

Part 3: Area-Specific Matters

ZONES

RESZ

RESIDENTIAL ZONES – WĀHI NOHO

CONTENTS

RESIDENTIAL ZONES – WĀHI NOHO	3
Introduction	4
Issues	5
Objectives	9
Policies	11
Rules	18
Rules for Activities in Residential Zones	19
Performance Standards	35
Matters of Control	52
Matters of Discretion	53
Assessment Criteria	62
Anticipated Environmental Results	65

RESZ

RESIDENTIAL ZONES – WĀHI NOHO

Status: RESZ is Operative and subject to Plan Change 9.

Plan Change 9 amendments are shown in underline (for text to be added) and ~~striketrough~~ (for text to be deleted).

Additional changes recommended in response to submissions in the section 42A report are shown in underline (for text to be added) and ~~striketrough~~ (for text to be deleted).

Provisions in this chapter incorporate the density standards in Part 2 of Schedule 3A of the RMA and the objectives and policies in Clause 6 of Schedule 3A of the RMA. In accordance with Section 80H of the RMA these provisions are shown in green.

Rules providing for residential units in the Residential 1 and 2 zones as a permitted activity in accordance with the density standards in Schedule 3A of the RMA have immediate legal effect under Section 86BA of the RMA if no qualifying matter applies to the area. Applicable qualifying matters include the rules set out in the table below.

Provisions that have legal effect are marked in this chapter with a gavel (🔨).

Qualifying Matters	
A matter of national importance under s6 of the RMA (Section 77I(a))	- Natural hazards – fault lines (NH-R1, NHR-3), geothermal (NH-R6, SUB-R42), flooding (NH-R4) - Natural hazards – flooding/stormwater and instability Pukehangi Development Area (PHDA-R5, PHDA-SS6 to SS8) - Historic heritage (HH-R2, HH-R3, SUB-R41, NH-R2A) - Archaeological sites (HH-R5, HH-R6, SUB-R41 PHDA-R5, PHDA-R7, PHDA-SS10) - Relationship of Māori with ancestral lands, sites, etc. (SASM-R3 to SASM-R6 and RESZ-S1 and Residential 3 Zone) - Significant indigenous vegetation (ECO-R1) - Outstanding natural features and landscapes (NFL-R1, NFL-R19, NFL-R20) - Public access (RA-R1)
A matter required for the safe and efficient operation of nationally significant infrastructure (Section 77I(e))	- Airport Obstruction Limitation Surface (EIT-R17 where the height limit is less than the MDRS) - National Grid Corridor (EIT-R18, SUB-R38) - Airport Noise Contour Controls (NOISE-R7-R8, SUB-R39-R40) - State highway upgrades Wharenui (WHDA-R3 to R4, WHDA-S3)
Other matters (Section 77I(j))	- Notable trees (TREE-R2, TREE-R3) - Wharenui Development Area (WHDA-R1, WHDA-R3 to R4, WHDA – S1, WHDA-S3) - Pukehangi Heights Development Area (PHDA-R5, PHDA-SL1, PHDA-SL2, PHDA-SL7, PHDA-SS4, PHDA-SS11)

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, ensure a well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

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 visual appearance urban built character of the Residential 1 and 2 zones will change over time as they experience an increase in the density and diversity of housing choices. This will promote more walkable neighbourhoods, support a sense of community and increase the viability of centres.

Up to three residential units on a site is a permitted activity in the Residential 1 and 2 zones subject to compliance with standards. Resource consent is required for four or more residential units to enable a qualitative assessment of development proposals and ensure that good design outcomes are achieved. This will ensure quality living outcomes for people in the context of increasingly medium to high density residential neighbourhoods.

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

Zone	Code	Description
Residential 1 <u>Low Density living</u> <u>Medium density residential zone</u>	RESZ1	<u>Low density residential areas, such as Ngongotahā, 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.</u> <u>Areas used predominantly for residential activities with moderate concentration and bulk of buildings, such as detached, semi-detached and terraced housing, low-rise apartments, rest homes, and other compatible activities.</u> <u>A medium density residential urban built character is expected, comprising residential buildings generally up to including three storeys residential buildings, integrated with on-site landscaped areas surrounded by open space.</u>
Residential 2 <u>Medium density living</u> <u>High density residential zone</u>	RESZ2	<u>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.</u> <u>Areas with good accessibility to commercial activities, public open space and community services, used predominantly for high density residential activities such as apartments, rest homes, and other compatible activities.</u>

Commented [B&A1]: RVA 88.25.

Commented [B&A2]: RVA 88.22.

Commented [B&A3]: Consequential to RVA 88.67.

Commented [B&A4]: Kāinga Ora 86.52
RVA 88.28; Classic Group 38.7.

Zone	Code	Description
		~~A high density residential urban built character is expected, comprising residential buildings generally up to including six storeys residential buildings.~~
Residential 3 Ōhinemutu, Whakarewarewa, Ngāpuna	RESZ3	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.
Residential 4 Lakeside settlements	RESZ4	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)	RESZ5	Rural-residential lifestyle specifically located within the area of the Wharenui Road Area Development Plan. 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.

ISSUES

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

RESZ-11 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 Medium Density Residential Zone

~~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.

The Residential 1 zone is the most widespread zone in Rotorua. Over time, a transition from low density to medium density residential urban built character is expected. This will provide greater housing diversity and choice within existing neighbourhoods that have reasonable access to commercial activities, public open space and community services. This enables future demand for housing in Rotorua to be met in a way that promotes the efficient use of land and resources. This requires greater focus on enabling the planned future urban built character for the zone rather than maintaining the existing character, which may detract from the amenity values appreciated by some people but improve amenity values appreciated by others.

Commented [B&A5]: RVA 88.22.

Residential 2 Zone High Density Residential Zone

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 on-site 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.

The Residential 2 zone is located in the most accessible parts of Rotorua where there is good accessibility by existing or planned active or public transport to a range of commercial activities, public open space and community services. The zone enables the efficient use of land in these locations by allowing high density residential uses, which will result in a high degree of visual change in these areas over time. This requires greater focus on enabling the planned urban built character for the zone rather than maintaining the existing character, which may detract from the amenity values appreciated by some people but improve amenity values appreciated by others.

Commented [B&A6]: RVA 88.22.

Residential 3 Zone Ohinemutu, Whakarewarewa and Ngapuna Villages

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 Zone

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 Residential Lifestyle (Wharenui Road Area)

The Residential Lifestyle (Wharenui Road Area) Zone 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.

RESZ-12 The design, layout and appearance of residential sites

Well-designed development provides several benefits for the community, including safe and attractive streets, and living environments that provide for people's day to day needs. Design is particularly important in medium to high density environments where there will be a greater number of people on site and living spaces are generally more compact.

Ensuring development provides a quality frontage to the street, through the use of windows, low or permeable fencing, visible pedestrian entries, and landscaping on the front boundary, promotes a pleasant and safe street environment for pedestrians. Residents also need to have their day-to-day needs met on site including through access to private open space, landscaped areas, and sufficiently sized living spaces, that optimise sunlight access. For more intensive development, this requires consideration of the site's context and how buildings are orientated and placed on the site.

Transitioning to medium density and high density living will change the appearance of neighbourhoods over time, particularly in the Residential 2 Zone. This will change the amenity values experienced by neighbouring sites, including the potential loss of existing views outlook, privacy and sunlight. While this consequence is anticipated, development should seek to mitigate these effects through building placement and design features, where it would not limit the ability to achieve medium to high density residential development.

The design response to the above matters for multi-unit development is likely to vary from site to site depending on the particular features and characteristics, such as site size, orientation and topography. These factors, together with a site-specific assessment for more intensive development, will inform how many residential units can be achieved on a site.

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

Commented [B&A7]: RVA 88.26.

~~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.~~

RESZ-13 Reverse sensitivity

The establishment of new activities within incompatible zones or in close proximity to existing activities that have a different level of amenity can create adverse reverse sensitive effects. This has the ability to reduce the efficient operation of the existing activities or undermine the intended amenity of the zone.

OBJECTIVES

Activities in the Residential 1 Zone - Medium Density Residential Zone

RESZ-O1	<u>Land is used efficiently for medium density residential living that increases housing supply and choice.</u> <i>Policy RESZ-P1</i>
RESZ-O2	<u>Development contributes to the creation of neighbourhoods with an overall medium density residential urban built character comprising residential buildings in a variety of forms and generally up to including three storeys, surrounded by open space integrated with on-site landscaped areas.</u> <i>Policy RESZ-P2</i>
RESZ-O3	<u>Development contributes to attractive and safe streets and open spaces.</u> <i>Policy RESZ-P3</i>
RESZ-O4	<u>Development provides healthy, safe and quality living environments that contribute to the well-being of residents, within the context of a medium density residential environment.</u> <i>Policies RESZ-P4 to RESZ-P6</i>
RESZ-O5	<u>Development is supported by adequate infrastructure and services.</u> <i>Policy RESZ-P7</i>
RESZ-O6	<u>Development supports the use of public and active transport.</u> <i>Policy RESZ-P8</i>
RESZ-O7¹	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. <i>Policy RESZ-P9</i>

Commented [B&A8]: Cheal Consultants 79.3.

Commented [B&A9]: RVA 88.28.

Commented [B&A10]: RVA 88.28

Commented [B&A11]: Kāinga Ora 86.52
RVA 88.28; Classic Group 38.7

Commented [B&A12]: RVA 88.30.

Commented [B&A13]: RVA 88.30.

Commented [B&A14]: Associated with RVA 88.38.

Activities in the Residential 2 Zone - High Density Residential Zone

RESZ-O8	<u>Land that has good accessibility by existing or planned active or public transport to a range of commercial activities, public open space and community services, is efficiently used for high density urban living that increases housing supply and choice.</u> <i>Policy RESZ-P10</i>
RESZ-O9	<u>Development contributes to the creation of neighbourhoods with an overall high density residential urban built character, comprising residential buildings in a variety of forms and generally up to including six storeys, integrated with on-site landscaped areas.</u> <i>Policy RESZ-P11</i>
RESZ-O10	<u>Development contributes to attractive and safe streets and open spaces.</u> <i>Policy RESZ-P12</i>
RESZ-O11	<u>Development provides healthy, safe, and quality living environments that contribute to the well-being of residents, within the context of a high density residential environment.</u>

Commented [B&A15]: Cheal Consultants 79.4.

Commented [B&A16]: RVA 88.34.

Commented [B&A17]: RVA 88.36.

¹ Existing objective repeated under each zone.

	<u>Policies RESZ-P13 to RESZ-P15</u>
RESZ-O12	<u>Development is supported by adequate infrastructure and services.</u> <u>Policy RESZ-P16</u>
RESZ-O13	<u>Development supports the use of public and active transport.</u> <u>Policy RESZ-P17</u>
RESZ-14²	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. <u>Policy RESZ-P18</u>

Commented [B&A18]: RVA 88.38.

Activities in the Residential 3, 4 and 5 Zones**Activities in a Residential Zone**

RESZ-O15 [4.3(1)]	A level of amenity that provides residents with: 1. A northerly outlook 2. Side and rear yards that provide aural and visual amenity 3. Residential levels of noise 4. Safe parking and turning areas where required 5. Street surveillance 6. Orientation to maximise energy efficiency. <u>Policies RESZ-P19 to RESZ-P24</u>
RESZ-O16 [4.3(2)]	The character and amenity values of the residential zones are maintained and enhanced. <u>Policies RESZ-P25 to RESZ-P27</u>
RESZ-O17 [4.3(3)]	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. <u>Policies RESZ-P28 to RESZ-P32</u>
RESZ-O18 [4.3(4)]	Maintain the following qualities and characteristics that contribute to the cultural significance of the Te Arawa villages of Ōhinemutu and Whakarewarewa: 1. Single storey housing grouped in clusters 2. Narrow lanes and limited space around buildings 3. Pedestrian focussed 4. Geothermal features 5. Home based businesses 6. Community established around Marae. <u>Policies RESZ-P33</u>
RESZ-O19 [4.3(5)]	Avoid adverse effects of non-residential activities within the Residential 3 zone on the amenity of Ngāpuna. <u>Policies RESZ-P34 to RESZ-P35</u>

The design, layout and appearance of residential sites² Existing objective repeated under each zone.

RESZ-06²⁰ [4.3(6)]	Residential site design and development in a sustainable manner that promotes and maintains the character of the zone, residential amenity and community safety. <i>Policies RESZ-P~~20~~36 to RESZ-P~~23~~39</i>
RESZ-08³21 [4.3(8)]	Infill housing that maintains the environmental quality, character and amenity values of the zone for existing and future residents. <i>Policies RESZ-P~~25~~40</i>

Reverse sensitivity

RESZ-07⁴22 [4.3(7)]	Residential property design and development that ensures reverse sensitivity effects on network utilities and other infrastructure do not occur. <i>Policies RESZ-P~~24~~41</i>
RESZ-09²23 [1.3(10)]	Subdivision, use and development that enables the continued efficient operation of existing development and activities. <i>Policies RESZ-P~~26~~42</i>

POLICIES**Activities in the Residential 1 Zone - Medium Density Residential Zone***Objective RESZ-01*

RESZ-P1	<u>Enable a variety of housing typologies with a mix of densities within the zone, including 3-storey attached and detached dwellings, rest homes, and low-rise apartments.</u>
RESZ-P1A	<u>Manage the design and layout of rest homes in a manner consistent with Policies RESZ-P10 – RESZ-P16 above, while recognising the functional requirements of the activity.</u>

Commented [B&A19]: Consequential to RVA 88.66.**Commented [B&A20]:** Consequential to RVA 88.66.*Objective RESZ-02*

RESZ-P2	<u>Achieve the planned medium density residential urban built character by:</u> <u>1. Enabling a variety of housing types and sizes, including 3-storey buildings of generally up to three storeys; and</u> <u>2. Encouraging development to provide a quality edge to the street through building design and orientation, setbacks, low or visually permeable fencing, and landscaping; and</u> <u>3. Providing opportunities for space around buildings and on-site landscaping.</u>
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Commented [B&A21]: RVA 88.28, 88.34*Objective RESZ-03*

RESZ-P3	<u>Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.</u>
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Objective RESZ-04

RESZ-P4	<u>Enable housing to be designed to meet the day-to-day needs of residents.</u>
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³ Order of objectives changed to clarify that this objective now limited to Residential Zones 3,4 and 5⁴ Moved but not amended – originally under general heading for activities in residential zones.

RESZ-P5	<u>Require development to achieve quality living environments for residents on site by providing:</u> 1. <u>private open space that has access to sunlight;</u> 2. <u>a reasonable level of visual privacy and outlook;</u> 3. <u>opportunities for on-site landscaping; and</u> 4. <u>safe and convenient pedestrian access to residential units from the street.</u>
RESZ-P6	<u>Mitigate Manage the potential adverse effects of development on adjoining sites, without limiting the ability to achieve the planned medium density residential built character, including by:</u> 1. <u>Setting buildings back from side and rear boundaries;</u> 2. <u>Limiting Manage the effects of the length of buildings along side and rear boundaries;</u> 3. <u>Providing opportunities for sunlight access to adjoining sites;</u> 4. <u>For 4+ four or more residential unit developments, encouraging the use of other design techniques such as building recesses, varied architectural treatment and landscaping along side and rear boundaries.</u>

Objective RESZ-O5

RESZ-P7	<u>Require For proposals for four or more residential units ensure adequate to demonstrate that there is adequate capacity in the infrastructure can be provided networks to support the development</u>
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Objective RESZ-O6

RESZ-P8	<u>Require proposals for four or more residential units to provide Provide adequate storage for cycle parking on site for four or more residential units.</u>
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Objective RESZ-O7

RESZ-P12-P9⁵	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 RESZ-O2 and Policies RESZ-P72 to RESZ-P.
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Objective RESZ-O20

RESZ-P9A	<u>Ensure the development of the Residential 1 zoned portion of land within Lot 1 DPS 70760 (Owhatiura 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.</u>
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Activities in the Residential 2 Zone - High Density Residential Zone*Objective RESZ-O8*

RESZ-P10	<u>Enable a variety of housing typologies with a mix of densities within the zone, including attached and detached dwellings, rest homes and apartments.</u>
RESZ-P10A	<u>Manage the design and layout of rest homes in a manner consistent with Policies RESZ-P10 – RESZ-P16 above, while recognising the functional requirements of the activity.</u>

Commented [B&A22]: RVA 88.45.**Commented [B&A23]:** RVA 88.45.**Commented [KS24]:** KO 86.63; RVA and others 88.46, 88.58**Commented [B&A25]:** Kāinga Ora 86.64.**Commented [B&A26]:** Nelson, L 26.24.**Commented [B&A27]:** Consequential to RVA 88.66⁵ Existing policy now repeated under each zone heading

Objective RESZ-O9

RESZ-P11	Achieve the planned high density residential <u>urban built character by:</u> 1. <u>Enabling a variety of housing types and sizes, including 6-storey buildings buildings of generally up to six storeys;</u> 2. <u>Encouraging development to provide a quality edge to the street through building design and orientation, setbacks, low or visually permeable fencing, and landscaping; and</u> 3. <u>Providing opportunities for space around buildings and on-site landscaping.</u>
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Commented [B&A28]: RVA 88.53.

Objective RESZ-O10

RESZ-P12	Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.
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Objective RESZ-O11

RESZ-P13	Enable housing to be designed to meet the day-to-day needs of residents.
RESZ-P14	Require development to achieve quality living environments for residents by providing: 1. <u>private open space that has access to sunlight;</u> 2. <u>a reasonable level of visual privacy and outlook;</u> 3. <u>opportunities for on-site landscaping;</u> 4. <u>safe and convenient pedestrian access to residential units from the street.</u>
RESZ-P15	<u>Mitigate Manage</u> the potential adverse effects of development on adjoining sites, without limiting the ability to achieve the planned high density residential <u>urban built character</u>, including by: 1. <u>Setting buildings back from site and rear boundaries;</u> 2. <u>Limiting Manage the effects of the length of buildings along side and rear boundaries;</u> 3. <u>Providing opportunities for sunlight access to adjoining sites;</u> 4. <u>For 4+ four or more residential unit development, encouraging the use of other design techniques such as building recesses, varied architectural treatment and landscaping along side and rear boundaries.</u> <u>Objective RESZ-O11</u>

Commented [B&A29]: RVA 88.57.

Objective RESZ-O12

RESZ-P16	Require For proposals for four or more residential units ensure adequate ~~to demonstrate that there is adequate capacity in the~~ infrastructure can be provided networks to support the development.
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Commented [KS30]: KO 86.63; RVA and others 88.96, 88.58.

Objective RESZ-O13

RESZ-P17	Require proposal for four or more residential units to provide-Provide adequate storage for cycle parking on site for four or more residential units.
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Commented [B&A31]: Kāinga Ora 86.64.

Objective RESZ-O14

RESZ-P~~12~~18⁶	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 RESZ-O ~~29~~ and Policies RESZ-P ~~7~~ 11 to RESZ-P.
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Activities in the Residential 3, 4 and 5 Zones**Activities in a Residential Zone**Objective RESZ-O~~4~~15

RESZ-P~~19~~19 [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~~ residential units and the character of the streetscape.
RESZ-P~~20~~20 [4.3(1)(2)]	Manage the siting of ~~household~~ residential units on adjoining land to protect the privacy, outlook and amenity of residents.
RESZ-P~~321~~21 [4.3(1)(3)]	Require on-site outdoor space for each ~~household~~ residential unit.
RESZ-P~~422~~22 [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.
RESZ-P~~523~~23 [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.
RESZ-P~~624~~24 [4.3(1)(7)]	Encourage implementation of principles of sustainable building practice through provision of advice and information.

Objective RESZ-O~~2~~16

RESZ-P~~7~~ [4.3(2)(1)]	~~Maintain the following qualities and characteristics of the Residential 1 zone:~~ ~~1- Low density residential areas~~ ~~2- A mix of single two storey buildings~~ ~~3- A variety of building design and materials~~ ~~4- Balance between the built and natural elements of the environment~~ ~~5- A sense of space around buildings~~ ~~6- Space enhanced by on-site landscaping and trees within the road reserve~~ ~~7- Low levels of noise~~ ~~8- Low traffic levels.~~
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⁶ Existing objective repeated under each zone

RESZ-P~~8~~ [4.3(2)(2)]	~~Maintain the following qualities and characteristics of the Residential 2 zone:~~ ~~1. Medium density residential areas~~ ~~2. A mix of single storey and two storey buildings~~ ~~3. Smaller household units and apartment style living~~ ~~4. Limited outdoor space~~ ~~5. Built elements dominate the environment~~ ~~6. Much of the space around buildings is taken up by hard surfacing for car parking and turning~~ ~~7. Reliance on street trees to soften the built environment.~~
RESZ-P~~9~~<u>25</u> [4.3(2)(3)]	Maintain the following qualities and characteristics of the Residential 3 zone 1. Medium to high density residential areas 2. Close development and narrow roads 3. Historic and geothermal features integrated into the environment of the villages 4. A mix of single and two storey buildings 5. A variety of building design and materials 6. Low levels of noise 7. Low traffic levels.
RESZ-P~~10~~<u>26</u> [4.3(2)(4)]	Maintain the following qualities and characteristics of the Residential 4 zone: 1. Low density residential areas 2. A mix of single and two storey buildings 3. A high proportion of outdoor open living space 4. A variety of building design and materials 5. Building that does not dominate the natural character of the lake and its margin 6. A sense of space around buildings 7. Low levels of noise 8. Low traffic levels.
RESZ-P~~11~~<u>27</u> [4.3(2)(5)]	Maintain the following qualities and characteristics of the Residential 5 zone: 1. Low density residential areas on larger lots 2. A mix of single and two storey buildings 3. A variety of building design and materials 4. Balance between the built and natural elements of the environment such that the building does not over-dominate 5. A sense of space around buildings 6. Space enhanced by on-site landscaping and trees within the road reserve; 7. Low levels of noise 8. Low traffic levels.
Objective RESZ-~~03~~<u>17</u> RESZ-P~~12~~<u>28</u> [4.3(3)(1)]	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 RESZ-O~~2~~<u>16</u> and Policies RESZ-P~~7~~<u>25</u> to RESZ-P~~2~~<u>7</u>.

RESZ-P~~13~~29 [4.3(3)(2)]	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.
RESZ-P~~14~~30 [4.3(3)(3)]	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.
RESZ-P~~15~~31 [4.3(3)(4)]	Ensure the location of community activities avoids, remedies, or mitigates adverse effects on the quality of residential amenity in the residential zones.
RESZ-P~~16~~32 [4.3(3)(5)]	Avoid, remedy or mitigate the potential adverse effects of non-residential activities, including community activities, through the provision of: 1. Sufficient on-site parking, loading and turning 2. Landscaping to maintain and enhance the quality of residential amenity, primarily the streetscape 3. Noise mitigation measures.

Objective RESZ-~~04~~18

RESZ-P~~17~~33 [4.3(4)(2)]	Activities within Ōhinemutu and Whakarewarewa are in keeping with the unique character of the villages and include: 1. Sufficient on-site parking and safe access that does not adversely affect the transport network 2. Buildings and structures located in a manner that respects the tikanga of the Marae 3. Traditional, home-based cultural activities.
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Objective RESZ-~~05~~19

RESZ-P~~18~~34 [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.
RESZ-P~~19~~35 [4.3(5)(1)]	Manage the location of activities that generate unacceptable levels of noise and have the potential to adversely impact Ngāpuna residents.

Objective RESZ-~~06~~20

RESZ-P~~20~~36 [4.3(6)(1)]	Encourage and promote buildings on residential sites that: 1. Have sufficient space to provide private, useable outdoor open areas for garden and amenity space 2. Do not intrude into side, rear, or front yards 3. Maximise access to sunlight and daylight to north facing living rooms 4. Provide car parking and turning areas that are separate from outdoor garden and amenity space and do not dominate in the streetscape.
RESZ-P~~21~~37 [4.3(6)(2)]	Encourage site and building design that provides: 1. Passive surveillance of public space 2. Front yards that are free of buildings and not screened by high fencing.
RESZ-P~~22~~38 [4.3(6)(4)]	Provide for residential development to occur in a manner that: 1. Does not detract from the surrounding residential amenity 2. Provides for a range of residential opportunities 3. Provides for access by a range of modes of transport

	4. Provides recreation and amenity areas.
RESZ-P2339 [4.3(6)(5)]	Ensure the development of the Residential 1 zoned portion of land within Lot 1 DPS 70760 (Owhatiura 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.

Commented [B&A32]: Nelson, L 26.24

Objective RESZ-0021

RESZ-P2540 ⁷ [4.3(8)(1)]	Infill housing development is designed to maintain the privacy, outlook and amenity values for residents.
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Reverse Sensitivity

Objective RESZ-0022

RESZ-P2441 [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.
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Reverse sensitivity

Objective RESZ-0023

RESZ-P2642 [1.3(10)(1)]	Manage the location and design of new subdivision, use and development within each zone to avoid adverse reverse sensitivity effects on existing activities.
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⁷ Order of objectives changed to clarify that objective now limited to Residential zones 1,2 and 3

RULES

The rules in this chapter apply in addition to the rules in other chapters.

For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated that a rule overrides another rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1 – How the Plan Works.

Key relationships to note include:

1. The District Wide Matters chapters must also be considered. Examples of matters managed under these rules that are commonly associated with activities in Residential Zones include (but are not limited to) earthworks, noise and light emissions, management of noise sensitive activities near state highways and signs.
2. The following Development Areas also apply in Residential Zones and contain additional rules. In some cases, these override the rules in this chapter (refer to the development chapters for further detail):
 - a. PHDA – Pukehāngi Development Area
 - b. THDA – Taheke 8C Development Area
 - c. OMDA – Ōtaramarae Development Area
 - d. WHDA – Wharenui Development Area.
3. For subdivision in the Residential Zone refer to the separate chapter SUB – Subdivision. Some development areas also contain additional subdivision rules.

Links to the rule categories are provided below:

General	19
Households	19
Community Activities.....	26
Tourism and Recreation	29
Retail and Commercial.....	31
Other Activities	33

Rules for Activities in Residential Zones

General		
RESZ-R1	An activity accessory to a permitted activity	
Applicable Spatial Layers All Residential Zones	1. Activity Status: Permitted Performance Standards: a. Height RESZ-S1; b. Yards RESZ-S2; c. Site coverage RESZ-S3; d. ~~Household unit density RESZ-S4; and~~ e. Parking, access and turning RESZ-S5; and f. Design and Landscaping RESZ-6A g. Reflectivity (Residential 4 Zone) RESZ-S6.	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards for RESZ-R1(1). Matters of Discretion: a. The reason for the non-compliance with performance standards and 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; b. The extent to which the activity adversely affects the character and amenity values of the zone; c. Natural hazards RESZ-MD41; and d. Financial contributions RESZ-MD52.
RESZ-R2	Where an activity is not expressly stated in this table	
Applicable Spatial Layers All Residential Zones	1. Activity Status: Non-Complying	
~~Households~~ Residential Activities		
RESZ-R3 ⁸	~~Household units (including comprehensive residential development)~~ Residential units	
Applicable Spatial Layers Residential 1 and 2 Zones	1. Activity Status: Permitted  Where: There are no more than 3 residential units per site. Performance Standards: a. Height RESZ-S1;⁹ b. Yards RESZ-S2;	2. Activity Status: Restricted Discretionary Where: Compliance not achieved with the performance standards in RESZ-R3(1). Matters of Discretion: a. The reason for the non-compliance with performance standards and the extent to which the activity will

Commented [KS33]: Minor error, noted BOPRC 56.66

⁸ Formatting has been changed by separating of rows for Zones 1 and 2 from Zones 3, 4 and 5 – this has not changed intent but allowed the actual changes to rules, standards and matters of discretion for each zone to be more clearly shown.

⁹ Some parts of this standard are MDRS and other parts are not – refer to standard in full below.

	c. <u>Site coverage RESZ-S3</u>; ¹⁰ d. <u>Servicing RESZ-S5A</u> e. <u>Parking, access and turning RESZ-S5</u>; f. <u>Design and Landscaping RESZ-S6</u>¹¹ and g. <u>Lot 1 DPS 70760: Pedestrian and cycle accessway RESZ-S7</u>.	<u>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.</u> b. <u>Residential units and rest homes – Non-compliance matters RESZ-MDA</u> c. <u>Natural hazards RESZ-MD1</u>; and d. <u>Financial contributions RESZ-MD2</u>. <u>Notification</u> <u>An application for resource consent under this rule (for the construction and use of no more than 3 residential units per site that does not comply with one or more of the performance standards) will be considered without public notification (unless the Council decides that special circumstances exist under the Resource Management Act 1991).</u>
<u>Applicable Spatial Layers</u> <u>Residential 1 and 2 Zones</u>	3 <u>Activity Status: Restricted Discretionary</u> <u>Where:</u> <u>There are four or more residential units per site</u> <u>Performance Standards</u> a. <u>Height RESZ-S1</u>; ¹² b. <u>Yards RESZ-S2</u>; c. <u>Site coverage RESZ-S3</u>; ¹³ d. <u>Servicing RESZ-S5A</u> e. <u>Parking, access and turning RESZ-S5</u>; f. <u>Design and Landscaping RESZ-S6</u>¹⁴ and g. <u>Lot 1 DPS 70760: Pedestrian and cycle accessway RESZ-S7</u>. <u>Matters of discretion</u> a. <u>4+ Residential unit developments and rest homes RESZ-MDB</u>;	4 <u>Activity Status: Restricted Discretionary</u> <u>Where:</u> a. <u>Compliance is not achieved with the performance standards for RESZ-R3(3)</u> <u>Matters of discretion</u> a. <u>The reason for the non-compliance with performance standards and 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</u>

Commented [KS34]: FENZ 51.2

Commented [KS35]: FENZ 51.2

¹⁰ Some parts of this standard are MDRS and other parts are not – refer to standard in full below.¹¹ Some parts of this standard are MDRS and other parts are not – refer to standard in full below.¹² Some parts of this standard are MDRS and other parts are not – refer to standard in full below.¹³ Some parts of this standard are MDRS and other parts are not – refer to standard in full below.¹⁴ Some parts of this standard are MDRS and other parts are not – refer to standard in full below.

	b. <u>Natural hazards RESZ-MD1; and</u> c. <u>Financial contributions RESZ-MD2.</u> Notification <u>An application for resource consent under this rule (for the construction and use of four or more residential units per site that complies with the performance standards) will be considered without public or limited notification or the need to obtain written approval from affected parties (unless the Council decides that special circumstances exist under the Resource Management Act 1991).</u>	b. <u>Residential units and rest homes – non-compliance matters RESZ-MDA;</u> c. <u>4+ Residential unit developments and rest homes RESZ-MDB;</u> d. <u>Natural hazards RESZ-MD1; and</u> e. <u>Financial contributions RESZ-MD2.</u> Notification <u>An application for resource consent under this rule (for the construction and use of four or more residential units per site that does not comply with one or more of the performance standards) will be considered without public or limited notification or the need to obtain written approval from affected parties (unless the Council decides that special circumstances exist under the Resource Management Act 1991), provided that the activity complies with all the following performance standards:</u> a. <u>Height RESZ-S1: (1) or (1A)</u> b. <u>Yards RESZ-S2: (1)</u> c. <u>Site Coverage RESZ-S3: (1)(a) or (2)(a)</u> d. <u>Design and Landscaping RESZ-S6: (2)(a)(i) to (ii); (3); (4)(a); and (6)(a) to (b).</u>
Applicable Spatial Layers Residential 3, 4 and 5 Zones	4. Activity Status: Permitted Where: The performance standards for the number of residential units per site for a permitted activity are met, that is, there will be one residential unit per site. Performance Standards: a. Height RESZ-S1; b. Yards RESZ-S2; c. Site coverage RESZ-S3; d. ~~household~~ <u>Residential</u> unit density RESZ-S4; e. Parking, access and turning RESZ-S5; and	5. Activity Status: Restricted Discretionary Where: Compliance not achieved with the performance standards in RESZ-R3(1) or(4), excluding the number of residential units per site. Matters of Discretion: a. The reason for the non-compliance with performance standards and 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

	f. Design and Landscaping - Outdoor living space RESZ-6A¹⁵ g. Reflectivity (Residential 4 Zone) RESZ-S6.	objectives and policies relevant to the matter of discretion; b. The extent to which the activity adversely affects the character and amenity values of the zone; c. Natural hazards RESZ-MD1; and d. Financial contributions RESZ-MD2.
Applicable Spatial Layers Residential 3 and 4 Zone	4. Activity Status: Controlled Where: The performance standards for the number of residential units per site for a controlled activity are met, that is, there will be two residential units per site including any minor dwellings. Performance Standards: a. Height RESZ-S1; b. Yards RESZ-S2; c. Site coverage RESZ-S3; d. ~~Household Residential~~ unit density RESZ-S4; e. Parking, access and turning RESZ-S5; and f. Design and Landscaping – Outdoor living space RESZ-6A¹⁶ g. Reflectivity (Residential 4 Zone) RESZ-S6. Matters of Control: a. Design <u>RESZ-MC1</u>; b. Zone character <u>RESZ-MC2</u>; c. Amenity RESZ-MC3; d. Parking, access and turning <u>RESZ-MC4</u>; e. Natural hazards <u>RESZ-MC5</u>; and f. Financial contributions <u>RESZ-MC6</u>.	
Applicable Spatial Layers Residential 3 and 4 and Zones	6. Activity Status: Discretionary Where: The activity is a comprehensive residential development for three or more ~~household residential~~ units (including any minor dwellings) on a site. Assessment Criteria: 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; and c. General RESZ-AC1.	

¹⁵ The standard on outdoor living space was originally included in site coverage and has been shifted into this heading for clarity

¹⁶ The standard on outdoor living space was originally in site coverage but has been shifted to this heading for clarity

Applicable Spatial Layers Residential 5 Zone	7. Activity status: Discretionary The activity is for two or more ~~household~~ <u>residential</u> units (including any minor dwellings) on a site.	
Applicable Spatial Layers Residential 1 and 2 Zones	1. Activity Status: Permitted Where: There will be one household unit per site. Performance Standards: ~~h. Height RESZ-S1;~~ ~~i. Yards RESZ-S2;~~ ~~j. Site coverage RESZ-S3;~~ ~~k. Household unit density RESZ-S4; and~~ ~~l. Parking, access and turning RESZ-S5;~~ ~~m. Reflectivity RESZ-S6; and~~ ~~n. Lot 1 DPS 70760: Pedestrian and cycle accessway RESZ-S7.~~	3. Activity Status: Restricted Discretionary Where: ~~Compliance not achieved with the performance standards in RESZ-R3(1) or(2).~~ Matters of Discretion: ~~a. The reason for the non-compliance with performance standards and 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;~~ ~~b. The extent to which the activity adversely affects the character and amenity values of the zone;~~ ~~c. Natural hazards RESZ-MD1; and~~ ~~d. Financial contributions RESZ-MD2.~~
Applicable Spatial Layers Residential 1 and 2 Zones	2. Activity Status: Controlled Where: There will be two household units on a site (including any minor household unit). Performance Standards: ~~a. Height RESZ-S1;~~ ~~b. Yards RESZ-S2;~~ ~~c. Site coverage RESZ-S3;~~ ~~a. Household unit density RESZ-S4; and~~ ~~b. Parking, access and turning RESZ-S5;~~ ~~c. Reflectivity RESZ-S6; and~~ ~~d. Lot 1 DPS 70760: Pedestrian and cycle accessway RESZ-S7.~~ Matters of Control: ~~g. Design RESZ-MC1;~~ ~~h. Zone character RESZ-MC2;~~ ~~i. Amenity RESZ-MC3;~~ ~~j. Parking, access and turning RESZ-MC4;~~ ~~k. Natural hazards RESZ-MC5; and~~ ~~l. Financial contributions RESZ-MC6.~~	
Applicable Spatial Layers Residential 2 Zone	4. Activity Status: Restricted Discretionary Where: The activity is a comprehensive residential development for three or more household units (including any minor dwellings) on a site. Matters of Discretion: ~~a. In instances where one or more performance standards are not met, 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; b. The design and layout and any innovative components; c. Potential adverse effects on the environment; d. The extent to which the activity adversely affects the character and amenity values of the zone; e. Natural hazards <u>RESZ-MD1</u>; and f. Financial contributions <u>RESZ-MD2</u>.	
Applicable Spatial Layers Residential 1 Zone	5. Activity Status: Discretionary Where: The activity is a comprehensive residential development for three or more household units (including any minor dwellings) on a site. Assessment Criteria: d. Encouraging innovative design for a particular site where the proposal does not comply with the performance standards for the zone. e. Potential adverse effects on the environment; and f. <u>General RESZ-AC1</u>.	
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.		
RESZ-R4	Buildings and alterations accessory to a ~~household residential~~ unit	[4.5(6)]
Applicable Spatial Layers All Residential Zones	1. Activity Status: Permitted Performance Standards: a. Height <u>RESZ-S1</u>; b. Yards <u>RESZ-S2</u>; c. Site coverage <u>RESZ-S3</u>; d. ~~Household unit density RESZ-S4;~~ a. Parking, access and turning <u>RESZ-S5</u>; and b. <u>Design and landscaping RESZ-6A</u>; and c. Reflectivity (Residential 4 Zone). <u>RESZ-S6</u>.	2. Activity Status: Restricted Discretionary Where: Compliance not achieved with the performance standards in RESZ-R4(1). Matters of Discretion: a. The reason for the non-compliance with performance standards and 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; b. The extent to which the activity adversely affects the character and amenity values of the zone; c. Natural hazards RESZ-MD1; and d. Financial contributions <u>RESZ-MD2</u>.

RESZ-R5	The demolition or removal of a ~~household residential~~ unit from a site		[4.5(7)]
Applicable Spatial Layers All Residential Zones	1. Activity Status: Permitted		
RESZ-R6	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 residential~~ unit		[4.5(12)]
Applicable Spatial Layers Residential 3 Zone	1. Activity Status: Permitted Performance Standards: a. Height RESZ-S1; b. Yards RESZ-S2; c. Site coverage RESZ-S3 d. ~~Household residential~~ unit density RESZ-S4; and a. Parking, access and turning RESZ-S5.	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards for RESZ-R6(1). Matters of Restricted Discretion: a. The reason for the non-compliance with performance standards and 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; b. The extent to which the activity adversely affects the character and amenity values of the zone; c. Natural hazards RESZ-MD1; and d. Financial contributions RESZ-MD2.	
RESZ-R7	Micro scale wind turbines		[4.5(8)]
Applicable Spatial Layers All Residential Zones	1. Activity Status: Controlled Performance Standards: a. Height RESZ-S1; b. Yards RESZ-S2; c. Site coverage RESZ-S3; and d. Reflectivity (Residential 4 Zone) RESZ-S6. Matters of Control: a. Design RESZ-MC1; b. Zone character RESZ-MC2; c. Amenity RESZ-MC3; d. Parking, access and turning RESZ-MC4; e. Natural hazards RESZ-MC5; and f. Financial contributions RESZ-MC6.	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards for RESZ-R7(1). Matters of Restricted Discretion: a. The reason for the non-compliance with performance standards and 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; b. The extent to which the activity adversely affects the character and amenity values of the zone;	

		c. Natural hazards RESZ-MD1; and d. Financial contributions RESZ-MD2.
RESZ-R8	Conversion of tourist accommodation to ~~household~~ residential units	[4.5(11)]
Applicable Spatial Layers Residential 1, 2, 3 and 4 Zones	1. Activity Status: ~~Controlled~~ Restricted Discretionary Performance Standards: a. Height RESZ-S1; b. Yards RESZ-S2; c. Site coverage RESZ-S3; ~~d. Household unit density RESZ-S4;~~ e. Parking, access and turning RESZ-S5; and f. Design and landscaping RESZ-6A; and g. Reflectivity (Residential 4 Zone) RESZ-S6. Matters of ~~Control~~ Discretion: ~~a. Design RESZ-MC1;~~ ~~b. Zone character RESZ-MC2;~~ ~~c. Amenity RESZ-MC3;~~ ~~d. Parking, access and turning RESZ-MC4;~~ a. As for 4+ residential unit developments and rest homes RESZ-MDB b. Natural hazards RESZ-MC5; and c. Financial contributions RESZ-MC6.	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards for RESZ-R8(1). Matters of Restricted Discretion: a. The reason for the non-compliance with performance standards and 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; b. Residential units and rest homes – specific non-compliance matters RESZ-MDA. c. As for 4+ residential unit developments and rest homes RESZ-MDB ~~d. The extent to which the activity adversely affects the character and amenity values of the zone;~~ e. Natural hazards RESZ-MD1; and f. Financial contributions RESZ-MD2.
Community Activities		
RESZ-R9	Community housing	[4.5(28)]
Applicable Spatial Layers All Residential Zones	1. Activity Status: Permitted Performance Standards: a. Height RESZ-S1; b. Yards RESZ-S2; c. Site coverage RESZ-S3; d. ~~Household~~ Residential unit density RESZ-S4; a. Parking, access and turning RESZ-S5; and b. Design and Landscaping RESZ-6A c. Reflectivity (Residential 4 Zone) RESZ-S6.	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards for RESZ-9(1). Matters of Restricted Discretion: a. The reason for the non-compliance with performance standards and 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;

		b. The extent to which the activity adversely affects the character and amenity values of the zone; c. 4+ Residential unit development and rest homes RESZ-MDB; d. Natural hazards RESZ-MD13; and e. Financial contributions RESZ-MD42.
RESZ-R10 Hospitals and medical centres		[4.5(21), 4.5(22)]
Applicable Spatial Layers Residential 2 Zone	1. Activity Status: Permitted Where: The activity is an alteration or extension of an existing hospital or medical centre. Performance Standards: a. Height RESZ-S1; b. Yards RESZ-S2; c. Site coverage RESZ-S3; and d. Parking, access and turning RESZ-S5.	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards for RESZ-R10(1). Matters of Restricted Discretion: a. The reason for the non-compliance with performance standards and 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; b. The extent to which the activity adversely affects the character and amenity values of the zone; c. Natural hazards RESZ-MD1; and d. Financial contributions RESZ-MD2.
Applicable Spatial Layers All Residential Zones	3. Activity Status: Discretionary Where:+ a. The activity is a new hospital or medical centre in the Residential 2 Zone; or b. The activity is in the Residential 1, 3, 4 or 5 Zones. Assessment Criteria: a. General RESZ-AC1.	
RESZ-R11 Rest homes		[4.5(23)]
Applicable Spatial Layers ~~All~~ Residential 1 and 2 Zones	1. Activity Status: Permitted Where: There are no more than three rest home units per site. Performance Standards: a. Height RESZ-S1; b. Yards RESZ-S2; c. Site coverage RESZ-S3;	3. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards for RESZ-R11(1). Matters of Restricted Discretion: a. The reason for the non-compliance with the performance standards and the extent to which the activity will

Commented [B&A36]: RVA 88.66, 88.67.

	d. Parking, access and turning RESZ-S5; and e. RESZ-S6A Design and landscaping	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; b. Residential units and rest homes – non-compliance matters RESZMDA; c. Rest homes RESZ-MDD; d. Natural hazards RESZ-MD1; and e. Financial contributions RESZ-MD2.
	12. Activity Status: Restricted Discretionary Where: There are four or more rest home units per site. Performance Standards: a. Height RESZ-S1; b. Yards RESZ-S2; c. Site coverage RESZ-S3; d. Parking, access and turning RESZ-S5; and e. RESZ-S6A Design and landscaping Matters of discretion a. 4+ Residential unit developments and rest homes RESZ-MDB; b. Natural hazards RESZ-MD1; and c. Financial contributions RESZ-MD2. Notification An application for resource consent under this rule (for the construction and use of a rest home that complies with the performance standards) will be considered without public or limited notification or the need to obtain written approval from affected parties (unless the Council decides that special circumstances exist under the Resource Management Act 1991). Assessment Criteria: a. General RESZ-AC1.	
Applicable Spatial Layers Residential 3, 4, and 5 Zones	4. Activity Status: Discretionary Assessment Criteria: General RESZ-AC1.	
RESZ-R12	Daycare centres	[4.5(24)]
Applicable Spatial Layers	1. Activity Status: Discretionary	

Commented [B&A37]: RVA 88.66, 88.67.

All Residential Zones	Assessment Criteria: a. General RESZ-AC1 .	
RESZ-R13	Educational facilities	
Applicable Spatial Layers All Residential Zones	1. Activity Status: Discretionary Assessment Criteria: a. General RESZ-AC1 .	
RESZ-R14	Community facilities	
Applicable Spatial Layers All Residential Zones	1. Activity Status: Discretionary Assessment Criteria: a. General RESZ-AC1 .	
RESZ-R15	Funeral homes	
Applicable Spatial Layers All Residential Zones	1. Activity Status: Discretionary Assessment Criteria: a. General RESZ-AC1 .	
Tourism and Recreation		
RESZ-R16	Bed and breakfast	
Applicable Spatial Layers All Residential Zones	1. Activity Status: Permitted Performance Standards: a. Height RESZ-S1 ; b. Yards RESZ-S2 ; c. Site coverage RESZ-S3 ; d. ~~Household~~ Residential unit density RESZ-S4 ; e. Parking, access and turning RESZ-S5 ; and f. Design and Landscaping RESZ-6A g. Reflectivity (Residential 4 Zone) RESZ-S6 .	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards for RESZ-R16(1). Matters of Restricted Discretion: a. The reason for the non-compliance with performance standards and 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; b. The extent to which the activity adversely affects the character and amenity values of the zone; c. Natural hazards RESZ-MD1 ; and d. Financial contributions RESZ-MD2.
RESZ-R17	Holiday rental accommodation	
Applicable Spatial Layers	1. Activity Status: Permitted Performance Standards:	2. Activity Status: Restricted Discretionary Where:

All Residential Zones	a. Holiday rental accommodation existing at 7 July 2018 or commencing on or after 7 July 2018 shall accommodate no more than 12 people on site at any one time; b. Height RESZ-S1; c. Yards RESZ-S2; d. Site coverage RESZ-S3; e. ~~Household-Residential~~ unit density RESZ-S4; f. Parking, access and turning RESZ-S5; and g. Reflectivity (Residential 4 Zone) RESZ-S6.	Compliance is not achieved with the performance standards for RESZ-R17(1)(b) to (h). Matters of Discretion: a. The reason for the non-compliance with performance standards and 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; b. The extent to which the activity adversely affects the character and amenity values of the zone; c. Natural hazards RESZ-MD1₁; and d. Financial contributions RESZ-MD2
Applicable Spatial Layers All Residential Zones	3. Activity Status: Discretionary Where: Compliance is not achieved with the performance standards for RESZ-R17(1)(a). Assessment Criteria: a. General RESZ-AC1; and b. Holiday rental accommodation RESZ-AC2.	
Advice Notes: a. 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. b. Where a site is not connected to the Council sewer, compliance with the relevant Regional On-Site Effluent Treatment Plan will be required. c. Car parks must not be located on or over the on-site effluent treatment system or disposal field		
RESZ-R18 Holiday parks		[4.5(29), 4.5(30)]
Applicable Spatial Layers Residential 1, 2, 3 and 4 Zones	1. Activity Status: Permitted Where: The activity is an addition or upgrade to an existing holiday park. Performance Standards: a. Height RESZ-S1; b. Yards RESZ-S2; c. Site coverage RESZ-S3; d. Parking, access and turning RESZ-S5; and e. Reflectivity (Residential 4 Zone) RESZ-S6	2. Activity Status: Restricted Discretionary Where: Compliance not achieved with the performance standards for RESZ-R18(1). Matters of Restricted Discretion: a. The reason for the non-compliance with performance standards and 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;

		b. The extent to which the activity adversely affects the character and amenity values of the zone; c. Natural hazards RESZ-MD1; and d. Financial contributions RESZ-MD2.
Applicable Spatial Layers Residential 1, 2, 3 and 4 Zones	3. Activity Status: Discretionary Assessment Criteria: a. General RESZ-AC1.	
Applicable Spatial Layers Residential 5 Zone	4. Activity Status: Non-Complying	
RESZ-R19	Tourist accommodation (other than bed and breakfast)	[4.5(32)]
Applicable Spatial Layers All Residential Zones	1. Activity Status: Discretionary Assessment Criteria: a. General RESZ-AC1.	
Retail and Commercial		
RESZ-R20	Home based business	[4.5(33)]
Applicable Spatial Layers All Residential Zones	1. Activity Status: Permitted Performance Standards: a. Height RESZ-S1; b. Yards RESZ-S2; c. Site coverage RESZ-S3; d. ~~Household~~ <u>Residential</u> unit density RESZ-S4; a. Parking, access and turning RESZ-S5; and b. <u>Design and Landscaping</u> RESZ-6A c. Reflectivity (Residential 4 Zone) RESZ-S6.	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards for RESZ-R20(1). Matters of Restricted Discretion a. The reason for the non-compliance with performance standards and 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; b. The extent to which the activity adversely affects the character and amenity values of the zone; c. Natural hazards RESZ-MD1; and d. Financial contributions RESZ-MD2.
RESZ-R21	Show homes	[4.5(34)]
Applicable Spatial Layers All Residential Zones	1. Activity Status: Controlled Performance Standards: a. Height RESZ-S1; b. Yards RESZ-S2;	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards for RESZ-R21(1).

	c. Site coverage RESZ-S3; d. ~~Household-residential~~ unit density RESZ-S4; and e. Parking, access and turning RESZ-S5; and f. ~~Design and Landscaping~~ RESZ-S6A g. Reflectivity (Residential 4 Zone)-RESZ-S6. Matters of Control: a. Design RESZ-MC1; b. Zone character RESZ-MC2; c. Amenity RESZ-MC3; d. Parking, access and turning RESZ-MC4; e. Natural hazards RESZ-MC5; and f. Financial contributions RESZ-MC6.	Matters of Restricted Discretion: a. The reason for the non-compliance with performance standards and 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; b. The extent to which the activity adversely affects the character and amenity values of the zone; c. Natural hazards RESZ-MD1; and d. Financial contributions RESZ-MD2.
RESZ-R22	Retail shop	[4.5(35)]
Applicable Spatial Layers All Residential Zones	1. Activity Status: Non-Complying	
RESZ-R23	Office activities, other than home based business	[4.5(36), 4.5(37)]
Applicable Spatial Layers Residential 2 Zone	1. Activity Status: Permitted Where: The activity is an alteration or extension to an existing office activity Performance Standards: a. Height RESZ-S1; b. Yards RESZ-S2; c. Site coverage RESZ-S3; and d. Parking, access and turning RESZ-S5;	2. Activity Status: Restricted Discretionary Where: Compliance is not achieved with the performance standards for RESZ-R23(1). Matters of Restricted Discretion: a. The reason for the non-compliance with performance standards and 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; b. The extent to which the activity adversely affects the character and amenity values of the zone; c. Natural hazards RESZ-MD1; and d. Financial contributions RESZ-MD2.
Applicable Spatial Layers All Residential Zones	3. Activity Status: Non-Complying Where: a. The activity is a new office activity in Residential 2 Zone; or b. The activity is in the Residential 1, 3, 4 or 5 Zones.	

Other Activities		
RESZ-R24	Lake Structures	[9.5(139), (140), (141)]
Applicable Spatial Layers Residential 1, 3 and 4 Zones	1. Activity Status: Permitted Where: a. The activity is operation, maintenance, demolition and replacement of existing lake structures; and b. Where upgrading or replacement occurs, it does not result in any increase in the base area and/or height of the lake structure and is located within the existing lake structure's footprint. c. Except, the height of a jetty may be increased, but in such an event it shall not exceed 1.2m above the mean lake water level. Performance standards: a. The structure is maintained in a structurally sound condition for the purpose for which it was constructed; b. It is not painted with any anti-fouling coating designed to emit any toxic substance; c. It has design components and surface colours that are the same or similar in character to those existing; d. The use is limited to the purpose for which it was established; e. It 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; f. Height RESZ-S1; g. Yards RESZ-S2; h. Site coverage RESZ-S3; i. Parking, access and turning RESZ-S5; and j. Reflectivity (Residential 4 Zone) RESZ-S6.	
Applicable Spatial Layers Residential 1, 3 and 4 Zones	2. Activity Status: Controlled Where: The activity is replacement of an existing lake structure outside the existing footprint where the scale is the same or reduced and the number of structures is reduced. Performance Standards: a. The structure is maintained in a structurally sound condition for the purpose for which it was constructed; b. It is not painted with any anti-fouling coating designed to emit any toxic substance; c. It has design components and surface colours that are the same or similar in character to those existing; d. The use is limited to the purpose for which it was established; e. It 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; f. Height RESZ-S1; g. Yards RESZ-S2;	

	h. Site coverage RESZ-S3; i. Parking, access and turning RESZ-S5; and j. Reflectivity (Residential 4 Zone) RESZ-S6 Matters of Control: a. Building design, site layout and amenity RESZ-MC1; b. Character of the zone RESZ-MC2; c. Amenity values of the zone RESZ-MC3; d. Parking, access and turning RESZ-MC4; e. Natural hazards RESZ-MC5; f. Financial contributions RESZ-MC6; and g. Lake structures RESZ-MC7.
Applicable Spatial Layers Residential 1, 3 and 4 Zones	3. Activity Status: Restricted Discretionary Where: The lake structure is not otherwise provided for as permitted or controlled activities. Matters of Discretion: a. For activities that do not meet the performance standards: The reason for the non-compliance with performance standards and 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; b. Natural hazards RESZ-MD3; c. Financial contributions RESZ-MD4; and d. Lake Structures RESZ-MD6.
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.	
RESZ-R25	Felling of exotic vegetation [4.5(97)]
Applicable Spatial Layers All Residential Zones	1. Activity Status: Permitted
RESZ-R26	Industrial or trade process, vehicle transport or storage facility [4.5(38)]
Applicable Spatial Layers All Residential Zones	1. Activity Status: Non-Complying
RESZ-R27	Concert involving amplified music [4.5(42)]
Applicable Spatial Layers All Residential Zones	1. Activity Status: Non-Complying
RESZ-R28	Parking of heavy vehicles (including emergency service [4.5(98)]

	vehicles) on a residential site other than within the road reserve	
Applicable Spatial Layers All Residential Zones	1. Activity Status: Non-Complying	
RESZ-R29	Helicopter take-off and landing areas	[4.5(99)]
Applicable Spatial Layers All Residential Zones	1. Activity Status: Non-Complying	
RESZ-R30	Offensive trades	[4.5(39)]
Applicable Spatial Layers All Residential Zones	1. Activity Status: Prohibited	

Advice Note – Rotorua District Council Traffic Bylaw:

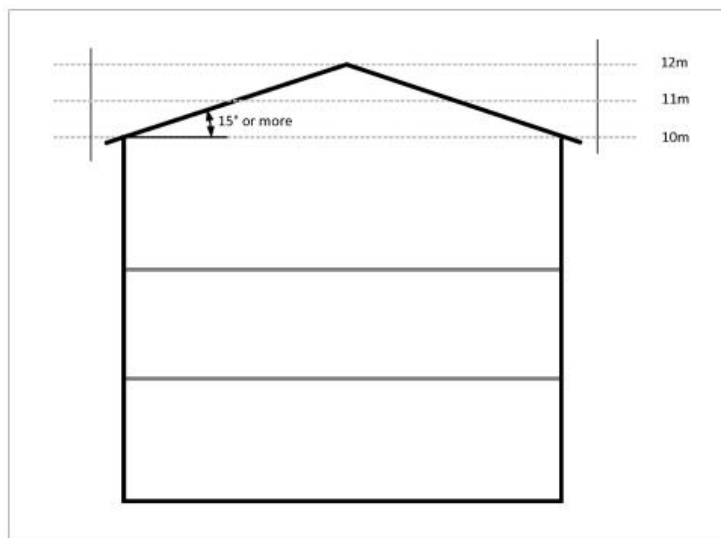
This bylaw sets the requirements for parking and associated control of vehicular or other traffic on any road in the District, including state highways located within any urban boundaries that are otherwise controlled by the New Zealand Transport Agency.

Performance Standards

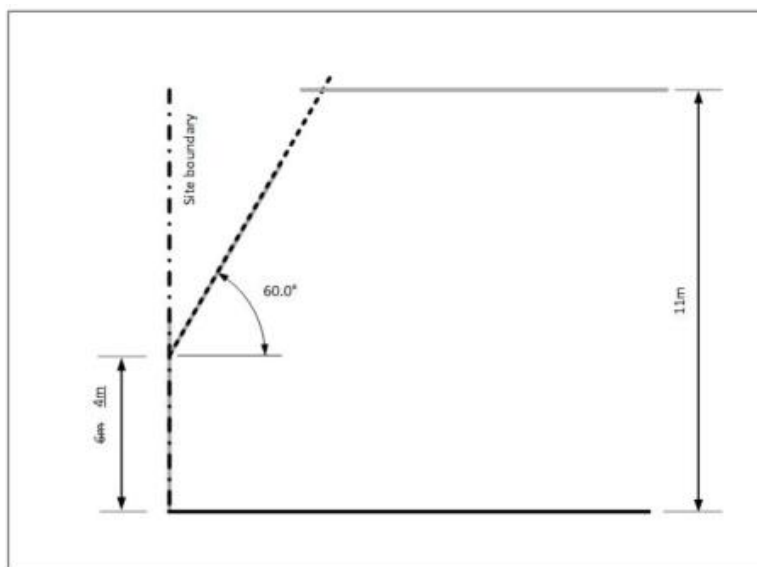
The following performance standards apply if listed in the rule table for the relevant activity.

RESZ-S1 Maximum height and daylight envelope

1. **Residential 1 Zone:** 
 - a. Buildings must not exceed 11m in height, except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m, where the entire roof slopes 15° or more, as shown on the following diagram:



- b. Buildings must not project beyond a 60° recession plane measured from a point 4m vertically above ground level along all boundaries, as shown on the following diagram. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.



- c. This standard does not apply to—
i. A boundary with a road:

- ii. existing or proposed internal boundaries within a site:
- iii. site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.
- iv. A boundary adjoining Reserve zones, Rural zones, Commercial zones, Business and Innovation zones and Industrial zones.

Commented [B&A38]: RVA 88.68, 88.69.

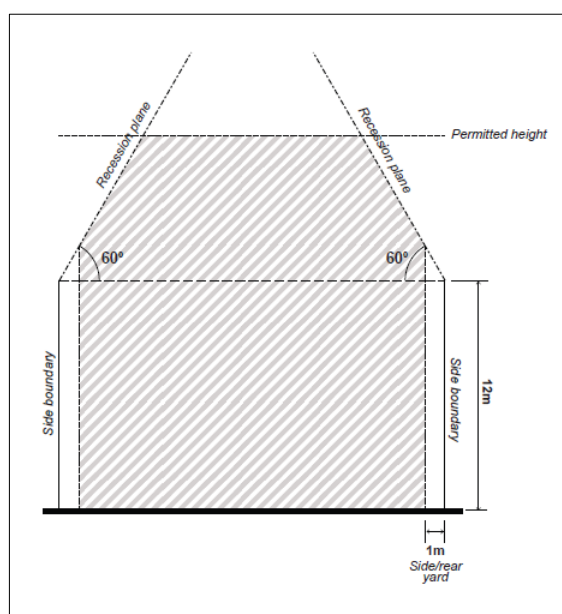
1A **Residential 2 Zone – Interim standard**

- a. Until Plan Change 9 is operative the standard set out for Residential 1 Zone in RESZ-S1(1) shall apply to the Residential 2 Zone.

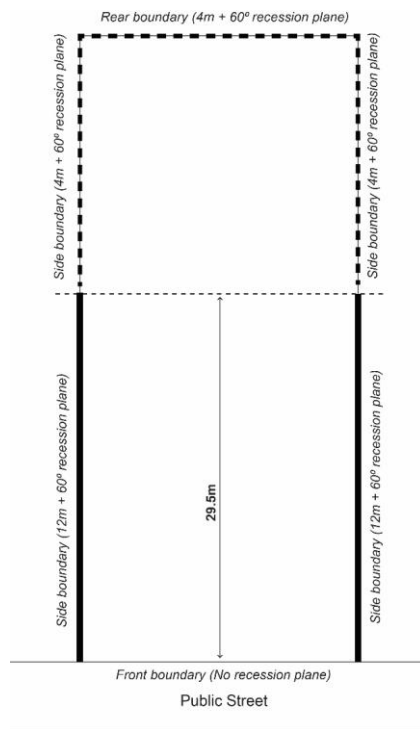
2. **Residential 2 Zone**

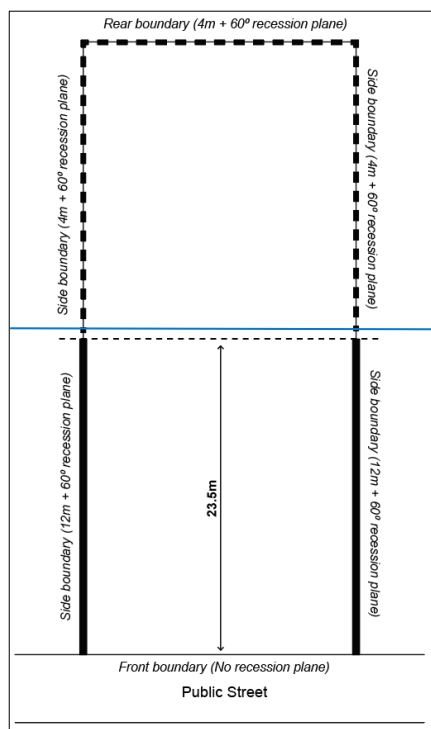
- a. Buildings must not exceed 19.522m in height
- b. Buildings must not project beyond a 60° recession plane measured from a point:
 - i. 12m vertically above ground level along all boundaries within 23.529.5m from the road frontage.

Commented [B&A39]: Kāinga Ora 86.68



- ii. 4m vertically above ground level along all other boundaries.





- c. Buildings must not project beyond a 60° recession plane measured from a point 4m vertically above ground level along boundaries adjoining with the Residential 1 zone.
- d. Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.
- e. This standard does not apply to—
- A boundary with a road:
 - existing or proposed internal boundaries within a site:
 - site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.
 - A boundary adjoining Reserve zones, City Centre zones, Commercial zones, Business and Innovation zones and Industrial zones.
- a. The maximum height of a building or structure shall not exceed 7.5m above natural ground except that in the Residential 4 zone the height shall not exceed 8m and in the Residential 3 zone the height shall not exceed 5m.
- b. The maximum height is also subject to complying with the following;
- No part of a building or structure shall extend outside the daylight envelope;

Commented [B&A40]: Kāinga Ora 86.68.

Commented [B&A41]: RVA 88.69.

- b. The daylight envelope is taken from any point on the boundary at a height of 3m above natural ground level and rises at a 45 degree angle (i.e. rising 1m for every 1m from that boundary) until it crosses the maximum permitted height for the zone;

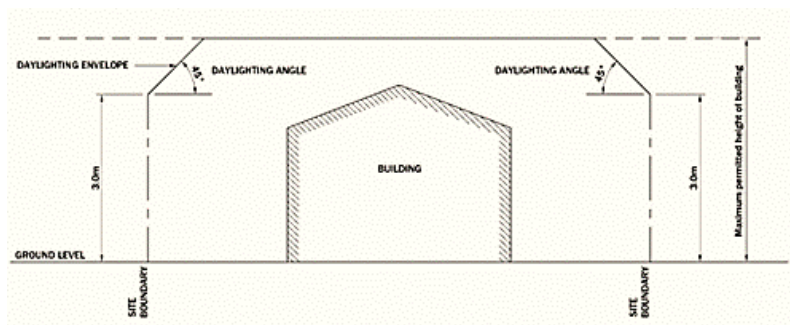


Figure RESZ 1 – Daylighting Envelope

3. Residential 3, 4 and 5 Zones¹⁷

- c. The maximum height of a building or structure shall not exceed:
 - Residential 3 Zone: 5m
 - Residential 4 Zone: 8m
 - Residential 5 Zone: 7.5m
- d. The maximum height is also subject to complying with the following;
 - c. No part of a building or structure shall extend outside the daylight envelope;
 - d. The daylight envelope is taken from any point on the boundary at a height of 3m above natural ground level and rises at a 45 degree angle (i.e. rising 1m for every 1m from that boundary) until it crosses the maximum permitted height for the zone;

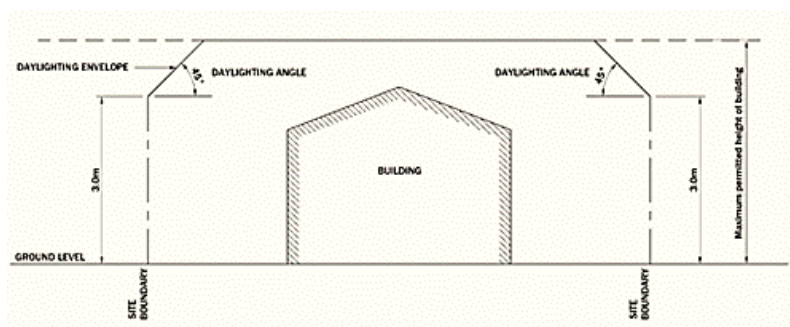


Figure RESZ-1 – Daylighting Envelope

¹⁷ Formatting changed for consistency with formatting in Residential 1 and 2 Zone

- e. 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 1m, providing the building does not extend outside the daylight envelope.

4. All Zones

- a. For sites within the Marae Protection Area Overlay the height of a building or structure shall not exceed 5m.
- b. Telecommunication structures for domestic purposes (e.g. aerials and television antenna) attached to a building shall not exceed 2m above the relevant height standard set out above;
- c. Wind turbines shall not exceed 3m above the relevant height standard set out above. Any wind turbines attached to a building shall not exceed 3m above the building height. The rotor blades shall not exceed 1m in diameter.

RESZ-S2 Yard requirements

[4.6(2)]

1. Residential 1 and 2 Zones:

- a. Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below:

<u>Yard</u>	<u>Minimum depth</u>
<u>Front</u>	<u>1.5m</u>
<u>Side</u>	<u>1m</u>
<u>Rear</u>	<u>1m (excluded on corner sites)</u>

- b. Standard (a) does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.

1-Front yards:

- a. The minimum front yard for buildings shall be 5.0m except in the following circumstances:

- i. In the Residential 2 and Residential 3 zones: 3m;

2-Side and rear yards:

- a. Minimum side and rear yard for buildings (except as provided for in (4)): 2.5m;

3-Setbacks for Rear Sites:

- a. Minimum yards for rear sites for buildings (except as provided for in (4)): 2.5m.

4. Single storey accessory buildings may be constructed in the side or rear yards up to 1m from the side or rear boundary subject to complying with following standards;

- a. The maximum length of the accessory building adjacent to a side or rear boundary shall be 7.2m, except in the Residential 4 zone where the maximum length shall be 10m.
- b. No part of a building shall extend outside the daylight envelope.
- c. All parts of the building, including eaves shall be a minimum of 1m from any side or rear boundary;

- d. ~~No door, window or other opening shall be located in any exterior wall of the building that is less than 2.5m from the boundary and which faces that boundary (i.e. at an angle to that boundary of less than 90 degrees).~~

2. **Residential 3, 4 and 5 Zones**¹⁸:

- a. Buildings must be set back from the relevant boundary by the minimum depth listed in the yards table below:

<u>Yard</u>	<u>Minimum depth</u>
Front	3m (Residential 3 Zones) 5m (other locations) Except that in the Residential 5 Zone, on sites adjoining local roads and where any garage, bedroom, living room, or other habitable room has clear glazing facing the street, the front yard may be reduced to 3m. ¹⁹
Side and Rear	2.5m (except as provided for in (b))
Rear Sites	1m (except as provided for in (b))

- b. Single storey accessory buildings may be constructed in the side or rear yards up to 1m from the side or rear boundary subject to complying with following standards;
- The maximum length of the accessory building adjacent to a side or rear boundary shall be 7.2m, except in the Residential 4 zone where the maximum length shall be 10m.
 - No part of a building shall extend outside the daylight envelope.
 - All parts of the building, including eaves shall be a minimum of 1m from any side or rear boundary;
 - No door, window or other opening shall be located in any exterior wall of the building that is less than 2.5m from the boundary and which faces that boundary (i.e. at an angle to that boundary of less than 90 degrees).

3. **Road widening**

- a. 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.

RESZ-S3 Site coverage

[4.6(3)]

1. **Residential 1:**

- Maximum site coverage for buildings: ~~40%~~50% of the net site area. 
- Maximum site coverage for ~~impermeable~~ impervious surfaces: ~~80%~~70% of the site area.

Commented [KS42]: WRC 64.3

¹⁸ Reformatted but intent not changed

¹⁹ Reformatted – moved from development area chapter but intent not changed

2. Residential 2:

- a. Maximum site coverage for buildings: 50% of the net site area. ~~There is no maximum site coverage.~~
- b. Maximum site coverage for ~~impermeable~~ impervious surfaces: 80% ~~100%~~ of the site area.

3. Residential 3:

- a. Maximum site coverage for buildings: 50% of the site area.
- b. Maximum site coverage for ~~impermeable~~ impervious surfaces: 80% of the site area.

4. Residential 4:

- a. Maximum site coverage for buildings: 40% of the site area.
- b. Maximum site coverage for ~~impermeable~~ impervious surfaces: 80% of the site area.

5. Residential 5:

- a. Maximum site coverage for buildings: 25% of the site area.
- b. Maximum site coverage for ~~impermeable~~ impervious surfaces: 40% of the site area.

~~6. All Zones~~

- a. ~~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.~~

Advice note: The risks from geothermal hazards can increase with an increase in impervious site coverage. This can cause gas emissions from the ground to concentrate into gaps such as spaces between buildings or the entrances into buildings for services. Construction of impervious surfaces can also reduce rainwater percolation, which can then reduce the cooling effect rainwater provides to heated ground, as well as creating a barrier that reduces the release of geothermal heat from the ground into the air.

Commented [KS43]: BOPRC 56.39

RESZ-S4 Residential unit density

[4.6.4]

~~1. Residential 1 Zone~~

- a. ~~The minimum permitted net site area for any one household unit shall be 350m², provided that the average net site area for all household units on a site is at least 450m².~~
- b. ~~For sites that exceed a net site area of 600m², there may be one minor household unit with a net floor area not exceeding 72m² (excluding garaging).~~

~~2. Residential 2 Zone:~~

- a. ~~The minimum permitted net site area for any one household unit shall be 350m² without an approved comprehensive residential development plan.~~

2. Residential 3 Zone:

- a. The minimum net site area for any one ~~household residential~~ unit shall be 250m².

- b. There must be no more than 1 ~~household residential~~ unit per site for a permitted activity.²⁰
- c. There must be no more than 2 ~~household residential~~ units per site for a controlled activity.

3. Residential 4 Zone:

- a. One ~~household residential~~ unit may be constructed on site per 2,000m² 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.
- b. One ~~household residential~~ unit may be constructed per 1,000m² of net site area in an area where a public sanitary sewer reticulation system is operational.
- c. There must be no more than 1 ~~household residential~~ unit per site for a permitted activity.²¹
- d. There must be no more than 2 ~~household residential~~ units per site for a controlled activity.

4. Residential 5 Zone:

- a. One ~~household residential~~ unit per 1,500m² net site area provided that the average net site area for all ~~household residential units~~ onsite shall be 2,000m².
- b. There must be no more than 1 ~~household residential~~ unit per site for a permitted activity.^{22(99)}}

RESZ-S5A Servicing

1. [For developments that will require a water supply and will not be connected to a public reticulated water supply, the applicant must demonstrate how an alternative water supply adequate for firefighting purposes can be provided to the development in accordance with the Fire and Emergency New Zealand and the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNA PAS 4509:2008.](#)

Commented [KS44]: FENZ 51.2

RESZ-S5 Parking, access and turning

[4.6(5)]

1. Parking, turning and access shall be provided in accordance with the provisions of Appendix APP1 – Parking and Turning Standards.
2. Parking and on-site turning areas shall be separate to those areas provided on-site for outdoor recreation and amenity space.
3. 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.
4. Shared access driveways shall comply with the following table:

²⁰ Number of sites per unit reformatted from inside rule table to performance standard but the intent is the same.

²¹ Number of sites per unit reformatted from inside rule table to performance standard but the intent is the same.

²² Number of sites per unit reformatted from inside rule table to performance standard but the intent is the same.

Number of ~~household residential~~ or rest home units Served by the Access	Width	
	Overall	Formed
1-2 ~~household residential~~ or rest home units	3m	2.7m
3-4 ~~household residential~~ or rest home units	4m	3m
5-8 ~~household residential~~ or rest home units	6.5m	5m
<u>9-20 or rest home residential units</u>	<u>8m</u>	<u>5.5m (plus separate 1.5m wide pedestrian path and 1m wide services berm)</u>

Commented [B&A45]: Consequential to RVA 88.66, 88.67.

5. Provided that, where an access exceeds 50m in length it must have a minimum legal width of 4m; or a hardstand in accordance with Fire and Emergency's 'Designer's Guide' to Firefighting Operations Emergency Vehicle Access' (December 2021) must be provided within 50m of the residential units served by the driveway.
 6. Shared access driveways shall not serve more than ~~eight~~ 20 household residential or rest home units. For the purpose of calculating the number of residential units accessing a shared access driveway vacant residential lots shall be considered to contain one residential unit unless a greater number of units has obtained a building or land use consent, in which case that number shall be used.
 7. 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. The minimum height clearance along an access shall be 4m.
 8. For shared access driveways for 9-20 residential units it shall be demonstrated that a legally binding arrangement is in place for ongoing maintenance.
- Advice Note – Vehicle Crossings
- The design of vehicle crossings from private access driveways to the road is managed through the corridor access request process.

Commented [KS46]: FENZ 51.23

Commented [KS47]: RLC 61.3

Commented [KS48]: FENZ 51.41

Commented [KS49]: RLC 61.1, L Nelson 26.29., Cheal 79.10

Commented [KS50]: FENZ 51.41, KO 86.96

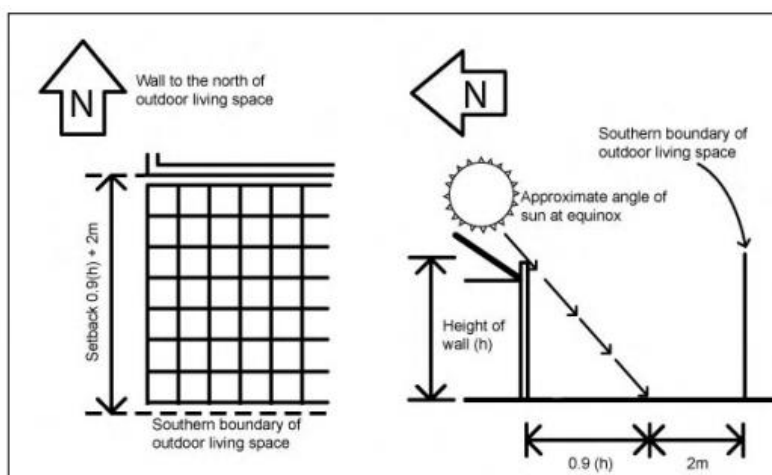
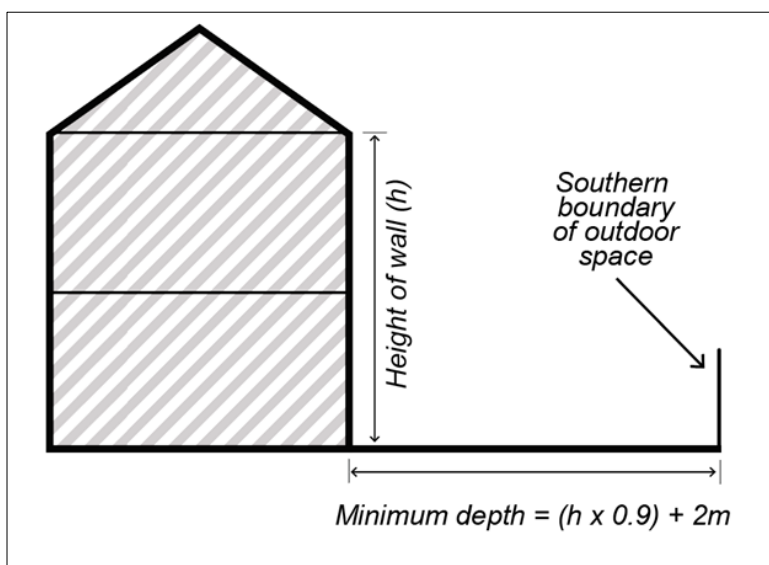
RESZ-S6A Design and Landscaping

1. **Minimum size of residential units (Residential 1 and 2 Zones):**
 - a. The minimum net floor area of a studio unit shall be 35m²
 - b. The minimum net floor area of unit with one or more bedrooms shall be 45m²
2. **Outdoor living space (per unit)**
 - a. **Residential 1 and 2 Zones:**

- i. A residential unit at ground floor level must have an outdoor living space that is at least 20m² and that comprises ground floor, or balcony, patio, or roof terrace space that—
 1. where located at ground level, has no dimension less than 3m; and
 2. where provided in the form of a balcony, patio, or roof terrace:
 - a. is at least:
 - i. Residential 1 Zone: 8m²
 - ii. Residential 2 Zone – interim standard until Plan Change 9 is operative: 8m²
 - iii. Residential 2 Zone: 6m²
 - b. has a minimum dimension of:
 - i. Residential 1: 1.8m; and
 - ii. Residential 2 Zone – interim standard until Plan Change 9 is operative: 1.8m
 - iii. Residential 2 Zone: 1.5m
 3. is accessible from the residential unit; and
 4. may be—
 - a. grouped cumulatively by area in 1 communally accessible location; or
 - b. located directly adjacent to the unit; and
 - c. is free of buildings, parking spaces, and servicing and manoeuvring areas.
- ii. A residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that—
 1. is at least
 - a. Residential 1 Zone: 8m²
 - b. Residential 2 Zone – interim standard until Plan Change 9 operative: 8m²
 - c. Residential 2 Zone: 6m²
 2. has a minimum dimension of:
 - a. Residential 1 Zone: 1.8m
 - b. Residential 2 Zone – interim standard until Plan Change 9 is operative: 1.8m
 - c. Residential 2 Zone: 1.5m
 3. is accessible from the residential unit; and
 4. may be—

- a. grouped cumulatively by area in 1 communally accessible location, in which case it may be located at ground level; or
- b. located directly adjacent to the unit.
- iii. In development containing four or more residential units, ~~where~~ where an outdoor living space at ground floor is located south of any building located on the same site, the southern boundary of that space must be separated from any wall or building by at least $2m + 0.9(h)$, where (h) is the height of the wall or building as shown in the figure below. For the purpose of this standard south is defined as between 135 and 225 degrees.

Commented [B&A51]: RVA 88.76, Classic Group 38.14.



- iv. For rest home units, clauses i, ii, and iii above apply with the following modifications:

1. [The outdoor living space may be in whole or in part grouped cumulatively in 1 or more communally accessible location\(s\) and/or located directly adjacent to each rest home unit; and](#)
2. [A rest home may provide indoor living spaces in one or more communally accessible locations in lieu of up to 50% of the required outdoor living space.](#)

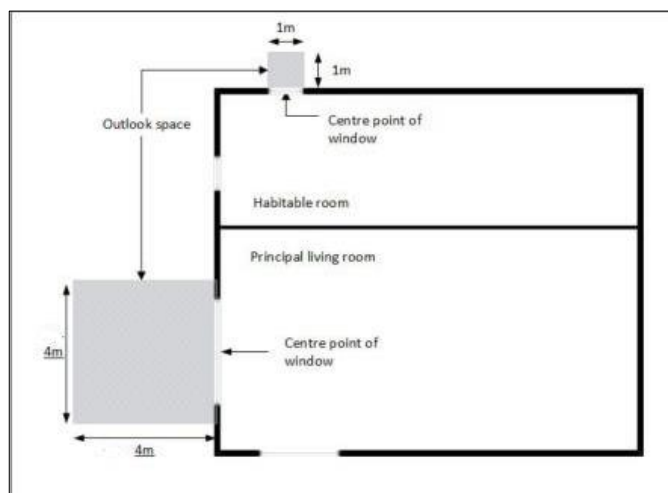
Commented [B&A52]: RVA 88.77.

7. **Residential 3, 4 and 5 Zones:**²³

- a. 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.

3. **Outlook Space (per unit) (Residential 1 and 2 Zones)**

- a. [An outlook space must be provided from habitable room of a residential unit windows as shown in the diagram below:](#)



- b. [The minimum dimensions for a required outlook space are as follows:](#)
 - i. [a principal living room must have an outlook space with a minimum dimension of 4m in depth and 4m in width; and](#)
 - ii. [all other habitable rooms must have an outlook space with a minimum dimension of 1m in depth and 1m in width;](#)
- c. [The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies;](#)
- d. [Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space;](#)

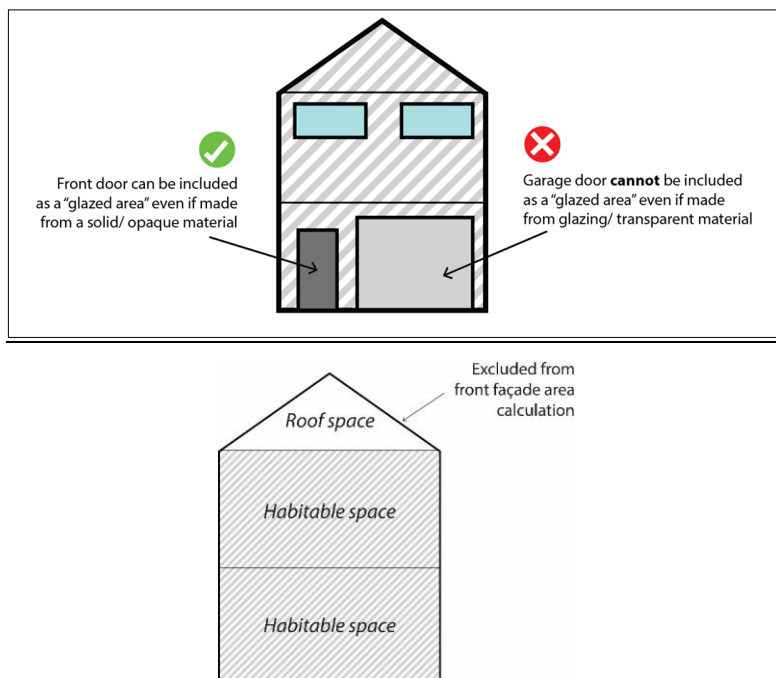
²³ This standard has been moved from inside site coverage but the intent remains the same for the Residential 3, 4 and 5 Zones.

- e. Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building;
- f. Outlook spaces may be under or over a balcony;
- g. Outlook spaces required from different rooms within the same building may overlap;
- h. Outlook spaces must—
 - i. be clear and unobstructed by buildings; and
 - ii. not extend over an outlook space or outdoor living space required by another dwelling.
- i. For rest home units, this standard only applies at the external boundary of the site.

4. Windows to street (Residential 1 and 2 Zones)

- a. Any residential unit facing the street must have a minimum of 20% of the street-facing façade in glazing. This can be in the form of windows or doors.
- b. For the purpose of this rule:
 - i. Front doors may be solid Solid or opaque front doors contribute towards the 20% glazing;
 - ii. Fully or partially glazed or semi-transparent garage ~~Garage~~ doors do not contribute towards the 20% glazing;
 - iii. Any area of roof space that is fully enclosed by a gable shall not be included in the area of the street-facing façade.
- c. For the purpose of this rule, any area of roof space that is fully enclosed by a gable shall not be included in the area of the front façade.

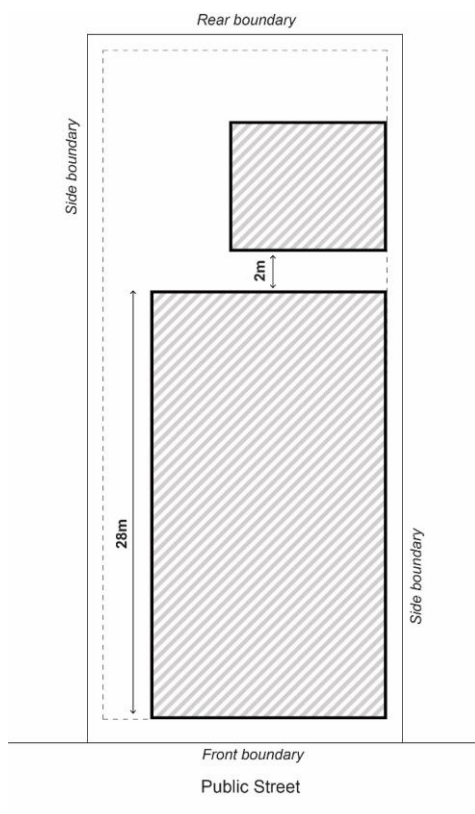
Commented [B&A53]: Classic Group 38.15, Rotorua Lakes Council 61.7, Sigma Consultants 84.55.

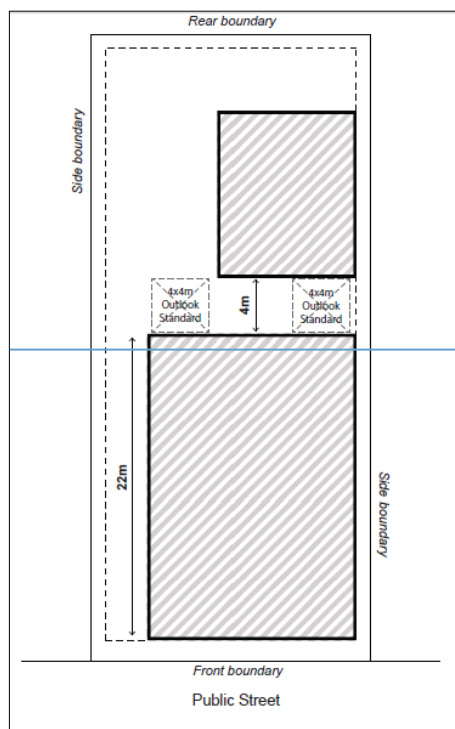


5. Maximum Building length (Residential 1 and 2 Zones)

- a. The maximum length of a building (excluding up to three residential units on a site) above ground floor level shall be 22.28m, measured parallel to side and rear boundaries, after which there shall be a minimum separation of 4m between any other building on the same site.

Commented [B&A54]: Classic Group 38.16, RVA 88.79, Cheal Consultants Limited 79.11, Kāinga Ora 86.76.





6. **Landscaped area (Residential 1 and 2 Zones)**

- a. A residential or rest home unit at ground floor level must have a landscaped area of a minimum of 20% of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them; ↗
- b. The landscaped area may be located on any part of the development site, and does not need to be associated with each residential or rest home unit. ↗
- c. At least 50% of the area of the front yard must comprise landscaped area.

7. **Fencing (Residential 1 and 2 Zones)**

- a. Maximum height within front yard or adjacent to a boundary with a public open space:
 - i. 1.2m; or
 - ii. 1.8m for no more than 50% of the site frontage and 1.2m for the remainder; or
 - iii. 1.8m if the fence is at least 50% visually open.

RESZ-S6 Reflectivity (Residential 4 Zone)

[4.6(11)]

1. 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.

RESZ-S7 Pedestrian and cycle accessway*[4.6(15)]***1. 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.

Matters of Control

The following matters of control apply if listed in the rule table for the relevant activity.

RESZ-MC1 Building design, site layout and amenity

1. 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.

RESZ-MC2 Character of the zone

1. 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.

RESZ-MC3- Amenity values of the zone

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

RESZ-MC4 Parking, access and turning

1. 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 APP1 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.

RESZ-MC5 Natural hazards

2. Adverse effects from natural hazards or the worsening of any hazard identified on the on the planning maps.
3. 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.

RESZ-MC6 Financial contributions

- Whether the proposal requires a financial contribution under the provisions of FC – Financial Contributions.

RESZ-MC7 Lake structures

- 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.
- 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.
- The extent to which public access along public areas adjoining the lake are adversely affected.
- The extent to which design components and surface colours are in harmony with the landscape character and amenity of the surrounding area.
- Re-instatement of vegetation to integrate the lake structure with the existing landscape character and amenity of the surrounding area.

Matters of Discretion

The following matters of discretion apply where listed in the rule table for the relevant activity.

RESZ-MDA Residential units and rest homes – specific non-compliance matters

The Council will consider the assessment criteria below to the extent that they are relevant to the effects of the infringement of the standard as set out in the matters of discretion. The assessment criteria provide examples of typical design responses or scenarios, but other design responses may be appropriate.

Standard not achieved	1. Matters of Discretion	2. Assessment Criteria
1. <u>Height and daylight envelope</u>	<u>The scale, form, and appearance of the development.</u> <u>Effects on the planned residential built character.</u> <u>Effects on the safety and attractiveness of the street.</u> <u>Visual dominance, privacy and shading effects on neighbouring sites.</u> <u>Effects on the quality of on-site living environments</u> <u>Whether contextual site factors mean increased building height may be appropriate. This may include situations where:</u> <u>The site is of a sufficient size that infringing height elements can be placed centrally within a site away from neighbouring properties and/or</u>	<u>Whether contextual site factors mean increased building height may be appropriate. This may include situations where:</u> <u>The site is of a sufficient size that infringing height elements can be placed centrally within a site away from neighbouring properties and/or partially screened by other buildings proposed on site.</u> <u>The site is located to the south of neighbouring properties or there are topographical changes that reduce the potential for additional shading.</u> <u>The site is located on the corner of public open spaces (including streets) providing an opportunity to position increased height towards these spaces and away from neighbouring properties.</u>

Commented [B&A55]: Kāinga Ora 86.97.

As set out in the s42A report, simplified matters of discretion are proposed that set out the range of matters and effects to be assessed.

The more detailed matters that were included in the matters of discretion in the notified PC9 have been moved to assessment criteria without modification in the right hand column.

	~~partially screened by other buildings proposed on site.~~ 3. ~~The site is located to the south of neighbouring properties or there are topographical changes that reduce the potential for additional shading.~~ 4. ~~The site is located on the corner of public open spaces (including streets) providing an opportunity to position increased height towards these spaces and away from neighbouring properties.~~ 5. ~~Whether the upper floor(s) of proposed buildings are set back from lower floors or utilise recessive building elements to reduce visual dominance.~~ 6. ~~Whether additional height is necessary to provide a higher ground floor level to address flood hazards on the site.~~	e. <u>Whether the upper floor(s) of proposed buildings are set back from lower floors or utilise recessive building elements to reduce visual dominance.</u> f. <u>Whether additional height is necessary to provide a higher ground floor level to address flood hazards on the site.</u>
2. <u>Yards – front yards</u>	a. <u>Effects on the attractiveness of the street.</u> b. <u>Effects on the quality of on-site living environments.</u>	a. <u>Whether architectural design measures such as setbacks, modulation, or articulation have been incorporated into the design of the building to mitigate visual dominance effects on the street.</u> b. <u>Whether sufficient space is provided on site for landscaped and open space areas and outdoor living space that contribute to quality on-site living environments.</u>
3. <u>Yards – side and rear yards</u>	a. ~~Effects on the planned residential built character.~~ b. <u>Visual dominance, privacy and shading effects on neighbouring sites.</u> 1. ~~Whether architectural design measures such as setbacks, modulation, or articulation have been incorporated into the design of the building to mitigate visual dominance effects on neighbouring sites.~~	a. <u>Whether architectural design measures such as setbacks, modulation, or articulation have been incorporated into the design of the building to mitigate visual dominance effects on neighbouring sites.</u>
4. <u>Site coverage – building coverage</u>	a. <u>The scale, form, and appearance of the development.</u>	a. <u>Whether architectural design measures such as setbacks, modulation, or articulation have been incorporated into the design of the</u>

	b. <u>Effects on the planned residential built character.</u> c. <u>Effects on the safety and attractiveness of the street.</u> d. <u>Visual dominance and shading effects on neighbouring sites.</u> 1. <u>Effects on the quality of on-site living environments, including whether adequate landscaped and open space areas are provided on site.</u> 2. <u>Whether architectural design measures such as setbacks, modulation, or articulation have been incorporated into the design of the building to mitigate visual dominance effects on neighbouring sites.</u>	<u>building to mitigate visual dominance effects on neighbouring sites.</u>
5. <u>Site coverage – impervious surfaces</u>	a. <u>Infrastructure capacity and stormwater management.</u> b. <u>Effects, including cumulative effects, on flooding.</u> 1. <u>Effects, including cumulative effects, on the capacity of infrastructure networks and flooding.</u> 2. <u>Whether sufficient space is provided on site for landscaped and open space areas that contribute to quality on-site living environments.</u>	a. <u>Whether the infringement gives rise to adverse effects on the stormwater network or flooding impacts, and whether any methods are proposed or are necessary to mitigate those effects.</u>
6. <u>Minimum size of residential unit</u>	a. <u>Effects on the quality of on-site living environments.</u> 1. <u>Whether the layout of residential units provides sufficient room for the day to day needs of residents, including space for both furniture and internal circulation.</u> 2. <u>Whether each unit has access to communal facilities (e.g. shared laundry) and/or storage facilities within the building.</u>	a. <u>Whether the layout of residential units provides sufficient room for the day to day needs of residents, including space for both furniture and internal circulation.</u> b. <u>Whether each unit has access to communal facilities (e.g. shared laundry) and/or storage facilities within the building.</u>
7. <u>Outdoor living space</u>	a. <u>Effects on the quality of on-site living environments.</u> 1. <u>Whether the outdoor living space is conveniently located and is of a functional size, gradient and dimension for the intended number of residents.</u>	a. <u>Whether the outdoor living space is conveniently located and is of a functional size, gradient and dimension for the intended number of residents.</u> b. <u>Considering the context of the site, whether the outdoor living space is</u>

Commented [B&A56]: Classic Group 38.12; 38.13

	~~2. Considering the context of the site, whether the outdoor living space is orientated to optimise views and outlook, in favour of sunlight access.~~	<u>orientated to optimise views and outlook, in favour of sunlight access.</u>
8. <u>Outlook space</u>	a. <u>The scale, form, and appearance of the development.</u> b. <u>Privacy effects on adjacent sites.</u> c. <u>Effects on the quality of on-site living environments.</u> 1. ~~The extent to which direct overlooking of another residential unit's habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.~~ 2. ~~Whether any secondary outlook spaces of a reasonable size and orientation have been provided from habitable rooms associated with an outlook space infringement.~~	a. <u>The extent to which direct overlooking of another residential unit's habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy, including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.</u> b. <u>Whether any secondary outlook spaces of a reasonable size and orientation have been provided from habitable rooms associated with an outlook space infringement.</u>
9. <u>Windows to street</u>	a. <u>Effects on the safety and attractiveness of the street.</u> 1. ~~Whether there are opportunities for passive surveillance, through the use of windows to habitable rooms that directly overlook the street.~~	a. <u>Whether there are opportunities for passive surveillance, through the use of windows to habitable rooms that directly overlook the street.</u>
10. <u>Building length</u>	a. <u>The scale, form, and appearance of development.</u> b. <u>Visual dominance, privacy and shading effects on neighbouring sites.</u> 1. ~~Whether architectural design measures such as setbacks, modulation, or articulation have been incorporated into the design of the building to mitigate visual dominance effects on neighbouring sites.~~ 2. ~~The extent to which the total number of dwellings which directly overlook a neighbour's habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy including through the design and location of habitable room~~	a. <u>Whether architectural design measures such as setbacks, modulation, or articulation have been incorporated into the design of the building to mitigate visual dominance effects on neighbouring sites.</u> b. <u>The extent to which the total number of dwellings which directly overlook a neighbour's habitable room windows and outdoor living space is minimised to maintain a reasonable standard of privacy including through the design and location of habitable room windows, balconies or terraces, setbacks, or screening.</u>

	~~windows, balconies or terraces, setbacks, or screening.~~	
11. <u>Landscaped area</u>	a. <u>Effects on the planned residential built character.</u> b. <u>Effects on the safety and attractiveness of the street.</u> c. <u>Effects on the quality of on-site living environments.</u> 1. ~~Whether landscaped areas can be consolidated to allow opportunities for large scale trees on site, and contribute to the overall quality of outlook space and allow some privacy between residential units.~~	a. <u>Whether landscaped areas can be consolidated to allow opportunities for large scale trees on site, and contribute to the overall quality of outlook space and allow some privacy between residential units.</u>
12. <u>Fencing</u>	a. <u>Effects on the safety and attractiveness of the street</u> b. <u>Effects on the quality of on-site living environments</u> 1. ~~Whether the development has been designed to enable passive surveillance of the street/public open space at ground and first floor levels.~~ 2. ~~Whether clear and direct pedestrian access to buildings from the street is provided.~~	a. <u>Whether the development has been designed to enable passive surveillance of the street/public open space at ground and first floor levels.</u> b. <u>Whether clear and direct pedestrian access to buildings from the street is provided.</u>
13. <u>Shared access driveways</u>	a. <u>The location and design of parking and access.</u> b. <u>Whether adequate provision can be made for rubbish collection, emergency services and delivery services.</u> 1. ~~Whether safe and convenient access is provided for pedestrians and cyclists. Where there may be a low number of parking spaces provided on site, whether safe and easy access can also be provided for vehicles, taking into account the type of vehicles required to visit the site and the likely number of vehicle movements generated.~~ 2. ~~One-lane vehicle access may be considered where it connects two public roads (i.e. operates as a one-way access), or where passing bays~~	a. <u>Whether safe and convenient access is provided for pedestrians and cyclists. Where there may be a low number of parking spaces provided on-site, whether safe and easy access can also be provided for vehicles, taking into account the type of vehicles required to visit the site and the likely number of vehicle movements generated.</u> b. <u>One-lane vehicle access may be considered where it connects two public roads (i.e. operates as a one-way access), or where passing bays can be provided to enable two-way traffic. Any passing bays should be designed so that opposing vehicles can wait within two-lane sections of the access and have clear visibility to the next two-way section of access (in order to safely determine when they</u>

Commented [KS57]: RLC 61.1, 61.2, Kainga Ora 86.38, L Nelson 26.29, FENZ 51.27 51.41

	<u>can be provided to enable two-way traffic. Any passing bays should be designed so that opposing vehicles can wait within two-lane sections of the access and have clear visibility to the next two-way section of access (in order to safely determine when they can proceed into the one-lane section).</u> 3. <u>Shared access driveways for more than 20 dwellings may be appropriate where they are designed to meet the needs of people on the site, and where they provide safe and convenient access for pedestrians, cyclists and vehicles (to the extent relevant).</u> 4. <u>The vesting of roads is encouraged where they are designed to a public road standard and would provide wider connectivity and accessibility benefits.</u>	<u>can proceed into the one-lane section).</u> c. <u>Shared access driveways for more than 20 dwellings may be appropriate where they are designed to meet the needs of people on the site, and where they provide safe and convenient access for pedestrians, cyclists and vehicles (to the extent relevant).</u> d. <u>The vesting of roads is encouraged where they are designed to a public road standard and would provide wider connectivity and accessibility benefits.</u>
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RESZ-MDB 4+ residential unit developments and rest homes

The Council will consider the assessment criteria below, relevant to the matters of discretion. The assessment criteria provide examples of typical design responses or scenarios, but other design responses may be appropriate.

1. <u>Matters of Discretion</u>	2. <u>Assessment Criteria</u>
<u>The design, layout, and appearance of development.</u> <u>Effects on the safety, amenity and attractiveness of the street and public open spaces.</u> <u>Effects on the quality of on-site living environments (not otherwise managed by performance standards).</u> <u>Effects on adjoining sites (not otherwise managed by performance standards).</u>	<u>Attractive and safe streets and open spaces</u> <u>Whether development provides a quality and attractive frontage to the street or public open space. This includes orientating residential units to front the street with clear and direct pedestrian access, and minimising long expanses of blank walls and at-grade carparking/garage doors.</u> <u>Whether the orientation of development and the placement of doors, windows, balconies and habitable rooms maximises visibility over the street and public open space to enhance safety and security.</u> <u>Whether development optimises landscaping within the front yard to provide privacy for residential units at ground level and visual interest and safety along the street.</u> <u>For rest homes:</u>

Commented [B&A58]: Kāinga Ora 86.97.

As set out in the s42A report, simplified matters of discretion are proposed that set out the range of matters and effects to be assessed.

The more detailed matters that were included in the matters of discretion in the notified PC9 have been moved to assessment criteria without modification in the right hand column. The proposed amendments/additions to those provisions are shown with a blue highlight.

	e. Whether the development, including any non-residential activities, are designed to visually integrate with the planned residential character of the zone, and manage effects on the residential amenity values of adjoining sites. This includes, considering the location and design of vehicle access, parking areas and main building entrances relative to neighbouring sites.
	2. Quality on-site living environments a. Whether principal living rooms and outdoor living spaces are orientated and designed to provide privacy between residential units and optimise sunlight access. b. The extent to which outdoor living spaces are directly accessible from the principal living room. c. Whether landscaped areas can be consolidated to allow opportunities for large scale trees on site, and contribute to the overall quality of outlook space and allow some privacy between residential units. d. Where communal open space is provided on site, whether it is located to provide convenient access for all residents and maximise sunlight access, amenity and use. e. Whether storage areas for rubbish are sufficiently sized, conveniently located and appropriately screened. f. For rest homes whether buildings are orientated and designed to provide privacy between residents and optimise sunlight access.
	3. Effects on adjoining sites a. Without limiting the ability to achieve the planned future character for the zone, whether: i. The development is designed to be visually attractive when viewed from neighbouring sites and mitigate visual and privacy effects on adjoining sites, through the orientation and design of habitable rooms, outlook spaces and windows and outdoor living spaces relative to adjoining sites, and the use of architectural treatments and landscaping. ii. The development provides opportunities for sunlight access to adjoining sites through building

Commented [B&A59]: Highlighted amendments - Cheal Consultants 79.16.

	placement or breaks in building form along side or rear boundaries, acknowledging that there will be reduced opportunities to achieve this in the High Density Residential zone given the greater building heights enabled.
5. <u>The location and design of parking, access, and servicing.</u> 6. <u>For 20 or more units the effects on the adjacent road network and the recommendations of any transport assessment required under Appendix APP1.</u>	4. <u>The location and design of Parking parking, access and servicing</u> a. <u>Whether safe and direct pedestrian access that is easily identifiable is provided from the street to residential units on the site.</u> b. <u>Whether a good level of connectivity is provided within the site to the existing transport network and to local services and facilities.</u> c. <u>Whether vehicle access and carparking areas are designed as low speed environments that prioritise pedestrian movement.</u> d. <u>Whether storage areas for rubbish are sufficiently sized, conveniently located and appropriately screened and can be safely serviced by appropriate collection vehicles (if on-site collection is proposed).</u> e. <u>Whether access for emergency service vehicles is appropriately designed so that staff can access the site safely and efficiently.</u> f. <u>Whether each residential unit has sufficient space within the site for the secure storage of at least one bicycle.</u>
7. <u>Adequacy of water, wastewater, stormwater and electricity infrastructure and management.</u>	5. <u>Infrastructure and stormwater management</u> a. <u>Whether the development can be adequately serviced by water, wastewater, stormwater and electricity infrastructure.</u> b. <u>Encourage development to apply low impact stormwater design.</u>

Commented [KS60]: Highlighted amendments - Waka Kotahi 77.4, Kainga Ora 86.13, 86.135, FENZ 51.42

Commented [KS61]: Highlighted amendments - various such as 3.6, 20.6, 59.2.

1. Attractive and safe streets and open spaces:

- a. Whether development provides a quality and attractive frontage to the street or public open space. This includes orientating residential units to front the street with clear and direct pedestrian access, and minimising long expanses of blank walls and at grade carparking/garage doors.
- b. Whether the orientation of development and the placement of doors, windows, balconies and habitable rooms maximises visibility over the street and public open space to enhance safety and security.

- e. Whether development optimises landscaping within the front yard to provide privacy for residential units at ground level and visual interest and safety along the street.

2. Quality on-site living environments:

- a. Whether principal living rooms and outdoor living spaces are orientated and designed to provide privacy between residential units and optimise sunlight access.
- b. The extent to which outdoor living spaces are directly accessible from the principal living room.
- c. Whether landscaped areas can be consolidated to allow opportunities for large scale trees on site, and contribute to the overall quality of outlook space and allow some privacy between residential units.
- d. Where communal open space is provided on site, whether it is located to provide convenient access for all residents and maximise sunlight access, amenity and use.
- e. Whether storage areas for rubbish are sufficiently sized, conveniently located and appropriately screened.

3. Effects on adjoining sites:

- a. Without limiting the ability to achieve the planned future character for the zone, whether:
 - i. The development is designed to be visually attractive when viewed from neighbouring sites and mitigate privacy effects on adjoining sites, through the orientation and design of habitable rooms and outdoor living spaces relative to adjoining sites, and the use of architectural treatments and landscaping.
 - ii. The development provides opportunities for sunlight access to adjoining sites through building placement or breaks in building form along side or rear boundaries, acknowledging that there will be reduced opportunities to achieve this in the High Density Residential zone given the greater building heights enabled.

4. Parking, access and servicing

- a. Whether safe and direct pedestrian access that is easily identifiable is provided from the street to residential units on the site.
- b. Whether a good level of connectivity is provided within the site to the existing transport network and to local services and facilities.
- c. Whether vehicle access and carparking areas are designed as low speed environments that prioritise pedestrian movement.
- d. Whether storage areas for rubbish are sufficiently sized, conveniently located and appropriately screened and can be safely serviced by appropriate collection vehicles (if on-site collection is proposed).
- e. Whether access for emergency service vehicles is appropriately designed so that staff can access the site safely and efficiently.
- f. Whether each residential unit has sufficient space within the site for the secure storage of at least one bicycle.
- g. For 20 or more residential units, whether a transport assessment is provided in accordance with APP1 (4)(b) demonstrating that the adjacent road network can operate safely and efficiently.

5. Infrastructure capacity and stormwater management

- c. Whether the development can be adequately serviced by water, wastewater and stormwater infrastructure.

d. Encourage development to apply low impact stormwater design.**RESZ-MD1 Natural hazards**

1. Adverse effects from natural hazards or the worsening of any hazard identified on the planning maps are managed.
2. 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.

RESZ-MD2 Financial contributions

1. Whether the proposal requires a financial contribution under the provisions of FC Financial Contributions.

RESZ-MD3 Lake structures

1. The existing provision, availability and suitability of existing lake structures in the vicinity of the site that would otherwise enable reasonable lake access.
2. 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.
3. The effects of the lake structure on the public access and use of the lake and adjoining public areas.
4. The extent to which the structure contributes to the recreational and social benefits and environmental wellbeing.
5. 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.
6. 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.
7. 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.
8. The extent to which re-instatement of vegetation will integrate the lake structure with the existing landscape character and amenity of the surrounding area.
9. 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.

Assessment Criteria

Whilst not limiting the exercise of its discretion, Council may consider the particular matters below where indicated in the table above.

RESZ-AC1 General assessment criteria excluding 4 residential unit developments and in Residential 1 and 2 zones and rest homes

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 the schedules for Natural Environmental Values, 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 the schedules for Historical or cultural Values or Natural Environmental Values.
14. Whether the proposal requires a financial contribution under the provisions of FC – Financial Contributions.
15. The extent to which the requirements of an integrated transport assessment carried out in accordance with Appendix APP1 - 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 planning maps. 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 Natural Environmental Values – Natural Features and Landscapes.

RESZ-AC2 Holiday rental accommodation assessment criteria

1. The maximum number of people to be accommodated within the site.

2. Consistency of the proposed scale of use on residential character and amenity.
3. The way in which the site layout and design mitigates potential adverse effects on privacy and outlook on and from adjacent sites.
4. 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.
5. Proposed management of the accommodation and associated activities, including:
6. Limits on the use of outdoor space at night;
7. Mechanisms in place to address noise issues should they occur, including process for neighbours to follow should there be issues.
8. 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.
9. The ability of the site to provide for parking without adversely affecting nearby residential properties and the road network.
10. Location and screening of parking to provide safe access and turning for vehicles and minimise visual impact of activities undertaken on the site.
11. The location of on-site parking in relation to the on-site effluent treatment system, and associated disposal field.

ANTICIPATED ENVIRONMENTAL RESULTS

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:

Residential 3, 4 and 5 zones

RESZ-AER1	An increase in passive street surveillance and therefore safety.
RESZ-AER2	An improved perception of Rotorua as a safe and attractive place to live.
RESZ-AER3	An increase in new activity that provides private space on site.
RESZ-AER4	Retained character of each of the ~~five~~ <u>three</u> residential zones according to their attributes.
RESZ-AER5	An increase in or at least no loss of vegetation in low density residential areas for amenity purposes.
RESZ-AER6	An increased sense of privacy in residential zones.
RESZ-AER7	A reduction of the adverse effects on noise sensitive activities located in proximity to strategic roads
RESZ-AER8	An increase in new activities or development that results in the implementation of a landscaping scheme.
RESZ-AER9	A low number of applications for activities that seek changes to the performance standards.
RESZ-AER10	Avoidance of reverse sensitivity effects.

Residential 1 and 2 zones

<u>RESZ-AER11</u>	<u>An increase in the density and diversity of housing at medium densities in the Residential 1 zone and higher densities in the Residential 2 zone.</u>
<u>RESZ-AER12</u>	<u>An improved perception of neighbourhoods as safe and attractive with convenient access by walking and cycling to amenities and services that provide daily needs.</u>