

Overview

The district has a large number of small rural and coastal settlements. The National Planning Standards have identified the Settlement zone as being appropriate for 'areas used predominantly for a cluster of residential, commercial, light industrial and/or community activities that are located in rural areas or the coastal environment. This definition applies to settlements of varying sizes and mixes of activities, including larger settlements such as Okaihau through to smaller settlements such as Jacks Bay.

A defining feature of settlements in the Settlement zone is that they are neither supported, nor plan to be supported, by a Council reticulated wastewater network. In addition, most settlements do not have reticulated water supply and are not connected to a reticulated stormwater network. It is expected that these settlements will have limited development potential due to this lack of infrastructure as the need to provide most, if not all, services on-site will prevent urban scale intensification. The character and amenity of each settlement differs depending on its location, the range of activities in the settlement and the role of the settlement in servicing the surrounding area. It is expected that the individual characteristics of each settlement will be recognised in the preparation and assessment of any resource consent application. Most of the settlements are located in a rural setting adjoining the Rural Production zone, which means reverse sensitivity effects also need to be managed at this interface.

Larger settlements provide commercial, community and industrial services for the surrounding rural community and the travelling public. These non-residential activities are usually small scale such as schools, medical centers, halls, marae, food outlets and service stations. They play a major role in the community such as providing a source of employment, education healthcare and as social meeting places.

Some settlements are located in the coastal environment and only support a cluster of residential activities, which may have small to medium scale visitor accommodation (such as camping grounds, motor camps and holiday rental homes) and also recreational facilities. Due to their coastal location some of these settlements have small resident populations that rise substantially over summer months with the influx of holidaymakers.

There are settlements such as Te Tii where the land tenure is predominantly Māori land, as defined in Te Ture Whenua Māori Act 1993. The majority of the land in these settlements will be zoned Māori Purpose zone, however residual land in the settlement that is in general title and therefore not eligible to have the Māori Purpose zone applied has been zoned Settlement zone. This ensures that all land in a settlement has an appropriate development framework, regardless of land tenure.

Council has a responsibility under the RMA, the NPS-UD and the Northland Regional Policy Statement to ensure that there is sufficient land, integrated with infrastructure networks, for housing and business to meet the expected demands of the district. If land in the Settlement zone is connected to a Council reticulated wastewater network system in the future, then a plan change will be undertaken at that time to determine if the settlement should be rezoned as an urban environment.

| Objectives | |
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| RSZ-O1 | Rural and coastal settlements are used predominantly for residential activities and are sustained by a range of compatible activities and services. |
| RSZ-O2 | Land use and subdivision is of a scale and intensity that is in keeping with the rural or coastal character and amenity of each settlement. |
| RSZ-O3 | Land use and subdivision in the Settlement zone is appropriate for the physical and environmental attributes of the site and any infrastructure constraints. |
| RSZ-O4 | Land use and subdivision in the Settlement zone is managed to control any reverse sensitivity issues that may occur within the zone or at the zone interface. |

| Policies | |
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| RSZ-P1 | Enable residential and complementary non-residential activities that support the role and function of the Settlement zone. |
| RSZ-P2 | Require land use and subdivision in the Settlement zone associated with non-residential activities to demonstrate the ability to provide for onsite infrastructure unless a reticulated service is available. |
| RSZ-P3 | Enable non-residential activities in the Settlement zone that: <ul style="list-style-type: none"> a. are of a scale, intensity, character and amenity that complements the residential activities in the settlement; b. support the social and economic well-being of the community; c. do not adversely affect the viability and vitality of nearby urban centers; and d. demonstrate the ability to provide for onsite infrastructure. |

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| RSZ-P4 | Avoid land use and development in the Settlement zone that results in reverse sensitivity effects either within the zone or on activities adjacent zones. |
| RSZ-P5 | Manage land use and subdivision to address the effects of the activity requiring resource consent, including (but not limited to) consideration of the following matters where relevant to the application: <ul style="list-style-type: none"> a. the scale, character and amenity of the settlement, in particular impacts on existing residential activities; b. siting and design; c. cultural and social well-being, including health and safety; d. potential reverse sensitivity effects both within the settlement and on adjacent zones; e. its location within or adjoining to the settlement; and f. the vitality and viability of nearby urban environments. g. the capacity of the site to cater for on-site infrastructure associated with the proposed activity; h. the adequacy of roading infrastructure to service the proposed activity; i. managing natural hazards; j. any adverse effects on areas with historic heritage and cultural values, natural features and landscapes, natural character or indigenous biodiversity values; and k. any historical, spiritual, or cultural association held by tangata whenua, with regard to the matters set out in Policy TW-P6. |

Rules

Notes:

- There may be other rules in Part 2-District-wide Matters of the District Plan that apply to a proposed activity, in addition to the rules in this zone chapter. These District-wide rules may be more stringent than the other rules in this chapter. Ensure that relevant District-wide chapters are also referred to in addition to this chapter, to determine whether resource consent is required under other rules in the District Plan. Refer to the *how the plan works* chapter to determine the activity status of a proposed activity where resource consent is required under multiple rules.
- This zone chapter does not contain rules relating to setback to waterbodies for building and structures or setbacks to waterbodies for earthworks and indigenous vegetation clearance. The Natural Character contains rules for activities within wetland, lake and river margins. The Natural Character chapter should be referred to in addition to this zone chapter.

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| RSZ-R1 | New buildings or structures, or extensions or alterations to existing buildings or structures | |
| Settlement zone | <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The new building or structure, or extension or alteration to an existing building or structure, will accommodate a permitted activity.</p> <p>PER-2 The new building or structure, or extension or alteration to an existing building or structure complies with standards: RSZ-S1 Maximum height; RSZ-S2 Height in relation to boundary; RSZ-S3 Setback (excluding from MHWS or wetland, lake and river margins); RSZ-S4 Setback from MHWSs; RSZ-S5 Outdoor living space; RSZ-S6 Outdoor Storage; and RSZ-S7 Landscaping and screening.</p> | <p>Activity status where compliance not achieved with PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <p>a. the matters of discretion of any infringed standard</p> <p>Activity status where compliance not achieved with PER-1: Discretionary</p> |
| RSZ-R2 | Impermeable surface coverage | |
| Settlement zone | <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The impermeable surface coverage of any site is no more than 35% or 600m², which ever is the lesser.</p> | <p>Activity status where compliance not achieved with PER-1: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <p>a. the extent to which landscaping or</p> |

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| | | <p>vegetation may reduce adverse effects of run-off,</p> <p>b. the effectiveness of the proposed method for controlling stormwater on site;</p> <p>c. the availability of land for disposal of effluent and stormwater on the site without adverse effects on adjoining waterbodies (including groundwater and aquifers) or on adjoining sites;</p> <p>d. whether low impact design methods and use of green spaces can be used;</p> <p>e. any cumulative effects on total catchment impermeability; and</p> <p>f. natural hazard mitigation and site constraints.</p> |
| RSZ-R3 | Residential activity | |
| Settlement zone | <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The site area per residential unit is at least 3,000m² .</p> <p>This rule does not apply to a single residential unit located on a site less than 3,000m².</p> | <p>Activity status where compliance not achieved with PER-1: Discretionary</p> <p>Where:</p> <p>DIS-1: The site area per residential unit is at least 1,500m².</p> <p>Activity status where compliance not achieved with DIS-1: Non-complying</p> |
| RSZ-R4 | Visitor accommodation | |
| Settlement zone | <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The visitor accommodation is within a residential unit, accessory building or minor residential unit.</p> <p>PER-2 The occupancy does not exceed six guests per night.</p> <p>PER-3 The site does not share access with another site.</p> | <p>Activity status where compliance with not achieved with PER-1, PER-2 or PER-3: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <p>a. the number of visitors accommodated;</p> <p>b. the location and design of buildings, outdoor areas, parking and loading areas and access;</p> <p>c. hours of operation;</p> <p>d. noise, disturbance and loss of privacy of adjacent sites;</p> <p>e. screening and landscaping;</p> <p>f. waste treatment and disposal;</p> <p>g. water supply for drinking and firefighting; and</p> <p>h. stormwater disposal.</p> |
| RSZ-R5 | Home business | |
| Settlement zone | <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The home business is undertaken within:</p> <ol style="list-style-type: none"> 1. a residential unit; or 2. an accessory building that does not exceed 40m² GFA; or 3. a minor residential unit. <p>PER-2 There is no more than one full-time equivalent person engaged in the home business who resides off-site.</p> <p>PER-3</p> | <p>Activity status where compliance not achieved with PER-1, PER-2, PER-3 and PER-4: Discretionary</p> <p>Activity status where compliance not achieved with PER-5: Non complying</p> |

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| | <p>All manufacturing, altering, repairing, dismantling or processing of any materials or articles associated with an activity is carried out within a building.</p> <p>PER-4 Hours of operation are between: 1. 7am-8pm Monday to Friday. 2. 8am-8pm Weekends and public holidays.</p> <p>PER-5 The activity does not involve an offensive trade.</p> | |
| RSZ-R6 | Education facility | |
| Settlement zone | <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The educational facility is within a residential unit, accessory building or minor residential unit.</p> <p>PER-2 The number of students attending at one time does not exceed four, excluding those who reside onsite.</p> | <p>Activity status where compliance not achieved with PER-1 or PER-2: Discretionary</p> |
| RSZ-R7 | Grazing of animals except pig farming | |
| Settlement zone | <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The number of poultry does not exceed 12 per site, and there are no roosters.</p> | <p>Activity status where compliance not achieved with PER-1: Discretionary</p> |
| RSZ-R8 | Commercial activity | |
| Settlement zone | <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Any retail activity does not exceed: 1. GFA of 400m² if the site is located in the settlement of Moerewa; or 2. GFA of 300m² in all other settlements.</p> <p>PER-2 Any office activity does not exceed: 1. GFA of 200m² if the site is located in the settlement of Moerewa; or 2. GFA of 100m² in all other settlements.</p> <p>PER-3 The activity complies with standards: RSZ S5 Outdoor storage; RSZ S6 Landscaping and screening.</p> | <p>Activity status where compliance not achieved with PER-3: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <p>a. the matters of discretion of any infringed standard.</p> <p>Activity status where compliance not achieved with PER-1 or PER-2: Discretionary</p> |
| RSZ-R9 | Community facility | |
| Settlement zone | <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The combined buildings or structures do not exceed GFA of 300m² or a maximum increase of 10% of combined GFA if doing a additions or alterations to an</p> | <p>Activity status where compliance not achieved with PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <p>a. the matters of discretion of any infringed standard.</p> |

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| | existing community facility. PER-2 The activity complies with standards: RSZ-S5 Outdoor storage; RSZ-S6 Landscaping and screening. | Activity status where compliance not achieved with PER-1: Discretionary |
| RSZ-R10 | Minor residential unit | |
| Settlement zone | Activity status: Permitted Where: PER-1 The number of minor residential units on a site does not exceed one. PER-2 The minor residential unit shares vehicle access with the principal residential unit. PER-3 The separation distance between the minor residential unit and the principal residential unit does not exceed 15m. PER-4 The minor residential unit: 1. does not exceed a GFA of 65m ² ; and 2. with an optional attached garage or carport that does not exceed GFA of 18m ² , where the garage or carport is used for vehicle storage, general storage and laundry facilities. | Activity status where compliance not achieved with PER-2 or PER-3: Discretionary |
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| RSZ-R11 | Rural industry | |
| Settlement zone | Activity status: Discretionary | Activity status where compliance not achieved: Not applicable |
| RSZ-R12 | Industrial activity | |
| Settlement zone | Activity status: Discretionary | Activity status where compliance not achieved: Not applicable |
| RSZ-R13 | Activities not otherwise listed in this chapter | |
| Settlement zone | Activity status: Discretionary | Activity status where compliance not achieved: Not applicable |
| RSZ-R14 | Mineral extraction activity | |
| Settlement zone | Activity status: Non Complying | Activity status where compliance not achieved: Not applicable |
| RSZ-R15 | Offensive trade | |
| Settlement zone | Activity status: Non Complying | Activity status where compliance not achieved: Not applicable |
| RSZ-R16 | Intensive indoor primary production | |
| Settlement zone | Activity status: Non Complying | Activity status where compliance not achieved: Not applicable |
| Standards | | |
| RSZ-S1 | Maximum height | |
| Settlement | The maximum height of a building or structure, or | Where the standard is not met, matters of |

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| zone | <p>extension or alteration to an existing building or structure is 8m above ground level.</p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> i. solar and water heating components provided these do not exceed the height by more than 0.5m on any elevation; ii. chimney structures not exceeding 1.2m in width and 1m in height on any elevation; iii. chimney structures not exceeding 1.2m in width and 1m in height on any elevation; or iv. architectural features (e.g. finials, spires) that do not exceed 1m in height on any elevation. | <p>discretion are restricted to:</p> <ol style="list-style-type: none"> a. the character and amenity of the surrounding area; b. dominance in relation to the road and adjoining sites; c. loss of privacy to adjoining sites, including potential loss in relation to vacant sites; d. shading and loss of access to sunlight to adjoining sites; e. landscaping; and f. natural hazard mitigation and site constraints. |
| RSZ-S2 | | |
| Height in relation to boundary | | |
| Settlement zone | <p>The building or structure, or extension or alteration to an existing building or structure must be contained within a building envelope defined by the following recession planes measured inwards from the respective boundary:</p> <ol style="list-style-type: none"> 1. 55 degrees at 2m above ground level at the northern boundary of the site; 2. 45 degrees at 2m above ground level at the the eastern and western boundaries of the site; and 3. 35 degrees at 2m above ground level at the southern boundary of the site. <p>This standard does not apply to</p> <ol style="list-style-type: none"> i. solar and water heating components provided these do not exceed the height by more than 0.5m on any elevation; ii. chimney structures not exceeding 1.2m in width and 1m in height on any elevation; iii. satellite dishes and aerials that do not exceed 1m in height and/or diameter on any elevation; iv. architectural features (e.g. finials, spires) that do not exceed 1m in height on any elevation; or v. a building or structure that exceeds this standard for a maximum distance of 10m along any one boundary other than a road boundary, provided the maximum height of the building where it exceeds the standard is 2.7m. | <p>Where the standard is not met, matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. loss of privacy to adjoining sites, including potential loss in relation to vacant sites; b. shading and loss of access to sunlight to adjoining sites, including buildings and outdoor areas; and c. natural hazard mitigation and site constraints. |
| RSZ-S3 | | |
| Setback (excluding from MHWS or wetland, lake and river margins) | | |
| Settlement zone | <p>The building or structure, or extension or alteration to an existing building or structure must be set back at least 1.2m from all site boundaries, except that the setback must be at least 3m measured from a road boundary.</p> <p>This standard does not apply to:</p> <ol style="list-style-type: none"> i. uncovered decks less than 1m in height above ground level; or ii. underground wastewater infrastructure; or iii. water tanks less than 2.7m in height above ground level; or iv. a building or structure exceeding this standard for a maximum distance of 10m along any one boundary other than a road or public boundary. | <p>Where the standard is not met, matters of discretion are restricted to:</p> <ol style="list-style-type: none"> a. the character and amenity of the surrounding area; b. screening, planting and landscaping on the site; c. the design and siting of the building or structure with respect to privacy and shading; d. natural hazard mitigation and site constraints; e. the effectiveness of the proposed method for controlling stormwater; f. the safety and efficiency of the current or future access, egress on site and the roading network; and g. the impacts on existing and planned public walkways, reserves and esplanades. |
| RSZ-S4 | | |
| Setback from MHWS | | |
| Settlement | The building or structure, or extension or alteration to an | Where the standard is not met, matters of |

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| zone | existing building or structure must be set back at least 26m from MHWS | discretion are restricted to: <ol style="list-style-type: none"> the natural character of the coastal environment; screening, planting and landscaping on the site; the design and siting of the building or structure with respect to dominance on adjoining public space; natural hazard mitigation and site constraints; the effectiveness of the proposed method for controlling stormwater; and the impacts on existing and planned roads, public walkways, reserves and esplanades. |
| RSZ-S5 | Outdoor living space | |
| Settlement zone | <ol style="list-style-type: none"> Each residential unit or minor residential unit must have an exclusive outdoor living space: <ol style="list-style-type: none"> of at least 50m² at ground level with a minimum dimension of 5m; or at least 8m² (with a minimum dimension of 2m) where the residential unit is not on the ground floor. The outdoor living space must: <ol style="list-style-type: none"> be directly accessibly from a habitable room in the residential unit; be free of buildings, storage, parking spaces and manoeuvring areas; and be oriented to the north, east or west side (or a combination) of the residential unit. | Where the standard is not met, matters of discretion are restricted to: <ol style="list-style-type: none"> the provision of sufficient outdoor living space; the residential amenity for the occupants of the residential unit; accessibility and convenience for residents; alternative provision of outdoor living space, such as proximity to accessible public open space; the provision of adequate access to sunlight on the outdoor living space throughout the year; and topographical or other site constraints making compliance with the standard impractical. |
| RSZ-S6 | Outdoor storage | |
| Settlement zone | <p>Any outdoor storage areas, except for the display of goods for retail sale, must be fully screened by a solid fence or wall of a minimum height of 1.8m so that the area it is not visible from adjoining sites and public land.</p> <p>This standard does not apply to construction materials to be used on-site for a maximum period of 12 months.</p> | Where the standard is not met, matters of discretion are restricted to: <ol style="list-style-type: none"> the streetscape and amenity of the surrounding area; the amenity of adjoining properties; including that on the outdoor living space; screening, planting and landscaping; topographical or other site constraints making compliance with the standard impractical; the ability to mitigate any adverse visual effects of reduced, alternative or no screening through the use of alternative methods; and the design, layout and use of the site which may compensate for reduced, alternative or no screening. |
| RSZ-S7 | Landscaping and screening | |
| Settlement | 1. Where a site adjoins a road boundary, at least 50% | Where the standard is not met, matters of |

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| <p>zone</p> | <p>of that part of the site which is not occupied by buildings, structures or driveways shall be screened or landscaped with either:</p> <ol style="list-style-type: none"> i. a solid fence or wall of a minimum height of 1.8m; or ii. be landscaped with plants or trees with a minimum height of 1m at planting which will achieve a continuous screen of 1.8m in height and 1.5m in width within five years; or iii. be screened with a combination of (a) and (b) above. <p>2. Where a internal boundary adjoins any site that is not zoned Rural Production it shall be screened or landscaped with either:</p> <ol style="list-style-type: none"> i. be fenced with a solid fence or wall of a minimum height of 1.8m; or ii. be landscaped with plants or trees of a minimum height of 1m at planting which will achieve a continuous screen of 1.8m in height and 1.5m in width within five years; or iii. be screened with a combination of (i) and (ii) above. | <p>discretion are restricted to:</p> <ol style="list-style-type: none"> a. the streetscape and amenity of the surrounding area; b. topographical or other site constraints making compliance with this standard impractical; c. the amenity of adjoining properties; including that on the outdoor living space; d. the scale of the building or structures and their distance from the boundary; e. the ability to mitigate any adverse visual effects of reduced, alternative or no screening through the use of alternative methods; and f. the design, layout and use of the site which may compensate for reduced, alternative or no screening. |
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