

# PART 4

## WĀHI NOHO - RESIDENTIAL

Part 4 is Operative.

### 4.1 INTRODUCTION

The purpose of the residential zone is to provide a high level of amenity for residents and an attractive residential environment where people want to live.

Across the district there are residential areas that have different amenity values and character. Residents of these areas have different expectations of the environment and experience different issues. This is reflected by defining five residential zones with objectives, policies and rules that address the issues affecting each zone.

The character of each zone is briefly described in the following table:

Zone	Code	Description
Residential 1 Low Density living	RD1	Low density residential areas, such as Ngōngōtahā, Kāwaha Point, Western Heights, Hillcrest, Springfield and Lynmore. There is a mix of single storey and two-storey houses of various styles and materials. There is a balance between the built and natural elements of the environment in this zone. There is a sense of space around buildings, which is enhanced by the landscaping on site and trees within the road reserve. Other characteristics include generally low levels of noise and low traffic levels.
Residential 2 Medium Density living	RD2	Medium density residential areas located close to the city centre. There is a mix of single storey and two-storey apartment style living, with limited outdoor space. The built environment is dominant and much of the space around buildings is taken up by hard surfacing for car parking and turning. There are few trees and shrubs that make an impact on the wider area and the zone is more reliant on the street trees to soften the built environment.
Residential 3 Ōhinemutu, Whakarewarewa, Ngāpuna	RD3	The cultural and historic villages of Ōhinemutu, Whakarewarewa and Ngāpuna. Dwellings within these areas are typically single storey wooden buildings interspersed with geothermal activity and geothermal features. Ōhinemutu and Whakarewarewa villages are accessed through narrow roads and have the sense of being close-knit communities. Marae and associated communal buildings are dominant focal points. Each village contributes to the cultural historic heritage and identity of Rotorua.

Zone	Code	Description
Residential 4 Lakeside Settlements	RD4	Residential lakeside settlements including, for example Hamurana, Rotoiti, Ōkere Falls, Rotoehu and Rotomā. These areas consist of sites with low density development and high levels of outdoor open living space. Dwellings are often oriented to capitalise on lake views. A mix of freehold and leasehold land is present that supports a variety of building design and a range of residential activity such as baches, holiday homes and permanent living. The settlements themselves vary in size and character.
Residential 5 Residential Lifestyle (Wharenui Road area)	RD5	Rural-residential lifestyle specifically located within the area of the Wharenui Road Area Development Plan in Appendix 5. The intended character of the zone is one of relatively large lot sizes and space around and between buildings to be established by the imposition of performance standards for overall density.

## 4.2 KEY ENVIRONMENTAL ISSUES

There are two key issues influencing the policy framework in the residential zones:

### 4.2.1 Activities in a Residential Zone

A high level of amenity is anticipated in residential areas where an environment is provided that is primarily residential in character, peaceful and safe. Traffic generated is generally low and of light vehicles. Non-residential uses have the potential to have an adverse effect on that amenity by introducing noise, traffic, fumes and odours, or light glare, for example.

The cumulative effect of new building, whether infill housing, or accessory garages and sleep-outs can also alter the character of residential areas by increasing density and reducing the proportion of open space available for landscaping. Building within yards reduces space around buildings and can have an adverse effect on outlook and privacy. Building within, and enclosure of, the front yard has an effect on the street scene and is a significant influence on the character of the area. Examples of such effects can be seen in the existing residential areas. In some cases the cumulative effect of several changes from residential to office use has altered the character of the area, or a cluster of garages in the front yards has reduced the sense of openness within a streetscape.

The Plan sets out a framework to enable residential activity without imposing excessive controls.

#### Residential 1

The character of the Residential 1 zone can be adversely affected by the gradual erosion of the open space around and between buildings as a result of extensions and accessory buildings within the boundary yards. In particular building within, or enclosure of, the front yards has an impact on the street scene in that the sense of space is reduced, obscuring passive surveillance of the neighbourhood reduces security and individual sites do not relate visually to the street. These effects can be made worse by the loss of established garden areas, particularly taller trees and

shrubs that have an impact on the amenity of the surrounding area beyond the boundary of an individual site.

## Residential 2

The Residential 2 zone helps to provide diversity in residential living; however the higher density, site coverage, and area of hard surfacing that is used for on-site parking all contribute to an environment that is dominated by buildings and man-made features. The consequent lower levels of planting on site accentuate the harder environment of the Residential 2 zone. The potential adverse effects of such an environment can be reduced by higher quality of urban design in both the buildings and open space around them. High quality urban design, providing passive surveillance over the streetscape and public reserves, ensuring suitable private, outdoor living space is provided on the site and that onsite parking does not dominate the streetscape are examples of measures that enhance residential amenity in such an environment. Whilst there may be an expectation that the scale and form of new development will be in keeping with the surroundings, some variety in design is desirable to add interest and vibrancy to the streetscape.

## Residential 3

The villages of Ōhinemutu and Whakarewarewa are exceptional and unique places within the district. New development or activities within the villages that are out of keeping with the existing environment, has the potential to have an adverse effect on their special character. Similarly activities on the land adjacent to the villages may cause disturbance through noise, smoke, dust, vibration or traffic, or may be visually intrusive such that they have an adverse impact on the cultural and historic heritage of the villages and consequently of the district.

The residential amenity, character and cultural significance of Ngāpuna village are adversely affected by the non-residential activities that are carried out in the surrounding area. Further development and expansion of such activities within the vicinity of this village has the potential to make the situation worse. In most places the boundary between the residential and non-residential activities is not softened by landscaping or screened by fencing. Consequently the potential for there to be an adverse effect on amenity from noise, smoke, dust, vibration or traffic, or visual intrusion is significant.

## Residential 4

Lakeside settlements are a key attribute of the Rotorua district. Some lakeside settlements are connected to public water and waste water reticulation thereby making further development feasible. It is planned to connect further lakeside settlements in the future where possible, which will help to enhance lake water quality. Residential activity affects the character of lakeside margins. Buildings that nestle into the landscape at a density that is in keeping with the surrounding environment maintain an element of the natural character and reduce the impact on the wider landscape of the lake edge.

## Residential 5

The residential lifestyle (Wharenui Road Area) is a major greenfield site that will significantly increase the amount of low density residential land. Its location anticipates that there will be connections to existing residential areas, schools, the strategic road network, and to reserves and public spaces. The area will be expected to conform to performance standards and design criteria to ensure that development of the land provides a high standard of amenity.

## 4.2.2 The Design, Layout and Appearance of Residential Sites

The appearance of buildings on residential land, the space around them and the treatment of the space and boundaries can have a positive or negative effect on an area. Layouts that reduce the space around the buildings and high front boundary fences that are unrelieved by planting, or intrusive car parking reduce amenity value, whilst sensitive landscaping and boundary treatments can enhance it.

Environmental quality and amenity values are influenced by lot sizes and shapes and can be enhanced by ensuring that buildings can be located on each site in accordance with performance standards. However the degree of control that Council seeks to achieve through these standards is a sensitive issue.

The promotion of well-designed and safe pedestrian and cycling linkages between neighbourhoods to and from schools and local amenities is also very important to ensure connectivity within local communities. It will also allow for easy access and promotion of non-vehicular modes of transport. This is even more important where these activities are separated by strategic roading corridors.

The environmental qualities that the community wish to provide should guide the framework of objectives, policies and rules. The residential areas have developed with rules and performance standards that have controlled matters such as building height, yard distances, site coverage, on-site parking and turning, fence height and signage. These controls can be adjusted, or extended depending on the desired outcome. For example reducing yards may allow for a more efficient use of a site, but at the same time there may be an adverse impact on the amenity and privacy of an adjoining site.

The importance that government and the community place on the sustainability of new development is reflected in changes to the Building Act, promotion of improvements to insulation and interest in domestic scale renewable energy, for example. Whilst the inclusion of rules imposing control over the detailed design and construction of new buildings is beyond the scope of this plan, provision can be made to encourage that building be carried out using sustainability principles such as orienting toward the sun to obtain maximum solar gain, including good insulation, use of domestic scale energy generation, recycling grey water and use of renewable or recycled materials. Assessment criteria are included to encourage this to be considered.

High quality urban design is a desirable outcome to promote amenity and security and address the potential adverse cumulative effects of infill housing. The plan seeks to be permissive and enable new development, providing useable, private outdoor living space that is separate from access and parking provision, and enable the maximisation of daylight and solar access.

Infill housing is provided for in the plan as a way to facilitate a compact, sustainable urban form. Infill housing reduces the demand to develop greenfield sites in rural zones and makes best use of the existing urban infrastructure. There is potential for such development to have an adverse impact on the surroundings. The construction of additional houses intensifies activity on land that may historically have been used as a relatively quiet rear yard and garden area. This is likely to have an impact both on the neighbouring properties and the character of the wider area. Potential disturbance from vehicles entering and leaving the site, noise from the normal occupation of houses, effects on privacy and outlook for example, can all adversely affect the environment and cumulatively alter the amenity of the residential zones.

There are particular challenges in different areas of the district. In areas of high density such as the Residential 2 zone, site layout and design are important where open space is limited. The design of development in the lakeside settlements in the Residential 4 zone needs to have regard to the natural character of the lakes and lake margins in order to maintain and enhance the existing amenity values.

## 4.3 OBJECTIVES AND POLICIES

The specific Objectives and Policies for the residential zones are stated below. The objectives and policies below shall be read in conjunction with the provisions for Parts 1- 3 and the technical requirements in Parts 13-17.

### Activities in a Residential Zone

<p><b>Objective 4.3.1</b></p> <p>A level of amenity that provides residents with:</p> <ul style="list-style-type: none"> <li>• A northerly outlook</li> <li>• Side and rear yards that provide aural and visual amenity</li> <li>• Residential levels of noise</li> <li>• Safe parking and turning areas where required</li> <li>• Street surveillance</li> <li>• Orientation to maximise energy efficiency</li> </ul>	
Policy 4.3.1.1	Require yards and protection of daylight planes to provide for privacy and outlook to reduce the adverse effects of noise between household units and the character of the streetscape.
Policy 4.3.1.2	Manage the siting of household units on adjoining land to protect the privacy, outlook and amenity of residents.
Policy 4.3.1.3	Require on-site outdoor space for each household unit.
Policy 4.3.1.4	Ensure the design and location of access, on-site parking and turning areas do not detract from the safe and efficient functioning of the transport network or dominate the streetscape.
Policy 4.3.1.5	When considering a resource consent application, require the landscaping to mitigate the adverse effects of activities and to enhance the character and amenity of the zone.
Policy 4.3.1.6	Require noise mitigation measures for household units that adjoin strategic roads to avoid reverse sensitivity effects.
Policy 4.3.1.7	Encourage implementation of principles of sustainable building practice through provision of advice and information.

**Objective 4.3.2**

The character and amenity values of the residential zones are maintained and enhanced.

Policy 4.3.2.1	<p>Maintain the following qualities and characteristics of the Residential 1 zone:</p> <ul style="list-style-type: none"> <li>• Low density residential areas</li> <li>• A mix of single and two storey buildings</li> <li>• A variety of building design and materials</li> <li>• Balance between the built and natural elements of the environment</li> <li>• A sense of space around buildings</li> <li>• Space enhanced by on-site landscaping and trees within the road reserve</li> <li>• Low levels of noise and</li> <li>• Low traffic levels</li> </ul>
Policy 4.3.2.2	<p>Maintain the following qualities and characteristics of the Residential 2 zone:</p> <ul style="list-style-type: none"> <li>• Medium density residential areas</li> <li>• A mix of single storey and two-storey buildings</li> <li>• Smaller household units and apartment style living</li> <li>• Limited outdoor space</li> <li>• Built elements dominate the environment</li> <li>• Much of the space around buildings is taken up by hard surfacing for car parking and turning</li> <li>• Reliance on street trees to soften the built environment</li> </ul>
Policy 4.3.2.3	<p>Maintain the following qualities and characteristics of the Residential 3 zone:</p> <ul style="list-style-type: none"> <li>• Medium to high density residential areas</li> <li>• Close development and narrow roads</li> <li>• Historic and geothermal features integrated into the environment of the villages</li> <li>• A mix of single and two storey buildings</li> <li>• A variety of building design and materials</li> <li>• Low levels of noise and</li> <li>• Low traffic levels</li> </ul>
Policy 4.3.2.4	<p>Maintain the following qualities and characteristics of the Residential 4 zone:</p> <ul style="list-style-type: none"> <li>• Low density residential areas</li> <li>• A mix of single storey and two-storey buildings</li> <li>• A high proportion of outdoor open living space</li> <li>• A variety of building design and materials</li> <li>• Building that does not dominate the natural character of the lake and its margin</li> <li>• A sense of space around buildings</li> <li>• Low levels of noise</li> <li>• Low traffic levels</li> </ul>

<p>Policy 4.3.2.5</p>	<p>Achieve the following qualities and characteristics of the Residential 5 zone:</p> <ul style="list-style-type: none"> <li>• Low density residential areas on larger lots</li> <li>• A mix of single and two storey buildings</li> <li>• A variety of building design and materials</li> <li>• Balance between the built and natural elements of the environment such that building does not over-dominate</li> <li>• A sense of space around buildings</li> <li>• Space enhanced by on-site landscaping and trees within the road reserve</li> <li>• Low levels of noise</li> <li>• Low traffic levels</li> </ul>
<p><b>Objective 4.3.3</b>                  Non-residential activities in residential zones that are domestic in scale and character and do not have an adverse impact on the amenity values and character of the residential zones, or the vitality and viability of the City Centre or Commercial zones.</p>	
<p>Policy 4.3.3.1</p>	<p>Manage the location and design of buildings for non-residential activities to ensure that the activity is in keeping with the appearance and character of the residential zone sought in Objective 4.3.2 and Policies 4.3.2.1 to 5.</p>
<p>Policy 4.3.3.2</p>	<p>Prevent the establishment of non-residential activities where they would be more appropriately located in a commercial, industrial or city centre zone and would have an adverse effect on the vitality and viability of those zones.</p>
<p>Policy 4.3.3.3</p>	<p>Avoid adverse effects of noise, vibration, light, smoke, fumes, odours, or other sources of disturbance that are detrimental to the amenity of the residential zones.</p>
<p>Policy 4.3.3.4</p>	<p>Ensure the location of community activities avoids, remedies, or mitigates adverse effects on the quality of residential amenity in the residential zones.</p>
<p>Policy 4.3.3.5</p>	<p>Avoid, remedy or mitigate the potential adverse effects of non-residential activities, including community activities, through the provision of;</p> <ul style="list-style-type: none"> <li>• Sufficient on-site parking, loading and turning</li> <li>• Landscaping to maintain and enhance the quality of residential amenity, primarily the streetscape</li> <li>• Noise mitigation measures</li> </ul>
<p><b>Objective 4.3.4</b>                  Maintain the following qualities and characteristics that contribute to the cultural significance of the Te Arawa villages of Ōhinemutu and Whakarewarewa.</p> <ul style="list-style-type: none"> <li>• Single storey housing grouped in clusters</li> <li>• Narrow lanes and limited space around buildings</li> <li>• Pedestrian focussed</li> <li>• Geothermal features</li> <li>• Home based businesses</li> <li>• Community established around Marae</li> </ul>	
<p>Policy 4.3.4.1</p>	<p>Enable the continued co-existence of residential activities with the geothermal features throughout each village, whilst ensuring future development is undertaken with an acknowledgement of risks.</p>

Policy 4.3.4.2	<p>Activities within Ōhinemutu and Whakarewarewa are in keeping with the unique character of the villages and include:</p> <ul style="list-style-type: none"> <li>• Sufficient on-site parking and safe access that does not adversely affect the transport network</li> <li>• Buildings and structures located in a manner that respects the tikanga of the Marae</li> <li>• Traditional, home-based cultural activities</li> </ul>
<p><b>Objective 4.3.5</b> Avoid adverse effects of non-residential activities within the Residential 3 zone on the amenity of Ngāpuna</p>	
Policy 4.3.5.1	Manage the effects of non-residential activities so that adverse effects on the residential amenity of Ngāpuna village are not increased.
Policy 4.3.5.2	Manage the location of activities that generate unacceptable levels of noise and have the potential to adversely impact Ngāpuna residents.

### The Design, Layout and Appearance of Residential Sites

<p><b>Objective 4.3.6</b> Residential site design and development in a sustainable manner that promotes and maintains the character of the zone, residential amenity and community safety.</p>	
Policy 4.3.6.1	<p>Encourage and promote buildings on residential sites that:</p> <ul style="list-style-type: none"> <li>• Have sufficient space to provide private, useable outdoor open areas for garden and amenity space.</li> <li>• Do not intrude into side, rear, or front yards.</li> <li>• Maximise access to sunlight and daylight to north facing living rooms.</li> <li>• Provide car parking and turning areas that are separate from outdoor garden and amenity space and do not dominate in the streetscape.</li> </ul>
Policy 4.3.6.2	<p>Encourage site and building design that provides:</p> <ul style="list-style-type: none"> <li>• Passive surveillance of public space</li> <li>• Front yards that are free of buildings and not screened by high fencing</li> </ul>
Policy 4.3.6.3	Control signage to ensure that it does not adversely affect traffic safety, residential amenity, or matters of significant cultural, historical, or landscape value as listed in Appendices 1 and 2, Cultural Historic Heritage Inventory and Natural Heritage Inventory respectively.
Policy 4.3.6.4	<p>Provide for residential development to occur in a manner that:</p> <ul style="list-style-type: none"> <li>• Does not detract from the surrounding residential amenity</li> <li>• Provides for a range of residential opportunities</li> <li>• Provides for access by a range of modes of transport</li> <li>• Provides recreation and amenity areas</li> </ul>
Policy 4.3.6.5	Ensure the development of the Residential 1 zoned portion of land within Lot 1 DPS 70760 (Owhatirua South) provides for a continuous, safe and efficient pedestrian and cycle accessway between Vaughan Road and Te Ngae Road which is designed to meet the principles of CPTED.

<b>Objective 4.3.7</b>	
Residential property design and development that ensures reverse sensitivity effects on network utilities and other infrastructure do not occur.	
Policy 4.3.7.1	Ensure that the operation, maintenance and upgrading of network utility operations and other infrastructure is not constrained by reverse sensitivity effects resulting from residential development.
Policy 4.3.7.2	Enable the safe, secure and efficient operation of the existing electricity transmission network while providing for residential development and other sensitive development in a way that avoids high hazard areas within the national grid corridor.
<b>Objective 4.3.8</b>	
Infill housing that maintains the environmental quality, character and amenity values of the zone for existing and future residents.	
Policy 4.3.8.1	Infill housing development is designed to maintain the privacy, outlook and amenity values for residents.
<b>Objective 4.3.9</b>	
Signs are designed and located to maintain and/or improve the amenity and character of the zone and district and to ensure traffic safety is not compromised.	
Policy 4.3.9.1	The size and scale, type, colour, number and location of signs is consistent with the amenity value and character of the zone, and illuminated, flashing and multi-media signs are avoided.
Policy 4.3.9.2	Enable site-related signs to support and promote the activity on the site, including identification of location, whilst minimising the visual impact.
Policy 4.3.9.3	Reduce the cumulative effects of signs, particularly along the city entranceways, strategic and collector roads by: <ul style="list-style-type: none"> <li>a. Avoiding the establishment of non-site related signs that detract from the purpose of the zone and amenity and character of the district.</li> <li>b. Mitigating visual clutter through integration of multiple signs into multi sign signboards.</li> </ul>
Policy 4.3.9.4	Ensure that the scale, design and location of signs are consistent with the safe and efficient functioning of the transport network, especially near roundabouts and intersections, as well as providing for clear identification of access to sites.

## 4.4 ENVIRONMENTAL OUTCOMES

The efficiency and effectiveness of the policy framework of this part will be the focus of on-going monitoring and review. Effectiveness or achievement of the objectives will be assessed through performance indicators. The performance indicators will be developed to measure the following outcomes that the policy framework was put in place to achieve:

1. An Increase in passive street surveillance and therefore safety.
  2. An improved perception of Rotorua as a safe and attractive place to live.
  3. Increase in new activity that provides private space on site.
  4. Retained character of each of the five residential zones according to their attributes.
  5. An increase in or at least no loss of vegetation in low density residential areas for amenity purposes.
  6. An increased sense of privacy in residential zones.
  7. A reduction of the adverse effects on noise sensitive activities located in proximity to strategic roads.
  8. Increase in new activities or development that results in the implementation of a landscaping scheme.
  9. A low number of applications for activities that seek changes to the performance standards.
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## 4.5 RULES

Table 4.5 identifies the status of activities which are provided for in this part of the plan.

The following abbreviations for the zones are used in activity Table 4.5:

RD1	=	Residential 1	Low Density Living
RD2	=	Residential 2	Medium Density Living
RD3	=	Residential 3	Ōhinemutu, Whakarewarewa, Ngāpuna
RD4	=	Residential 4	Lakeside Settlements
RD5	=	Residential 5	Residential Lifestyle (Wharenui Road Area)

The following abbreviations are used for classes of activities in activity Table 4.5:

P	=	Permitted	C	=	Controlled	RD	=	Restricted Discretionary
D	=	Discretionary	NC	=	Non-complying	Pro	=	Prohibited

The 'NA' abbreviation in the activity table refers to where an activity is not applicable to the zone.

The activity classes in Table 4.5 are explained in the User Guide at the front of the District Plan.

Meanings for the terms in Table 4.5 can be found in Part 17 - Definitions.

Permitted and Controlled Activities shall comply with the relevant performance standards in Part 4.6.

The activity status may be altered if the site contains or is adjacent to an item identified in Appendix 1 or 2 of the Plan, Cultural Historic Heritage Inventory and Natural Heritage Inventory respectively.

Table 4.5: Activities in the Residential 1 - 5 Zones

Rules		Zones				
		RD1	RD2	RD3	RD4	RD5
General						
1.	An activity accessory to a permitted activity	P	P	P	P	P
2.	Any activity stated as a permitted or controlled activity that does not meet the performance standards stated in 4.6	RD	RD	RD	RD	RD
3.	Where an activity is not expressly stated in 4.5	NC	NC	NC	NC	NC
Household Units						
4.	Household unit, one per site	P	P	P	P	P
6.	Buildings and alterations accessory to a household unit	P	P	P	P	P
7.	The demolition or removal of a household unit from a site	P	P	P	P	P
8.	Micro scale wind turbines	C	C	C	C	C
9.	Additional household units, including minor household units.	C	C	C	C	NC
10.	Approval of a comprehensive residential development for three or more household units on one site	D	RD	D	D	NA
11.	Conversion of tourist accommodation to household units	C	C	C	C	NA
12.	The preparation, assembly or finishing and thereafter sale or display of traditional Māori food, traditional and contemporary Māori crafts, and souvenirs accessory to a household unit	NC	NC	P	NC	NC
13.	Kaumātua housing	Refer to Part 3, Iwi Cultural and Historic Heritage and Economic Resources, and performance standards in 4.6				

Rules	Zones				
	RD1	RD2	RD3	RD4	RD5
14. Papakāinga	Refer to Part 3 Iwi Cultural and Historic Heritage and Economic Resources, and performance standards in 4.6				
Wharenui Road Area					
15. Household units within the Wharenui Road Area not part of a comprehensive residential development in accordance with Appendix 5 Development Plans	NC	NA	NA	NA	NC
16. Comprehensive residential developments in the Wharenui Road area, in accordance with Appendix 5 Development Plans	C	NA	NA	NA	NC
17. Medium density housing within the Wharenui Road area, where the parent site must be equal to or greater than 3,000m <sup>2</sup> , in accordance with Appendix 5 Development Plans	C	NA	NA	NA	NC
18. Medium density housing within the Wharenui Road area for areas smaller than 3,000m <sup>2</sup> in accordance with Appendix 5 Development Plans	D	NA	NA	NA	NC
19. Stormwater management reserves, facilities and overland flow paths not associated with an approved subdivision or land use activity within the Wharenui Road area in accordance with the provisions of Appendix 5 Development Plans	RD	NA	NA	NA	RD
Community Activities					
20. Additions to and upgrades of existing Marae	See also Part 3, Iwi Cultural and Historic Heritage and Economic Resources				
21. Hospitals and medical centres	D	D	D	D	D
22. Alterations and extensions of existing hospitals and medical centres	D	P	D	D	D
23. Rest homes	D	D	D	D	D
24. Daycare centres	D	D	D	D	D

Rules	Zones				
	RD1	RD2	RD3	RD4	RD5
25. Educational facilities	D	D	D	D	D
26. Community facilities	D	D	D	D	D
27. Funeral homes	D	D	D	D	D
28. Community housing	P	P	P	P	P
<b>Tourism and Recreation</b>					
29. Holiday parks	D	D	D	D	NC
30. Additions to and upgrades of existing holiday parks	P	P	P	P	NA
31. Bed and Breakfast	P	P	P	P	P
32. Tourist accommodation (other than bed and breakfast)	D	D	D	D	D
32a. Holiday rental accommodation	P	P	P	P	P
32b. Holiday rental accommodation that does not meet the performance standards in 4.6.16	D	D	D	D	D
<b>Retail and Commercial</b>					
33. Home based business	P	P	P	P	P
34. Show homes	C	C	C	C	C
35. Retail shop	NC	NC	NC	NC	NC
36. Office activities, other than home based business	NC	NC	NC	NC	NC
37. Alterations and extensions of existing office activities	NC	P	NC	NC	NC
38. Industrial or trade process, vehicle transport or storage facility	NC	NC	NC	NC	NC
39. Offensive Trades	Pro	Pro	Pro	Pro	Pro
40. Temporary events	P	P	P	P	P
41. Temporary military training	P	P	P	P	P
42. Concert involving amplified music	NC	NC	NC	NC	NC

Rules	Zones				
	RD1	RD2	RD3	RD4	RD5
Signs					
43. Temporary Stockpiling	P	P	P	P	P
ADVICE NOTE: Signs within the road reserve are covered by the Signs on Roads Bylaw 2015, not the rules in this Plan. Signs required by official statute such as the Electoral Act 1993, or bylaw, are governed by the relevant statute or bylaw.					
44. Signs that comply with the sign performance in Appendix 8, Signs	P	P	P	P	P
45. Non site related signs	NC	NC	NC	NC	NC
46. Signs located on a historic site or attached to a Historic Structure that are listed in Appendix 1, Cultural Historic Heritage Inventory	RD	RD	RD	RD	RD
Special Land Features					
Airport Noise Contour Controls					
47. Any addition to an existing activity sensitive to aircraft noise within the Inner Noise Control Area shown on the Planning Maps, that increases the total gross floor area of the noise sensitive activity by more than 25% of the total gross floor area that existed before the date on which Council makes a decision on submissions on this rule under section 86B of the Resource Management Act 1991.	RD	NA	NA	NA	NA
48. Any new activity sensitive to aircraft noise within the Inner Noise Control Area shown on the Planning maps	D	NA	NA	NA	NA
49. Any extension to or upgrade or replacement of a building accommodating an activity sensitive to aircraft noise within the Air Noise Area as shown on the Planning maps	NC	NA	NA	NA	NA
49a. Any new activity sensitive to aircraft noise within the Air Noise Area as shown on the Planning maps	Pro	NA	NA	NA	NA

Rules	Zones				
	RD1	RD2	RD3	RD4	RD5
Activity Within the National Grid Subdivision Corridor					
50. Any building, structure or activity (other than subdivision), within the National Grid Subdivision Corridor, unless listed as a non-complying activity within the National Grid yard	P	P	P	P	p
Within any part of the National Grid Yard the following:					
51. Within any existing developed site, any uninhabitable accessory buildings	P	P	P	P	p
52. Within any existing developed site, any new building or addition to an existing building that involves an increase in the building envelope or height, not associated with a sensitive activity	P	P	P	P	p
53. The following buildings and structures more than 12m from the outer visible edge of a National Grid support structure foundation or stay wire: <ul style="list-style-type: none"> <li>a. Fences less than 2.5m high.</li> <li>b. An accessory building for a sensitive activity that is under 2.5m high and 10m<sup>2</sup> in area;</li> <li>c. Alterations and additions to existing buildings that do not involve an increase in the building envelope or height.</li> <li>d. Network Utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid.</li> <li>e. Any official or safety sign required by law or provided by any statutory body in accordance with its powers under any law.</li> </ul>	P	P	P	P	p

Rules	Zones				
	RD1	RD2	RD3	RD4	RD5
<p>54. The following buildings and structures within 12m from the outer visible edge of a National Grid support structure foundation or stay wire:</p> <ul style="list-style-type: none"> <li>a. Network Utilities within a transport corridor or any part of electricity infrastructure that connects to the National Grid.</li> <li>b. Fences less than 2.5m in height and more than 5m from the nearest support structure.</li> </ul>	P	P	P	P	P
<p>55. Within any part of the National Grid Yard:</p> <ul style="list-style-type: none"> <li>a. Any new building or addition to an existing building that involves an increase in the building envelope or height, for a sensitive activity.</li> <li>b. A change of use to a sensitive activity or the establishment of a new sensitive activity.</li> <li>c. Any buildings and structures within the National Grid Yard that do not meet the performance standards in section 4.6.12 and Appendix 10, Earthworks.</li> <li>d. Any building or structure within the National Grid Yard that is not provided for under Rules 4.5.51 to 54.</li> </ul>	NC	NC	NC	NC	NC
<b>Built Historic Heritage and Archaeological Sites</b>					
<p>56. Maintenance and repair of historic heritage structures and sites listed in Appendix 1 Cultural Historic Heritage Inventory, in accordance with the standards in Appendix 9, Section 6 Matters</p>	P	P	P	P	NA
<p>57. Internal alterations to historic structures where only the exterior of the structure is deemed to be historic.</p>	P	P	P	P	P

Rules	Zones				
	RD1	RD2	RD3	RD4	RD5
58. Alterations and additions to historic heritage structures listed in Appendix 1 Cultural Historic Heritage Inventory	RD	RD	RD	RD	NA
59. Disturbance, modification and alteration of cultural historic heritage listed in Appendix 1 Cultural Historic Heritage Inventory, unless provided for under A9.2.1.3	D	D	D	D	NA
60. Destruction of cultural historic heritage listed in Appendix 1 Cultural Historic Heritage Inventory	NC	NC	NC	NC	NC
61. Re-siting, or demolition of a historic heritage structure listed in Appendix 1 Cultural Historic Heritage Inventory	NC	NC	NC	NC	NA
<b>Notable Trees</b>					
62. Maintenance of a notable tree or removal of dead notable tree listed in Appendix 1, Cultural Historic Heritage Inventory, in accordance with the standards in Appendix 9, Section 6 Matters	P	NA	NA	P	NA
63. Removal of a notable tree identified in Appendix 1 not provided for under Rule 4.5.62	NC	NA	NA	NC	NA
64. Buildings constructed within the dripline of a notable tree identified in Appendix 1, Cultural Historic Heritage Inventory	D	NA	NA	D	NA
<b>Significant Geothermal Features</b>					
65. Restoration, re-vegetation or enhancement of indigenous vegetation associated with Significant Geothermal Features in accordance with the standards in Appendix 9 Section 6 Matters	P	P	P	P	P

Rules	Zones				
	RD1	RD2	RD3	RD4	RD5
66. Development and earthworks adjacent to Significant Geothermal Features in accordance with the standards in Appendix 9, Section 6 Matters	P	P	P	P	P
67. Development and earthworks that will affect a Significant Geothermal Feature where a consent has been granted under a Regional rule which has required an assessment of the effects on the Significant Geothermal Features, or is permitted by a Regional rule relating to the Significant Geothermal Features	P	P	P	P	P
68. Maintenance of existing tracks within a Significant Geothermal Feature in accordance with the standards in Appendix 9, Section 6 Matters, including realignment and reinstatement due to geothermal damage	P	P	P	P	P
69. Development and earthworks not provided for in Rules 4.5.65, 66, 67 and 68	D	D	D	D	D
Significant Natural Areas					
70. Disturbance, restoration, re-vegetation or enhancement of indigenous vegetation within Significant Natural Areas in accordance with the standards in Appendix 9, Section 6 Matters	P	P	P	P	P
71. Upgrade, alterations, maintenance or the replacement of any lawfully established building or structure within a significant natural area that does not exceed the building envelope or footprint of the existing building or structure in accordance with Appendix 9, Section 6 Matters	P	P	P	P	P

Rules	Zones				
	RD1	RD2	RD3	RD4	RD5
<p>72. Trimming or pruning of vegetation within a Significant Natural Area where the vegetation:</p> <ul style="list-style-type: none"> <li>• affects the operations of existing high voltage transmission lines or network utility structures or;</li> <li>• affects the structural integrity of an existing fence or;</li> <li>• will not result in the death or irreparable damage of the vegetation or;</li> <li>• is directly adjoining existing pedestrian and cycle tracks for the purpose of maintaining the use of those tracks or;</li> <li>• will not result in a reduction in the identified values associated with the significant natural area</li> <li>• affects the structural integrity of an existing building.</li> </ul>	P	P	P	P	P
<p>73. The maintenance of existing farm, forestry, skid sites and walking tracks within a Significant Natural Area in accordance with Appendix 9, Section 6 Matters</p>	P	P	P	P	P
<p>74. Construction of new walking tracks within a Significant Natural Area</p>	RD	RD	RD	RD	RD
<p>75. New buildings and structures located within a Significant Natural Area unless otherwise specified</p>	NC	NC	NC	NC	NC
<p>76. New lake structures within an identified Significant Natural Area</p>	D	D	D	D	D

Rules	Zones				
	RD1	RD2	RD3	RD4	RD5
77. Disturbance of indigenous vegetation within a Significant Natural Area other than that provided for under Rule 4.5.70	NC	NC	NC	NC	NC
Outstanding Natural Features and Landscapes					
78. Maintenance of existing infrastructure including high voltage transmission lines and infrastructure within an Outstanding Natural Feature or Landscape that does not exceed the building envelope or footprint of the existing building or structure	P	P	P	P	P
79. The maintenance of existing farm, forestry skid sites, and walking tracks within Outstanding Natural Features and Landscapes in accordance with Appendix 9 Section 6 Matters	P	P	P	P	P
80. Earthworks within Outstanding Natural Features or Landscapes in accordance with standards in Appendix 10, Earthworks	P	P	P	P	P
81. Earthworks within an Outstanding Natural Feature or Landscape not provided for under Appendix 10, Earthworks	D	NA	D	D	NA
82. Construction of new farm, forestry or walking tracks within an Outstanding Natural Features or Landscapes	RD	RD	RD	RD	RD
83. Replacement, maintenance and upgrades of existing lawfully established buildings and accessory buildings located within private freehold lots within Mount Ngōngōtahā and Whakarewarewa Outstanding Natural Features and Landscapes in accordance with Appendix 9, Section 6 Matters	P	NA	NA	NA	NA

Rules	Zones				
	RD1	RD2	RD3	RD4	RD5
84. Maintenance and replacement of existing lawfully established buildings, or lake structures within an identified Outstanding Natural Feature or Landscape not in accordance with Appendix 9, Section 6 Matters	D	D	D	D	D
85. Removal of indigenous vegetation within residential zoned lots in the Mount Ngōngōtahā Outstanding Natural Feature and Landscape and the removal of up to 200m <sup>2</sup> of indigenous vegetation within other outstanding natural landscapes or features unless otherwise specified	P	P	P	P	P
86. Removal of more than 200m <sup>2</sup> indigenous vegetation within the boundaries of an identified Outstanding Natural Feature or Landscape unless otherwise provided for	NC	NC	NC	NC	NC
87. Maintenance and replacement of existing lawfully established buildings, or lake structures within an identified Outstanding Natural Feature or Landscape or in accordance with Appendix 9, Section 6 Matters	P	P	P	P	P
88. New Buildings, structures and lake structures located within an Outstanding Natural Feature or Landscape, unless otherwise specified	D	NA	D	D	NA
<b>Esplanade Reserves or Strips</b>					
89. Maintenance and replacement of existing lawfully established buildings, infrastructure, or structures within 25 metres from the bank of a lake or from a river or stream identified on Planning Map 203.	P	P	P	P	P

Rules	Zones				
	RD1	RD2	RD3	RD4	RD5
90. New buildings and lake structures located within 25 metres from the edge of a lake, or from a river or stream identified on Planning Map 203 as being an area identified for esplanade reserve acquisition except as provided for by Rule 4.5.87	RD	RD	RD	RD	RD
91. Construction of public walking tracks within esplanade reserves or strips	P	P	P	P	P
<b>Activities Affected by Fault Lines</b>					
92. Additions to existing buildings or replacement buildings located within the fault avoidance area on Planning Map 210.	P	NA	NA	P	NA
93. Buildings of low importance located within the fault avoidance area on the Planning Maps.	P	NA	NA	P	NA
94. New buildings located within the fault avoidance area on Planning Map 210.	RD	NA	NA	RD	NA
<b>Other Activities</b>					
95. Any activity that involves the use, storage, transportation or disposal of hazardous substances and/or contaminants; or any activity on contaminated or potentially contaminated land	See Part 16, Hazardous Substances and Contaminated land				
96. Earthworks	P	P	P	P	P
97. Felling of exotic vegetation not within an area identified in Appendix 1 or Appendix 2, Cultural Historic Heritage Inventory and Natural Heritage Inventory respectively	P	P	P	P	P
98. Parking of heavy vehicles (excluding emergency service vehicles) on a residential site other than within the road reserve	NC	NC	NC	NC	NC
99. Helicopter take-off and landing areas	NC	NC	NC	NC	NC
100. Temporary events	P	P	P	P	P

Rules	Zones				
	RD1	RD2	RD3	RD4	RD5
102. Operation, maintenance, demolition and replacement of existing lake structures	P	NA	P	P	NA
103. Replacement of existing lake structures outside the existing footprint, where the scale is the same or reduced and the number of structures is reduced	C	NA	C	C	NA
104. Lake structures not otherwise provided for as permitted or controlled activities	RD	NA	RD	RD	NA
106. Infrastructure	See Part 15, Infrastructure				
107. Activities in accordance with an approved development plan in Appendix 5	Refer to Appendix 5 Development Plans				

**ADVICE NOTE – COMPREHENSIVE RESIDENTIAL DEVELOPMENT PLAN:**

The intention of the plan is to encourage innovative design for a particular site even where the proposal does not comply with the performance standards for the zone. It is particularly aimed at the Residential 2 zone where high density development will be in keeping with the character of the zone. An application for resource consent that has been designed specifically for the site can be submitted as a comprehensive development plan to demonstrate how the site as a whole can be developed without adverse effects on the environment that are more than minor. The application would not default to non-complying, but be considered under the activity status shown in 4.5.10.

**ADVICE NOTE – ELECTRICITY LINES:**

1. Where an activity requires resource consent because it is within the National Grid Corridor or National Grid Yard then the application need not be publicly notified and need not be served on any affected party apart from Transpower New Zealand limited who will be considered an affected party.
2. Vegetation to be planted within the National Grid Corridor or in close proximity to any sub-transmission or distribution electricity line should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003.
3. The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34: 2001) contains restrictions on the location of structures and activities around electricity lines. Compliance with this code is mandatory. Compliance with this plan does not ensure compliance with NZECP34:2001. The electricity line operator can be contacted for advice for any activities around the electricity network.

ADVICE NOTE – ROTORUA DISTRICT COUNCIL TRAFFIC BYLAW 2015:

1. This bylaw sets the requirements for parking and associated control of vehicular or other traffic on any road in the District, including state highways located within any urban boundaries that are otherwise controlled by the New Zealand Transport Agency.

## 4.6 PERFORMANCE STANDARDS

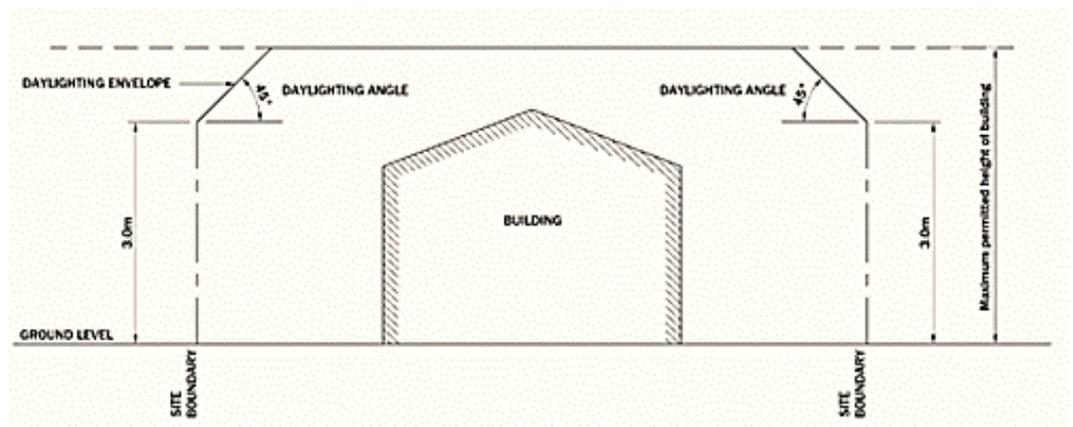
Permitted and Controlled Activities undertaken Within the Residential Zones shall comply with all of the following Performance Standards. Activities relating to Section 6 matters listed in Appendices 1 and 2 Cultural Historic Heritage Inventory and Natural Heritage Inventory respectively, shall comply with the performance standards within Appendix 9, Section 6 Matters.

### 1. Maximum Height and Daylight Envelope

The maximum height of a building or structure shall not exceed 7.5 metres above natural ground except that in the Residential 4 zone the height shall not exceed 8.0 metres subject to complying with the following;

- a. No building or structure shall penetrate the Obstacle Limitation Surface as defined by Rotorua Regional Airport Limited designation A6.12 in Appendix 6, Designations and shown on Special Map 207.
- b. No part of a building or structure shall extend outside the daylight envelope. For the purpose of assessing buildings within the Wharenui Road Development Plan area, the daylight envelope will only apply to the external boundaries (other than the road boundary) of the “parent lot” prior to subdivision.

The daylight envelope is taken from any point on the boundary at a height of 3.0 metres above natural ground level and rises at a 45 degree angle (i.e. rising 1.0 metre for every 1.0 metre from that boundary) until it crosses the maximum permitted height for the zone.



- c. For sites within the Marae Protection area as shown on the Planning Maps and for sites within the residential 3 zone, the height of a building or structure shall not exceed 5.0 metres.
- d. Telecommunication structures for domestic purposes (e.g. aerials and television antenna) attached to a building shall not exceed 2.0 metres above the relevant height standard set out above.

- e. Wind turbines shall not exceed 3.0 metres above the relevant height standard set out above. Any wind turbines attached to a building shall not exceed 3.0 metres above the building height. The rotor blades shall not exceed 1.0 metre in diameter.

## 2. Yard Requirements

### a. Front yards

The minimum front yard for buildings shall be 5.0 metres except in the following circumstances:

- i. In the Residential 2 and Residential 3 zones: 3.0 metres
- ii. In the Wharenui Road area on sites adjoining local roads, and provided that any garage, bedroom, living room, or other habitable room has clear glazing facing the street, the front yard may be reduced to: 3.0 metres

### b. Side and rear yards

The minimum side and rear yard for buildings (except as provided for below): 2.5 metres

### c. Setbacks for Rear Sites

The minimum yards for rear sites for buildings (except as provided below): 2.5 metres

### d. Single storey accessory buildings may be constructed in the side or rear yards up to 1.0 metre from the side or rear boundary subject to complying with following standards:

- i. The maximum length of the accessory building adjacent to a side or rear boundary shall be 7.2 metres, except in the Residential 4 zone where the maximum length shall be 10.0 metres.
- ii. No part of a building shall extend outside the daylight envelope. For the purpose of assessing buildings within the Wharenui Road area, the daylight envelope will only apply to the external boundaries (other than the road boundary) of the "parent lot" prior to subdivision.
- iii. All parts of the building, including eaves shall be a minimum of 1.0 metre from any side or rear boundary.
- iv. No door, window or other opening shall be located in any exterior wall of the building that is less than 2.5 metres from the boundary and which faces that boundary (i.e. at an angle to that boundary of less than 90 degrees).

### e. Setbacks from water bodies

No building shall be erected within 25 metres of the edge of any river or stream identified on Planning Map 203, or any lake with a surface area in excess of 8 hectares or within 5 metres of any esplanade reserve or strip.

### f. Wharenui Road Area

The specified yard requirements shall only apply to the external boundaries, other than the road boundary, of the "parent lot" and be included as a matter of control, or assessment criteria when considering the design and layout of buildings within the lot.

- g. Where road widening is identified as being required, any required yard shall be measured from the boundary of the road widening designation, rather than the lot boundary.

### 3. Site Coverage

- a. For buildings and/or hard surfacing within a geothermal system, where the total building and hard surface coverage is 90% or more of a site, the works shall be designed to achieve a low level of risk from geothermal gas, hot ground and acid ground. This shall be demonstrated by a suitably qualified and experienced person as part of any required building consent application.
- b. The maximum site coverage for buildings shall be:
 

Residential 1 and 4:	40% of the area of the site.
Residential 2:	There is no maximum site coverage for this zone.
Residential 3:	50% of the area of the site.
Residential 5:	25% of the area of the site.
- c. The maximum site coverage for impermeable surfaces shall be:
 

Residential 2 :	100% of the site area
Residential 1, Residential 3 and Residential 4:	80% of the site area
Residential 5:	40% of the area of the site.
- d. For all zones
 

A minimum of 10% of the net site area shall be provided as outdoor recreation and amenity space divided between each dwelling (including decks), but shall not include the required yard areas or any area used for parking and turning of vehicles.

### 4. Household Unit Density

- a. Residential 1
  - i. The minimum permitted net site area for any one household unit shall be 350m<sup>2</sup>, provided that the average net site area for all household units on a site is at least 450m<sup>2</sup>.
  - ii. For sites that exceed a net site area of 600m<sup>2</sup>, there may be one minor household unit with a net floor area not exceeding 72m<sup>2</sup> (excluding garaging).
  - iii. Within the area covered by the Wharenui Road Development plan only one household unit may be constructed for each 450m<sup>2</sup> net site area.
- b. Residential 2
  - i. The minimum permitted net site area for any one household unit shall be 350m<sup>2</sup> without an approved comprehensive residential development plan.
- c. Residential 3
  - i. The minimum net site area for any one household unit shall be 250m<sup>2</sup>.

- d. Residential 4
  - i. One household unit may be constructed on site per 2,000m<sup>2</sup> of net site area provided that the site is able to meet the relevant regional council requirements for on-site effluent or sewage disposal, including any associated disposal field.
  - ii. One household unit may be constructed per 1,000m<sup>2</sup> of net site area in an area where a public sanitary sewer reticulation system is operational.
- e. Residential 5
  - i. One household unit per 1,500m<sup>2</sup> net site area provided that the average net site area for all households onsite shall be 2,000m<sup>2</sup>.

5. Parking, Access and Turning

- a. Parking, turning and access shall be provided in accordance with the provisions of Appendix 4, Parking and Turning Standards.
- b. Parking and on-site turning areas shall be separate to those areas provided on-site for outdoor recreation and amenity space.
- c. Any garage shall be located such that there is a practicable parking space in front of the garage door to enable vehicles to stop and open the garage door clear of the road.
- d. Shared access driveways shall comply with the following table:

Number of Household Units Served by the Access	Width	
	Overall	Formed
1-2 household units	3m	2.7m
3-4 household units	4m	3m
5-8 household units	6.5m	5m

Shared access driveways shall not serve more than eight household units.

- e. All vehicle crossings onto local roads shall be provided and constructed to the standards of Rotorua District Council. Where new vehicle crossings are proposed onto a State Highway, written consent from the New Zealand Transport Agency shall be provided.

6. Noise

See Appendix 11: Noise - Te Hoihoi

7. Glare and Light

Activities shall be managed so that direct or indirect illumination measures not more than 10 lux on any site boundary.

8. Earthworks

All earthworks shall comply with the performance standards contained in Appendix 10, Earthworks.

## 9. Temporary Activities and Events

- a. Any temporary military training activity shall be considered as a permitted activity.  
Notwithstanding any other performance standard listed in 4.6, temporary activities and events shall be permitted subject only to compliance with the following:
- b. Any amplification system shall not be used earlier than 8:00am and shall finish no later than 10:30pm (Sunday to Thursday) or 11:00pm (Fridays and Saturdays). Testing shall not last more than six hours between 9.00am and 7.00pm.
- c. All temporary events shall comply with the glare and light standards of the zone.

## 10. Signs

Signs shall comply with the performance standards in Appendix 8, Signs.

## 11. Reflectivity in the Residential 4 Zone

For buildings visible from a lake the finished exterior surfaces, including the roof, shall have reflectivity values of between 0%-37%. In this case visible shall be taken to mean as assessed from any point on a lake using no more than sight correcting lenses and shall be considered irrespective of vegetative cover.

## 12. Activities, buildings and structures within the National Grid Yard

Activities, buildings and structures within the National Grid Yard, identified on the planning maps, shall comply with at least one of the following performance standards:

- a. A minimum vertical clearance of 10 metres below the lowest point of the conductor associated with National Grid lines; or
- b. Demonstrate that safe electrical clearance distances are maintained in accordance with Sections 2 and 3 of The New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34: 2001).

## 13. Natural Hazards

- a. Setbacks from geothermal surface features.
  - i. No building shall be erected within 5 metres of the edge of any geothermal surface feature or bore, provided that this performance standard does not apply to any building associated with geothermal electricity generation.
- b. Replacement buildings within the fault avoidance area shall be within the existing building footprint.
- c. Buildings within the flood zone as identified on map 208 and 300 series maps shall comply with the following standards:
  - i. Building platform must be above the stated maximum lake level.
  - ii. For sites where the building platform has to be raised to be above the stated maximum lake level, the roof structure may exceed the maximum height limit by up to 1.0 metre, providing the building does not extend outside the daylight envelope.

- d. Development of Land or Buildings Susceptible to Inundation From Surface Water
  - i. Any habitable additions to existing buildings shall be constructed on a building platform filled to above the 2% AEP flood level.
  - ii. Any replacement building shall be provided with a building platform filled to above the 2% AEP flood level and be located entirely within the existing building footprint.

#### 14. Lake Structures

An existing lawful lake structure is a Permitted Activity provided that the lake structure complies with the following performance standards:

- a. Is maintained in a structurally sound condition for the purpose for which it was constructed;
- b. Where upgrading or replacement occurs, does not result in any increase in the base area and/or height of the lake structure (except as provided for in g. below) and is located within the existing lake structure's footprint. The addition of a handrail is permitted;
- c. Is not painted with any anti-fouling coating designed to emit any toxic substance;
- d. Has design components and surface colours that are the same or similar in character to those existing;
- e. The use is limited to the purpose for which it was established;
- f. Does not stop or impede public access from public places to the jetty at any reasonable time or period, without preventing the reasonable use of the lake structure by the owner of the structure;
- g. The height of the deck of any jetty may be increased, but in such an event it shall not exceed 1.2 metres above the mean lake water level.

ADVICE NOTE: The lake structure must be securely connected into the bank or bed of the lake to meet the standards set under the Building Code.

#### 15. Pedestrian and Cycle Accessway

- a. Lot 1 DPS 70760 (Owhatiura South)

Before any residential occupation of the Residential 1 zoned portion of Lot 1 DPS 70760, a pedestrian and cycle accessway shall be provided from Vaughan Road through to Te Ngae Road. The accessway shall be designed to ensure a continuous, safe and efficient access taking into account CPTED principles.

#### 16. Holiday Rental Accommodation

- a. Holiday rental accommodation:
  - i. existing at 7 July 2018; or
  - ii. commencing on or after 7 July 2018

shall comply with the following conditions:

- iii. No more than 12 people shall be accommodated on site at any one time;
- iv. Parking shall be provided in accordance with Appendix 4.

## ADVICE NOTES:

1. The activity shall comply with the noise standards for the zone.
2. The use of the site for events (such as weddings and other celebrations) that is not within the definition of temporary activities and events will require resource consent.
3. Where a site is not connected to the Council sewer, compliance with the relevant Regional On-Site Effluent Treatment Plan will be required.
4. Car parks must not be located on or over the on-site effluent treatment system or disposal field.

## 17. Financial contribution

All activities except permitted activities shall be assessed under Part 14, Financial Contributions to determine if a financial contribution is required.

## 18. Temporary Stockpiling

Temporary stockpiling of re-usable or recyclable materials or cleanfill shall be permitted subject to compliance with the following:

- a. is not stored for more than three months in any 12 month period and is entirely removed within 3 months;
- b. the materials to be stored on site shall not include refuse or hazardous substances;
- c. measures shall be put in place to control any dust from cleanfill;
- d. the stockpile shall be located outside an ephemeral watercourse or the 2% AEP lake flood level, water bodies and geothermal surface features or bores;
- e. the stockpile shall be clear of the front yard setback;
- f. re-usable or recyclable material shall not exceed an area greater than 15m<sup>2</sup>;
- g. cleanfill shall not exceed volume greater than 100m<sup>3</sup>; the stockpile shall be stored in a manner to ensure it remains stationary; and
- h. it shall not disturb any features listed in Appendices 1 and 2 Cultural Historic Heritage Inventory and Natural Heritage Inventory.

## 4.7 CONTROLLED ACTIVITIES: METHODS OF ASSESSMENT

Controlled activities are identified in Table 4.5 above and shall comply with the performance standards in the zone. The Council must grant consent but may impose conditions in relation to matters over which it has reserved its control. The matters over which Council reserves its control are stated in this section.

For activities relating to Section 6 Matters listed in Appendices 1 and 2, Cultural Historic Heritage Inventory and Natural Heritage Inventory respectively, the matters of control below shall be read in conjunction with the provisions in Appendix 9, Section 6 Matters.

### 4.7.1 General Matters of Control

#### 1. Building Design, Site Layout and Amenity

The extent to which -

- a. The privacy and outlook for adjacent sites is maintained.
- b. The principles of CPTED are implemented, including provision for the passive surveillance of any adjoining road or reserve.
- c. The principles of sustainable building design are implemented to make use of solar gain.
- d. Building design and site layout does not compromise future subdivision on the site by demonstrating that subdivision can be undertaken in a complying manner.

#### 2. Character of the Zone

The extent to which the character and environmental quality of the adjoining properties, the street scene and the properties within the zone is maintained and enhanced.

#### 3. Amenity Values of the Zone

The extent to which the amenity of the adjoining properties and of the properties within the zone is maintained and enhanced.

#### 4. Parking, Access and Turning

The extent to which -

- a. On-site design, location and surfacing of access, parking and turning areas to provide for practical use of the site and maintain the amenity of adjacent sites.
- b. Adequate sight distances are provided to prevent adverse effects on traffic flow and safety.
- c. The requirements of an integrated transport assessment carried out in accordance with Appendix 4 can be implemented.
- d. The activities to avoid, remedy or mitigate any adverse effects on the function and safe and efficient operation of the transport network.

## 5. Financial Contribution

Whether the proposal requires a financial contribution under the provisions of Part 14, Financial Contributions.

## 6. Natural Hazards

- a. Adverse effects from natural hazards or the worsening of any hazard identified on the Special Interest Series Maps 208 to 213 are managed.
- b. A flood risk assessment by a suitably qualified person, that includes an evaluation of the likelihood and consequences of an appropriate range of events to establish the maximum risk, may be required for activities subject to flooding. This applies primarily for significant developments.

### 4.7.2 Matters of Control for Specific Activities

In addition to the matters listed in 4.7.1 council may impose conditions in relation to the following matters for the specific activities listed below:

#### 1. Lake Structures

- a. The design of the lake structure to meet the reasonable needs of water craft using the structure taking into account the morphology of the lake bed and depth of the lake water and weather conditions;
- b. The availability of the jetty for public use from public places at reasonable times and periods, without preventing the reasonable use of the lake structure by the owner of the structure;
- c. The extent to which public access along public areas adjoining the lake are adversely affected;
- d. The extent to which design components and surface colours are in harmony with the landscape character and amenity of the surrounding area;
- e. Re-instatement of vegetation to integrate the lake structure with the existing landscape character and amenity of the surrounding area.

## 4.8 RESTRICTED DISCRETIONARY ACTIVITIES: METHOD OF ASSESSMENT

Restricted Discretionary activities are expected to meet the performance standards of the zone, however in instances where one or more performance standards are not met, Council will limit its discretion to the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance in achieving the purpose of the relevant performance standard and the objectives and policies relevant to the matter of discretion.

For activities relating to Section 6 matters listed in Appendices 1 and 2, Cultural Historic Heritage Inventory and Natural Heritage Inventory respectively, the assessment criteria below shall be read in conjunction with the provisions in Appendix 9, Section 6 Matters.

### 4.8.1 General Assessment Criteria

Council shall restrict its discretion to the following matters in the case of all restricted discretionary activities.

#### 1. Natural Hazards

- a. Adverse effects from natural hazards or the worsening of any hazard identified on the Special Interest Series maps 208 to 213 are managed.
- b. A flood risk assessment by a suitably qualified person, that includes an evaluation of the likelihood and consequences of an appropriate range of events to establish the maximum risk, may be required for activities subject to flooding. This applies primarily for significant developments.
- c. New Buildings Located Within the Fault Avoidance Area

In order to assess the risk arising from locating a habitable building within a fault avoidance area, a natural hazard assessment report from a suitably qualified geotechnical engineer shall be provided for new buildings located within the fault avoidance area with this identifying the potential location of the fault line, its recurrence interval and any subsequent building design and location requirements or restrictions on use.

#### 2. Character and amenity values for the zone

The extent to which the activity adversely affects the character and amenity values of the zone.

#### 3. Financial Contribution

Whether the proposal requires a financial contribution under the provisions of Part 14, Financial Contributions.

### 4.8.2 Assessment Criteria for Specific Activities

Council will consider the relevant assessment criteria below for activities listed as restricted discretionary activities:

#### 1. Permitted and Controlled Activities that do not meet the Performance Standards

Where one or more performance standards are not met, Council will restrict its discretion to the reason for the non-compliance and the extent to which the activity will avoid, remedy or mitigate the effects of the non-compliance on achieving the purpose of the relevant performance standard and objectives and policies.

#### 2. Any Addition to Existing Activities Sensitive to Aircraft Noise within the Inner Noise Control Area

Any addition to Existing Activities Sensitive to Aircraft Noise within the Inner Noise Control Area, that increases the total gross floor area of the noise sensitive activity by more than 25% - Council shall restrict its discretion to the following matters:

- a. The nature, size and scale of the proposed additions.

- b. The application of the applicable acoustic performance standards listed under Appendix 7 Airport Noise and Development Controls, to existing parts of the structure housing the activity sensitive to aircraft noise.
- c. Whether a covenant should be registered on the title to secure any conditions of consent in accordance with Appendix 7 Airport Noise and Development Controls; and the means of securing any conditions of consent.
- d. Whether, having regard to all the circumstances the nature, size and scale of the addition is likely to lead to potential conflict with and adverse effects upon airport activities.
- e. Any assessment criteria applicable to the activity within the residential zones.
- f. Any particular issues of safety relating to occupants of the site, or aircraft, in relation to any proposed activities or buildings on the site.
- g. The potential to detract from the qualities and characteristics specified of a landscape or feature identified in Appendix 2 Natural Heritage Inventory or the natural character of the environment.
- h. How the proposal affects the appearance of the outstanding natural feature or landscape.
- i. The level of involvement of a suitably qualified and experienced acoustic consultant in the assessment of potential noise effects and/or mitigation options.

### 3. Stormwater Management Reserves

Council shall restrict its discretion to the assessment of the proposal in accordance with that listed within Appendix 5 – Wharenui Road Development Plan.

### 4. Lake Structures

- a. The existing provision, availability and suitability of existing lake structures in the vicinity of the site that would otherwise enable reasonable lake access.
- b. The extent to which the new structure would contribute to the cumulative adverse effects on the carrying capacity of the bay and the recreational opportunity.
- c. The effects of the lake structure on the public access and use of the lake and adjoining public areas.
- d. The extent to which the structure contributes to the recreational and social benefits and environmental wellbeing.
- e. The design of the lake structure to meet the reasonable needs of water craft using the structure taking into account the morphology of the lake bed and depth of the lake water and weather condition.
- f. The availability of the jetty for public use from public places at reasonable times and periods without preventing use of the lake structure by the owner of the structure.
- g. The extent to which the main design components and surface colours of the lake structure are in harmony with the landscape character and amenity of the surrounding area, whilst allowing reasonable provision for the safety and protection of vessels using the structure.
- h. The extent to which re-instatement of vegetation will integrate the lake structure with the existing landscape character and amenity of the surrounding area.

- i. The management of adverse effects on resources, sites or areas of spiritual, cultural and historical significance to tangata whenua where those resources, sites or areas have been identified by tangata whenua.

ADVICE NOTE: In the case of Lake Structures the Plan's general criteria for restricted discretionary activities shall not apply.

## 5. Comprehensive Residential Development Plans

- a. The design and layout and any innovative components.
- b. Potential adverse effects on the environment.

## 7. Signs

Council shall restrict its discretion to the matters listed in Appendix 8, Signs.

## 8. Temporary Stockpiling

Council shall restrict its discretion to the following matters:

- a. the materials or cleanfill to be stored on site;
- b. the location, size, scale and duration over which the site will be used;
- c. the extent to which the stockpiling affects ephemeral watercourses, lake flood levels, water bodies and geothermal surface features or bores;
- d. points of access and numbers and timing of any heavy vehicles accessing the site;
- e. control of dust;
- f. the visual impact of the stockpile on neighbouring properties and the amenity of the zone;
- g. Any measures to mitigate the visual impact e.g. erection or use of existing fences, screening, gates and warning signs;
- h. effects on water quality;
- i. site management;
- j. rehabilitation and restoration of the site on completion;
- k. any assessment criteria applicable to the activity within the residential zones; and
- l. the extent to which any features listed in Appendices 1 and 2 Cultural Historic Heritage Inventory and Natural Heritage Inventory are adversely affected.

## 4.9 DISCRETIONARY ACTIVITIES: METHOD OF ASSESSMENT

Council may grant or decline an application for a discretionary activity and may impose conditions.

In assessing the proposal, Council can consider all relevant objectives and policies within the district plan, all potential environmental effects, and any matters outlined in the Act without limitation as part of the decision making. Conditions may be imposed in relation to any of these matters.

Whilst not limiting the exercise of its discretion, Council may also consider the particular matters below for the activities listed as Discretionary in the activity table.

For activities relating to Section 6 matters listed in Appendices 1 and 2, the assessment criteria below shall be read in conjunction with the provisions in Appendix 9.

#### 4.9.1 General Assessment Criteria

1. The degree to which the proposal complies with the performance standards of the zone.
2. The extent to which the proposal will avoid, remedy, or mitigate effects on the character and amenity of the zone.
3. The extent to which the proposal will avoid, remedy, or mitigate effects on the amenity of neighbouring residents, including protection of privacy and outlook and protection from adverse effects from any source of disturbance.
4. The extent to which the proposal will avoid, remedy, or mitigate the effects on the streetscape and on-site landscaping, in particular where buildings intrude into the front yards.
5. The degree to which the proposal implements sustainable building design and promotes energy efficiency.
6. The degree to which the proposal promotes the principles of CPTED.
7. The extent to which the proposal will avoid, remedy, or mitigate effects on water quality.
8. The ability for the activity to be connected to existing transport networks and utility services.
9. The extent to which the proposal will avoid, remedy, or mitigate effects on the function and safe and efficient operation of the transport network.
10. The extent to which the activity will avoid, remedy, or mitigate reverse sensitivity effects on lawfully established activities or existing infrastructure.
11. The degree to which the proposal has access to or increases the demand on public open space and reserves.
12. The extent to which the proposal will avoid, remedy, or mitigate effects on the qualities and characteristics of a landscape or feature identified in Appendix 2, Natural Heritage inventory or the natural character of the environment.
13. The extent to which the proposal will avoid, remedy, or mitigate effects on the natural, physical, spiritual or cultural qualities and characteristics of a site identified in Appendix 1 or 2 Cultural Historic Heritage Inventory and Natural Heritage inventory respectively.
14. Whether the proposal requires a financial contribution under the provisions of Part 14, Financial Contributions.
15. The extent to which the requirements of an integrated transport assessment carried out in accordance with Appendix 4, Parking and Turning Standards can be implemented.
16. Natural Hazards
  - a. Adverse effects from natural hazards or the worsening of any hazard identified on the Special Interest Series Maps 208 to 213. The likelihood and consequences of a natural hazard event will be assessed to determine the level of risk associated with natural hazards.

- b. A flood risk assessment by a suitably qualified person, that includes an evaluation of the likelihood and consequences of an appropriate range of events to establish the maximum risk, may be required for activities subject to flooding. This applies primarily for significant developments. The report shall identify the potential risk from flooding, any recommendations for floor levels, earthworks, or engineering works.
17. The assessment criteria for development and activities that affect a Significant Geothermal Feature, as set out in Appendix 9.5.2.

#### 4.9.2 Assessment Criteria for Specific Activities

1. Any New Activity Sensitive to Aircraft Noise within the Inner Noise Control Area
  - a. Whether, having regard to all the circumstances (including location in relation to the Airport, likely exposure of the site to aircraft noise, noise attenuation and ventilation measures proposed, and the number of people to be accommodated) the nature, size and scale of the activity is likely to lead to potential conflict with and adverse effects upon airport activities.
  - b. Any particular issues of safety relating to occupants of the site, or aircraft, in relation to any proposed activities or buildings on the site.
  - c. The desirability of reasonably limiting the intensity of development and activities within the Inner Control area, including in relation to proposed subdivisions and higher density residential development.
  - d. The application of the applicable acoustic performance standards listed under Appendix 7 Airport Noise and Development Controls.
  - e. Whether a covenant should be registered on the title to secure any conditions of consent in accordance with Appendix 7 Airport Noise and Development Controls; and the means of securing any conditions of consent.
2. Buildings and Earthworks Located Within 25 metres from the Margin of a Lake, or from a River or Stream Identified on the Planning Maps as Being an Area Identified for Esplanade Reserve Acquisition

The extent to which the proposal affects the purposes of esplanade reserves and strips in relation to being able to:

- a. contribute to the protection of conservation values,
- b. enable public access, or
- c. enable public recreational use.

### 3. Comprehensive Residential Development Plans

- a. Encouraging innovative design for a particular site where the proposal does not comply with the performance standards for the zone.
- b. Potential adverse effects on the environment.

### 4. Holiday Rental Accommodation

Where one or more performance standards are not met, Council will consider the following matters as well as the General Assessment Criteria in 4.9.1:

- a. The maximum number of people to be accommodated within the site.
- b. Consistency of the proposed scale of use on residential character and amenity.
- c. The way in which the site layout and design mitigates potential adverse effects on privacy and outlook on and from adjacent sites.
- d. The ability of the site to provide for the use of outdoor space in a location which will minimise adverse effects of noise and light on nearby residential properties and the privacy of adjoining sites.
- e. Proposed management of the accommodation and associated activities, including:
  - i. limits on the use of outdoor space at night;
  - ii. mechanisms in place to address noise issues should they occur, including process for neighbours to follow should there be issues.
- f. The location in relation to other holiday rental accommodation activities and potential cumulative effects of more than one holiday rental accommodation activity in close proximity to each other.
- g. The ability of the site to provide for parking without adversely affecting nearby residential properties and the road network.
- h. Location and screening of parking to provide safe access and turning for vehicles and minimise visual impact of activities undertaken on the site.
- i. The location of on-site parking in relation to the on-site effluent treatment system, and associated disposal field.

### 5. Signs

Conditions may be imposed in relation to the matters listed in Appendix 8, Signs.

## 4.10 NON-COMPLYING ACTIVITIES: METHOD OF ASSESSMENT

Applications for resource consent must be assessed on their merits against the requirements of the Act. Consent for a non-complying activity may be granted only if Council is satisfied that either:

- a. the adverse effects of the activity on the environment (other than any effect on a person who has given written approval to the application) will be minor; or
- b. the application is for an activity that will not be contrary to the objectives and policies of the District Plan.

If the proposal meets either of the two tests, Council can then consider all other relevant matters and may grant or decline consent. If neither test is met, Council must decline the resource consent application.