

# PART SEVEN - RESIDENTIAL

## 1. INTRODUCTION

### 1.1 BACKGROUND

Settled in pre-European times, the villages of Ohinemutu, Whakarewarewa and Ngapuna were outgrown by other residential areas at the turn of the century. They have however, retained a clear identity, despite being absorbed by the city's growth. A small, relatively densely settled town before World War II, Rotorua began to expand rapidly in size in the post-war years. The suburbs created during this time now have an expansive, almost park-like appearance.

Despite the different residential characters evident in Rotorua, the Maori villages, inner city areas and expansive suburbs all have something in common - a high standard of amenity and environmental quality, greatly valued by their residents. Each residential area is unique in the style of buildings, natural and cultural features and the level and type of facilities it has to offer its residents.

### 1.2 EMERGING ISSUES

Recent trends towards higher density residential development, the location and impact of non-residential activities, and pressure from neighbouring commercial, industrial and tourism areas and demographic changes and the emergence of new lifestyles, have all tested the ability of the character of residential areas to absorb change and conflicts.

The very expansiveness of the post-war suburbs has been one of the prime determinants of the form and function of urban growth, and currently accounts for most of the land development occurring on the fringes of the Rotorua Urban Area. This puts pressure on the Lake Rotorua Basin's environmental capacity and poses threats to outstanding natural landscapes, natural and cultural heritage and the quality of the lake waters.

The above issues were among a number of significant resource management issues in the District, identified in **Part Four**.

These issues are very much interrelated. However, in order to clearly illustrate the links between them and the means of dealing with them, each issue is described in turn in the sections that follow, along with a related Objective, Policy or Policies, Methods of Implementation and the Anticipated Environmental Results.

This arrangement provides the rationale for the provisions and Rules of this Part, which are set out in a later section.

## 1.3 RESIDENTIAL ISSUES

This Part addresses the following main issues relating to residential activity in the District:

- (a) Residential activities and sustainable use of natural and physical resources;
- (b) increasing housing density and the preservation of amenity while providing a range of residential opportunities to suit the lifestyles of Rotorua residents;
- (c) heritage and amenity values in Maori villages; and
- (d) maintenance of residential amenity.

## 2. RESOURCE MANAGEMENT ISSUES

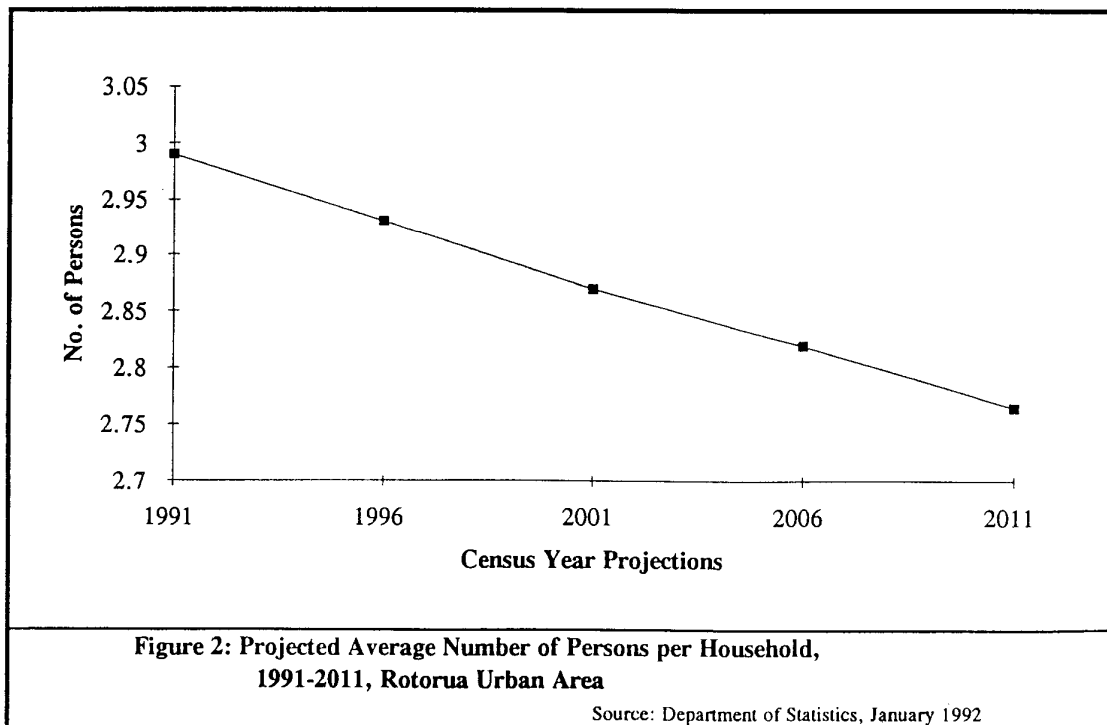
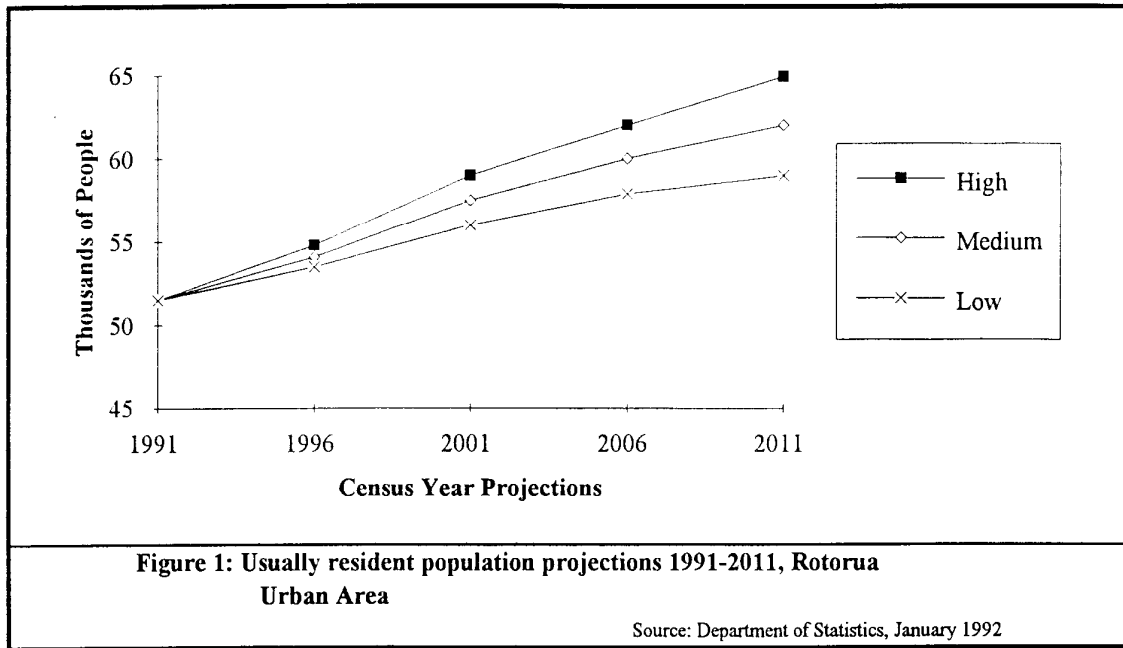
### 2.1 ISSUE ONE

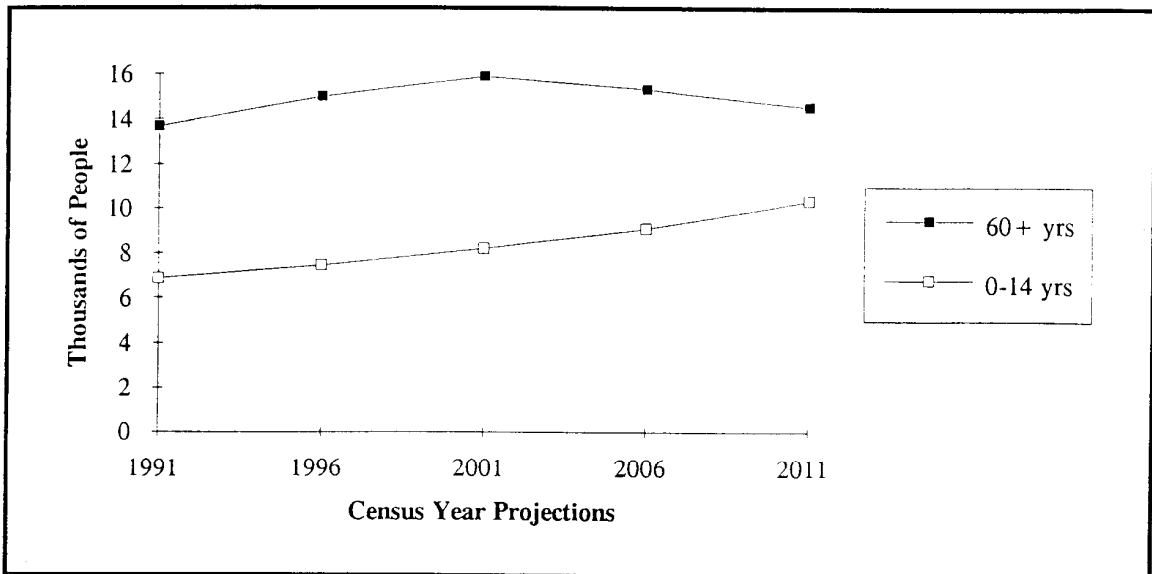
#### **RESIDENTIAL ACTIVITY AND SUSTAINABLE USE OF NATURAL AND PHYSICAL RESOURCES**

#### 2.1.1 ISSUE STATEMENT

The expansion of the Rotorua Urban Area is largely fuelled by residential activity. Residential activity is a function of housing demand, in turn largely influenced by demographic trends. Projected increases in the Rotorua Urban Areas population are therefore the starting point in trying to assess the resource management implications of urban growth.

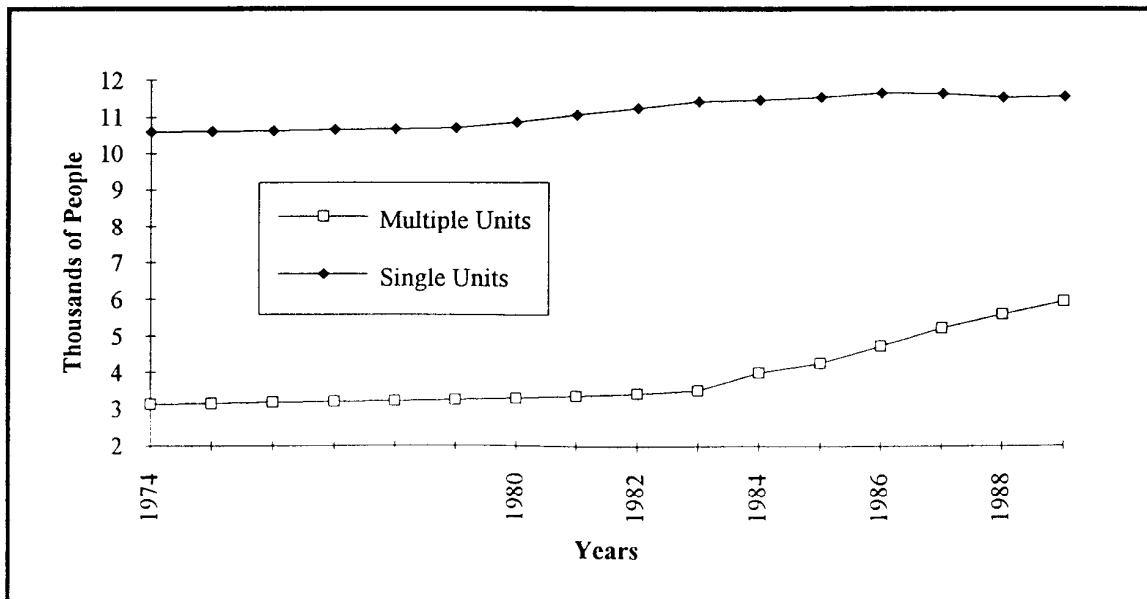
At the time of the 1991 Census, the Rotorua Urban Area had a usually resident population of over 51,500. **Figure 1** of this Part, provides projections of population growth for each prospective Census period up to the year 2011. The projection with medium migration and fertility rates is considered to be the most likely scenario. With this projection, a 23% population increase can be expected between 1991 and 2011.





**Figure 3: Projected size of 0-14 yrs and 60+ yrs age group population for 1991-2011, Rotorua Urban Area**

Source: Department of Statistics, January 1992



**Figure 4: Construction of Multiple Units and Single Dwellings in the Rotorua Urban Area 1974-1980**

Source: Residential Land Use Survey, RDC, May 1990

In 1990 there were approximately 600 hectares of land available for residential activity. It is possible to compare supply against projected demand to determine the capacity of the current Rotorua Urban Area for residential expansion. If current trends continue, the present supply of vacant residential land will not be exhausted before 2011, even if all new housing activities take place in greenfield sites. This is based on an assumption of a low gross residential density of ten households per hectare. It is not possible to accurately assess the capacity for further infill development in established residential areas. Neither can the influence of infill development, in slowing greenfield subdivision, be determined with accuracy. Nevertheless, the trend towards infill housing in residential areas is likely to avoid a projected shortfall of vacant residential land to well beyond 2011. The issue of residential infill and intensification is discussed in **2.2** of this Part.

While there would appear to be sufficient land available to cater for residential growth during the Plan period, it is important to determine whether this growth can occur in a way that manages physical and natural resources in a sustainable manner.

Unsustainable practices associated with urban expansion in the Lake Rotorua Basin can, if uncontrolled, lead to loss of visual amenity, loss of productive agricultural land, change or loss of rural character, reduction of water quality, accelerated stormwater run-off and erosion. Elements of natural character and heritage in the basin have also been identified as potentially threatened by inappropriate subdivision and residential activity. Maori cultural and spiritual values can be adversely affected. Convenient access to the countryside by the resident population of the Rotorua Urban Area can also be compromised. Rural land is a finite resource which can effectively be lost if developed for urban purposes.

Increasing traffic flows can have significant adverse effects on the quality of the environment, in particular, through air and noise pollution, the increased consumption of non-renewable fossil fuel resources and reductions in amenity and convenience. Continued urban expansion can exacerbate these adverse environmental effects by favouring private car use over modes such as public transport, walking and cycling. This issue is also addressed in **Part Twelve** with attendant Objectives, Policies and Methods of Implementation.

## 2.1.2 RESOURCE MANAGEMENT OBJECTIVE

***An urban environment in which natural and cultural heritage, urban amenity, access to the countryside and outstanding landscapes are maintained and which does not result in the loss of rural character or land with high productive potential***

## 2.1.3 POLICIES

Objective **2.1.2** is to be achieved through a two-fold policy approach, addressing residential expansion and environmental quality.

The first approach involves effectively “putting the brakes on” continued residential expansion through a policy of consolidation. The focus, where housing is concerned, switches from the incremental development of greenfield sites in locations outside the Rotorua Urban Area to the development of spare capacity within it. This has implications for amenity values and the environmental quality of existing residential areas and is thus closely linked to Policy **2.2.3.2**.

The second approach involves actively protecting the types of natural and physical resources discussed in the issue statement, within the Rotorua Urban Area on land either currently occupied by housing or allocated in the Transitional District Plan for that purpose. In support of these approaches Policies in **Part Ten** will apply where the protection of natural and physical resources outside the urban area is concerned and Policies in **Part Twelve** will apply where traffic generation associated with any further residential expansion is likely to have adverse effects.

**2.1.3.1 Policy:**

*To consolidate residential growth within the Rotorua Urban Area in order to protect the natural heritage, the natural and rural character, outstanding landscapes, indigenous vegetation and wildlife habitats, archaeological sites and Maori cultural and spiritual values of the Lake Rotorua Basin.*

**2.1.3.2 Policy:**

*To promote residential consolidation within the Rotorua Urban Area where such consolidation will not cause unacceptable adverse effects to the community.*

**2.1.3.3 Policy:**

*To protect elements of natural heritage, the natural character of Lake Rotorua and its margins, outstanding landscapes, significant indigenous vegetation and wildlife habitats, archaeological sites and Maori cultural and spiritual values in the Rotorua Urban Area.*

## **2.1.4 METHODS OF IMPLEMENTATION**

Policies **2.1.3.1**, **2.1.3.2** and **2.1.3.3** will be implemented using a number of methods set out below. A regulatory approach using zoning has been adopted. At the same time, the Plan is to allow for a range of residential opportunities within the Rotorua Urban Area to complement limitations on residential activity on the urban fringe.

**2.1.4.1 The Urban Fence**

The Urban Fence is essentially a line drawn around the Rotorua Urban Area which approximates with the present limits of urban expansion and includes land already allocated by the Transitional District Plan for residential use. The Urban Fence is identified on the Planning Maps. There is sufficient land within the Urban Fence to meet housing demand at least until the year 2011.

As a method of rural landscape protection, the Urban Fence is an interim measure. A full landscape assessment of the District, as provided for in the policies of **Part 11**, will identify outstanding landscapes and their relative vulnerability, and any subsequent amendments to the Plan to ensure landscape protection, will be introduced by way of a Change or Variation. It is very likely

that the Caldera Rim at the fringes of the Rotorua Urban Area will be so identified as an important landscape feature. Other Variations relating to elements of natural heritage and the natural margins of the lakes are dealt with in greater depth in **Part Ten**.

#### 2.1.4.2 **Criteria for resource consents**

The Rules in this Part specify Criteria which must be satisfied by applications for resource consent for residential activities within the Rotorua Urban Area. Specifically, the Rules make reference to **Appendix A**, where elements of natural and cultural heritage are listed. These elements include archaeological sites, natural heritage features, the natural environment and water bodies. They are likely to be added to, once research for the Variations described in **2.1.4.1** of this Part is completed. As an interim measure, the clearance of indigenous vegetation in excess of 100m<sup>2</sup>, the drainage of wetlands and the felling of indigenous trees, have all been made Discretionary Activities in the Residential Zones.

#### 2.1.4.3 **Provisions for higher densities**

To support a residential policy which primarily limits outward residential expansion, methods must be provided which allow for the more efficient and intensive use of residential land within the Urban Fence than was possible under the Transitional District Plan. However, this should not take place to the extent that the more intensive activity generates unacceptable adverse effects. The Rules in this Part include Performance Standards and Criteria which are intended to minimise the adverse effects of more dense residential activity than have generally taken place in the past. Criteria relate to residential areas generally as well as to specific areas where it is anticipated that more intensive activity will be focussed. This Method of Implementation is discussed more fully in **2.2.4** of this Part.

#### 2.1.4.4 **Subdivision standards in the Rural Zones**

Land beyond the Urban Fence is still likely to come under pressure for more intensive use. Methods to implement the Policies on subdivision set out in **Part Ten** will be used to address these pressures.

## 2.1.5 **ANTICIPATED ENVIRONMENTAL RESULTS**

The Objective, Policies and Methods for sustainable residential growth which maintains and enhances the environmental quality of the Lake Rotorua Basin are expected to achieve a number of results. These results and others like them throughout the District Plan will provide the basis for monitoring the effectiveness of the Plan and as such, they are intended to be suitable for measurement. The Anticipated Environmental Results of Policies **2.1.3.1**, **2.1.3.2** and **2.1.3.3** are:

- the protection of outstanding landscapes in the vicinity of the Rotorua Urban Area;
- the maintenance of natural and cultural heritage;

- minimising the adverse effects of the intensification of densities within existing residential areas such as loss of privacy and increased traffic densities;
- no reduction of water or air quality or increase in erosion as a result of residential activity; and
- no reduction in the proximity and access of urban residents to natural landscapes.

## 2.2 ISSUE TWO

### ***INCREASING HOUSING DENSITY AND PRESERVATION OF AMENITY, AND RANGE OF RESIDENTIAL OPPORTUNITIES TO SUIT THE LIFESTYLES OF ROTORUA RESIDENTS***

#### 2.2.1 ISSUE STATEMENT

The Objective, Policies and Methods of Implementation set out in **2.1** of this Part, have the stated effect of directing residential activity into the existing Rotorua Urban Area. This can only be achieved through increasing housing densities on undeveloped or existing sites, or through comprehensive redevelopment. It is a process which is already occurring without Plan intervention. This is primarily due to demographic changes in the population as outlined below.

Infill development and higher density housing may result in a loss of residential amenity including increased traffic generation and an increased demand on facilities and services. These issues therefore require consideration in this Plan.

Residential amenity values include things such as privacy, security, lack of crowding, pleasant natural and built surroundings, solar access, convenient proximity to a range of facilities and services, availability of convenient parking and separation and safety from traffic movement, noise and pollution. Residential amenity also derives from the unique character of different residential areas, the style and use of housing, the size of sections, the culture and lifestyle offered and the mix of uses. Environmental aspects include well preserved natural features, clean air and the safe and efficient disposal of stormwater within residential areas.

The medium population projection referred to in **2.1.1** of this Part, provides projections of total household numbers of the Rotorua Urban Area to 2011 (See **Figure 2** of this Part). A 32.5% increase in the number of households is expected between 1991 and 2011. This increase in household numbers will occur as the average number of persons per household declines but the overall number of households increases at a faster rate than the population itself.

Census data, Department of Statistics projections and Council data illustrate the manner in which the population structure of the Rotorua Urban Area is changing

and the way that housing demand patterns are responding to this. According to Department of Statistics projections (revised population and household projections, Department of Statistics 1992), by the year 2011, 56% of the residents in the Urban Area are expected to be aged 30 years and over, compared with the 1991 figure of 48.7%. The proportion of those aged under 15 years is expected to continue to decline, while those aged over 60 years will continue to increase (See **Figure 3** of this Part). Department of Statistics projections show that the average number of persons per household unit is expected to continue to decline into the 21st Century.

From these trends it is apparent that the size of families will be decreasing and thus the demand for more intensive residential activity is likely to increase. The trend towards smaller households is likely to be reflected in an increased demand for smaller sections and multi-household units.

The trend for smaller houses and section sizes has already been reflected in housing construction figures in the late 1980s and 1990s (See **Figure 4** of this Part). The number of multi-household units has been increasing at a much faster rate than the number of single household units. In 1989 to 1990 multi-household units comprised 34% of all housing stock, an increase from 22.8% in 1978 to 1979. Council's records for cross-lease plans (flats plans) also illustrates the infill process. In 1990, 214 flats plans were issued compared with 50 in 1981. The increased number of approved flats plans indicates the rising demand for more intensive forms of housing.

It is therefore obvious that infill housing and multi-household units construction has rapidly increased as another option to greenfield development in the last decade.

In addition to demographically induced demand, infill development is perceived by some as a less expensive alternative to greenfield subdivision as the real cost of housing continues to increase. Infill development takes advantage of existing facilities such as schools, community facilities and shopping centres. The resulting trend towards residential consolidation has already begun, under the provisions of the Transitional District Plan, but further review of those provisions has been necessary.

Infill development in the past has been commonly achieved through use of the cross-leasing arrangement. In some respects this popularity was due to the subdivision constraints of the Transitional District Plan, which in some ways distorted consumer choice. Unlike subdivision, cross-lease arrangements in most instances were not subject to reserve contributions. Another constraint to using subdivisions as a means of providing for small houses was the minimum subdivision size in the main residential zone of the Transitional District Plan. This was set at 600m<sup>2</sup>, and a common means to circumvent this as the use of a cross-leasing arrangement whereby densities of one household unit per 450m<sup>2</sup> could be achieved.

There have been problems associated with cross-leasing which have emerged through extensive applications of this arrangement. Often obligations and rights under cross-lease agreements have been poorly understood. For instance, in the Transitional District Plan the site coverage standard could in some cases be exceeded by only one of the two or more parties to the agreement. The

standards of residential amenity have also been perceived to be quite low by some. Some rather unimaginative house designs and a lack of residential amenity have been experienced.

## 2.2.2 RESOURCE MANAGEMENT OBJECTIVE

***The amenity values and environmental quality of residential areas are maintained and enhanced and not unacceptably affected by higher density residential activity***

### 2.2.3 POLICIES

In terms of the *Resource Management Act 1991*, the Plan is required to have regard to the maintenance and enhancement of amenity values and the quality of the built and natural environment. The process of consolidation in the Urban Area has been occurring without Plan intervention for some time and is not appropriate for Plan Policies to promote this process. However, it is appropriate for the Plan to provide for a range of residential opportunities to accommodate the consolidation process and to allow for the preservation of existing residential amenity values.

The approach to achieve Objective **2.2.2** is therefore twofold, addressing primarily, amenity values and secondly, accommodating residential consolidation as part of a range of residential options for the Urban Area.

The first approach centres on ensuring that the amenity values and environmental quality of residential areas (and, by implication, the high expectations on the part of current or prospective residents) are not unduly affected by increases in building density.

The second approach acknowledges the process of consolidation and identifies areas where this process might best be directed to optimise the use of elements of the urban resource base such as reticulation infrastructure.

- 2.2.3.1 **Policy:**  
*To protect all elements of the amenity value of residential components of the Rotorua Urban Area.*
- 2.2.3.2 **Policy:**  
*To direct the process of residential consolidation occurring in the Rotorua Urban Area to those areas where infrastructure capacity will not be compromised.*
- 2.2.3.3 **Policy:**  
*To provide a range of residential opportunities for Rotorua residents, reflecting their wide variety of lifestyles.*
- 2.2.3.4 **Policy:**  
*To promote activities that do not adversely affect the amenity values of the residential areas in which they are intended to be located.*

**2.2.3.5 Policy:**  
*To restrict activities in residential areas where the adverse effects of stormwater and sewage cannot be remedied or mitigated.*

**2.2.3.6 Policy:**  
*To enhance the natural character and water quality of Lake Rotorua by the appropriate treatment and disposal of stormwater from Residential Zones.*

## **2.2.4 METHODS OF IMPLEMENTATION**

Policies **2.2.3.1** to **2.2.3.6** will be implemented using a number of methods set out below. The methods are essentially regulatory in nature and include:

- the use of zoning to protect and reflect the existing character of areas and to direct residential consolidation to certain inner city areas;
- provision of a range of residential opportunities by using different Plan Zones and a variety of Performance Standards and Criteria;
- the setting of Performance Standards and Criteria to avoid adverse effects on residential amenity, occurring as a result of the trend toward higher densities;
- provision for rezoning to allow higher densities in adjoining areas;
- provision for comprehensive residential activities; and
- the setting of minimum subdivision standards for residential areas.

### **2.2.4.1 Zoning**

The provision of the Residential B (Low Density) Zone will protect the high amenity values commonly found across the Rotorua Urban Area in the post-war suburbs. The provisions for the Residential C (High Density) Zone will protect the amenity values of the more dense residential areas to the immediate south and south-west of the Central Business District while allowing for higher density residential activity. It is in these areas that the infrastructure systems have the capacity required to absorb further residential activity.

### **2.2.4.2 Performance Standards and Criteria**

The Rules for this Part outline a number of Performance Standards which apply to all Permitted Activities, including household units, community housing, homestay tourist and home business activities. These comprise height, daylighting, buffer and site coverage standards and are intended to retain a high degree of amenity for residents. The Rules also set out Criteria to be observed where Controlled and Discretionary Activities, including subdivision and additional household units are proposed as part of the consolidation process.

### **2.2.4.3 Rezoning Potential**

The increased demand for smaller household units and multi-household units will be catered for by the extension of the Residential C Zone by way of possible Plan Changes or Variations. The final extent and direction of any extension will be

determined by infrastructural constraints, in particular stormwater disposals. It should nevertheless be recognised that changing the zoning of an established area will not automatically result in immediate changes in densities. The age of housing, the size of sections and the position of the house on the site are some of the constraining factors.

#### 2.2.4.4 **Comprehensive Residential Developments**

Another way of implementing Policies **2.2.3.1** to **2.2.3.6**, while providing for residential consolidation, is by catering for intensive residential activities using non-traditional development strategies and designs. Greenfield developments generally use conventional subdivision techniques involving specified standard densities and designs. More intensive housing developments in residential areas are catered for by way of a Comprehensive Residential Development Plan as a Discretionary Activity in all Residential Zones. Such activities can lead to more efficient use of both public and private land and infrastructure, and may take a more coordinated approach to amenity provision.

#### 2.2.4.5 **Subdivision Standards**

To avoid the problems regarding subdivision requirements of the Transitional District Plan outlined in **2.2.1** of this Part, the District Plan includes a minimum average lot size of 450m<sup>2</sup> per household unit in the Residential B Zone (see **Part Sixteen**). In the Residential C Zone the density control is a minimum site area of 150m<sup>2</sup> per household unit. This allows for an increase in density in some parts of the Residential C Zone as compared to the Transitional District Plan provisions, while requiring activities to comply with Performance Standards so that residential amenity values are protected.

#### 2.2.4.6 **Other Methods**

Other methods, outside the scope of the *Resource Management Act 1991* may be used by Council to control the adverse effects of higher density residential activity on residential amenity. These include Reserve Management Plans and traffic management policies and measures.

## 2.2.5 **ANTICIPATED ENVIRONMENTAL RESULTS**

The Objective, Policies and Methods set out in **2.2.2**, **2.2.3** and **2.2.4** are intended to ensure that the process of consolidation maintains and enhances the amenity values and environmental quality of residential areas and in so doing achieves the following results. These results will provide the basis for monitoring the effectiveness of the Plan. They are:

- maintenance of the amenity values of residential areas by way of mitigating effects such as reductions to sunlight, quietness, space, privacy, safety and security, that may arise from higher residential densities;
- no loss or degradation to the quality of the natural or built environment in residential areas as a result of consolidation;
- the maintenance or improvement of the convenience or proximity of a range of services and facilities to residents in the Urban Area;

- mitigation of the adverse effects of vehicular traffic on urban residents; and
- an improved range of residential types meeting a variety of demands of the residents of Rotorua.

## 2.3 ISSUE THREE

### **HERITAGE & AMENITY VALUES IN MAORI VILLAGES**

#### 2.3.1 ISSUE STATEMENT

The Maori villages of Ohinemutu, Whakarewarewa and Ngapuna have distinctive and unique characters. The villages and their marae are a very important part of the cultural heritage of the District. In more recent times Ohinemutu and Whakarewarewa have become significant destinations for tourists as well. Nevertheless, they have retained their residential function which has continued to be their primary role.

Increasing tourist activities within the villages can have an adverse effect on amenity values enjoyed by their residents, and could actually result in a degradation of their distinctive character and heritage value - the very reason the villages attract visitors.

#### 2.3.2 RESOURCE MANAGEMENT OBJECTIVE

***Residential amenity and heritage values of the Maori villages in the Rotorua Urban Area are maintained and not adversely affected by tourist and other non-residential activities***

#### 2.3.3 POLICIES

The Maori villages are an important resource in the Rotorua District, providing a unique and valued lifestyle for their residents and an attraction to tourists with resulting benefits for these residents. As such, it is appropriate to put Policies in place in the Plan to promote the sustainable management of these resources.

The primary means of ensuring that the residential amenity and heritage values of Ngapuna, Whakarewarewa and Ohinemutu are protected is to place controls on the adverse effects of non-residential activities which seek to locate in the villages. However, these controls should not be so restrictive as to unnecessarily constrain non-residential activities that attract tourists and offer convenience to residents.

##### 2.3.3.1 Policy:

*Non-residential activities in the Maori villages should not adversely affect residential amenity and heritage protection values.*



## 2.3.4 METHODS OF IMPLEMENTATION

Policy 2.3.3.1 will be implemented through the use of Zoning. The Residential A (Kainga Maori) Zone is applied to the three villages of Ohinemutu, Whakarewarewa and Ngapuna. Within this zone, the sale of prepared traditional Maori foods, souvenirs and traditional Maori crafts are a Discretionary Activity. This gives Council the ability to allow beneficial, non-residential activities while ensuring that residential amenity and the heritage value inherent in such villages is protected. Policies 2.4.3.1 and 2.4.3.2 will also apply.

## 2.3.5 ANTICIPATED ENVIRONMENTAL RESULTS

The Objective, Policies and Methods of Implementation set out in 2.3 of this Part are expected to achieve the following results. These results will provide the basis for monitoring the effectiveness of the Plan. They are:

- no degradation of the heritage and residential amenity values presently found in the Maori villages; and
- a level of non-residential activity that is convenient and beneficial to residents and tourists.

## 2.4 ISSUE FOUR

### **MAINTENANCE OF RESIDENTIAL AMENITY**

### 2.4.1 ISSUE STATEMENT

While the residential areas are predominantly comprised of household units, there is also a demand for supporting activities which complement the functioning of the residential environment such as schools, local shops and community facilities. Non-residential activities have the potential to adversely affect the amenity values of residential areas. Residential areas have always had the ability to absorb non-residential activities successfully where the effects of these activities are minor and are not adverse to amenity values.

In recent years a greater range of non-residential activities have sought locations in suburban areas. These include activities such as home based business enterprises, offices, community housing, retirement villages and funeral parlours.

The ageing population is creating an increasing demand for smaller, more easily maintained sections and compact household units such as multiple units and apartments (see 2.2 of this Part). There is also likely to be an increasing need for retirement homes and villages.

In the field of health administration there has been a recent shift in emphasis from institutional care to placing people in community housing in a residential environment, where possible. There are also groups in the community such as

psychologically disturbed people, rape victims and victims of domestic violence who require community housing. Such facilities will normally be small in size because of the policy by government agencies of having residents living in domestic surroundings.

The Whakatau Street area bound by Pukuatua, Ranolf and Amohau Streets in particular has for a number of years become a favoured location for home based activities and other businesses such as a veterinary clinic, a medical centre, and various professional offices. Essentially this area retains a residential character, although it is separated from other residential areas by Kuirau Park, State Highway 30A and the Central Business District.

The consultation, including a comprehensive survey, that has taken place with the community in this area, has indicated that a majority of residents support a mixture of activities in the area. However, the consultation confirmed that appropriate standards and criteria are required to ensure that residential amenity is maintained. The office activities in this area and its proximity to the Central Business District may create pressure for on-street parking, an increase in signage, a low resident presence out of business hours and other problems affecting amenity.

Some residential areas contain motels and other tourist accommodation. These mixed residential tourist areas have developed in areas in close proximity to existing tourist accommodation or in areas adjacent to tourist transportation routes, namely within the block bounded by Malfroy Road, Victoria, Ranolf and Fenton Streets, on sites fronting Lake Road and Fairy Springs Road, and adjacent to Pukuatua, Ranolf and Amohau Streets in close proximity to Kuirau Park and to the east of Fenton Street between Marguerita Street and Sala Street. The character and amenity values of such areas reflects the presence of such accommodation.

In a small area to the north and west of Salisbury and Victory Roads residential activities still predominate, although industrial activities are finding the area a suitable one in which to locate. In this area the protection of residential amenity is particularly important.

All the activities described above have the potential to create adverse effects on the residential environment. These effects can be particularly severe where non-residential activities seek to concentrate in particular residential areas. They may include noise and buildings out of character and scale with the surrounding area. Non-residential activities in residential areas can also create traffic conflicts. Some activities may cause an increase in the number of vehicles parked on the street and the number of vehicle movements. Others may reduce traffic safety and residential character and amenity. It is the intention of the Plan to minimise these adverse effects.

**Part Four** identifies the potentially adverse effects that changes in use can have on residential amenity, and in particular the impacts that industry and tourism can have on amenity values. To address this issue, Objective **2.4.2** seeks the preservation of amenity and environmental quality in cases where non-residential activities seek a location in residential areas.

## 2.4.2 RESOURCE MANAGEMENT OBJECTIVE

***Amenity values and environmental quality of residential areas that are not adversely affected by non-residential activities***

### 2.4.3 POLICIES

The location of non-residential activities within residential areas is largely market driven. It would therefore be inappropriate for the District plan not to acknowledge this. It is within the scope of the Plan to find ways of avoiding, remedying or mitigating the potentially adverse effects of the process on residential amenity, and environmental quality.

A two-fold approach is to be used to achieve Objective **2.4.2** by which:

- specific forms of non-residential activity will be directed by means of zoning to areas where significant demand is apparent or where the process is well established and;
- non-residential activity will be allowed for in residential areas generally, using Performance Standards or the resource consent mechanism to avoid, remedy or mitigate adverse effects.

Where significant numbers of non-residential activities seek to concentrate in certain areas, special attention will be paid to the cumulative adverse effects that these related activities may have on residential amenity and environmental quality.

#### 2.4.3.1 Policy:

*To protect all elements of the amenity values and environmental quality of residential areas from potentially adverse effects arising from non-residential activities, particularly where these activities tend to concentrate.*

#### 2.4.3.2 Policy:

*To direct the location of appropriate types of non-residential activities towards those residential areas in the Urban Area where amenity values are more resilient and have the capacity to absorb change.*

## 2.4.4 METHODS OF IMPLEMENTATION

Policies **2.4.3.1** and **2.4.3.2** will be implemented using methods, which are essentially regulatory in nature. These comprise Performance Standards for non-residential activities and the use of Zoning to direct non residential activities to certain areas; both with the object of protecting residential amenity values and environmental quality.

#### 2.4.4.1 Activity Listings and Performance Standards

Policy **2.4.3.1** will be implemented by requiring resource consents for a variety of non-residential activities. Their categorisation as Permitted, Controlled, Discretionary or Non-Complying Activities will depend on the likely adverse effects expected. Performance Standards will apply to Permitted Activities and

are referred to in the consideration of resource consent applications for other activities.

Community housing projects, home based business enterprises and homestay tourism activities are Permitted Activities in the Residential Zones. Performance Standards relating to parking, on-site turning of vehicles, noise, glare and light, and signs will apply. An upper limit on the number of people living in community housing facilities is required to ensure that the residential amenity values of the immediate environment are maintained.

Permitted Activities become Controlled Activities when they can comply with the reduced or waived Performance Standards established for Controlled Activities in the Residential Zones. These activities are subject to Criteria relating to the design and external appearance of buildings and structures, landscape design and layout, the location and design of vehicular and parking access, parking and the management of minor adverse effects on the environment. Additions to existing camping grounds and holiday parks in the Residential Zones are given specific mention in terms of the preservation of residential character.

Hospitals, medical centres, funeral parlours, childcare centres, retirement homes, retirement villages and rest homes, community facilities, churches, and educational activities, are all Discretionary Activities in the Residential Zones. Agricultural production activities in the Residential B Zone are made a Discretionary Activity and are a Non-Complying Activity in the other Residential Zones. Discretionary Activities are required to comply with Performance Standards relating to building design and appearance, traffic generation, parking, access, noise, servicing, cumulative effect, zone interfaces, public safety and residential character.

All non-residential activities will generally also be required to comply with the Performance Standards and subdivision standards described in **2.2.4.2** and **2.2.4.5** of this Part.

#### 2.4.4.2 **Zoning provision**

Policy **2.4.3.2** will be implemented by the introduction of the Residential D (Residential Office) Zone and the Transitional Development Zone and by making special provisions for certain areas with Residential C and D Zones.

The Residential D (Residential/Office) Zone applies over the Whakatau Street area described in **2.4.1** of this Part, and provides for limited professional office and other non-residential activities in such a way that the residential amenities and appearance of the area are maintained. Offices are Controlled Activities and as such are required to take place in buildings that outwardly resemble houses in their design and appearance. On-site parking arrangements are also required. These standards ensure the scale of offices do not impact on residential amenity.

Tourist accommodation activities are Controlled Activities in the mixed residential tourist areas described in **2.4.1** of this Part. Again, the primary concern is the preservation of residential amenity for the surrounding area.

The Transitional Development Zone applies over the small area to the north and west of Salisbury and Victory Roads, and provides for industrial, trade, transport and storage facilities as Controlled Activities. Applications for resource consent

for these activities will be assessed in terms of whether they compromise residential amenity values in the surrounding area.

## **2.4.5 ANTICIPATED ENVIRONMENTAL RESULTS**

The Objective, Policies and Methods of Implementation set out in 2.4 of this Part are intended to minimise the potentially adverse effects on residential amenity from non-residential activities and in doing so will be expected to achieve the following results. These results will provide the basis for monitoring the effectiveness of the Plan. They are:

- maintenance of the high levels of amenity and environmental quality presently found in the residential neighbourhoods of the Rotorua Urban Area;
- the on-going location of appropriate non-residential activities into residential areas, particularly those areas to which the specific types of activities are most suited; and
- no adverse effects on amenity values and environmental quality enjoyed by residents from the location in their residential areas of non-residential uses.

## **2.5 ISSUE FIVE**

### ***PROVISION FOR FURTHER GROWTH IN THE WHARENUI ROAD AREA***

#### **2.5.1 ISSUE STATEMENT**

Rotorua District Council has undertaken studies that indicate that there is expected to be demand for new residential dwellings in the Rotorua Eastern Basin Area. Some of this growth is likely to be by way of infill development but there is also likely to be pressure for expansion of the Lynmore and Owata suburbs.

One area in particular has been identified as being a suitable location to provide for these 'live, work and play' principles, it is known as the 'Wharenui Road Area' (WRA). The WRA is predominantly located on the western side of Wharenui Road bounded by Porikapa and Morey Streets to the north; McKenzie Road, Hayward Rise, Basley Road, Devoy Drive and Stafford Rise to the west; and the extension of Link Road (paper road) to the south. The WRA also includes 34.4ha of land on the eastern side of Wharenui Road.

The site is considered the next logical area for growth because of its proximity to existing residential areas Lynmore and Owata, existing schools (Rotorua Lakes High School and Owata Primary School), near a main arterial Te Ngae Road and the future Rotorua Eastern Arterial.

## 2.5.2 RESOURCE MANAGEMENT OBJECTIVE

***To ensure a comprehensive residential development (including opportunities to live, work and play) in the Wharenui Road Area (WRA) occurs in a staged manner that maintains residential amenity, provides for a range of residential opportunities, transportation modes, suitable infrastructure and recreation areas and does not adversely affect the environment.***

## 2.5.3 POLICIES

### 2.5.3.1 Policy:

*To ensure a comprehensive residential development in the Wharenui Road Area that is staged to promote an efficient uptake of network infrastructure in accordance with Council's infrastructure objectives.*

### 2.5.3.2 Policy:

*To create vegetated stormwater, visual, and ecological corridors from the caldera rim down to Lake Rotorua with linkages running between corridors along streams and gullies.*

### 2.5.3.3 Policy:

*To avoid, remedy, or mitigate potential effects of a development within the WRA (involving a range of residential lot sizes and densities) on amenity and landscape values of the surrounding environment.*

### 2.5.3.4 Policy:

*To ensure that the Wharenui Road Area is provided with a safe and effective multi-modal transportation network including pedestrian and cycleways.*

### 2.5.3.5 Policy:

*To ensure that the adverse effects of earthworks associated with the development of the Wharenui Road Area are adequately avoided, remedied or mitigated.*

### 2.5.3.6 Policy:

*To provide neighbourhood reserves throughout the Wharenui Road Area in locations easily accessible to users, that enhance safety for users, provide an adequate range and type of recreation facilities, and be efficient to maintain.*

### 2.5.3.7 Policy:

*To ensure that natural hazards are avoided or mitigated such that the risk to people is reduced to acceptable levels.*

## 2.5.4 METHODS OF IMPLEMENTATION

Policies 2.5.3.1 to 2.5.3.7 will be implemented using methods that are regulatory in nature.

#### 2.5.4.1 **Wharenui Road Area is zoned for urban purposes**

The new WRA will contain Residential B, a new Commercial D1 and Residential Lifestyle zoned land. This WRA provides for a mix of residential opportunities (including conventional and Medium Density Housing) to reflect the changing requirements of Rotorua district's population. As the population ages there is expected to be an increased demand for smaller properties and retirement villages/homes.

#### 2.5.4.2 **Criteria for resource consent applications**

The Rules in this Part specify criteria which must be satisfied by applications for resource consent for residential activities within the WRA. Specifically, the Rules make reference to visual and landscape amenity values, Lake Rotorua water quality, the provision of infrastructure and multi-functional modes of transport, earthworks and reserves.

### **3. OTHER MATTERS**

Provision in the Rules of this Part is also made for the decontamination of contaminated sites and cases where areas subject to natural hazards are proposed for development.

The planning provisions for the 16.5 hectare block (Lot 2, DPS 57621, Owhatiura South) located between Vaughan Road, the Industrial B land at Ngapuna, Te Ngae Road and the Residential B Zone at Browning Crescent are discussed in **Part Nine**.

**R7 RULES**

## **R7            ACTIVITIES IN THE RESIDENTIAL ZONES**

The following Rules specify the status of activities in the specified zones.

In Table **R7.1**:

P	=	Permitted Activity
C	=	Controlled Activity
RD	=	Restricted Discretionary
D	=	Discretionary Activity
NC	=	Non-Complying Activity
Prohibited	=	Prohibited Activity
NA	=	Not Applicable
Residential A	=	Kainga Maori Zone
Residential B	=	Low Density Zone
Residential C	=	High Density Zone
Residential D	=	Residential/Office Zone
TD	=	Transitional Development Zone
RL	=	Residential Lifestyle Zone

Where an activity is not identified this activity shall be a Non-Complying Activity.

The users of this District Plan are advised that, notwithstanding any provision in this Plan, no activity shall contravene any Rule in any relevant regional plan, or proposed regional plan. The administration of these regional plans is the responsibility of Environment BOP and Environment Waikato.

## R7.1 ACTIVITIES IN THE RESIDENTIAL A, B, C, D, RESIDENTIAL LIFESTYLE AND TRANSITIONAL DEVELOPMENT ZONES

Notwithstanding any provision in the Table below, any development as defined in **Part Nineteen** is also subject to the provisions of **R7.6.2**.

Notwithstanding any provision in the table below any Activity Sensitive To Aircraft Noise (as defined in Part 19 of this Plan) or additions to such activities for which provision is made in this table as a permitted, controlled, discretionary or non-complying activity are subject to **Appendix E** and may become a restricted discretionary, discretionary or prohibited activity by reason of the rules in **Appendix E** if the site of the proposed Activity Sensitive To Aircraft Noise is located within either the Air Noise Area or the Inner Control Area shown on the Planning Maps.

ACTIVITIES	RESIDENTIAL ZONES					
	A	B	C	D	TD	RL
1. Scientific, historic, recreation, nature conservation, or water and soil conservation activities or works for the avoidance of flooding carried out in accordance with the <i>Wildlife Act 1953</i> , <i>Te Ture Whenua Maori Act 1993 / Maori Land Act 1993</i> , the <i>Conservation Act 1987</i> , the <i>Queen Elizabeth II National Trust Act 1977</i> , the <i>Soil Conservation and Rivers Control Act 1941</i> or the <i>Reserves Act 1977</i>	P	P	P	P	P	P
2. Agricultural production activities	NC	D	NC	NC	NC	NC
3. Household units - one per lot	P	P	P	P	P	P
4. Subsidiary household units on sites 600m <sup>2</sup> and over	NA	C	NA	NA	NC	NC
5. Marae - including kaumatua flats	P	D	D	D	NC	NC
6. Community housing with a maximum of eight overnight residents per lot	P	P	P	P	P	P
7. Storage activities on Lot 1 DPS 57621 (refer to <b>Maps 33</b> and <b>34</b> )	NA	D	NA	NA	NA	NA
8. Any activity accessory to any Permitted Activity	P	P	P	P	P	P
9. Additional household units exclusive of the Wharenui Road Area	C	C	C	C	NC	NA
10. Home based business enterprises	P	P	P	P	P	P
11. Homestay tourism activities within an established household unit	P	P	P	P	P	P
12. The sale of liquor authorised by a Special Licence in accordance within the <i>Sale of Liquor Act 1989</i>	P	P	P	P	P	P

ACTIVITIES	RESIDENTIAL ZONES					
	A	B	C	D	TD	RL
13. Navigational aids and beacons and the establishment, operation and maintenance of meteorological services	P	P	P	P	P	P
14. Tourist accommodation and household units on 92-102 Fairy Springs Road, legal description Lots 21-28 DPS 6915 (refer Map 16)	NA	NA	C	NA	NA	NA
15. Tourist accommodation on sites in the Residential C Zone fronting Lake Road, Fairy Springs Road or Ranolf Street and on sites within the block bounded by Malfroy Road and Victoria, Ranolf and Fenton Streets and that part of the Residential C Zone which is east of Fenton Street between Ti and Sala Streets	NA	NA	C	NA	NA	NA
16. Tourist accommodation on sites in the Residential D Zone fronting Pukuatua, Ranolf or Amohau Streets	NA	NA	NA	C	NA	NA
17. Additions to and upgrading of facilities of existing camping grounds and holiday parks	NC	C	NC	NC	NC	NC
18. Office activities other than home based business enterprises	NC	NC	NC	C	NC	NC
19. Any activity accessory to a Controlled Activity	C	C	C	C	C	C
20. Any Permitted Activity that meets the criteria in <b>R7.3.3.2</b> for the reduction or waiving of the Performance Standards	C	C	C	C	C	C
21. Hospitals and medical centres	D	D	D	D	NC	NC
22. Funeral parlours	D	D	D	D	NC	NC
23. Childcare centres	D	D	D	D	NC	NC
24. Retirement homes, retirement villages and rest homes exclusive of the Wharenui Road Area	D	D	D	D	NC	NA
25. Community facilities and churches	D	D	D	D	NC	NC
26. Educational activities	D	D	D	D	NC	NC
27. Works for the avoidance of flooding unless otherwise permitted	D	D	D	D	D	D
28. The preparation or assembling or finishing and thereafter sale or display in the Whakarewarewa Village of:	C	NA	NA	NA	NA	NA

ACTIVITIES	RESIDENTIAL ZONES					
	A	B	C	D	TD	RL
<p>traditional Maori food, food prepared in a traditional Maori way, traditional and contemporary Maori crafts, and souvenirs;</p> <p>where the area used for such purpose or purposes does not exceed 80m<sup>2</sup> and forms part of a building containing a residential activity</p>						
29. Unless otherwise provided for, the sale of prepared traditional Maori foods, souvenirs and traditional Maori crafts	D	NC	NC	NC	NC	NC
30. Activities otherwise permitted or controlled: <p>(a) on sites which contain an historic building, historic church, historic structure, historic site, archaeological site, Marae or natural heritage site listed in <b>Appendix A</b>; or</p> <p>(b) within the dripline (branch spread) of a notable tree listed in <b>Appendix A</b></p>	D	D	D	D	D	D
31. Comprehensive residential developments exclusive of the Wharenui Road Area	D	D	D	D	NC	NA
32. Any industrial or trade process, vehicle transport or storage activity, other than a permitted home based business enterprise unless otherwise provided	NC	NC	NC	NC	C	NC
33. Remediation of a Contaminated Site (Refer also to Rule R14.5.1)	P	P	P	P	P	P
34. <b>Intentionally Blank</b>						
35. Clearance or modification of indigenous vegetation of up to 100m <sup>2</sup> in any 2 year period where the 100m <sup>2</sup> is either a total for an individual site or for an individual remnant where that remnant covers more than one site	P	P	P	P	P	P
36. Drainage or infilling in any 2 year period of wetlands of a size up to 100m <sup>2</sup> in area	P	P	P	P	P	P
37. Drainage or infilling in any 2 year period of wetlands of a size in excess of 100m <sup>2</sup> in area carried out under a consent from a regional council provided that Rotorua District Council has been consulted in the consideration of that consent application as an affected party	P	P	P	P	P	P

ACTIVITIES	RESIDENTIAL ZONES					
	A	B	C	D	TD	RL
38. Felling or destruction of any (remnant) indigenous tree with a height of less than 6m, and having a trunk circumference of less than 90cm at a height of 1.4m above ground level. Where a tree has multiple trunks, the trunk circumference shall be the aggregate measurement of all trunks	P	P	P	P	P	P
39. Felling or destruction of any exotic tree (except those listed in <b>Appendix A</b> )	P	P	P	P	P	P
40. The regular maintenance of trees, removal of trees suffering from any untreatable disease, work immediately necessary to avoid injury to persons or damage to property, and the actions of any statutory authority in carrying out work authorised by statute	P	P	P	P	P	P
41. Activities involving the clearance or modification of indigenous vegetation, the drainage or infilling of wetlands, the felling or destruction of any (remnant) indigenous tree, other than provided for as a Permitted Activity	D	D	D	D	D	D
42. Any activity involving: <ul style="list-style-type: none"> <li>(a) interference with the natural geothermal fluid outflow from a geothermal surface feature; or</li> <li>(b) interference with the physical structure of a geothermal surface feature; or</li> <li>(c) destruction of a geothermal surface feature including excavation; or</li> <li>(d) placement or deposition of any substance, including fill or waste material on, into or under any geothermal surface feature;</li> </ul> <p>that is carried out under a consent granted by a regional council provided that the Rotorua District Council has been consulted by the regional council in consideration of the consent as an affected party</p>	P	P	P	P	P	P
43. Any activity listed under <b>42</b> for which a consent has not been granted by a regional council or where consent has been granted without consulting Rotorua District Council as an affected party	D	D	D	D	D	D

ACTIVITIES	RESIDENTIAL ZONES					
	A	B	C	D	TD	RL
44. Stockpiling, earthworks involving clean fill, and disposal of materials other than clean fill	Refer to <b>Appendix I</b> to determine the activity status					
45. Any activity that involves the use, storage, transportation or disposal of hazardous substances and/or contaminants	Refer to <b>Part Fourteen</b> to determine the activity status					
46. Utility services	Refer to <b>Part Fifteen</b> to determine the activity status					
47. Motor vehicle repair garages	Prohibited					
48. Any activity listed as an offensive trade in terms of the Third Schedule to the <i>Health Act 1956</i> (See <b>Appendix O</b> )	Prohibited					
49. Helicopter landing areas	Prohibited					
50. Temporary Military Training	Refer to <b>Appendix J</b> to determine the activity status					
51. Additional household units within the Wharenui Road Area not part of a comprehensive residential development	NA	NC	NA	NA	NA	NC
52. Retirement homes, retirement villages and rest homes within the Wharenui Road Area.	NA	C	NA	NA	NA	NC
53. Comprehensive residential developments in the Wharenui Road Area.	NA	C	NA	NA	NA	NC
54. Retail shops and office spaces less than 100m <sup>2</sup> in the Wharenui Road Area	NA	D	NA	NA	NA	NC
55. Medium Density Housing within the Wharenui Road Area the parent title must be equal to or greater than 3,000m <sup>2</sup>	NA	C	NA	NA	NA	NC
56. Medium Density Housing within the Wharenui Road Area for areas smaller than 3,000m <sup>2</sup>	NA	D	NA	NA	NA	NC
57. Stormwater Management Reserves facilities and overland flowpaths not associated with an approved subdivision or land use activity within the Wharenui Road Area.	NA	RD	NA	NA	NA	RD

## R7.2 PERFORMANCE STANDARDS FOR PERMITTED ACTIVITIES

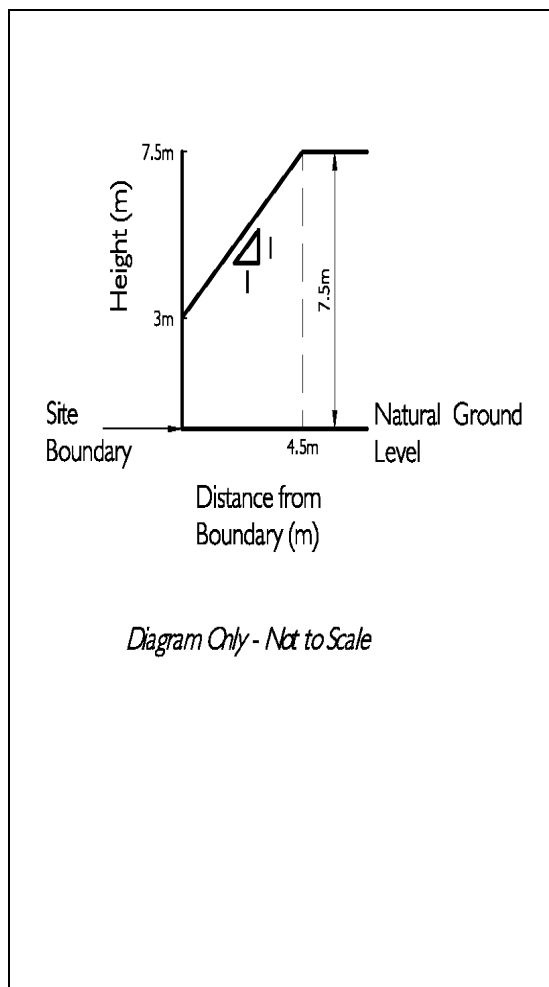
### R7.2.1 INTRODUCTION

The Permitted Activities listed in **R7.1** are allowed as of right where they comply in all respects with the Performance Standards listed below. The Performance Standards listed apply to all Residential Zones unless otherwise stated.

The Performance Standards may be varied by means of a resource consent for a Controlled or Discretionary Activity in accordance with the provisions of **6.4 in Part Two**.

### R7.2.2 MAXIMUM HEIGHT AND DAYLIGHTING

Any building shall not exceed the standards specified below.



7.5 metres above the natural ground level at that point, provided that the height in relation to the boundary standard outlined below is complied with at all times.

- The height in relation to the boundary standard is the maximum height on the boundary of 3.0 metres plus 1.0 metre for every 1.0 metre from that boundary.

**Note:** Reference should also be made to the Airport Northern and Southern Approach and Take Off Paths Designation contained in Appendix 18b1.14 which may affect maximum height of buildings, structures, and trees in some areas.

**Note:** A special maximum height of 5.0 metres applies to those areas of Whakarewarewa, Ngapuna and Ohinemutu that are indicated on the Planning Maps.

### R7.2.3 BUFFERS

Minimum front yard:

Residential A, C, D and Transitional Development Zone	3.0 metres
Residential B Zone exclusive of the Wharenui Road Area	5.0 metres
Residential B Zone Wharenui Road Area (Collector, arterial roads)	5.0 metres
Residential B Zone Wharenui Road Area (local roads) (Provided that any garage, bedroom, bathroom or living room without clear glazing facing the street is set back at least 5.0 metres)	3.0 metres
Residential Lifestyle Zone Wharenui Road Area	5.0 metres

Minimum side yard	2.5 metres
Minimum rear yard	2.5 metres
Minimum rear site yard	2.5 metres

In the Transitional Development Zone the above yards may be reduced to 0 metres (except for the front yard) provided the written consent of adjacent landowner/s is obtained.

No building may be constructed over any part of a site that has been identified for road widening in **Appendix D** without the consent of Council or, in the case where the site adjoins a State Highway, Transit New Zealand.

### R7.2.4 SITE COVERAGE

The maximum site coverage shall be as follows:

Residential A and C Zones	50%
Residential B, D and Transitional Development Zones	40%
Within the Residential D Zone for Sections 16, 34, 35 Block LXIII Town of Rotorua and Lot 1 DPS 19165 (See <b>Map 26</b> )	50%
Residential Lifestyle Zone Buildings	25%
Residential Lifestyle Zone impermeable surfaces	40%

### R7.2.5 PARKING AND TURNING

Parking and on-site turning of vehicles shall be provided in accordance with the provisions of **Appendix F**.

### R7.2.6 NOISE

Noise levels shall comply with the provisions of **Appendix K**.

**Note:** The “best practicable option” provisions of Section 16 and the “excessive noise” provisions of Section 326 of the *Resource Management Act 1991* also apply.

### **R7.2.7 GLARE AND LIGHT**

Activities shall be managed so that direct or indirect illumination measures not more than 8 lux on any residential site boundary including site boundaries in the Transitional Development Zone.

### **R7.2.8 ARCHAEOLOGICAL SITES**

Consent of the New Zealand Historic Places Trust in accordance with the provisions of the *Historic Places Act 1993*, shall be obtained before any destruction or modification of archaeological sites (recorded and unrecorded), including those identified on the Planning Maps.

### **R7.2.9 SIGNS**

The provisions of the Transitional District Plan on signs shall remain in force until such time that a Plan Change on signs is made operative. This Plan Change will include a clause to amend this Rule.

### **R7.2.10 WORKS FOR THE AVOIDANCE OF FLOODING**

Works for the avoidance of flooding are permitted in all zones provided they:

- (a) Safeguard existing ecological and habitat values and wetlands outside the beds of rivers or lakes or provide compensatory works; and
- (b) Do not adversely affect any permanent or ephemeral watercourse which flows into or across land within the Urban Fence or land zoned Rural B, D or E, Industrial B or C, Airport or Airport Protection outside the Urban Fence; except where a consent for the same activity has been issued by a regional council and where the Rotorua District Council has been consulted as an affected party.

### **R7.2.11 FINANCIAL CONTRIBUTION FOR RESERVES AND HERITAGE PURPOSES**

A financial contribution for reserves and heritage purposes shall be taken for those activities specified in **Appendix U**.

This contribution shall be taken in accordance with the provisions of **Appendix U** as if the activity was subject to an application for a resource consent.

## **R7.3 CONTROLLED ACTIVITIES: ASSESSMENT CRITERIA AND CONDITIONS**

### **R7.3.1 INTRODUCTION**

Controlled Activities are activities that may in certain circumstances cause adverse effects on the environment in which they are located. Controlled Activities shall comply with the Performance Standards for Permitted Activities in the Zone unless otherwise provided for in the Rules of this Part.

The general criteria for assessing applications for Controlled Activities are set out in **R7.3.2** below.

For a number of activities identified in **R7.1**, specific additional criteria will also be applied. These criteria are set out in **R7.3.3**.

The provisions of **4, 5, 6** and **7** of **Part Two** also apply.

### **R7.3.2 GENERAL ASSESSMENT CRITERIA AND CONDITIONS FOR CONTROLLED ACTIVITIES**

#### **R7.3.2.1 DESIGN AND EXTERNAL APPEARANCE OF BUILDINGS AND STRUCTURES**

Particular concerns relate to ensuring that buildings and structures in the Residential Zones retain a residential appearance and character.

Conditions may be imposed requiring buildings and structures to be of a similar or complementary design and appearance to existing buildings and structures in the surrounding area, unless those buildings and structures are dilapidated.

#### **R7.3.2.2 LANDSCAPE DESIGN AND SITE LAYOUT**

Conditions may be imposed to ensure that the effects of an activity are internalised on the site and do not unduly affect activities beyond the site boundary. In particular, conditions may be imposed requiring:

- (a) buffers in the form of yards, screening or landscaping or a combination of these; and/or
- (b) specific requirements in terms of site layout, buildings, parking and vehicle circulation areas.

**R7.3.2.3 THE LOCATION AND DESIGN OF VEHICULAR AND PEDESTRIAN ACCESS TO AND FROM THE SITE**

Generally, the provisions of **Appendix F** shall apply, however, other conditions may be imposed to:

- (a) ensure adequate sight distances and prevent on-street congestion caused by the ingress and egress of vehicles to and from sites; and/or
- (b) require the activity to be located, where practicable, away from abutting or adjoining activities so as to protect the privacy of those activities.

**R7.3.2.4 PARKING AND TURNING**

The Council reserves its control and therefore may attach conditions on the following matters:

The layout and internal circulation of the parking areas to ensure safe and efficient vehicle circulation on the site.

**R7.3.2.5 MANAGEMENT OF MINOR ADVERSE EFFECTS ON THE ENVIRONMENT**

Conditions may be imposed to avoid, remedy or mitigate adverse effects on the environment as is appropriate in the circumstances, and in particular in respect of the following matters:

- (a) noise, arising from the congregation of people, and their vehicles. The hours of operation may be restricted during the hours of darkness; and
- (b) earthworks, the control of earthworks, landfilling and other soil retention or removal methods.

**R7.3.2.6 OBJECTIVES AND POLICIES OF THIS PART**

Conditions may be imposed to promote the achievement of the relevant Objectives and Policies of this Part.

**R7.3.2.7 NATURAL HAZARDS**

Conditions may be imposed to control the effects of activities in order to avoid or mitigate natural hazards.

### **R7.3.3 ADDITIONAL ASSESSMENT CRITERIA AND CONDITIONS FOR IDENTIFIED CONTROLLED ACTIVITIES**

#### **R7.3.3.1 INTRODUCTION**

All Controlled Activities identified in **R7.1** are to be assessed against the Performance Standards outlined in **R7.2** and the criteria outlined in **R7.3.2**. In addition some specific activities will also be assessed in terms of additional criteria as outlined below, and conditions to ensure compliance with these criteria may be imposed.

#### **R7.3.3.2 PERMITTED ACTIVITIES THAT MEET THE CRITERIA FOR REDUCTION OR WAIVING OF PERFORMANCE STANDARDS**

The Performance Standards in **R7.2.2** and **R7.2.3** may be reduced or waived as a Controlled Activity to the maximum amount stated below subject to compliance with the criteria listed below. In addition, the assessment criteria outlined in **R7.3.2** apply.

##### **R7.3.3.2.1 Height and Daylighting**

- (a) The maximum height provided for in **R7.2.2** may be exceeded by a maximum of 1.5 metres where Council considers that the compliance with the height standards would be impractical or unreasonable because:
- (i) sections have an unusual or irregular shape or topography; or
  - (ii) in the case of gable ended buildings the top of the proposed gable end encroaches the height and daylighting standard; or
  - (iii) the proposed block boundary wall requires a parapet for fire rating purposes; or
  - (iv) of the existence of a non-conforming building; or
  - (v) of the existence of rights-of-way, easements or similar land use restrictions; or
  - (vi) the proposed extension cannot be located in a manner conforming with the Plan due to the existence of an item listed in Appendix A; or
  - (vii) the adverse effects on the environment (eg. privacy, daylighting and visual appearance) will be minor.

- (b) This reduction or waiver will be subject to obtaining the written consent of property owner(s) and occupier(s) that Council considers may be affected.
- (c) No consent shall be granted under this Rule where a building, structure or tree penetrates any of the take-off slopes, approach slopes, transitional slopes, horizontal or conical surfaces as defined and illustrated in the Airport Northern and Southern Approach and Take Off Paths Designation contained in Appendix 18b1.14.

#### R7.3.3.2.2 **Buffers**

- (a) The buffer standards in **R7.2.3** may be reduced or waived where Council considers that compliance with those standards would be impractical or unreasonable because:
  - (i) sections have an unusual or irregular shape or topography; or
  - (ii) of the existence of rights-of-way, easements or similar land use restrictions; or
  - (iii) of the existence of a non-conforming building; or
  - (iv) the proposed extension cannot be located in a manner conforming with the Plan due to the existence of an item listed in **Appendix A**; or
  - (v) the yard is to be used for the display of signs in the Transitional Development Zone; or
  - (vi) where the adverse effects on the environment (e.g: privacy, daylighting and visual appearance) will be minor;
- (b) This reduction or waiver will be subject to obtaining the written consent of property owner(s) and occupier(s) that Council considers may be affected.
- (c) The buffer standards in **R7.2.3** may also be reduced where a vehicle can park in front of a garage or carport without blocking the footpath or carriageway in which case the minimum front yard for the garage or carport may be reduced to 1.5 metres. This will also be subject to obtaining the written consent of property owner(s) and occupier(s) that Council considers may be affected.

#### R7.3.3.2.3 **Turning Area**

Performance Standards relating to the provision of on-site turning areas so that light vehicles can enter and exit the site in forward motion, in accordance with the turning areas in figure f1.2.2 in **Appendix F** may be partly or wholly waived or reduced where it can be demonstrated that vehicles are able to safely turn using a private road or right-of-way so they enter and exit the public road in forward motion.

**R7.3.3.3 OFFICE ACTIVITIES IN THE RESIDENTIAL D ZONE**

Office activities in the Residential D Zone should take place in buildings that outwardly resemble houses in their design and appearance.

Council may impose such conditions as it considers appropriate in the circumstances to ensure that the above matter is given effect to.

**R7.3.3.4 INDUSTRIAL ACTIVITIES IN THE TRANSITIONAL DEVELOPMENT ZONE**

Industrial activities in the Transitional Development Zone will be assessed in terms of whether they compromise the residential amenity and character of the surrounding area.

Council may impose such conditions as it considers appropriate in the circumstances to ensure that the above matter is given effect to.

**R7.3.3.5 ADDITIONS TO EXISTING CAMPING GROUNDS AND HOLIDAY PARKS IN THE RESIDENTIAL B ZONE**

Additions and alterations to existing camping grounds and holiday parks within the Residential B Zone should not unduly compromise the residential amenity and character of the surrounding area.

Council may impose such conditions as it considers appropriate in the circumstances to ensure that the above matter is given effect to.

**R7.3.3.6 TOURIST ACCOMMODATION IN THE RESIDENTIAL C AND D ZONES**

Tourist accommodation activities on sites fronting Lake Road, Fairy Springs Road and Ranolf Street that are zoned Residential C and the block bounded by Malfroy Road, Victoria, Ranolf and Fenton Streets and east of Fenton Street between Ti Street and Sala Streets, and sites fronting Pukuatua, Ranolf or Amohau Streets in the Residential D Zone should not unduly compromise the residential amenity and character of the surrounding area.

Council may impose such conditions as it considers appropriate in the circumstances to ensure that the above matter is given effect to.

**R7.3.3.7 Intentionally Blank****R7.3.3.8 ADDITIONAL HOUSEHOLD UNITS IN THE RESIDENTIAL A, B, C AND D ZONES**

Additional household units will be allowed on lots in the Residential A, B, C and D Zones provided the following criteria, where applicable, are met:

- (a) in the Residential A Zone, at least 250m<sup>2</sup> net site area is provided exclusive to each household unit;

- (b) in the Residential B Zone excluding Medium Density Housing in the Wharenui Road Area, at least 350m<sup>2</sup> net site area is provided exclusive to each household unit, provided that the average net site area for each household unit on the lot is 450m<sup>2</sup>;
- (c) in the Residential C and D Zones at least 150m<sup>2</sup> net site area is provided exclusive to each household unit;
- (d) permanently surfaced driveways and vehicle turning areas shall be provided for all activities involving additional household units;
- (e) permanent definition of site boundaries shall be required (generally fencing or vegetation) unless by written consent the adjoining site owner has agreed that this requirement is not necessary;
- (f) a bond may be required to ensure compliance with criteria (d) and (e) above.

Additional household units in the Residential A, B, C, and D Zones may also be allowed where the applicants can demonstrate that a commitment was made to such activities on a survey plan for cross lease purposes lodged with Council prior to 17 December, 1993. This Rule will cease to have effect on 31 December, 1999.

**R7.3.3.9 TOURIST ACCOMMODATION AND HOUSEHOLD UNITS ON 92-102 FAIRY SPRINGS ROAD, LEGAL DESCRIPTIONS LOTS 21-28, DPS 6915**

The following criteria also apply:

- (a) no more than one vehicular access will be permitted per site; and
- (b) any development of tourist accommodation or more than two household units per site will not be granted resource consent unless comprehensive traffic management by a single access/egress to Fairy Springs Road, located a minimum of 50 metres from Old Quarry Road is provided for.

**R7.3.3.10 CONTROLLED ACTIVITIES WITHIN THE WHARENUI ROAD AREA: ASSESSMENT CRITERIA AND CONDITIONS**

**R7.3.3.10.1 Wharenui Road Area Concept Plan**

A concept plan has been developed for the Wharenui Road Area in the Residential B, Residential Lifestyle Zone and Commercial D1 zones and is included as **Appendix G3** in **Part Eighteen** of the Plan.

Controlled activities in the Wharenui Road Area shall comply with the Performance Standards for Permitted Activities in the zone.

For Comprehensive Residential Development and Medium Density Housing that are Controlled Activities the Performance Standards for height in relation to boundary in **R7.2.2**, and buffers in **R7.2.3** will only apply to the external boundaries, other than the road boundary, of the “parent lot” and be included as a matter of control, or assessment criteria, for Controlled Activities when considering the design and layout of buildings within the lot. The assessment criteria in **Appendix G3** will also be used as appropriate in the consideration of applications where Performance Standards of **R7.2** are not met.

All development occurring within the WRA is to be assessed against the following assessment criteria and conditions may be imposed:

- a) The degree to which non-compliance with the permitted activity criteria will result in a positive urban design outcome.
- b) Development shall proceed in accordance with the proposed staging triggers, densities and minimum lot sizes described in **Section 16.4.1**.

Note: If the controlled activity criteria **7.3.3.10.1(a)** cannot be met then the activity is considered a Discretionary Activity and Section 74A of the Resource Management Act 1991 applies.

- c) Infrastructure (water, wastewater and roads) for the proposed development shall be provided prior to or at the same time as the proposed stage of development.
- d) Urban Design:  
Applications for Comprehensive Residential Development and Medium Density Housing Controlled Activities will be assessed in accordance with the Urban Design Assessment Criteria contained in **Appendix G3**:
  - (i) Site Planning
  - (ii) Streetscape and Compatibility
  - (iii) House Planning
  - (iv) Vehicle Access and Parking
  - (v) Fencing
  - (vi) Amenity and Landscaping
  - (vii) Site Facilities and Accessory Structures
  - (viii) Vegetation
- e) In the Residential Lifestyle Zone the following additional assessment criteria apply:
  - (i) Development shall proceed in accordance with the specified minimum lot size and maximum yield specified in **Table 16.4.1.1**.
  - (ii) Assessment Criteria listed in **Appendix G3** specific to the Residential Lifestyle Zone.

## **R7.3A RESTRICTED DISCRETIONARY ACTIVITIES: ASSESSMENT CRITERIA AND CONDITIONS**

R7.3A.1 For additional assessment criteria relating to Stormwater Management Reserves in the Wharenui Road Area refer to **R16.5A.3**.

## **R7.4 DISCRETIONARY ACTIVITIES: ASSESSMENT CRITERIA AND CONDITIONS**

### **R7.4.1 INTRODUCTION**

The activities listed as Discretionary Activities are those which may be appropriate on some sites in those Zones. These activities can, however, have effects which require particular assessment. Council may decline an application for such an activity or grant a resource consent subject to conditions that will ensure that the activity does not have any significant adverse effects on the environment, and that the relevant Objectives and Policies of this Part are promoted.

The provisions of **4, 5, 6** and **7** of **Part Two** also apply.

### **R7.4.2 GENERAL ASSESSMENT CRITERIA AND CONDITIONS FOR DISCRETIONARY ACTIVITIES**

The general criteria for assessing applications for Discretionary Activities and conditions that may be imposed are set out below.

For a number of activities identified in **R7.1**, specific additional assessment criteria apply. These are set out in **R7.4.3**.

#### **R7.4.2.1 PERFORMANCE STANDARDS FOR PERMITTED ACTIVITIES**

In general, Discretionary Activities will be required to comply with the Performance Standards in **R7.2** unless it is not appropriate to do so because of particular site characteristics, development considerations or unusual environmental factors. Where adverse effects are anticipated from a proposed activity, conditions may be imposed to avoid, remedy or mitigate the adverse effects on the environment, as is appropriate in the circumstances.

#### R7.4.2.2 **DESIGN AND EXTERNAL APPEARANCE OF BUILDINGS AND STRUCTURES**

In general, buildings and structures should be of a similar or complementary scale and appearance to that of other buildings within the surrounding area unless those buildings and structures are dilapidated. Where this is not practicable, buildings and structures should not become overly dominant. Methods to mitigate any adverse effects of the building or structure may include conditions requiring separation distances between the proposed activity and adjacent sites and the provision of screening.

#### R7.4.2.3 **TRAFFIC GENERATION**

No inappropriate reduction in the capacity of the roading network to service the requirements of the community will be accepted. Any such adverse effects on the roading network may be required to be avoided, remedied or mitigated by upgrading the roading network or by making alterations to the roading design. To enable this to occur a financial contribution up to the maximum of the actual cost of the necessary works may be required as a condition of consent.

#### R7.4.2.4 **PARKING AND TURNING**

In general, Discretionary Activities should comply with parking Performance Standards in **Appendix F**, unless it is not appropriate to do so because of inherent site characteristics or extraordinary vehicle or pedestrian movements.

#### R7.4.2.5 **ACCESS**

Sites for large scale activities may need to be accessible from the major roading network to avoid heavy traffic volumes on residential roads. Particular consideration shall be given to the location of entry and exit points to the site and their relationship with existing intersections, land constraints and adjacent activities. Adverse effects may be avoided, remedied or mitigated by controlling access to the road, by redesign of the road or by installing traffic signals and by taking other traffic management measures. To enable this to occur, financial contributions up to the maximum of the actual cost of the necessary works may be required as a condition of consent.

#### R7.4.2.6 **NOISE**

Activities shall be generally managed so that the noise generated shall not exceed the maximum levels specified in **Appendix K**. Detailed measures for the elimination of objectionable noise may be required.

In particular, conditions may be imposed in respect of the following matters to mitigate the adverse noise effects of activities:

- (a) requiring the provision of sufficient separation distances between the noise generator and affected areas;
- (b) requiring sound proofing of buildings and screening of the noise generator;
- (c) restricting the hours of operation of the activity; and/or

- (d) conditions may also be imposed in accordance with Section 108(4) of the *Resource Management Act 1991*.

#### R7.4.2.7 **NATURAL ENVIRONMENT AND WATER QUALITY**

Conditions may be imposed on activities to avoid, remedy or mitigate any effects of the activity on the natural environment and water quality as are appropriate in the circumstances.

Significant reductions in water quality as a direct result of the activity or as a result of the cumulative effect of an activity or activities will not be allowed.

#### R7.4.2.8 **SERVICING**

Where the existing Council services cannot sustain a proposed new activity, the applicant must demonstrate that the new activity has the ability to meet its own servicing needs, or a condition may be imposed requiring the applicant to upgrade Council services.

To enable this to occur, a condition may be imposed requiring a financial contribution up to the maximum of the actual cost of the necessary works.

#### R7.4.2.9 **CUMULATIVE EFFECT**

In assessing the appropriateness of allowing an activity to be located in an area, or allowing an activity to proceed, consideration will be given to the activities already located in the area and on the site, and their present effect on the surrounding environment. Of particular concern is the cumulative effect of locating a new activity on a site adjoining or already accommodating an activity that may currently generate traffic, noise, etc, not in keeping with the relevant Objectives and Policies of this Plan. The ability of a site to internalise effects, if more than one activity is proposed to operate from it, will be considered.

#### R7.4.2.10 **ZONE INTERFACE**

Of particular concern is the protection and maintenance of the amenity values of adjoining Zones along the Zone interfaces, and in particular, visual and aural qualities. Various methods can be used to ensure this, including imposing conditions requiring the provision of buffer areas, separation distances and/or screening.

#### R7.4.2.11 **PUBLIC SAFETY**

Any Discretionary Activity should not adversely affect public safety in a significant manner. Conditions may be imposed on any consent for a Discretionary Activity to avoid any adverse effects on public safety.

**R7.4.2.12 OBJECTIVES AND POLICIES OF THIS PART**

The granting of a consent for a Discretionary Activity shall not be contrary to the Objectives and Policies of this Part. Conditions may be imposed to promote the achievement of the relevant Objectives and Policies of this Part.

**R7.4.2.13 NATURAL HAZARDS**

Conditions may be imposed to control the effects of activities in order to avoid or mitigate natural hazards.

**R7.4.2.14 RESIDENTIAL CHARACTER**

Discretionary Activities in the Residential Zones may be declined if they cause significant adverse effects on the residential character. In this Plan, it is considered that residential character may contain:

- (a) low density and height of buildings;
- (b) low traffic volumes;
- (c) low level of noise; and
- (d) areas of open space between buildings used for residential purposes.

**R7.4.3 ADDITIONAL ASSESSMENT CRITERIA AND CONDITIONS FOR IDENTIFIED DISCRETIONARY ACTIVITIES**

The following Discretionary Activities have the potential to generate particular adverse effects which require additional assessment against the criteria listed below and may require the imposition of specific conditions in addition to those listed in **R7.4.2** in order to avoid, remedy or mitigate any adverse effects on the environment.

**R7.4.3.1 ACTIVITIES OTHERWISE PERMITTED OR CONTROLLED IN THE ZONE ON SITES WHICH CONTAIN AN HISTORIC BUILDING, HISTORIC CHURCH, HISTORIC STRUCTURE, HISTORIC SITE, ARCHAEOLOGICAL SITE, MARAE OR NATURAL HERITAGE SITE LISTED IN APPENDIX A; OR WITHIN THE DRIPLINE (BRANCH SPREAD) OF A NOTABLE TREE LISTED IN APPENDIX A**

Applications for these activities will also be assessed in terms of:

- (a) whether or not the proposed activity will modify, destroy or adversely affect any item listed in **Appendix A**, and if so, the extent of such modification, destruction or adverse effect;

- (b) the natural and cultural heritage values of any listed item that will be modified, destroyed or adversely affected by the proposed activity; and
- (c) whether the applicant can avoid, remedy or mitigate any adverse effect of the activity on any listed item.

Depending on the nature of the item and the impacts of the proposed activity, Council may decline the application or grant it subject to conditions which will promote its protection. To this end, Council may partly or wholly waive any Rule in this Plan.

#### R7.4.3.2 **COMPREHENSIVE RESIDENTIAL DEVELOPMENTS**

Applications for comprehensive residential developments will also be assessed in terms of their effects on the character and amenity of the surrounding residential area. These effects can include loss of privacy due to reduction in yards and possible increase in height of buildings, increased traffic congestion and noise.

Applications for comprehensive residential developments must include a comprehensive residential Development Plan showing details of subdivision, layout, design and the external appearance of buildings, landscaping and any modified street design.

Council may decline the application or grant it subject to additional conditions in order to avoid, remedy or mitigate such effects on the environment.

#### R7.4.3.3 **SALE OF PREPARED TRADITIONAL MAORI FOODS, SOUVENIRS AND TRADITIONAL MAORI CRAFTS IN THE RESIDENTIAL A ZONE**

Applications for the sale of traditional Maori foods, souvenirs and traditional Maori crafts in the Residential A Zone will also be assessed in terms of their effects on character and amenity of the surrounding residential area. These effects can include loss of privacy, odour, noise and littering.

Council may decline the application or grant it subject to additional conditions in order to avoid, remedy or mitigate such effects on the environment. This may include restrictions on the range of goods allowed to be sold.

#### R7.4.3.4 **Intentionally Blank**

#### R7.4.3.5 **STORAGE ACTIVITIES ON LOT 1 DPS 57621**

Storage activities on Lot 1 DPS 57621 may create adverse effects on the amenity of the Browning Crescent and the Owhatiura Drive residential areas in terms of noise, glare, illumination and visual amenity. Other adverse effects relate to traffic movement onto and off the site. Council will endeavour to avoid, remedy or mitigate such effects as is appropriate.

Conditions may be imposed on the nature of the storage, hours of operation, illumination, noise barriers and/or other noise mitigation measures, and the location, design and landscaping or screening of buildings. Conditions may also be imposed relating to the sealing of yards and the location of vehicle ingress and egress and the erection and display of signs.

Council will also reserve the right to impose conditions on the nature and siting of storage activities so that the adverse effects of the activities located on the adjacent land legally described as Lot 1 DPS 38979 and Lot 2 DPS 44114 on residentially zoned sites, can be avoided, remedied or mitigated. In this regard, any positive effects of the storage activity will also be taken into account.

**R7.4.3.6 ACTIVITIES INVOLVING THE CLEARANCE OR MODIFICATION OF INDIGENOUS VEGETATION, THE DRAINAGE OR INFILLING OF WETLANDS, THE FELLING OF OR DESTRUCTION OF ANY (REMNANT) INDIGENOUS TREE, OTHER THAN PROVIDED FOR AS A PERMITTED ACTIVITY**

- (a) These activities have the potential to destroy or damage significant natural heritage and amenity values. Applications for those activities shall be assessed against the following criteria and Council may consult with the Department of Conservation and the relevant regional council:
  - (i) The significance of the ecological, geological, geomorphic and landscape values of the site;
  - (ii) Whether the proposed activity could cause erosion, run-off, sedimentation and/or reduction in water quality;
  - (iii) Whether the effects of the proposed activity will be offset by protection/rehabilitation activities undertaken by the applicant. These can include legal protection, fencing, animal and plant control.
- (b) Council may decline the application if the criteria are not met, or grant it subject to conditions that will avoid, remedy or mitigate any of the following adverse effects on the identified values, including, but not limited to, those identified below:
  - (i) Decline in indigenous ecosystems or species diversity or abundance;
  - (ii) Obstruction of the recovery of native species and extinction trends;
  - (iii) Reduction of representative values;
  - (iv) Degradation of resources set aside for protection by statute or covenant;
  - (v) Degradation of outstanding landscapes provided by indigenous vegetation;
  - (vi) Degradation of indigenous riparian vegetation;

- (vii) Degradation of a fishery or aquatic habitat for indigenous fauna or vegetation.

#### R7.4.3.7 **AGRICULTURAL PRODUCTION ACTIVITIES**

These activities will be assessed in terms of their effects on residential activities. Farming operations may be permitted on land zoned residential, but not yet subdivided for those purposes.

#### R7.4.3.8 **RETAIL SHOPS AND OFFICE SPACE LESS THAN 100M<sup>2</sup> WITHIN THE WHARENUI ROAD AREA**

- (a) Council may decline the application, or grant it subject to conditions in consideration of the following.
- (b) The extent to which traffic, parking and servicing requirements are effectively and efficiently catered for and whether the requirements of **Appendix F** are complied with.
- (c) The effect of traffic generated by the shop or office space on the surrounding roading network.
- (d) Storage shall be provided on site and screened from adjacent sites to avoid adverse off site visual or odour effects.
- (e) Limiting hours of operation and delivery of goods between 7.00 am to 7.00 pm.
- (f) Landscape and Visual Amenity:
  - (i) The extent to which the proposed retail or office activity is consistent with residential amenity.
  - (ii) The extent to which the scale and design of buildings are consistent with residential amenity.
  - (iii) The effect of on site parking on residential character and the extent to which retail or office activities can be remedied or mitigated through design, landscape screening/planting and the provision of open spaces.

## **R7.5 ASSESSMENT OF NON-COMPLYING ACTIVITIES**

An application may be made for a resource consent for a Non-Complying Activity where an activity is listed as a Non-Complying Activity or does not comply with the provisions of this Plan, but is not listed as a Prohibited Activity.

An application for a Non-Complying Activity shall be assessed in accordance with Section 105(2)(b) of the *Resource Management Act 1991*.

The provisions of **4, 5, 6, and 7 of Part Two** also apply.

## **R7.6 SUBDIVISION AND DEVELOPMENT**

### **R7.6.1 SUBDIVISION**

Subdivisions complying with the provisions of **Part Sixteen** shall be a Controlled Activity. The criteria on which a subdivision application will be assessed, and any conditions that Council may impose, are included in **Part Sixteen**.

### **R7.6.2 DEVELOPMENT**

Any development (as defined in **Part Nineteen**) will also be subject to the Rules outlined in **Part Sixteen**.

