversely affected by the scale and/or intensity of the activity. The following matters will be considered:
 - a. the number of patrons and/or staff on the site at any one time;
 - b. the hours of operation to maintain the amenity of the area;
 - c. the proximity of the activity to adjacent activities;
 - d. the anticipated number of transportation movements (including pedestrians and vehicular traffic); and

- e. whether the proposed activity is located in an area where there are already one or more non-residential activities in close proximity and the resultant cumulative effect on amenity.
5. Whether landscaping and/or screening is proposed to mitigate potential adverse visual effects of the activity.

RLZ-AM10 General

1. Whether the activity is of a type or scale that means that it is better located in another zone (for example, where infrastructure and labour force are more readily available, and the receiving environment is less sensitive).
2. Effects on the visual amenity values of the surrounding area, recognising the rural or rural residential character of the locality.
3. Whether the activity can be adequately serviced. The site must be capable of sustaining the infrastructural needs of the development.
4. The impact of the scale, character and/or effects of the activity and its compatibility with surrounding activities, including proximity to sensitive activities and wāhi tapu, wāhi taonga and sites of significance identified in SASM – SCHED3 Schedule of Sites and Areas of Significance to Māori, as well as any potential for reverse sensitivity effects on primary production to arise.
5. The potential for the activity to generate more than minor effects on the environment in relation to traffic, parking demand, or visitor numbers.
6. The ability of the roading hierarchy to accommodate any additional traffic generated by the activity, including effects on road safety.
7. The potential for the activity to generate more than minor adverse effects in terms of noise, dust, glare, odour or vibration, and the extent to which mitigation options have been considered and evaluated.

RLZ-AM11 Electricity Safety Distances

1. Impacts on the operation, maintenance, upgrading and development of the electricity network.
2. The risk of electrical hazards affecting public or individual safety, and the risk of property damage.
3. The risk to the structural integrity of any support structures associated with the electricity network.
4. Technical advice provided by the National Grid owner (Transpower) or electricity distribution network operator (Centralines Limited).

Commented [JKS37]: S90.044 Centralines Limited, Key Issue 18, Volume 4, Rural Topic.

RLZ-AM12 Water supply for firefighting

1. The extent of compliance with SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice and health and safety of the community, including neighbouring properties.
2. Technical advice provided by Fire and Emergency New Zealand.

Commented [JKS38]: S57.175 – Rural Topic, Volume 4, Key Issue 20.

Methods

Methods, other than the above rules, for implementing the policies:

RLZ-M1 Other Provisions in the District Plan

Other sections of the District Plan contain additional rules and standards applying to activities in the Rural Lifestyle Zone:

1. NU – Network Utilities – includes rules and standards relating to network utility operations.
2. TRAN – Transport – includes rules and standards relating to access, parking, and loading.
3. HAZS – Hazardous Substances – includes rules relating to the storage, handling and use of hazardous substances, and rules applying to major hazardous facilities.
4. NH – Natural Hazards – includes rules applying in areas specifically identified as subject to natural hazards.
5. HH – Historic Heritage – includes rules applying specifically to identified heritage buildings.
6. TREE – Notable Trees – includes rules applying specifically to identified notable trees.
7. SASM – Sites and Areas of Significance to Māori – includes rules applying specifically to identified sites of significance.
8. SUB – Subdivision – includes rules and standards applying to subdivision.
9. EW – Earthworks – includes rules and standards relating to earthworks and land disturbance, mining, quarrying and mineral prospecting and exploration.
10. NOISE – Noise – includes rules and standards relating to the emission of noise.
11. LIGHT – Light – includes rules and standards relating to light and glare.
12. PKH – Papakāinga and Kaumātua Housing, and associated Marae-based Development – includes rules and standards relating to papakāinga and kaumātua housing and marae-based developments on Māori land.
13. SIGN – Signs – includes rules and standards relating to the design and installation of signs.
14. TEMP – Temporary Activities – includes rules and standards relating to temporary activities, temporary buildings, and temporary events.

RLZ-M2 Bylaws

The Central Hawke's Bay District Council Bylaws – Part 13: 2008 *The Keeping of Animals, Poultry and Bees*.

Principal Reasons

The principal reasons for adopting the policies and methods:

The Rural Lifestyle Zone provides areas for people to live in a semi-rural environment, in close proximity to the urban areas of Waipawa and Waipukurau on rolling-to-hilly land with soils of generally lower productivity.

In addition to providing for residential activities within the zone, the District Plan allows the establishment of a range of other activities (i.e. primary production activities, rural commercial activities, home businesses and visitor accommodation) to enable people in the zone to have sufficient flexibility to use their land in a way that enables them to fulfil their rural residential choice. Some activities, however, such as intensive primary production activities and industrial activities, are not provided for in the zone, as they are generally not compatible with the character and amenity values of the zone and, given the smaller size of the sites in the zone, there is less opportunity for them to be separated sufficiently from sensitive activities within the zone, or on land in adjoining zones.

In maintaining the open character and rural qualities of the Rural Lifestyle Zone, it is intended that multiple residential units will not be allowed to establish on the site. The District Plan permits a single residential unit plus one minor residential unit with a limited floor area on each site. The limitation on the floor area is to ensure that the minor residential unit is ancillary to the principal residential unit. The District Plan also limits the scale of permitted commercial activities, visitor accommodation, home businesses, and community facilities which have the potential to adversely affect the open character of the zone (due to the low density of residential activities) and the amenity of the zone with effects, such as noise, traffic generation and disturbance. Where these activities are larger than the permitted scale, they are better located in other zones, to maintain the character and amenity of the Rural Lifestyle Zone and to assist with the efficient and effective use of the Commercial and General Industrial Zones.

While the zone is located in close proximity to urban areas that are fully serviced, unless a reticulated service is available to connect to, activities establishing within the Rural Lifestyle Zone will be required to make independent provision for on-site water supply, wastewater and stormwater disposal.

At the interface of Rural Lifestyle Zone and other rural zone boundaries, and between Rural Lifestyle Zone activities and rural activities, there is potential for conflicts to occur between different activities and expectations about amenity. The District Plan, therefore, requires buildings within the Rural Lifestyle Zone to be setback a minimum distance from property boundaries to avoid or mitigate potential adverse cross-boundary effects and land use conflicts.

Anticipated Environmental Results

The environmental results anticipated from the policies and methods:

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| RLZ-AER1 | Specific areas of low-density residential development and/or small-scale primary production activities on rolling to hilly land with soils of generally lower versatility, where potential interface effects with adjoining productive activities and urban activities can be managed. |
| RLZ-AER2 | Alternative residential choice in close proximity to the urban areas of Waipawa and Waipukurau. |

RLZ-AER3 **Retention of the low density rural residential character and amenity of the Rural Lifestyle Zone by way of:**

- **dominance of open space and plantings over buildings;**
- **dominance of low-density housing; and**
- **compatibility between activities within the zone, with residential use as the predominant activity.**

RLZ-AER4 **Diversity in building architecture, providing for individual and community expression.**