

## Chapter 7. Suburban Centre Rules

### Guide to Rules

**NOTE:** The following table is intended as a guide only and does not form part of the District Plan. Refer to specified rules for detailed requirements.

P refers to Permitted Activities, C to Controlled Activities, DR to Discretionary Activities (Restricted) and DU to Discretionary Activities (Unrestricted).

Uses/Activities	Rule	P	C	DR	DU
Any activity (with some exceptions) subject to conditions	7.1.1	●			
Activities not complying with conditions	7.3.1			●	
Any activity or building involving the provision of more than 120 parking spaces	7.3.4			●	
Quarrying and Cleanfilling - Kiwi Point Quarry subject to conditions	7.1.3	●			
Quarrying and Cleanfilling - Kiwi Point Quarry (Ngauranga Gorge) not complying with conditions	7.3.10			●	
Critical facilities in a Hazard Area	7.3.6			●	
Any use of a contaminated site	7.4.3				●
Any activity listed in Section 3.5.2.2 (hazardous substances)	7.2.4		●		
Earthworks Tawa Hazard (Flooding) Area	7.2.5		●		
Earthworks Tawa Hazard (Flooding) Area	7.3.7			●	
Earthworks Takapu Hazard (Flooding) Area	7.3.8			●	
Earthworks Takapu Hazard (Flooding) Tawa Hazard (Flooding) Area	7.4.7				●
Helicopter landing areas	7.4.6				●
Buildings	Rule	P	C	DR	DU
Construction of, alteration of and addition to buildings and structures subject to conditions	7.1.2	●			
Construction of three or more residential dwellings at ground level	7.3.5			●	
Construction of new residential buildings within the airnoise boundary	7.4.4				●
Construction of, alteration of and addition to buildings and structures in the Thorndon Character Area or the Newtown Suburban Centre Character Area	7.2.1		●		
Construction, alteration of, and addition to buildings, including accessory buildings in the Tawa Hazard (Flooding) Area	7.2.5		●		
Construction, alteration of, and addition to buildings, including accessory buildings in the Tawa Hazard (Flooding) Area	7.3.7			●	
Construction, alteration of, and addition to buildings, including accessory buildings in the Takapua Hazard (Flooding) Area	7.3.8			●	
Construction, alteration and addition to buildings or structures in the Hazard (Fault Line) Area	7.3.9			●	
Construction, alteration of, and addition to buildings, including accessory buildings, less than 5 metres from Porirua Stream within the Tawa Hazard (Flooding) Area, and the Takapua Stream within the Takapua Hazard (Flooding) Area	7.4.7				●
Construction, alteration of and addition to buildings and structures not complying with conditions or standards and terms	7.3.2			●	
Pedestrian bridges, buildings and structures over roads	7.4.1				●

Demolition or removal of pre-1930s buildings in the Thorndon Character Area	7.4.2				●
Construction of, alteration of, and addition to buildings and structures in the Shelly Bay Suburban Centre subject to conditions	7.2.2		●		
Construction of, alteration of, and addition to buildings and structures in the Shelly Bay Suburban Centre that do not meet conditions	7.3.3			●	
<b>Section 1.01 Subdivision</b>	<b>Rule</b>	<b>P</b>	<b>C</b>	<b>DR</b>	<b>DU</b>
Subdivision except for company lease, cross lease and unit title subdivision, subject to conditions	7.1.4	●			
Company lease, cross lease and unit title subdivision	7.2.3		●		
Subdivision not being Permitted or Controlled Activities	7.4.5				●
<b>Section 1.02 Heritage</b>	<b>Rule</b>	<b>P</b>	<b>C</b>	<b>DR</b>	<b>DU</b>
Activities affecting heritage items	21.0	●	●		●
<b>Section 1.03 Utilities</b>	<b>Rule</b>	<b>P</b>	<b>C</b>	<b>DR</b>	<b>DU</b>
Utilities	23.0	●	●	●	●

## Schedule of Appendices

Number	Appendix
1	Noise
[1A]	Noise Insulation Construction Schedule] <sup>PC49</sup>
[1B]	Port Noise Management Plan] <sup>PC49</sup>
2	Vehicle Parking Standards
3	Loading Standards
4	Site Access for Vehicles
5	Kiwi Point Quarry (Ngauranga Gorge)
6	Shelley Bay Suburban Centre – Boundary Location
7	The Area in Grenada situated between the Northern (Mid Grenada) Landfill and the Motorway (Lincolnshire Farm)
8	Takapu Island, Tawa
9	Churton Park Suburban Centre – Churton Park Village Concept Plan

# 7. SUBURBAN CENTRE RULES

## 7.1 Permitted Activities

The following activities are permitted in the Suburban Centres provided that they comply with any specified conditions.

### 7.1.1 Any activity, except for:

- those specified as **Controlled Activities, Discretionary Activities (Restricted) or Discretionary Activities (Unrestricted)**
- **new residential activities, within the airnoise boundary depicted on Map 35 (refer to rule 7.4.4)**
- **those activities listed under the Third Schedule to the Health Act 1956**
- **helicopter landing areas**
- **the total or partial demolition, destruction or removal of any building constructed prior to 1930 in the Thorndon Character Area**
- **cleanfills greater than 100m<sup>3</sup> [, except as provided for in rule 7.1.3, Kiwi Point Quarry Area in Ngauranga Gorge.]<sup>PC25 and PC64</sup>**
- **landfills**
- **[quarrying, other than that provided for in Ngauranga Gorge under rules 7.1.3. ]<sup>PC64</sup>**
- **[any activity in the southern part of the Kiwi Point Quarry (defined as the area south of the access point from State Highway One) in Ngauranga Gorge, other than that provided for in rule 7.1.3.]<sup>PC25 and PC64</sup>**
- **[Activities not provided for in the Churton Park Village Concept Plan (as a supermarket is provided for, it is not subject to any further provisions of this rule).]<sup>PC60</sup>**

*Refer to District Plan Maps 17 and 18*

is a Permitted Activity provided that it complies with the following conditions:

### 7.1.1.1 Noise

7.1.1.1.1 [Except for noise from port related activities within the Operational Port Area, which is covered in Rule 7.1.1.1.5,]<sup>PC49</sup> noise emission levels when measured at or within the boundary of any site or at the outside wall of any building on any site, other than the site from which the noise is emitted, must not exceed the following:

At all times 60dBA (L10)  
At all times 85dBA (Lmax)

7.1.1.1.2 Where it is impractical to measure outside the building, measurements shall be made inside (with windows closed). Where indoor measurements are made, then the noise limits stated above shall be reduced by 15dB.

7.1.1.1.3 In relation to rule 7.1.1.1.2 where activities have been noise-proofed in the vicinity of the site, to protect noise-sensitive uses (including residential use), then this shall not allow activities to increase noise emission levels above those that would apply if the noise-proofing had not been undertaken.

7.1.1.1.4 [Except for noise from port related activities within the Operational Port Area, which is covered in Rule 7.1.1.1.5,]<sup>PC49</sup> any activity occurring within the Suburban Centre when measured from any land or premises outside that area shall comply with the noise levels stated in Appendix 1.

[7.1.1.1.5 At any point on land at, or beyond the Port Noise Control Line shown on the Plan Map 55, noise from port related activities shall not exceed the following levels:

Time Period	Sound Level
Any 5 consecutive 24 hour periods	65dBA L <sub>dn</sub>
Any 24 hour period	68dBA L <sub>dn</sub>
10pm – 7am (all days)	60dBA L <sub>eq</sub> (9 hr)
	65dBA L <sub>eq</sub> (15 min)
	85dBA L <sub>max</sub>

Measurements shall be made in accordance with the requirements of NZS 6801:1991 *Measurement of Sound* and NZS 6809:1999 *Port Noise Management and Land Use Planning*.

7.1.1.1.6 The port company shall undertake a noise monitoring programme to ensure that noise from port related activities comply with condition 7.1.1.1.5 at the Port Noise Control Line. This monitoring will be undertaken in accordance with the CentrePort Noise Management Plan and the information shall be reported to Wellington City Council.

7.1.1.1.7 The port company shall produce and at all times operate in accordance with a **Port Noise Management Plan**, which shall include but is not limited to the matters set out in Appendix Y. The Port Noise Management Plan shall be developed to the satisfaction of Wellington City Council and Greater Wellington Regional Council.<sup>PC49</sup>

*Noise limits have been established for activities within the Suburban Centres, based on measurements of existing levels. The noise rule seeks to protect amenities between activities and to protect the amenities of residential and public space areas*

around Suburban Centres. Council aims to maintain or improve the noise environment of Suburban Centres by means of noise rules.

These noise limits apply to all other sites in a “Suburban Centre” area including sites used for residential purposes for which no stricter controls shall be applied. The onus is on any residential owner within the “Suburban Centre” area to provide what sound protection measures may be necessary to achieve internal noise limits of 35dBA(L10) and 65dBA(Lmax).

[Noise from port related activities within the Operational Port Area and the adjacent Coastal Marine Area is measured and assessed in terms of NZS 6809:1999 – “Acoustics – Port Noise Planning and Land Use Planning.” This provides for management of noise from port related activities and is based on a combination of short term and long term noise limits measurable at a specific Port Noise Control Line. Plan Map 55 indicates the areas that are affected by port related noise, where effects must be managed and special acoustic insulation provisions apply. These requirements are included in the relevant Area rules.

Noise from port related activities within the Coastal Marine Area is subject to the Regional Coastal Plan administered by Greater Wellington Regional Council.

The port company will manage noise from port related activities in the Operational Port Area and the Coastal Marine Area through the operation of the Port Noise Management Plan. Regular monitoring will test the effectiveness of the management plan and its implementation in managing port noise.]<sup>PC49</sup>

#### **7.1.1.2 Discharge of Contaminants**

The discharge of contaminants to land, air or water is a Regional Council responsibility and activities causing discharges may need to obtain a relevant consent from the Regional Council. However, every person has a general duty under Section 17 of the Act to avoid, remedy or mitigate the adverse effects of activities. Where adverse effects are generated the Council will use its enforcement powers as appropriate to protect the environment.

#### **7.1.1.3 Dust**

Activities must not create a dust nuisance. A dust nuisance will occur if:

- there is visible evidence of suspended solids in the air beyond the site boundary; or
- there is visible evidence of suspended solids traceable from a dust source settling on the ground, building or structure on a neighbouring site, or water.

A rule relating to the generation of dust is included to avoid, remedy or mitigate problems from this source.

#### **7.1.1.4 Lighting**

7.1.1.4.1 Any activity which requires outdoor areas to be lit shall ensure that direct or indirect illumination does not exceed 8 lux at the windows of residential buildings in any nearby Residential Area.

7.1.1.4.2 Subject to rule 7.1.1.4.1 any development which includes pedestrian routes and carparks available for public use during hours of darkness

shall be lit at a minimum of 10 lux, measured in accordance with NZS CP22:1962 and amendments.

*The lighting rules are designed to ensure that places available for public use are safely illuminated and that where sites on the periphery of Suburban Centres are illuminated, the amenities of residents in nearby Residential Areas are reasonably protected. In all cases the Council will seek to ensure that the adverse effects of glare from lighting sources are avoided, remedied or mitigated.*

#### **7.1.1.5 Electromagnetic Radiation**

Activities must be conducted to comply with the New Zealand Standard NZS 6609:1990 (Radio Frequency Radiation) and any subsequent amendment.

*A rule relating to the generation of electromagnetic radiation has been included to avoid, remedy or mitigate problems from this source. The Utilities chapters contain rules regarding safety from utility structure from where the highest levels of energy will be created. Council wishes to take a precautionary approach with adverse effects from other electromagnetic sources and acknowledges the provisions of s17 of the Act regarding the duty to avoid, remedy or mitigate adverse effects.*

#### **7.1.1.6 Screening of Activities and Storage**

7.1.1.6.1 Sites with yards which abut a Residential or Open Space Area must be screened from view by a fence not less than 1.8 metres high.

7.1.1.6.2 Any exterior storage area, including waste storage area, must be screened so that it is not visible from any adjoining Residential Area or public space.

*Rules relating to exterior activities and storage areas have been included to protect the amenities of Residential Areas on the periphery of Suburban Centres. All storage areas which might be visible from the street must be screened to protect the general amenities of Suburban Centres.*

#### **7.1.1.7 Vehicle Parking, Servicing and Site Access**

##### ***Vehicle parking***

For developments providing more than 120 parking spaces, rule 7.3.4 applies.

7.1.1.7.1 All parking must be provided and maintained in accordance with the standards set out in Appendix 2.

7.1.1.7.2 Where carparking is located within a building, a minimum height clearance of no less than 2.1 metres is required.

7.1.1.7.3 The gradient for carparking circulation routes shall not be more than 1 in 8.

7.1.1.7.4 Open vehicle parking areas must not be situated at ground level at the front of sites to which rule 7.1.2.6 applies.

***Servicing***

7.1.1.7.5 On each site in Suburban Centres at least one loading area shall be provided as follows:

- all loading areas must be provided and maintained in accordance with the standards set out in Appendix 3
- where loading areas are located within a building, a minimum height clearance of 4.25 metres is required
- for buildings serviced by lifts, all levels shall have access to a loading area by way of a lift
- the loading area shall be located no further than 15 metres from a lift and there shall be level access between them.

***Site Access for Vehicles***

7.1.1.7.6 No vehicle access is permitted to a site across any restricted road frontage identified on District Plan Maps 43 to 46.

7.1.1.7.7 Site access for vehicles must be provided and maintained in accordance with the standards set out in Appendix 4.

7.1.1.7.8 There shall be a maximum of one vehicle access to any site except that sites with more than one frontage may have one access across each frontage.

7.1.1.7.9 The width of any vehicle crossing to a site shall not exceed 6 metres.

7.1.1.7.10 Where vehicular access can be provided from a service lane or right-of-way registered in favour of the site or other private road or private right-of-way, no vehicle access shall be from a street.

7.1.1.7.11 Subject to Rule 7.1.1.7.6 no vehicular access, as shown in Appendix 4.1, shall be situated closer to an intersection than the following:

Arterial and principal streets	20m
Collector streets	15m
Other streets	10m

7.1.1.7.12 All access to sites must be designed to permit a free flow of traffic so that vehicles do not queue on the street.

*Within and around Suburban Centres the demand for parking often exceeds the supply during peak trading hours. Council aims to ensure that parking is provided for all new building development so that it is reasonably self-sufficient. Providing adequate on-site parking helps minimise road congestion and promotes a more efficient and convenient road transport system.*

*The on-site loading and site access requirements also help minimise road congestion. Providing space for vehicles to service sites off the street, and ensuring that all vehicles enter or leave a site in a convenient and efficient manner, will help keep traffic flowing smoothly and let pedestrians get around more easily.*

*All standards for parking, loading and site access are also designed to promote safety.*

Where any road has been declared to be a limited access road, access to that road shall be subject to the requirements of Transit New Zealand.

### 7.1.1.8 Signs

#### 7.1.1.8.1 For signs on buildings:

- the maximum area of any one sign is 10m<sup>2</sup>
- signs must be displayed only on plain wall surfaces where they do not obscure windows or architectural features
- no sign shall project above the parapet level or the highest part of the building to which it is attached
- any illuminated sign (excluding signs below verandah level) within 50 metres and visible from a Residential Area must not flash
- any sign attached to a verandah must be at least 2.4 metres above the footpath
- signs on buildings above verandah height shall not project over the road or other public space by more than 1.5 metres
- the maximum area of any one sign within the Suburban Centre Area of the Thorndon Character Area shall be 1m<sup>2</sup> up to a maximum of 5m<sup>2</sup> on any one building.

#### 7.1.1.8.2 Subject to rule 7.1.2.2, for free-standing signs not attached to any building:

- the maximum area is 8m<sup>2</sup> except where the site adjoins or faces a Residential Area across the road, where the maximum area is 6m<sup>2</sup>
- the maximum height is 8m except where the site adjoins or faces a Residential Area across the road, where the maximum height is 6m
- only one sign is permitted on any site frontage.

The area, height and number of signs shall not apply to signs designating only the name of any premises, or signs for the purpose of directing pedestrian or vehicular traffic.

*Signs will generally be permitted within Suburban Centres, although rules have been imposed to ensure that they are appropriately situated and, if illuminated, will not annoy residents in nearby Residential Areas.*

*As there are pressures to erect freestanding signs on highly visible sites, particularly those on busy traffic routes, the size and number of such signs are limited to help maintain street amenities.*

### 7.1.1.9 Use, Storage or Handling of Hazardous Substances

7.1.1.9.1 For those activities which are not specifically exempted (see Section 3.5.2.2) the cumulative Effect Ratio calculated using the HFSP will be used to determine whether or not those other activities should be Permitted Activities according to the table below.

*See Exemptions to the Hazardous Facilities Screening Procedure contained in section 3.5.2*

Location	Hazard Area	Not Hazard Area	Not Hazard Area
Effect Ratio	0.002 < ER <sup>PC35</sup> ≤ 0.05	0.002 < ER <sup>PC35</sup> ≤ 0.1	≤ 0.002

Conditions applying	7.1.1.9.2 to 7.1.1.9.11	7.1.1.9.2 to 7.1.1.9.11	7.1.1.9.8, 7.1.1.9.10 and 7.1.1.9.11 only
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*Activities that do not meet the above Effects Ratio criteria or do not otherwise comply with the applicable conditions will be Discretionary (Restricted) Activities.*

- 7.1.1.9.2 Except for the storage, use or handling of Liquid Petroleum gas (LPG), any area where hazardous substances are used, stored or handled in any manner on-site shall have secondary containment (via bunding or otherwise) using materials that are resistant to the hazardous substances handled on-site. [Secondary containment systems also need to comply with any relevant provisions under the Hazardous Substances and New Organisms Act 1996.
- 7.1.1.9.2A Except for the storage, use or handling of Liquid Petroleum Gas (LPG), any secondary containment system shall be maintained to ensure that it will perform the functions for which it was designed and contain any spill or accidental release.]<sup>PC35</sup>
- 7.1.1.9.3 Except for the storage, use or handling of Liquid Petroleum gas (LPG), any area(s) where hazardous substances are loaded, unloaded, packaged, mixed, manufactured or otherwise handled shall have a spill containment system [that is compliant with relevant provisions under the Hazardous Substances and New Organisms Act 1996.]<sup>PC35</sup>
- 7.1.1.9.4 Except for the storage, use or handling of Liquid Petroleum gas (LPG) secondary containment systems shall be designed to contain any spill or accidental release of hazardous substance, and any storm water and/or fire water that has become contaminated, and prevent any contaminant from entering the sewerage or stormwater drainage system unless expressly permitted under a resource consent or trade waste permit.
- 7.1.1.9.5 All stormwater grates, collection structures and inspection chamber covers on the site shall be clearly marked as such.
- 7.1.1.9.6 Any area where vehicles, equipment or containers that are or may have been contaminated with hazardous substances are washed down shall be designed, constructed and managed to prevent the effluent from the washdown area from discharge into or onto land, entry or discharge into the sewerage or stormwater drainage system unless expressly permitted by a rule in a regional plan, trade waste permit or resource consent.
- 7.1.1.9.7 Underground tanks for the storage of petroleum products shall be designed, constructed, installed, maintained, operated, managed and at the end of their life removed to prevent leakage and spills. Compliance with [any relevant provisions under the Hazardous Substances and New Organisms Act 1996 and] <sup>PC35</sup> the Code of Practice for the “Design, Installation and Operation of Underground Petroleum Storage Systems” (1992) is a minimum [requirement.]<sup>PC35</sup>

### ***Signage***

- 7.1.1.9.8 [All facilities must display signage to indicate the nature of the hazardous substances present (compliance with the provisions of the Hazardous Substances and New Organisms Act 1996 and the

requirements of the Building Code (F8) or the Code of Practice “Signage for Premises Storing Hazardous Substances and Dangerous Goods” of the New Zealand Chemical Industry Council (Nov 2004) is a minimum requirement).] <sup>PC35</sup>

### **Waste Management**

7.1.1.9.9 Any process waste or waste containing hazardous substances shall be stored in a manner which complies with 7.1.1.9.1 to 7.1.1.9.8 above.

7.1.1.9.10 Any hazardous facility generating wastes containing hazardous substances shall dispose of these wastes to facilities which, or waste disposal contractors who meet all the requirements of regional and district rules for discharges to the environment [and also the provisions of the Hazardous Substances and New Organisms Act 1996.] <sup>PC35</sup>

***[The on-site disposal of hazardous substances will be controlled through Council’s Waste Management Strategy, through obtaining the appropriate discharge consents from the Regional Council or trade waste permits, and through relevant controls on disposal of hazardous substances by the Hazardous Substances and New Organisms Act 1996.]*** <sup>PC35</sup>

### **Other**

7.1.1.9.11 Council must be informed of the activity’s location, the nature of the activity and when the activity commences and ceases.

*[In addition to the provisions of the Plan, all activities which involve the use, storage, handling or transportation of hazardous substances are regulated for on-site and off-site effects by a range of other legislation and regulations, and associated standards and codes of practice which should be complied with. Key pieces of legislation include:*

- *the Hazardous Substance and New Organisms Act 1996*
- *legislation, rules and standards relating to the transportation of hazardous substances (Land Transport Act 1993, Land Transport Rule: Dangerous Goods 1999 and New Zealand Standard 5433:1999)*
- *Building Act 1991*
- *Health Act 1956*
- *Fire Service Act 1975*
- *Health and Safety in Employment Act 1992*
- *Radiation Protection Act 1965*
- *Agricultural Compounds and Veterinary Medicines Act 1997]* <sup>PC35</sup>

### **[7.1.1.10 Noise Insulation: Port Noise Affected Areas**

7.1.1.10.1 Except for new residential activities within the airnoise boundary (Refer to rule 7.4.4), any habitable room in a building used by a noise sensitive activity within the Port Noise Affected Area shown on Plan Map 55 shall meet the acoustic insulation standards set out in Rule 7.1.2.7.

*New noise sensitive activities moving into existing buildings within areas affected by noise from port related activities are required to meet the standards that would apply if the building was built for the purpose. New residential activities within the airnoise boundary are excluded from the above rule as this activity is a full discretionary activity under Rule 7.4.4. and subject to separate acoustic insulation requirements.]* <sup>PC49</sup>

**7.1.2 The construction, alteration of, and addition to buildings and structures except for:**

- those specified as **Controlled Activities, Discretionary Activities (Restricted) or Discretionary Activities (Unrestricted)**

**are Permitted Activities provided that they comply with the following conditions:**

*For Pt Lot 2 DP 54434, Grenada refer to Appendix 7*

**7.1.2.1 Maximum building height**

The maximum building height is 12 metres, except for:

- cranes, elevators and similar cargo handling equipment and lighting poles in the Miramar/Burnham Wharf Operational Port Area, which may be higher
- buildings and structures in the Shelly Bay Suburban Centre which are subject to the Shelly Bay Design Guide (refer to the Design Guide in Volume 2)
- [buildings and structures in the Aro Valley Suburban Centre [and the Churton Park suburban centre] <sup>PC60</sup> where the maximum building height is 9m] <sup>PC7</sup>

*The maximum building height is equivalent to three storeys which provides for commercial expansion and flexibility in design at a scale appropriate to Suburban Centres. Variable height limits apply in the Shelly Bay Suburban Centre to ensure that new development respects the character of the area.*

*[The maximum building height in Aro Valley Suburban Centre provides for a scale of development consistent with the scale of existing buildings within the centre and the surrounding residential area.]<sup>PC7</sup>*

**7.1.2.2 Height control adjoining Residential Areas**

7.1.2.2.1 No building within 5 metres of a Residential Area shall be more than 3 metres high.

7.1.2.2.2 Buildings located closer than 5 metres to a Residential Area shall be contained within a 45° plane commencing at a point 2.5 metres above ground level inclined inwards at right angles in plan from any boundary adjoining a Residential Area.

*This rule provides for a transition in the height of buildings between Suburban Centres and surrounding Residential Areas, and protect residents from overshadowing and other impacts buildings have.*

**7.1.2.3 Yards**

7.1.2.3.1 Where any site adjoins the coast the minimum yard width is 6 metres measured from mean high water springs except at Shelly Bay where reference is made to the design guide.

7.1.2.3.2 No structure or building shall be located closer than 3 metres to a waterbody or the coastal marine area, excluding artificial ponds or channels; or

closer than 5 metres to the Porirua Stream from the intersection of Main Road (Tawa) and Middleton Road and extending north.

7.1.2.3.3 No impervious surface associated with the use of the site shall extend closer than 3 metres to a waterbody or the coastal marine area, excluding artificial ponds or channels.

7.1.2.3.4 7.1.2.3.1 to 7.1.2.3.3 do not apply to areas used for port activities in the Miramar/Burnham Wharf Operational Port Area.

#### 7.1.2.4 Verandahs

Any part of a building fronting a street, pedestrian walkway, or other public space identified on the District Plan Maps 47 to 49 must have a verandah. The verandah must:

- have its fascia a minimum of 2.4 metres above the footpath
- extend for the full length of the building
- extend outwards from the front of the building to the far side of the kerbing less 450mm, or 3 metres which ever is the lesser
- relate to its neighbours

*Verandahs are required on the more important pedestrian routes in Suburban Centres to provide shelter and shade, and improve the pedestrian environment.*

#### 7.1.2.5 Windows

All windows in walls of buildings located within 5 metres and facing a Residential Area boundary shall have [privacy]<sup>PC34</sup> glazing.

*[Privacy]<sup>PC34</sup> glazing is required in windows close to Residential Areas to provide a degree of privacy for residential occupiers.*

#### 7.1.2.6 Display windows

7.1.2.6.1 Display windows must be constructed at ground floor level along all site frontages identified on the District Plan Maps 47 to 49 as requiring display windows.

7.1.2.6.2 Display windows must not be blocked off from view from the public street by the use of obscure roller shutter doors, obscure screens or similar structures. Transparent or semi-transparent security grilles are permitted.

*Display windows are required to help maintain the character and continuity of retail streets.*

#### [7.1.2.7 Noise Insulation – Port Noise Affected Area

7.1.2.7.1 Except for new residential activities within the airnoise boundary (refer to rule 7.4.4), any **habitable room** in a building used by a **noise sensitive activity** within the Port Noise Affected Area shown on Plan Map 55 shall be protected from noise arising from outside the building by ensuring the **external sound insulation level** achieves the following minimum performance standards:

**$D_{nT,w} + C_{tr} > 35$  dB – Inner Port Noise Affected Area**

Compliance with this performance standard shall be achieved by ensuring habitable rooms are designed and constructed in a manner that accord with an acoustic design certificate signed by a suitably qualified acoustic engineer stating the design as proposed will achieve compliance with the above performance standard.

**$D_{nT,w} + C_{tr} > 30$  dB – Outer Port Noise Affected Area**

Compliance with this performance standard shall be achieved by ensuring habitable rooms are designed and constructed in a manner that:

- accords with the schedule of typical building construction set out in Appendix X;

**or**

- accords with an acoustic design certificate signed by a suitably qualified acoustic engineer stating the design as proposed will achieve compliance with the above performance standard.

7.1.2.7.2 Where bedrooms with openable windows are proposed, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. For the purposes of this requirement, a bedroom is any room intended to be used for sleeping. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person.

7.1.2.7.3 The above provisions do not apply to construction of new residential buildings within the airnoise boundary.

*Acoustic insulation is required for noise sensitive activities in buildings in areas affected by port noise to mitigate potential adverse effects on those using such facilities. The construction of new residential buildings within the airnoise boundary is excluded from the above rule as this activity is a discretionary activity (unrestricted) under Rule 7.4.4. and subject to separate acoustic insulation requirements.*

*The ventilation requirement for bedrooms is required to ensure noise attenuation is not compromised if compliance with the requirements of the Building Code (G4) for natural ventilation is achieved by installing openable windows. The required airflow level is based on the minimum standard for habitable spaces set out in NZS 4303.]<sup>PC49</sup>*

**7.1.3 [Quarrying and clean filling on part Lot 1, and part Lot 2 DP 72995, part Lot 4, part Lot 5 and part Lot 6 DP 72996, part Lot 1 DP 34015, part Lot 1 DP 65030 and part Lot 2 DP 91179 Ngauranga Gorge (known as Kiwi Point Quarry) is a Permitted Activity provided that it complies with the following conditions: ]<sup>PC64</sup>**

**7.1.3.1** [Any relevant provisions of rules 7.1.1 and 7.1.2 except that rule 7.1.1.6.2 does not apply to the temporary stockpiling or storage of quarried rock material.

**7.1.3.2 Dust**

7.1.3.2.1 [Dust control measures shall be undertaken to avoid creating a dust nuisance beyond the Quarry Boundary.

**7.1.3.3 Quarry Activities**

7.1.3.3.1 Quarry activities shall be restricted to the area within the Suburban Centre Area north of the abattoir and south of the access road, excluding the area shown as a buffer area, as identified on the plan included as Appendix 5.

7.1.3.3.2 Some blasting may be carried out as part of the normal quarrying operations. Blasting of faces for crushed rock production must take place at 10.00am to 2.00pm Monday to Friday only.

7.1.3.3.3 In all cases, residents of Tarawera Road, Plumer Street, 113, 130, 170 and 175 Fraser Avenue, and 146 Burma Road must be notified by mail no less than one week in advance of blasting.

Blasting must be immediately preceded by a siren or hooter with a sound which distinguishes it from normal Police, Ambulance or Fire Service sirens.

7.1.3.3.4 The finished slope of quarry faces shall not exceed 55 degrees from the horizontal

7.1.3.3.5 The maximum height of finished batters shall not exceed 15 metres.

7.1.3.3.6 A buffer area with a minimum width of 25 metres shall be maintained on the uphill boundary of the site as shown on Appendix 5. This area will be allowed to revegetate naturally except where there is a need for additional planting.

*Note: At the north end of the quarry near Plumer Street and Tarawera Road, the buffer area is within the Open Space B Area as shown in Appendix 5 and is governed by the Open Space provisions.*

7.1.3.3.7 A fence must be maintained adjacent to any properties in the Residential Area along the quarry boundary to a height of 1.2m.

7.1.3.3.8 Prior to commencement of operations in any area, a security fence must be installed and maintained along the outer edge of the buffer area.

7.1.3.3.9 No quarry activities shall be undertaken within the buffer area unless agreed by Council.

#### **7.1.3.4 Cleanfill activities**

- 7.1.3.4.1 Cleanfill activities shall be restricted to the area shown on the plan included as Appendix 5.
- 7.1.3.4.2 The cleanfill shall comply with the definition of cleanfill in Section 3 (Definitions) of this District Plan.

#### **7.1.3.5 Location of quarry plant**

The primary crusher may be moved as the quarry face recedes and new faces are worked. Any processing plant or buildings within the southern part of the quarry shall be relocatable.

#### **7.1.3.6 Traffic movement**

There shall be one entry point to the quarry, via Crossing Place 22 from State Highway One (also the main access to the adjacent Abattoir). This must be the sole means of entry and exit for quarry vehicles. This access must be maintained to the standard of local streets.

#### **7.1.3.7 Rehabilitation and treatment of stripped areas**

- 7.1.3.7.1 All land encompassed within the quarry boundary shall be progressively rehabilitated (except where used for other permitted or consented activities). Any planting will take place as soon as practicable following the completion of the quarry or cleanfill activity. Planting will be undertaken using indigenous species from local sources, except where exotic species are required to provide erosion control and/or temporary nurse cover for revegetation with indigenous species.
- 7.1.3.7.2 Excluding the Abattoir area, areas shown on Appendix 5 which are not shown as areas for quarrying and/or cleanfilling shall be allowed to revegetate.
- 7.1.3.7.3 All exposed surfaces of fill shall be hydro-seeded, or any other approved method, immediately following completion of works as a dust and erosion control measure.

*Kiwi Point Quarry is an established quarry activity which is being developed in accordance with the plan in Appendix 5. Rock extraction and other activities associated with the quarry, such as processing and aggregate storage, and restoration of the cut faces will continue. The specific rules that apply to the quarry area limit the effects of quarrying. The Quarry Management Plan will also ensure that any potential effects will be mitigated.*

*These provisions allow for the ongoing operation of the Kiwi Point Quarry to the extent shown in Appendix 5. As the potential visual and landscape effects of a quarry in this area have been in part mitigated by reducing the extent of hillside to be removed but allowing the quarry to excavate to below the level of the road, cleanfilling of part of the excavated areas, and site rehabilitation is also provided for.*

*As the long term future of the southern part of the Kiwi Point Quarry (i.e south of the access point on State Highway One) has not been determined, any other type of activity in this area will be a non-complying activity). At present the Council's Open Space strategy in Capital Spaces indicates that open space is a vital component of*

*the future of the Ngauranga Gorge. It is important that any possible policy issues as to future uses of the southern part of the Kiwi Point Quarry once quarrying is completed are resolved by the Council and the community. Because of the long duration of the quarry activity, the plan leaves any decision on the future of the land to a plan review or future plan change. ]<sup>PC64</sup>*

**7.1.4 Subdivision except [within the Churton Park Suburban Centre Concept Plan area, and otherwise any]<sup>PC60</sup> company lease, cross lease and unit title subdivision is a Permitted Activity provided that it complies with the following conditions:**

*For Pt Lot 2 DP 54434, Grenada, refer to Appendix 7*

- 7.1.4.1 Every building or structure adjoining a new boundary must comply fully with the requirements of rule 7.1.2 or otherwise be lawfully established.
- 7.1.4.2 Every allotment must have services in compliance with the City Bylaws or if applicable the Council's Code of Practice for Land Development.
- 7.1.4.3 The allotment must have practical, physical and legal access to a legal road.
- 7.1.4.4 Every allotment must have drive-on vehicle access and parking constructed in accordance with rule 7.1.1.7.8.
- 7.1.4.5 All earthworks needed to complete the subdivision are undertaken.
- 7.1.4.6 No part of any allotment being subdivided may be within 20 metres of any river whose bed has an average width of 3 metres or more where the river flows through or adjoins an allotment.
- 7.1.4.7 No part of any allotment being subdivided may be within 20 metres of the line of mean high water springs. This rule shall not apply in the Operational Port Area, provided the land is utilised for operational port purposes.
- 7.1.4.8 No subdivision may occur within a heritage area or on a site associated with a heritage item unless in the latter case the subdivision involves land that is not occupied by the heritage item and is not specifically identified for preservation in the Plan as important to the setting of the item.
- 7.1.4.9 A Certificate of Compliance must be obtained for the subdivision to allow Council to assess survey plans for approval.

An applicant must supply the following:

- information to allow Council to assess compliance with conditions 7.1.4.1 to 7.1.4.8
- a certificate stating that all existing services have been located so that they are all contained entirely within the boundaries of the site being serviced or within such right of way or easement relating to the site, and are in accordance with the City Bylaws and if applicable the Council's Code of Practice for Land Development
- current copies of titles for all affected properties

- accurately drawn A4 plans at a scale of 1:500 or at a larger scale as appropriate and copies or reduced copies submitted to be of A4 or A3 size
- a certificate stating that the land is not likely to be subject to material damage by erosion, subsidence, slippage or inundation from any source
- All certificates, plans and information supplied must be signed by a registered surveyor or other suitably qualified person certifying their accuracy.

*Most forms of subdivision are a Permitted Activity subject to meeting specified conditions. This will facilitate efficient use of the Suburban Centres with other rules of the Plan controlling building and other land use effects.*

*Applicants are reminded of the need for proposed subdivisions to comply with the City Bylaws. In addition, where private infrastructure is proposed to be vested in the Council or where private stormwater, water and sewerage lines are connected or proposed to be connected to public infrastructure, applicants will need to liaise with the Council concerning the requirements set out in the Council's Code of Practice for Land Development so that the Council will either accept the vesting of such infrastructure or will authorise connection or continued connection to public infrastructure. Refer to Section 3.9 of the Plan.*

*An exception has been made for the Operational Port Area in terms of the esplanade land provisions. In this area, safety, security and operational requirements, as well as the existence of wharves below mean high water springs, means that esplanade land is not required. This exception only applies as long as the land is utilised for operational port purposes.*

## 7.2 Controlled Activities

Section 7.2 describes which activities are Controlled Activities in the Suburban Centres. A resource consent will be required but consent cannot be refused. Conditions may be imposed relating to the matters specified in rules 7.2.1 - 7.2.4. The decision on whether or not a resource consent application will be notified will be made in accordance with the provisions on notification in the Act.

**7.2.1 The construction, alteration of, and addition to, buildings and structures in the Thorndon Character Area and the Newtown Suburban Centre Character Area are Controlled Activities in respect of:**

*Refer to District Plan Maps 6, 17 and 18*

**7.2.1.1 design, external appearance and siting.**

### *Non-notification*

The written approval of affected persons will not be necessary in respect of item 7.2.1.1. [Notice of applications need not be served on affected persons]<sup>PC28</sup> and applications need not be notified.

### *Standards and Terms*

All the conditions in rule 7.1.2 must be met.

### *Assessment Criteria*

**In determining the conditions to be imposed, if any, Council will have regard to the following criteria:**

7.2.1.2 The extent to which the proposal meets the provisions of the Thorndon Character Area Design Guide and the Newtown Suburban Centre Character Area Design Guide.

*The Thorndon and Newtown Centres have a special character which Council wishes to maintain and enhance. This will be promoted by means of Design Guides.*

**7.2.2 The construction of, alteration of, and addition to buildings and structures in Shelly Bay Suburban Centre up to a maximum individual site coverage of 42% are Controlled Activities in respect of:**

**7.2.2.1 design, external appearance and siting.**

### *Non-notification*

The written approval of affected persons will not be necessary in respect of item 7.2.2.1. [Notice of applications need not be served on affected persons]<sup>PC28</sup> and applications need not be notified.

### *Standards and Terms*

All the conditions in rule 7.1.2 must be met.

### ***Assessment Criteria***

**In determining the conditions to be imposed, if any, Council will have regard to the following criteria:**

- 7.2.2.2 The extent to which the proposal meets the provisions of the Shelly Bay Design Guide.

*The Design Guide for Shelly Bay will be applied to assist in achieving the design objective for the site. The general purpose of this Design Guide is to guide development in a manner which recognises and respects the distinctive environmental qualities that give the area its special character.*

### **7.2.3 Company lease, cross lease and unit title subdivision is a Controlled Activity in respect of:**

#### **7.2.3.1 stormwater, sewerage and water supply**

#### **7.2.3.2 the allocation of accessory units to principal units and the allocation of covenant areas to leased areas to ensure compliance with servicing rules, and to ensure practical physical access to every household unit.**

### ***Non-notification***

The written approval of affected persons will not be necessary in respect of items 7.2.3.1 and 7.2.3.2. [Notice of applications need not be served on affected persons]<sup>PC28</sup> and applications need not be notified.

### ***Standards and Terms***

All buildings and structures must meet the conditions for Permitted Activities, the terms of any relevant resource consent, or must have existing use rights.

### ***Assessment Criteria***

**In determining the conditions to be imposed, if any, Council will have regard to the following criteria:**

- 7.2.3.3 The requirements of Section 106 of the Act.
- 7.2.3.4 The extent of compliance with the relevant parts of the City Bylaws.
- 7.2.3.5 The need to ensure permanent site access and continued provision for on site loading and unloading facilities.
- 7.2.3.6 The current and future allocation of subdivisional areas to achieve the efficient use of land and buildings.

*Council is seeking to retain in a permanent manner appropriate site arrangements that are established at the time of subdivision. In particular, continued access to off street loading facilities is to be safeguarded together with efficient arrangement of units.*

**7.2.4 Any activity listed in Section 3.5.2.2 is a Controlled Activity in respect of:****7.2.4.1 use, storage or handling of hazardous substances.***Standards and Terms*

There are no standards and terms.

*Assessment Criteria*

**In determining the conditions to be imposed, if any, Council will have regard to the following criteria:**

- 7.2.4.2 Site layout and design to avoid, remedy or mitigate any adverse effects of the activity.
- 7.2.4.3 Site management and emergency planning.
- 7.2.4.4 Necessity for secondary containment of bulk storage vessels.
- 7.2.4.5 Location of and separation distance between the hazardous facility and residential activities.
- 7.2.4.6 Location of and separation distance between the hazardous facility and critical facilities and lifelines.
- 7.2.4.7 Access routes to the facility, location and separation distance between the facility and sensitive activities and uses, sensitive environments and areas of high population density.
- 7.2.4.8 Transport of hazardous substances to and from the site.
- 7.2.4.9 Existing and proposed (if any currently under consideration by Council) neighbouring uses.
- 7.2.4.10 Potential cumulative hazards presented in conjunction with nearby facilities.
- 7.2.4.11 Potential for contamination of the surroundings of the site and sensitivity of the surrounding environment.
- 7.2.4.12 Arrangement for the environmentally safe disposal of any hazardous substance or hazardous wastes generated.
- 7.2.4.13 Fire safety and fire water management.
- 7.2.4.14 Site drainage and utility infrastructure.
- 7.2.4.15 Identification and mitigation of exposure pathways.
- 7.2.4.16 Additional measures are required to mitigate the potential effect of a natural hazard event.

[7.2.4.17 Whether appropriate contingency measures and emergency plans are in place.

7.2.4.18 Whether the facility complies with the provisions of the Hazardous Substances and New Organisms Act 1996, and whether more stringent controls are required to take account of site-specific conditions.]<sup>PC35</sup>

## **7.2.5 In the Tawa Hazard (Flooding) Area**

- **earthworks; or**
- **the construction, alteration of, and addition to buildings, including accessory buildings;**

**which are more than 5 metres from the Porirua Stream and have a floor level above the 1 in 100 year flood event are Controlled Activities in respect of:**

**7.2.5.1 the level, extent and gradient of earthworks**

**7.2.5.2 building location within the site**

**7.2.5.3 building floor area**

**7.2.5.4 the displacement of flood waters from the site.**

**“For the purposes of clarification, this rule does not apply to network utility infrastructure, as they are provided for in ‘Section 23. Utility Rules’ of the District Plan.”**

### *Non-notification*

The written approval of affected persons will not be necessary in respect of items 7.2.5.1, 7.2.5.2, 7.2.5.3 and 7.2.5.4. [Notice of applications need not be served on affected persons]<sup>PC28</sup> and applications need not be notified.

### *Standards and Terms*

This activity must comply with the conditions specified for activities in rules 7.1.1 and 7.1.2 unless consents are concurrently sought and granted under rules 7.3.1, 7.3.2, 7.3.5 and 7.3.6 for those conditions not met.

### *Assessment Criteria*

**In determining the conditions to be imposed, if any, Council will have regard to the following criteria:**

7.2.5.5 Whether the undertaking of earthworks, or the size or siting of the building will impede the flow of flood waters.

7.2.5.6 Whether the earthworks, building or associated works will accelerate, worsen or result in the erosion or inundation of the site, or any other site or building.

*Flooding problems exist in the Porirua Stream catchment. To protect the safety of building occupants, the Council will generally require that building floor levels are*

*above the predicted flood levels for the 1 in 100 year flood event. The detail of flood depths for land within the Tawa Hazard (Flooding) Area is held by Wellington City Council. These depths are based on the best information available to the Council and vary with the topography of the area. New building development has been included as a Controlled Activity to ensure that earthworks and the location or size of any building on a site does not impede the flow of flood waters and the flooding risk is not increased for other properties or sites.*

## 7.3 Discretionary Activities (Restricted)

Section 7.3 describes which activities are Discretionary Activities (Restricted) in Suburban Centres. Consent may be refused or granted subject to conditions. Grounds for refusal and conditions will be restricted to the matters specified in rules 7.3.1 – 7.3.[10.]<sup>PC25</sup> The decision on whether or not a resource consent application will be notified will be made in accordance with the provisions on notification in the Act.

### **7.3.1 Activities that do not comply with one or more of the following conditions for permitted activities in rule 7.1.1:**

**7.3.1.1 noise**

**7.3.1.2 dust**

**7.3.1.3 lighting**

**7.3.1.4 screening of activities and storage**

**7.3.1.5 vehicle parking, servicing and site access**

**7.3.1.6 signs**

**7.3.1.7 use, storage, handling or disposal of hazardous substances**

**[7.3.1.7A noise insulation]<sup>PC49</sup>**

**are Discretionary Activities (Restricted) in respect of the condition(s) not met.**

### *Non-notification*

The written approval of affected persons will not be necessary in respect of items 7.3.1.4, 7.3.1.5, and [7.3.1.7A.]<sup>PC49</sup> [Notice of applications need not be served on affected persons]<sup>PC28</sup> and applications need not be notified.

### *Standards and Terms*

Rule 7.1.1.4 maximum lighting levels, must not be exceeded by more than 20 percent.

Noise emission levels under Rules 7.1.1.1.1 and 7.1.1.1.4 shall not be exceeded by more than 5 decibels.

Rule 7.1.1.8 conditions relating to any sign dimension, must not be exceeded by more than 100 percent.

The Hazardous Substances Site Management Plan must relate to the whole site and not solely to the hazardous substance element of the activity or use. For hazardous substances, the cumulative Effect Ratio as assessed under the Hazardous Facilities Screening Procedure for the site

where the activity is to occur is **greater than to 0.1** or does not meet the conditions in rules 7.1.1.9, unless the site is located in a Hazard Area.

For hazardous substances, where the hazardous facility is located in a Hazard Area, the cumulative Effect Ratio as assessed under the Hazardous Facilities Screening Procedure for the site where the activity is to occur is **less than or equal to 0.5** but does not meet the conditions in rules 7.1.1.9.

#### *Assessment Criteria*

**In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:**

#### **7.3.1.8 Noise**

7.3.1.8.1 The extent to which noise emissions will be intrusive. Council will seek to ensure that the best practicable option is used to mitigate noise and that adverse effects are minor.

[7.3.1.8.2 For noise from port related activities, the nature and frequency of the noise, including any special audible characteristics, the duration and timing of the exceedance and any mitigation measures to reduce noise emissions at source.]<sup>PC49</sup>

#### **7.3.1.9 Dust**

The extent to which existing amenities are protected. Council will seek to ensure that dust nuisances are mitigated as far as practical.

*There may be instances where it may be impractical to prevent dust nuisance in view of the variable weather conditions experienced by Wellington. Such proposals will be carefully considered to ensure that any dust nuisance is of a minor nature.*

#### **7.3.1.10 Lighting**

7.3.1.10.1 Applications to provide more intensive lighting near Residential Areas will be considered with regard to the present and likely future development in the Residential Area, the degree to which topography or other site features may avoid, remedy or mitigate lighting effects, and the extent to which planting, screening or the orientation of the light source will mitigate lighting effects.

7.3.1.10.2 The consideration of applications to provide less intensive lighting on site areas open to public use will take into account the nature of the activities on the site, the extent of public use and whether other measures will be taken to maintain public safety.

*The diversity of development and the nature of landforms in and around Suburban Centres is such that in some cases extra illumination can be achieved without affecting residents. Applications to exceed the permitted levels will therefore be considered. Similarly, there may also be circumstances where the lighting of publicly used areas need not comply with the specified standards.*

### **7.3.1.11 Screening of Activities and Storage**

Whether changes in topography or other measures will provide appropriate screening.

*The diversity of landforms and development in Suburban Centres is such that in some cases variations from the permitted standards may be considered.*

### **7.3.1.12 Vehicle Parking, Servicing and Site Access**

7.3.1.12.1 Whether the activities undertaken or proposed on the site will not generate a demand for the required servicing facilities or require compliance with the site access provisions.

7.3.1.12.2 The extent to which topography, size or shape of the site, the location of any natural or built features on the site, or other requirements such as easements, rights-of-way or restrictive covenants impose constraints that make compliance impracticable.

7.3.1.12.3 Whether suitable alternative provision for parking, servicing or site access can be made.

7.3.1.12.4 The extent to which the standards for parking, servicing or site access can be varied without endangering public safety, or the amenities of any shopping street.

*The parking, servicing and site access provisions aim to assist efficient, convenient and safe access in Suburban Centre areas. However, demands of particular developments may justify variations from these standards.*

### **7.3.1.13 Signs**

7.3.1.13.1 Whether signs are obtrusively visible from any Residential Area or public space.

7.3.1.13.2 Whether the area of the sign is in scale with associated activities or building development.

7.3.1.13.3 Whether in respect of signs on buildings, larger signs are not detrimental to the visual character of the area.

7.3.1.13.4 Whether signs are of a scale appropriate to the position of the site in relation to the road hierarchy.

7.3.1.13.5 Whether signs detract from the architecture of the building to which they are attached.

7.3.1.13.6 Whether additional signs will result in clutter.

7.3.1.13.7 Whether in respect of freestanding signs they form part of a landscape plan for an area or are designed to screen unsightly sites, activities or buildings.

7.3.1.13.8 Whether the size, number or method of illumination of a sign or signs will compromise traffic or pedestrian safety.

*Because of the diversity of sign types and the situations in which they are erected, variations from the rules may occasionally be justified. Council will always seek to ensure that visual amenities are maintained. Where signs are on buildings that have significant architectural merit, Council will be concerned to avoid, remedy or mitigate detracting from that merit.*

#### **7.3.1.14 Hazardous Substances**

***See Exemptions to the Hazardous Facilities Screening Procedure contained in section 3.5.2***

- 7.3.1.14.1 Site design and management to avoid, remedy or mitigate any adverse effects of the activity.
- 7.3.1.14.2 The adequacy of the design, construction and management of any part of a hazardous facility site where hazardous substances are used for their intended function, stored, manufactured, mixed, packaged, loaded, unloaded or otherwise handled such that:
- any significant adverse effects of the intended use from occurring outside the intended use, handling or storage area is prevented
  - the contamination of any land in the event of a spill or other unintentional release of hazardous substances is prevented
  - the entry or discharge of the hazardous substances into surface or groundwater, the stormwater drainage system or into the sewerage system (unless permitted under a regional plan, resource consent or trade waste permit) is prevented.
- 7.3.1.14.3 Location of the facility in relation to the nearest waterbody or the coastal marine area.
- 7.3.1.14.4 Location of hazardous facility in relation to residential activities.
- 7.3.1.14.5 Location of hazardous facility in relation to critical facilities and lifelines.
- 7.3.1.14.6 Access routes to the facility, location and separation distance between the facility and sensitive activities and uses, sensitive environments and areas of high population density.
- 7.3.1.14.7 Existing and proposed (if any currently under consideration by Council) neighbouring uses.
- 7.3.1.14.8 Potential cumulative hazards presented in conjunction with nearby facilities.
- 7.3.1.14.9 Transport of hazardous substances to and from the site.
- 7.3.1.14.10 Potential for contamination of the surroundings of the site and sensitivity of the surrounding environment.
- 7.3.1.14.11 Whether the site has adequate signage to indicate the presence of hazardous substances.
- 7.3.1.14.12 Whether adequate arrangement has been made for the environmentally safe disposal of any hazardous substance or hazardous wastes generated.

7.3.1.14.13 Whether the site design has been subject to risk analysis, such as Hazop (Hazard and Operabilities Studies), to identify the potential hazards, failure modes and exposure pathways.

7.3.1.14.14 Where the hazardous facility is located within a Hazard Area, any additional requirements to mitigate the potential effect of a natural hazard event.

7.3.1.14.15 Type and nature of the existing facility.

[7.3.1.14.16 Whether appropriate contingency measures and emergency plans are in place.

7.3.1.14.17 Whether the facility complies with the provisions of the Hazardous Substances and New Organisms Act 1996, and whether more stringent controls are required to take account of site-specific conditions.]<sup>PC35</sup>

*To reduce the potential adverse effects, Council will require the production of a Site Management Plan or Environmental Management System when a resource consent application is made, this will be before hazardous substances are brought onto the hazardous facility. In addition, Council will require the design of the site to include measures which will prevent the accidental releases of any hazardous substances into the environment. Through this process, Council seeks to protect the surrounding environment from any adverse effects of the hazardous facility.*

#### **[7.3.1.15 Noise Insulation**

7.3.1.15.1 Whether the likely exposure to port noise will adversely affect the health or amenity of occupiers of the building.

7.3.1.15.2 Whether the habitable rooms are located, orientated or designed in such a way which would make insulation to the required standards unnecessary.

7.3.1.15.3 Whether the development is likely to lead to potential conflict with and cause adverse effects, including reverse sensitivity effects, on port activities.

7.3.1.15.4 Whether the building is a listed heritage building and the extent to which it is practicable to insulate to the required standard without compromising the heritage significance and fabric of the building.

*Normally insulation to meet permitted activity standards will be required in the Port Noise Affected Area, however the Council accepts that there may be some situations where it can be demonstrated that full compliance with the insulation standard may not be necessary or practicable.]<sup>PC49</sup>*

**7.3.2 The construction, alteration of, and addition to buildings and structures which do not meet one or more of the following conditions for Permitted Activities in rule 7.1.2:**

*For Pt Lot 2 DP 54434, Grenada, refer to Appendix 7*

**7.3.2.1 maximum building height**

**7.3.2.2 height control adjoining Residential Areas**

**7.3.2.3 coastal yards**

**7.3.2.4 verandahs**

**7.3.2.5 display windows**

**[7.3.2.5A noise insulation]<sup>PC49</sup>**

or, where the building or structure would be a controlled activity under rule 7.2.1 or 7.2.2 but the standards and terms are not met are Discretionary (Restricted) Activities in respect of:

- the condition(s) that are not met; and
- if consent is required because of failure to meet the standards and terms in rule 7.2.1 or 7.2.2; design, external appearance and siting.

***Non-notification***

The written approval of affected persons will not be necessary in respect of:

- item 7.3.2.4 [and 7.3.2.5A]<sup>PC49</sup>; and
- design, external appearance and siting (provided consent is not also required for one or more of the matters in 7.3.2.1, 7.3.2.2, 7.3.2.3, 7.3.2.5).

[Notice of applications need not be served on affected persons]<sup>PC28</sup> and applications need not be notified.

***Standards and Terms***

Rule 7.1.2.1, maximum building height must not be exceeded by more than 50 percent.

Rule 7.1.2.2, height control adjoining Residential Areas must not be exceeded by more than 20 percent.

***Assessment Criteria***

**In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:**

**7.3.2.6 Maximum Building Height**

- 7.3.2.6.1 Whether additional height will have a material effect upon sunlight access to streets, public space, or residential buildings in Residential Areas.

- 7.3.2.6.2 Whether the wind environment will be materially affected.
- 7.3.2.6.3 Whether the general form and continuity of development on street frontages will be affected.
- 7.3.2.6.4 Whether additional height is necessary to facilitate any industrial or manufacturing process.

*The permitted building height for Suburban Centres provides reasonably for most development but Council accepts that in some cases additional height may be necessary or desirable. In the main commercial areas, taller buildings will not generally be favoured close to the boundaries with Residential or Open Space Areas. Council also accepts that additional height may be required for buildings or structures to facilitate manufacturing or processing. Council's aim is to protect any nearby Residential or Open Space Area from the effects of additional height.*

#### **7.3.2.7 Height Control adjoining Residential Areas**

Whether the topography of the site or surrounding land or the nature of the proposed development is such that the amenities of nearby Residential Areas will be protected.

*Landforms and possible building forms on sites near to Residential Areas are very diverse and some developments may be permitted which do not comply fully with the standards for Permitted Activities.*

#### **7.3.2.8 Coastal Yards**

Whether public access to, and along, the coastal marine area is maintained, or enhanced where appropriate and practicable.

*Provision to reduce the width of coastal yards is included to facilitate innovative design solutions which will retain public access to the coastal marine area. For an explanation of "appropriate and practicable" refer to the Explanation to Objective 6.2.5.*

#### **7.3.2.9 Verandahs**

- 7.3.2.9.1 Whether suitable alternative provision for pedestrian cover can be made.
- 7.3.2.9.2 Whether the design and appearance of the existing building is such that a verandah cannot be added without detracting from its appearance.
- 7.3.2.9.3 Whether existing verandahs on adjoining sites are such that the required continuity cannot be achieved.

*Verandahs are useful in providing shade and shelter for pedestrians but Council accepts that in some situations they may not be needed. Council aims to ensure that suitable alternatives are provided.*

#### **7.3.2.10 Display Windows**

- 7.3.2.10.1 Whether the lack of a display window will result in a break in the display frontage causing a loss of visual amenity.
- 7.3.2.10.2 Whether there are existing display windows on adjoining sites that make continuity of display frontages unreasonable.

*Display windows are considered important along shopping streets and those that have a high flow of pedestrian traffic. Council aims to have continuity along these streets but accepts that there may be situations where these cannot be provided.*

### **7.3.2.11 Design, External Appearance and Siting**

If the proposal is within the Thorndon Character Area, the Newtown Suburban Centre Character Area or the Shelly Bay Suburban Centre, the extent to which the proposal meets the provisions of the relevant design guides.

*The Thorndon and Newtown Centres have a special character which Council wishes to maintain and enhance. This will be promoted by way of Design Guides. The Design Guide for Shelly Bay will be applied to assist in achieving the design objective for the site. The general purpose of the Design Guide is to guide development in a manner which recognises and respects the distinctive environmental qualities that give the area its special character.*

### **[7.3.2.12 Noise Insulation**

- 7.3.2.12.1 Whether the likely exposure to port noise will lead to an unreasonable level of health or amenity for occupiers of the building.
- 7.3.2.12.2 Whether the habitable rooms are located, orientated or designed in such a way which would make insulation to the required standards unnecessary.
- 7.3.2.12.3 Whether the development is likely to lead to potential conflict with and cause adverse effects on port activities.
- 7.3.2.12.4 Whether the building is a listed heritage building and the extent to which it is practicable to insulate to the required standard without compromising the heritage significance and fabric of the building.

*Normally insulation to meet permitted activity standards will be required in Port Noise Affected Areas, however there may be some situations where it can be demonstrated that full compliance with the insulation standard may not be necessary or practicable.]<sup>PC49</sup>*

### **7.3.3 The construction of, alteration of, and addition to buildings and structures in the Shelly Bay Suburban Centre that exceed 42% coverage of the site up to a maximum of 49% coverage of the site are Discretionary Activities (Restricted) in respect of:**

- 7.3.3.1 design, external appearance, building height and siting.**

***Non-notification***

The written approval of affected persons will not be necessary in respect of item 7.3.3.1. [Notice of applications need not be served on affected persons]<sup>PC28</sup> and applications need not be notified.

***Standards and Terms***

This activity must comply with the conditions specified under rule 7.1.1 and 7.1.2 unless consents are concurrently sought and granted under rules 7.3.1 and 7.3.2 for those conditions which are not met.

***Assessment Criteria***

**In determining whether to grant consent, and what conditions, if any, to impose, Council will have regard to the provisions of the Shelly Bay Design Guide.**

**7.3.4 Any activity or the erection of buildings or structures involving the provision of more than 120 vehicle parking spaces per site is a Discretionary Activity (Restricted) in respect of:**

**7.3.4.1 the generation of vehicular traffic.**

***Non-notification***

The written approval of affected persons will not be necessary in respect of item 7.3.4.1. [Notice of applications need not be served on affected persons]<sup>PC28</sup> and applications need not be notified.

***Standards and Terms***

Except for the matters specified in rule 7.3.4 this activity must comply with all relevant conditions specified for activities in rules 7.1.1 and 7.1.2 or obtain consent to their variation or waiver under rules 7.3.1 and 7.3.2.

A traffic report must be supplied which addresses:

- details of the parking to be provided on the site, and its intended use (whether it is intended for staff or customers)
- site access
- provision for servicing
- internal traffic circulation
- what effect the extra traffic will have on local streets
- transportation impact assessments.

***Assessment Criteria***

**In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:**

7.3.4.2 Whether the proposed development will cause congestion or affect the safe or efficient movement of traffic on streets in Suburban Centres or nearby Residential Areas.

- 7.3.4.3 Whether the proposed activity provides high standard facilities for public transport, cycling, pedestrian and vehicular movements or has easy access to those facilities or promotes the use of transport modes other than private vehicles.

*Larger developments in Suburban Centres which generate significant vehicular traffic may cause congestion or affect the safe or efficient movement of traffic on the street. Council requires all developments to be assessed in this light, and appropriate measures taken to remedy problems. In particular Council is seeking a high standard of public transport, pedestrian and cyclist accessibility.*

**7.3.5 The construction of residential buildings, including accessory buildings, where the result will be three or more household units at ground level on any site excluding those sites contained within the airnoise boundary as depicted on Planning Map 35 is a Discretionary Activity (Restricted) in respect of:**

*For Pt Lot 2 DP 54434, Grenada, refer to Appendix 7*

**7.3.5.1 design, external appearance and siting**

**7.3.5.2 site landscaping**

**7.3.5.3 parking and site access.**

#### ***Non-notification***

The written approval of affected persons will not be necessary in respect of items 7.3.5.1 and 7.3.5.2. [Notice of applications need not be served on affected persons]<sup>PC28</sup> and applications need not be notified.

#### ***Standards and Terms***

This activity must comply with the conditions specified in rule 7.1.2 unless consents are concurrently sought and granted under rule 7.3.2 for those conditions which are not met.

#### ***Assessment Criteria***

**In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:**

- 7.3.5.4 The extent to which the proposal meets the provisions of the [Residential Design Guide.]<sup>PC56</sup>
- 7.3.5.5 [In respect of the suburban centres in Newtown, Berhampore and Mt Cook the extent to which the proposal meets the provisions of the Southern Inner Residential Areas Design Guide for Multi Unit Housing.]<sup>PC39</sup>

*Multi-unit residential development is possible in some Suburban Centre areas. Where such development is proposed the Council requires the standard to be equivalent to that which is occurring in Residential Areas. The general intention of the guide is not to impose specific design solutions but to identify various design principles, aimed at improving the quality of development.*

*Multi-unit residential development within the airnoise boundary as depicted on Map 35 will be required to satisfy these assessment criteria as well as the assessment criteria contained in rule 7.4.4.*

**7.3.6 Any critical facility within any Hazard Area is a Discretionary Activity (Restricted) in respect of:**

**7.3.6.1 the location of the facility.**

***Non-notification***

The written approval of affected persons will not be necessary in respect of item 7.3.6.1. [Notice of applications need not be served on affected persons]<sup>PC28</sup> and applications need not be notified.

***Standards and Terms***

This activity must comply with the conditions specified in rule 7.1.1 and 7.1.2 unless consents are concurrently sought and granted under rules 7.3.1 and 7.3.2 for those conditions which are not met.

***Assessment Criteria***

**In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:**

- 7.3.6.2 Whether it has been demonstrated that the particular site or location for the facility is necessary for the safe and efficient functioning of the City.
- 7.3.6.3 Whether the applicant has proven, through the use of an engineering design report, that any structure will perform safely under hazard conditions for the life of the structure.

*The location of critical facilities can be vital when a natural disaster occurs. Council's long-term aim is to encourage all critical facilities to be located in secure areas so as to minimise the risks from ground shaking, fault rupturing and inundation.*

**7.3.7 In the Tawa Hazard (Flooding) Area**

- earthworks; or
- the construction, alteration of, and addition to buildings, including accessory buildings;

which are more than 5 metres from the Porirua Stream, that are not Controlled Activities, are Discretionary Activities (Restricted) in respect of:

- 7.3.7.1 the level, extent and gradient of earthworks
- 7.3.7.2 building floor levels
- 7.3.7.3 building location within the site
- 7.3.7.4 the displacement of flood waters from the site.

**“For the purposes of clarification, this rule does not apply to network utility infrastructure, as they are provided for in ‘Section 23. Utility Rules’ of the District Plan.”**

***Non-notification***

The written approval of affected persons will not be necessary in respect of items 7.3.7.1, 7.3.7.2, 7.3.7.3 and 7.3.7.4. [Notice of applications need not be served on affected persons]<sup>PC28</sup> and applications need not be notified.

***Standards and Terms***

This activity must comply with the conditions specified for activities in rules 7.1.1 and 7.1.2 unless consents are concurrently sought and granted under rules 7.3.1, 7.3.2, 7.3.5 and 7.3.6 for those conditions not met.

***Assessment Criteria***

**In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:**

- 7.3.7.5 Whether the undertaking of earthworks, or the size or siting of the building will impede the flow of flood waters.
- 7.3.7.6 Whether the earthworks, building or associated works will accelerate, worsen or result in the erosion or inundation of the site, or any other site or building.
- 7.3.7.7 Whether the potential threat to the health and safety of people, property or the environment from flooding is avoided, remedied or mitigated.

*Flooding problems exist in the Porirua Stream catchment. To protect the safety of building occupants, the Council will generally require that building floor levels are above the predicted flood levels for the 1 in 100 year flood event. The detail of flood depths for land within the Tawa Hazard (Flooding) Area is held by Wellington City Council. These depths are based on the best information available to the Council and vary with the topography of the area. Buildings with floor levels below the predicted flood levels have been made a Discretionary Activity (Restricted) to*

ensure that the implications of such development is fully considered. Earthworks below the predicted flood levels have similarly been made a Discretionary Activity (Restricted) to ensure a full assessment of the works. The Council will also require that earthworks and the location or size of any building on a site does not impede the flow of flood waters and the flooding risk is not increased for other properties or sites.

### **7.3.8 In the Takapu Hazard (Flooding) Area**

- earthworks; or
- the construction, alteration of, and addition to buildings, including accessory buildings;

which are more than 5 metres from the Takapu Stream, are Discretionary Activities (Restricted) in respect of:

- 7.3.8.1 the level, extent and gradient of earthworks
- 7.3.8.2 building floor levels
- 7.3.8.3 building location within the site
- 7.3.8.4 the displacement of flood waters from the site.

**“For the purposes of clarification, this rule does not apply to network utility infrastructure, as they are provided for in ‘Section 23. Utility Rules’ of the District Plan.”**

#### *Non-notification*

The written approval of affected persons will not be necessary in respect of items 7.3.8.1, 7.3.8.2, 7.3.8.3 and 7.3.8.4. [Notice of applications need not be served on affected persons]<sup>PC28</sup> and applications need not be notified.

#### *Standards and Terms*

This activity must comply with the conditions specified for activities in rules 7.1.1 and 7.1.2 unless consents are concurrently sought and granted under rules 7.3.1, 7.3.2, 7.3.5 and 7.3.6 for those conditions not met.

#### *Assessment Criteria*

**In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:**

- 7.3.8.5 The effect of the earthworks, building or associated works on the flood hazard.
- 7.3.8.6 Whether the earthworks, building or associated works will accelerate, worsen or result in the erosion or inundation of the site, or any other site or building.
- 7.3.8.7 Whether the potential threat to the health and safety of people, property or the environment from flooding is avoided, remedied or mitigated.

- 7.3.8.8 Whether any additional flood detention area can be provided on site to mitigate any reduction in the total detention volume for flood waters from the building, earthworks, or associated works.

*The land adjacent to the Takapu Stream, and identified on the District Plan Maps as the Takapu Hazard (Flooding) Area, is prone to inundation during periods of high rainfall. To protect the safety of building occupants, the Council will generally require that floor levels are above the predicted flood levels. Earthworks, buildings or structures must ensure that the flood hazard is not worsened and that works do not cause or increase erosion or inundation of buildings or sites.*

*Flood water detention volumes should not be reduced by future development and Council will consider whether any new development should provide on site compensatory flood water storage capacity.*

**[7.3.9 The construction, alteration and addition to buildings or structures exceeding a gross floor area of 30m<sup>2</sup> within a Hazard (Fault Line) Area is a Discretionary Activity (Restricted) in respect of:**

**7.3.9.1 the location and type of buildings or structures**

***Non-notification***

The written approval of affected persons will not be necessary in respect of item 7.3.9.1.[ Notice of applications need not be served on affected persons]<sup>PC28</sup> and applications need not be notified.

***Standards and Terms***

This activity must comply with the conditions specified in rule 7.1.1 and 7.1.2 unless consents are concurrently sought and granted under rules 7.3.2 for those conditions that are not met.

***Assessment Criteria***

**In determining whether a grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:**

- 7.3.9.2 The extent to which a geotechnical report and an engineering design report shows that the risk of building failure following a fault rupture can be reduced to minimise the effects of fault rupture on the safety of occupiers and neighbours.

*Limitations have been imposed on developments in fault zones to reduce development intensity and promote safety.*

*The fault rupture hazard area is a narrower zone within the wider Hazard (Fault Line) Area. As the fault is expected to rupture within this narrower zone, it is desirable to avoid locating new structures and buildings in this zone.*

*The Hazard (Fault Line) Area extends beyond the fault rupture hazard zone because of inherent uncertainties associated with fault rupture.*

***Refer to Rule 3.2.2.13 for information on geotechnical and engineering design reports***

*Engineering measures should also be applied to buildings in this wider hazard area to reduce the effects of a fault rupture.*

*The provision of site-specific geotechnical and engineering design reports carried out by experts will assist the Council to assess the adverse effects arising from the fault rupture hazard for the development site and how those effects can be minimised.]<sup>PC22</sup>*

**[7.3.10 Quarrying and cleanfilling activities in Ngauranga Gorge (Kiwi Point Quarry) that do not comply with one or more of the following conditions for Permitted Activities:**

**7.3.10.1 Matters in rules 7.1.3.1**

**7.3.10.2 Quarry activities**

**7.3.10.3 Cleanfill activities**

**7.3.10.4 Location of quarry plant**

**7.3.10.5 Traffic movement**

**7.3.10.6 Rehabilitation and treatment of stripped areas**

**are Discretionary Activities (Restricted) in respect of the condition(s) not met.**

***Non-notification***

The written approval of affected persons will not be necessary in respect of rules 7.3.10.1 – 7.3.10.6. Notice of applications need not be served on affected persons and applications need not be notified.

***Standards and Terms***

The standards and terms which apply in rules 7.3.1 and 7.3.2 shall apply to all applications under 7.3.10.1.

The duration of a consent granted for processing plant or buildings in the southern part under rule 7.3.10 shall not exceed 10 years.

***Assessment Criteria***

**In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to, but not be limited to, the following criteria:**

- 7.3.10.7.1 Whether the activity is necessary to facilitate the effective and efficient use of the quarry.
- 7.3.10.7.2 The extent to which the proposal will result in adverse visual, amenity or safety and efficiency effects, including those effects on the State Highway, Fraser Avenue, Tyers Road, on nearby existing activities, and on occupants of nearby dwellings.]<sup>PC64</sup>

**[7.3.11 The construction, alteration of, and addition to buildings, structures (excluding signs), and construction of car parking anywhere within the Churton Park Village Concept Plan area is a Discretionary Activity (Restricted) in respect of:**

- 7.3.11.1 Design, external appearance and siting of buildings (i.e. the design of buildings and the space around them)**
- 7.3.11.2 Structure and design of public space**
- 7.3.11.3 Location and layout of parking and servicing, and servicing hours**
- 7.3.11.4 Landscaping**
- 7.3.11.5 Site Access, pedestrian and vehicular**
- 7.3.11.6 Density of residential development**
- 7.3.11.7 Storm water management**
- 7.3.11.8 Earthworks**

***Non-notification***

*In respect of rule 7.3.11 and matters of discretion 7.3.11.1 to 7.3.11.7, applications that meet the standards and terms do not need to be publicly notified and do not need to be served on affected persons. In respect of matters of earthworks 7.3.11.8, applications that meet the standards and terms do not need to be publicly notified however notice may be served on affected parties. In cases where concurrent consents are required under rules 7.3.1 and 7.3.2 in accordance with the standards and terms below, the non-notification provisions for these rules will apply.*

***Standards and Terms***

- A) All structures, buildings and car parking must meet the conditions for Lighting (7.1.1.4), Electromagnetic Radiation (7.1.1.5), Screening of Activities and Storage (7.1.1.6 - 7.1.1.6.2 only), Vehicles Parking, Servicing and Site Access (7.1.1.7) except residential activities needn't comply with standard 7.1.1.7.5 (servicing), Signs (7.1.1.8), Maximum building height (7.1.2.1), Height control adjoining Residential Areas (7.1.2.2 – 7.1.2.2.1 only), Verandas (7.1.2.4), and Windows (7.1.2.6) unless consent is concurrently sought under rules 7.3.1 and 7.3.2 for the condition(s) not met; and
- B) All structures, buildings and car parking must comply with the Churton Park Village Concept Plan Requirements

***Assessment Criteria***

In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:

- 7.3.11.8 The Churton Park Village Concept Plan Map and Guiding Principles.]<sup>PC60</sup>

**[7.3.12 Any type of subdivision of land or buildings anywhere within the Churton Park Village Concept Plan area is a Discretionary Activity (Restricted) in respect of:**

- 7.3.12.1 Subdivision design and layout and the provision for future land uses anticipated by the Churton Park Village Concept Plan**
- 7.3.12.2 Allotment size and location**
- 7.3.12.3 Site Access**
- 7.3.12.4 Pedestrian Access**
- 7.3.12.5 Storm water management and effects on water bodies**
- 7.3.12.6 Earthworks**
- 7.3.12.7 The matters in rule 7.1.4 (7.1.4.1 to 7.1.4.8)**

***Non-notification***

*In respect of rule 7.3.12 and matters of discretion 7.3.12.1 to 7.3.11.5 and 7.3.12.7, applications that meet the standards and terms do not need to be publicly notified and do not need to be served on affected persons. In respect of matters of earthworks 7.3.12.6, applications that meet the standards and terms do not need to be publicly notified however notice may be served on affected parties.*

***Standards and Terms***

*All subdivisions must meet the conditions Provision of Services (7.1.4.2), Legal Access (7.1.4.3), Vehicle Access (7.1.4.5), Earthworks undertaken (7.1.4.4), unless consent is concurrently sought under rule 7.4.5 in respect of the conditions(s) not met. Additionally, all subdivision proposals must comply with the Churton Park Village Concept Plan Requirements.*

*For the avoidance of doubt, any subdivision not meeting the concept plan requirements will default to a non-complying activity.*

***Assessment Criteria***

*In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:*

- 7.3.12.7 The Churton Park Village Concept Plan map and guiding principles.*
- 7.3.12.8 The requirements of Section 106 of the Act.*
- 7.3.12.9 The extent of compliance with the relevant parts of the Council's Code of Practice for Land Development.*
- 7.3.12.10 The matters under conditions 7.1.4.1 to 7.1.4.8 ]<sup>PC60</sup>*

## 7.4 Discretionary Activities (Unrestricted)

Section 7.4 describes which activities are Discretionary Activities (Unrestricted) in Suburban Centres. The decision on whether or not a resource consent application will be notified will be made in accordance with the provisions on notification in the Act.

### **7.4.1 Buildings and structures, including pedestrian bridges, located above the street that exceed 25 percent of the width of the street at any point are Discretionary Activities (Unrestricted).**

#### *Assessment Criteria*

**In determining whether to grant consent and what conditions, if any, to impose Council will have regard to the following criteria:**

- 7.4.1.1 The provisions of any relevant Character Area Design Guide.
- 7.4.1.2 The impact of the structure on the visual qualities of the streetscape, including its impact on views.
- 7.4.1.3 The effect of the structure on neighbouring properties.
- 7.4.1.4 The effect of the structure on the wind environment of the street and the extent to which sunlight levels in the street will be reduced.
- 7.4.1.5 The potential for the structure to restrict access in the event of a natural hazard. Council will consider the design, placement and construction materials to avoid or mitigate any potential hazard.

*Bridges and similar structures over a road can have both visual and physical impacts. Council is particularly concerned about the effects of such structures on the visual qualities of the streetscape. Such structures have the potential to block roads or access links in the event of a natural hazard occurring. Developments of this type are Discretionary so their impacts can be assessed.*

### **7.4.2 The total or partial demolition, or removal of any building constructed prior to 1930 in the Thorndon Character Area is a Discretionary Activity (Unrestricted).**

#### *Assessment Criteria*

**In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:**

- 7.4.2.1 The heritage and/or architectural significance of the building.
- 7.4.2.2 Whether the building can be relocated on the site or to another site in the Thorndon Character Area and the impact that the relocation would have on the heritage significance of the building.

- 7.4.2.3 The extent to which any redevelopment will comply with the Thorndon Character Area Design Guidelines.

*Within the Thorndon Character Area the majority of buildings that give the area its heritage character including existing shops were built before 1930 and most are still standing. To assist in protecting the townscape of this special area the demolition or removal of pre 1930s buildings has been made a Discretionary Activity.*

#### **7.4.3 Any use of a contaminated site is a Discretionary Activity (Unrestricted).**

##### *Assessment Criteria*

**In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:**

- 7.4.3.1 The nature of the contamination and the extent to which the community and the environment will be exposed to the contaminants.
- 7.4.3.2 The proposed approach to, and timing of, the future decontamination of the site or the management of the decontamination risk.

*Activities on contaminated sites are controlled for two reasons. Firstly, to prevent the contamination from adversely affecting occupiers of the site, or processes which could take place there, and secondly, to ensure that such sites are cleaned up. Contaminated sites will become more common in Wellington as they are discovered through the environmental monitoring procedures of both the City and Regional Councils.*

*Although the use of contaminated sites is discretionary, this will not be used as a barrier to the decontamination of the site. Council is eager to see such sites cleaned up and will facilitate this process to the best of its ability. Council will seek decontamination in accordance with ANZECC "Guidelines for the Assessment and Management of Contaminated Sites" or similar.*

#### **7.4.4 The construction of new residential buildings within the airnoise boundary as depicted on Map 35 are Discretionary Activities (Unrestricted).**

##### *Assessment Criteria*

**In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:**

- 7.4.4.1 Compliance with relevant conditions in rules 7.1.1, 7.1.2 and the assessment criteria for multi-unit development in rule 7.3.5.
- 7.4.4.2 Whether the proposed development is proposed to be designed and constructed so as to achieve an internal level of 45dBA  $L_{dn}$  inside any habitable room with the doors and windows closed.
- 7.4.4.3 The location of the site in relation to the airport and the airnoise boundary, and the likely exposure to airport noise.
- 7.4.4.4 Whether the location of the site and likely exposure to airport noise will lead to an unreasonable level of amenity to future occupiers.

7.4.4.5 Whether in the circumstances the development is likely to lead to potential conflict with and adverse effects on airport activities.

[7.4.4.6 Whether the development is likely to lead to potential conflict with and cause adverse effects on port activities where the site is within the Port Noise Affected Area.]<sup>PC49</sup>

*Residential development within the airnoise boundary may be acceptable in some locations. In order to adequately assess the effects on prospective owners and occupiers and any adverse effects of airport noise, and to consider potential further constraints or other adverse effects on activities at the airport, each proposal will be considered against these assessment criteria. [Where proposed developments are within the Port Noise Affected Area identified on Map 55, noise from port related activities will also be considered due to the close proximity of shipping operations and the potential for intrusive sources of noise of special audible characteristics.]<sup>PC49</sup> Applications for resource consent will normally be notified.*

*The certification of an approved acoustical engineer will be accepted as evidence that designs meet the insulation standard in 7.4.4.3. A list of approved acoustical engineers shall be agreed between the Council and the Airnoise Management Committee and shall be made available on request by the Council.*

**7.4.5 Any subdivision not being a Permitted Activity or Controlled Activity is a Discretionary Activity (Unrestricted).**

*For Pt Lot 2 DP 54434, Grenada, refer to Appendix 7*

***Standards and Terms***

For any subdivision incorporating new roads, all services must be reticulated underground.

***Assessment Criteria***

**In determining whether to grant consent and what conditions, if any, to impose Council will have regard to the following criteria:**

- 7.4.5.1 The requirements of section 106 of the Act.
- 7.4.5.2 Whether proposed allotments are capable of accommodating Permitted Activities in compliance with the Suburban Centre rules.
- 7.4.5.3 The extent of compliance with the relevant parts of the Council's Code of Practice for Land Development.
- 7.4.5.4 In relation to subdivisions adjoining the coast:
- the extent to which the coast's natural and physical character is maintained or enhanced
  - the provision of public access to, and along, the coast.
- 7.4.5.5 Whether esplanade land is required to be set aside as part of the subdivision.

Esplanade land to a maximum of 20 metres is required as a part of subdivision on the following waterbodies or the coastal marine area where they meet the criteria specified within the Resource Management Act:

- all parts of the Wellington Coast
- Porirua Stream and tributaries
- Kaiwharawhara Stream and tributaries.

A reduction in the width of land required and the appropriate type of land tenure will be assessed as part of the subdivision application. The need for esplanade land will be assessed against the following:

- whether the land holds conservation or ecological values
- whether the land is necessary to maintain or enhance conservation or ecological values of the adjacent land, water or the water quality of the waterbody or coastal water
- whether the land is necessary to provide or maintain public access, both present and future, to or along the edge of the waterbody or the coastal marine area
- whether the land is necessary to maintain or enhance other natural values of the esplanade land.

Where there is no necessity for Council to own esplanade land to achieve the above outcomes, esplanade strips will be considered as mechanisms to ensure access or the maintenance of natural values.

The requirement to provide 20 metres of esplanade land may be waived totally where the land will not:

- contribute to the protection of conservation values;
- enable public access along or to waterbodies or the coastal marine area; or
- enable public recreational use of esplanade land, waterbodies or the coastal marine area.

*Access to waterbodies and the coast remains an important issue. Council aims to continue the practice of providing access to waterbodies and the coastal marine area and conserving their natural values. The approach adopted is to assess each subdivision on its merits. Each application for subdivision should address the issue of providing esplanade land in the context of the listed criteria. Esplanade land may also be considered for financial contributions where esplanade reserves or strips are not deemed to be necessary. With regard to esplanade land, section 345(3) of the Local Government Act 1974 also applies.*

#### **7.4.6 Helicopter landing areas are a Discretionary Activity (Unrestricted)**

##### *Assessment Criteria*

**In determining whether to grant consent and what conditions, if any, to impose Council will have regard to the following criteria:**

- 7.4.6.1 The extent of compliance with the provisions of NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas.
- 7.4.6.2 The extent of compliance with relevant Civil Aviation rules.

*Council is concerned that helicopters operations do not cause adverse noise effects and are conducted safely. Helicopters in flight are not subject to control but Council*

*has made landing areas a Discretionary Activity (Unrestricted) to ensure that any adverse effects are avoided, remedied or mitigated and that public safety is maintained.*

**7.4.7 Earthworks, and the construction, alteration of, and addition to, buildings, including accessory buildings, less than 5 metres from the Porirua Stream within the Tawa Hazard (Flooding) Area, and the Takapu Stream within the Takapu Hazard (Flooding) Area, are Discretionary Activities (Unrestricted).**

**“For the purposes of clarification, this rule does not apply to network utility infrastructure, as they are provided for in ‘Section 23. Utility Rules’ of the District Plan.”**

#### *Assessment Criteria*

**In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:**

- 7.4.7.1 The effect of the earthworks, building or associated works on the flood hazard.
- 7.4.7.2 The extent to which the earthworks will affect water quality, or cause or contribute to soil erosion.
- 7.4.7.3 Whether the potential threat to the health and safety of people, property or the environment from flooding is avoided, remedied or mitigated.
- 7.4.7.4 Whether any additional flood detention area can be provided on site to mitigate any reduction in the total detention volume for flood waters from the earthworks, building or associated works.

*Council is concerned that earthworks and buildings within 5 metres of the Porirua and Takapu Streams could impede the flow of flood waters and increase the risk of flooding to other properties in the respective catchments. In addition, contaminants could affect the water quality and erosion could be increased. Earthworks and buildings in this situation have therefore been made a Discretionary Activity (Unrestricted) to ensure that the effects of such development are fully considered.*

*Flood water detention volumes should not be reduced by future development and Council will consider whether any new development should provide on site compensatory flood water storage capacity.*

## **7.5 Non-Complying Activities**

Activities that contravene a rule in the Plan, and which have not been provided for as Discretionary Activities (Restricted) or Discretionary Activities (Unrestricted) are Non-Complying Activities. Resource consents will be assessed in terms of section 105(2A)(b) of the Resource Management Act.

The decision on whether or not a resource consent application will be notified will be made in accordance with the provisions on notification in the Act.

## Appendix 1. Noise

Except where areas are affected by noise from the Operational Port Area, activities must comply with the following noise limits. Noise from the Operational Port Area must comply with the fourth category below.

### Residential (Inner)

Noise emission levels when measured on any residential site in the Inner Residential Area must not exceed:

<i>Monday to Saturday 7am to 7pm</i>	<i>55dBA(L10)</i>
<i>Monday to Saturday 7pm to 10pm</i>	<i>50dBA(L10)</i>
<i>At all other times</i>	<i>40dBA(L10)</i>
<i>All days 10pm to 7am</i>	<i>70dBA(Lmax)</i>

Where it is impractical to measure outside a dwelling, then measurements shall be made inside (with windows closed). Where indoor measurements are made the noise limits stated above shall be reduced by 15dBA.

### Residential (Outer)

Noise emission levels when measured on any residential site in the Outer Residential Area must not exceed:

<i>Monday to Saturday 7am to 7pm</i>	<i>50dBA(L10)</i>
<i>Monday to Saturday 7pm to 10pm</i>	<i>45dBA(L10)</i>
<i>At all other times</i>	<i>40dBA(L10)</i>
<i>All days 10pm to 7am</i>	<i>65dBA(Lmax)</i>

Where it is impractical to measure outside a dwelling, then measurements shall be made inside (with windows closed). Where indoor measurements are made the noise limits stated above shall be reduced by 15dBA.

### Rural Area

Noise emission levels when measured at or within the boundary of any site (other than the site from which the noise is generated) in the Rural Area must not exceed:

<i>At all times</i>	<i>55dBA (L10)</i>
---------------------	--------------------

and

noise emission levels when measured on any conceptual boundary of a residential building must not exceed:

<i>Monday to Saturday 7am to 8pm</i>	<i>45dBA (L10)</i>
<i>At all other times</i>	<i>35dBA (L10)</i>
<i>All days 8pm to 7am</i>	<i>60dBA (Lmax)</i>

## [Appendix 1A. Noise Insulation Construction Schedule

(the schedule describes the minimum requirements necessary to achieve an external sound insulation level of  $D_{nT,w} + C_{tr} > 30$  dB)

Building Element	<u>Minimum Construction Requirement</u>	
<u>External Walls of Habitable Rooms</u>	<u>Stud Walls:</u> Exterior cladding: Cavity infill: Interior lining: Combined superficial density:	20 mm timber or 9mm compressed fibre cement sheet over timber frame (100 mm x 50 mm). * Fibrous acoustic blanket (batts or similar of a minimum mass of 9 kg/m <sup>3</sup> ) required in cavity for all exterior walls. Minimum 90 mm wall cavity. One layer of 12 mm gypsum plasterboard. Where exterior walls have continuous cladding with a mass of greater than 25 kg/m <sup>2</sup> (e.g. brick veneer or minimum 25 mm stucco plaster), internal wall linings need to be no thicker than 10 mm gypsum plasterboard. Minimum not less than 25 kg/m <sup>2</sup> being the combined mass of external and internal linings excluding structural elements (e.g. window frames or wall studs) with no less than 10 kg/m <sup>2</sup> on each side of structural elements.
	<u>Mass Walls:</u>	190 mm concrete block, strapped and lined internally with 10 mm gypsum plaster board, or 150 mm concrete wall.
<u>Glazed Areas of Habitable Rooms</u>	Glazed areas up to 10% of <u>floor</u> area: Glaze Glazed areas between 10% and 35% of <u>floor</u> area: Glazed areas greater than 35% of <u>floor</u> area:	6 mm glazing single float 6 mm laminated glazing Requi Require a specialist acoustic report to show conformance with the insulation rule.
	Frames to be aluminium window frames with compression seals.	
<u>Skillion Roof</u>	Cladding:	0.5 mm profiled steel or 6 mm corrugated fibre cement, or membrane over 15mm thick ply, or concrete or clay tiles.
	Sarking:	17mm plywood (no gaps).

Building Element	<b>Minimum Construction Requirement</b>	
	Frame:	Minimum 100 mm gap with fibrous acoustic blanket (batts or similar of a mass of 9 kg/m <sup>3</sup> ).
	Ceiling:	Two layers of 10 mm gypsum plaster board (no through ceiling lighting penetrations unless correctly acoustically rated). Fibrous acoustic blanket (batts or similar of a minimum mass of 9 kg/m <sup>3</sup> ).
	Combined superficial density:	Combined mass of cladding and lining of not less than 25 kg/m <sup>2</sup> with no less than 10 kg/m <sup>2</sup> on each side of structural elements.
Pitched <u>Roof</u> (all roofs other than skillion roofs)	Cladding:	0.5 mm profiled steel or tiles, or membrane over 15mm thick ply.
	Frame:	Timber truss with 100 mm fibrous acoustic blanket. (batts or similar of a minimum mass of 9 kg/m <sup>3</sup> ) required for all ceilings.
	Ceiling:	12 mm gypsum plaster board.
	Combined superficial density:	Combined mass with cladding and lining of not less than 25 kg/m <sup>2</sup> .
<u>Floor</u> areas open to outside	Cladding:	Under-floor areas of non-concrete slab type floors exposed to external sound will require a cladding layer lining the underside of floor joists of not less than 12 mm ply
	Combined superficial density:	Floors to attain a combined mass not less than 25 kg/m <sup>2</sup> for the floor layer and any external cladding (excluding floor joists or bearers).
External <u>Door</u> to Habitable Rooms	Solid core door (min 25 kg/m <sup>2</sup> ) with compression seals (where the door is exposed to exterior noise).	

## Notes:

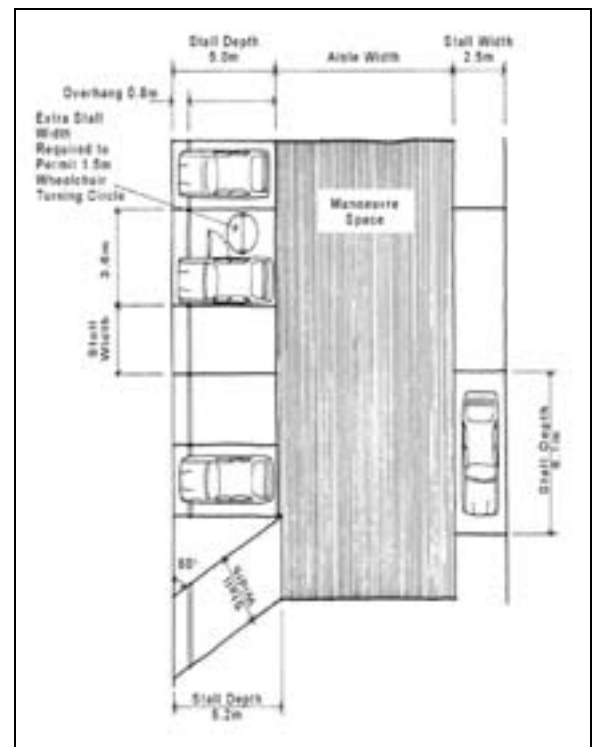
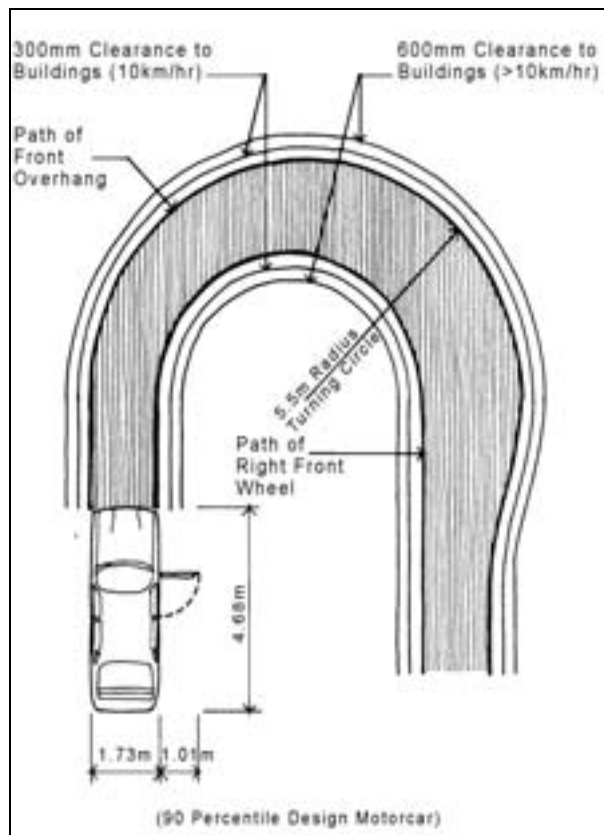
- *\*The table refers to common specifications for timber size. Nominal specifications may in some cases be slightly less than the common specifications stated in the schedule for timber size.*
- *In determining the insulating performance of roof/ceiling arrangements, roof spaces are assumed to have no more than the casual ventilation typical of the jointing capping and guttering detail used in normal construction.]<sup>PC49</sup>*

## [Appendix 1B. Port Noise Management Plan

The Port Noise Management Plan, required under Rule 7.1.1.1.7, shall:

- (i) State the objectives of the Management Plan.
- (ii) Identify all significant noise sources from port related activities within the Operational Port Area and the adjacent Coastal Marine Area.
- (iii) Identify the best practical options to ensure the emission of noise does not exceed the noise levels specified in 7.1.1.1.5.
- (iv) Identify techniques that will be considered to reduce the emission of noise over time and indicate which of these techniques will be adopted to achieve realistic objectives in managing noise.
- (v) Explain how the port company will take noise effects into account in the design and location of new or extended port activities.
- (vi) Identify how the port company will work with independent companies to ensure that transport noise and noise from other activities within the port area will be kept to a minimum practical level.
- (vii) Identify procedures for noise reduction through the port company's staff and contractor training.
- (viii) Provide for the establishment and maintenance of a Port Noise Liaison Committee (the port company may provide for this function within the operation of its Environmental Consultative Committee).
- (ix) List the Port Noise Liaison Committee functions; and the procedures for the recommendations of the Committee to be considered and determined by the port company.
- (x) Detail procedures for receiving and deciding on complaints.
- (xi) Detail procedures for noise monitoring; auditing and reporting.
- (xii) Include procedures for the review and alteration of the Port Noise Management Plan.]<sup>PC49</sup>

## Appendix 2. Vehicle Parking Standards



(a)

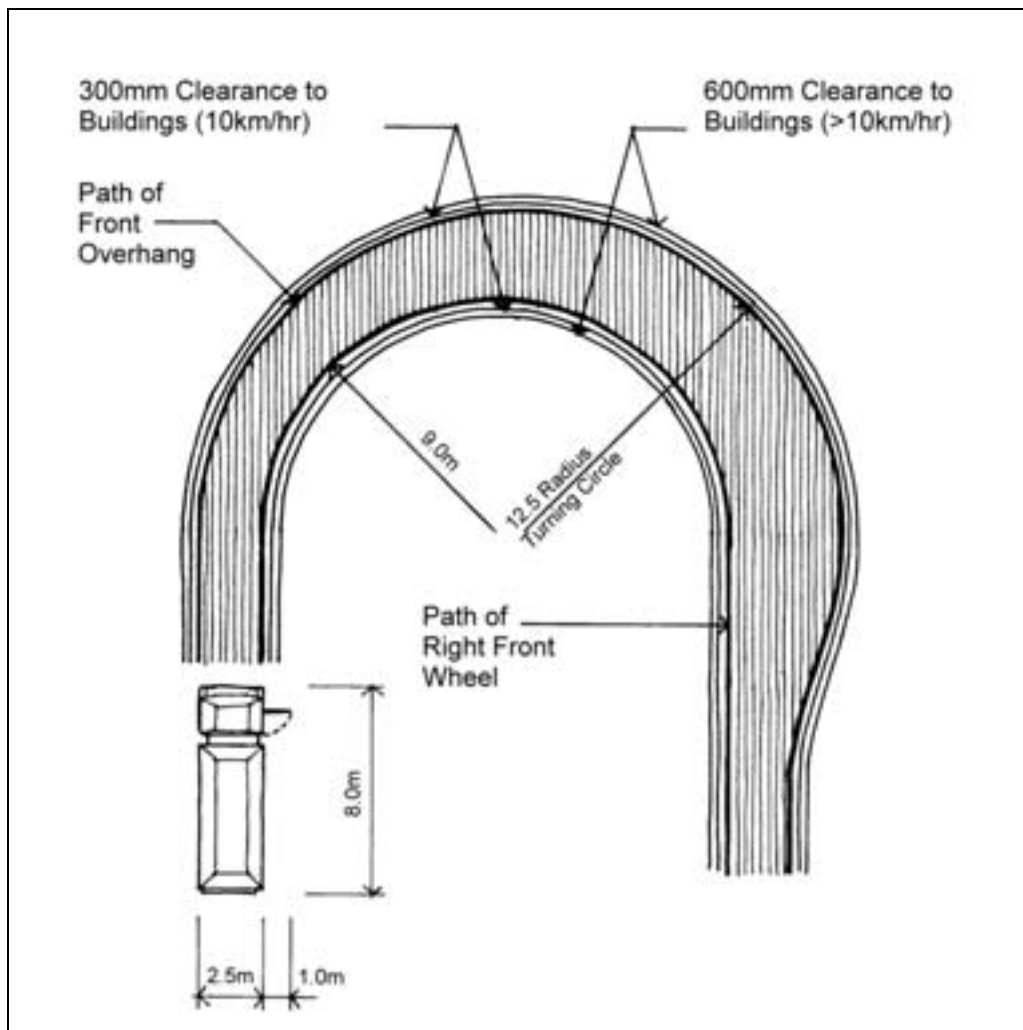
(b)

Type of User	Parking angle	Stall Width (metres)	Aisle Width (metres)	Stall Depth (metres)	Parking angle	Stall Width (metres)	Aisle Width (metres)	Stall Depth (metres)
Regular	90	2.4	7.0	5.0	60	2.4	4.5	5.2
		2.5	6.6	5.0		2.5	4.1	5.2
		2.6	6.2	5.0		2.6	3.5	5.2
Casual	90	2.5	8.0	5.0	60	2.5	4.8	5.2
		2.6	7.0	5.0		2.6	4.4	5.2
		2.7	6.6	5.0		2.7	3.3	5.2
People with Disabilities	90	3.6	8.0	5.0				
All	0 (Parallel)	2.5	3.5 (one-way) 5.5 (two-way)	6.1				

**Notes:**

- Regular users are people whose regular use gives them a familiarity with the carpark that permits smaller but safe clearances.
- Casual users are people (usually short-term visitors) who would not be familiar with the parking layout.
- Stall widths shall be increased 300mm where they abut obstructions such as columns or walls.
- All parking and manoeuvring dimensions assume the use of a 90 percentile design motor car. Compliance with the above requirements will be assessed using this standard of vehicle.

## Appendix 3. Loading Standards



**Note:**

- All on-site servicing assumes the use of a medium rigid truck. Compliance will be assessed using this standard of vehicle.

### LOADING AREA DIMENSIONS

For loading areas located outdoors, the minimum width shall be 3 metres and the minimum length 9 metres.

For loading areas located within a building, the minimum width shall be 4 metres and the minimum length 9 metres.

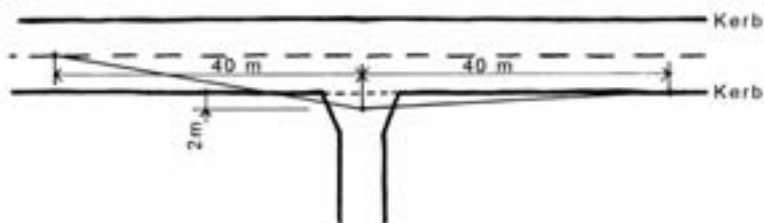
## Appendix 4. Site Access For Vehicles

### 1. Vehicular access near intersections.



### 2. Access sight lines.

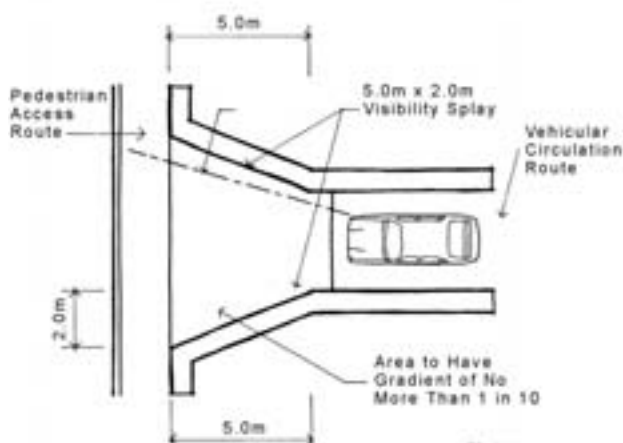
#### 2.1



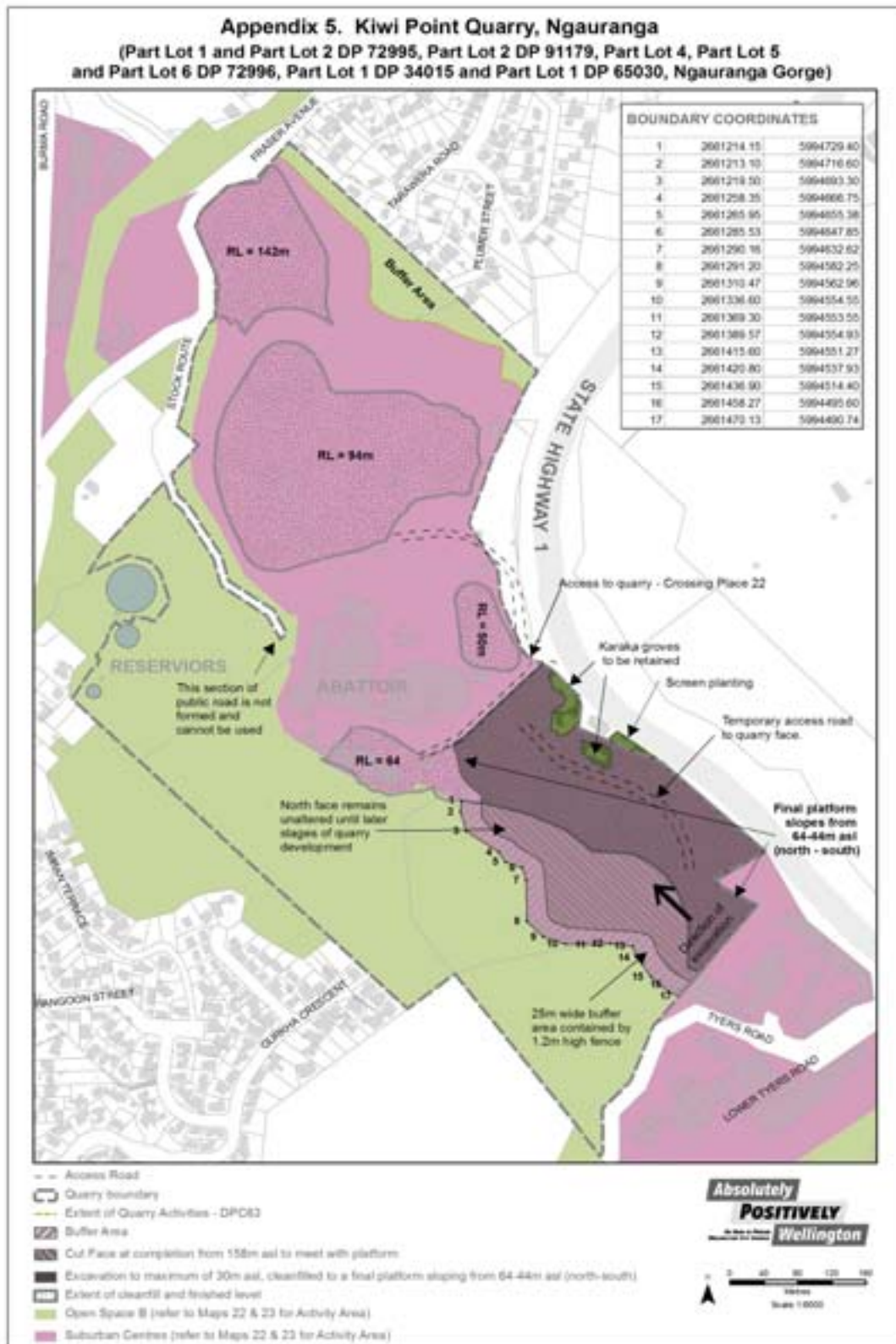
Within the area represented by the visibility splay, full visibility is required above a level of one metre above the level of the adjacent carriageway.

For one-way streets and dual carriageway visibility will only be required in the direction of approaching traffic.

#### 2.2 Access sight lines for access drives which cross a pedestrian access route.

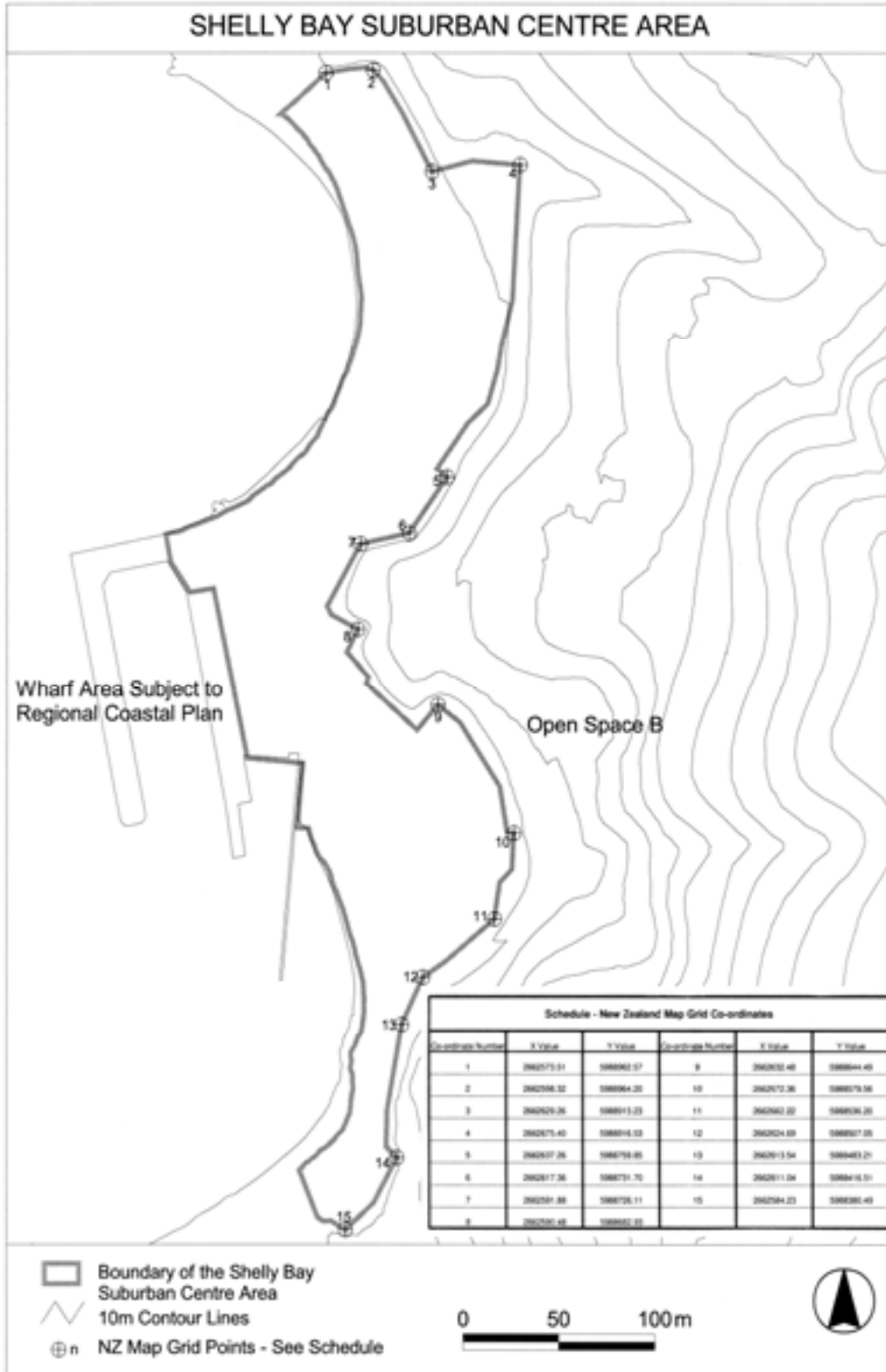


# Appendix 5. Kiwi Point Quarry



Map amended by District Plan Change No.64

# Appendix 6. Shelly Bay Suburban Centre – Boundary Location



## **Appendix 7. Particular provisions for that part of the area in Grenada situated between the northern (mid Grenada) landfill road and the motorway mapped suburban centre (being part Lot 2 DP 54434 on 1st February 2000), Grenada**

*The following provisions were the result of settling the District Plan reference filed by Lincolnshire Farm Limited (RMA 306/97) by Environment Court Consent Order dated 01/06/2000.*

***The Suburban Centre Rules shall apply with the following exceptions:***

Rule 7.1.2 - Buildings being permitted activities

Rule 7.3.2 - Buildings being discretionary (restricted) activities

Rule 7.3.5 - Three or more household units at ground level being discretionary (restricted)

### **A. The following additional rules shall apply:**

- 1.1 The construction, alteration of, and addition to buildings and structures (excluding all signs, and fences two metres or less in height) is a Discretionary Activity (Restricted) in respect of:**
  - 1.1.1 building location**
  - 1.1.2 building materials and design elements**
  - 1.1.3 landscaping**
  - 1.1.4 landfill gas migration.**

#### ***Standards and Terms***

No building or structure shall be greater than 12 metres in height.

#### ***Assessment Criteria***

**In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:**

- 1.1.5 The extent to which any adverse visual effects of buildings or structures on the surrounding environment can be mitigated by building materials and design elements, building location and landscaping.

- 1.1.6 The extent to which the density and height of landscaping between the proposed building and the motorway will mitigate any adverse visual effects of the proposed building(s) when viewed from the motorway (including the motorway overbridge).
- 1.1.7 Whether there are likely to be any adverse effects (including landfill gas migration) due to the proximity of the site to the Northern (Mid Grenada) Landfill and the extent to which these effects can be avoided, remedied or mitigated.

**In addition, where the construction, alteration of, and addition to buildings and structures (excluding all signs, and fences two metres or less in height) is proposed prior to the closure and remediation of the Northern (Mid Grenada) Landfill immediately to the north of the Suburban Centre area the following additional assessment criteria shall apply:**

- 1.1.8 The extent to which any buildings, structures or other works can be located or designed to avoid or mitigate the possibility of reverse sensitivity issues such as odour, litter and visual impacts arising due to the proximity to the Northern (Mid Grenada) Landfill.

**2.1 Earthworks involving the relocation of earth within the site are Permitted Activities provided that they comply with the following conditions:**

- 2.1.1 that the existing ground level is not altered by more than 2.5 metres measured vertically
- 2.1.2 that the total area of ground surface disturbance is less than 250m<sup>2</sup>
- 2.1.3 that earthworks are not undertaken on slopes of more than 45°
- 2.1.4 nothing in conditions 2.1.1 - 2.1.3 above shall apply to utilities which are a Permitted Activity.

**2.2 Earthworks that do not comply with the conditions for Permitted Activities are a Discretionary Activity (Restricted) in respect of:**

- 2.2.1 the alteration or disturbance of the ground
- 2.2.2 the degree of slope
- 2.2.3 planting and screening
- 2.2.4 landfill gas migration.

***Standards and Terms***

The conditions for earthworks in rule 2.1 may be waived totally.

### *Assessment Criteria*

**In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:**

- 2.2.5 The extent to which any cut or fill will remove existing vegetation, alter existing landforms, affect water quality, cause or contribute to soil erosion or affect existing natural features.
- 2.2.6 The extent to which any cut or fill can be restored or treated to resemble natural landforms. Council will seek to avoid the creation of unnatural scar faces.
- 2.2.7 The extent to which any adverse visual effects of earthworks can be mitigated by works such as but not limited to planting, screening etc. Council is particularly concerned about the visual impact of development when viewed from the motorway (including the motorway overbridge).
- 2.2.8 The extent to which any adverse visual affects of any retaining wall will be mitigated by planting.
- 2.2.9 Whether there are likely to be any adverse effects (including landfill gas migration) due to the proximity of the site to the Northern (Mid Grenada) Landfill and the extent to which these effects can be avoided, remedied or mitigated.

**B. The following additional conditions and assessment criteria shall apply to the existing Suburban Centre rules:**

*The following additional Conditions shall apply to Rule 7.1.4 (Permitted Subdivisions):*

- No services shall be installed through the fill area of the Northern (Mid Grenada) Landfill.

**The following additional Assessment Criteria shall apply to Rule 7.4.5 (Discretionary Unrestricted Subdivisions):**

- Whether any services installed through the fill area of the Northern (Mid Grenada) Landfill can be designed such that any potential adverse effects of gas migration may be avoided, remedied or mitigated.

**C. Explanation To The Whole Appendix**

*Part of the area in Grenada situated between the Northern (Mid Grenada) Landfill road and the Motorway (being Part Lot 2 DP 54434 on 1st February 2000) is mapped Suburban Centre. This location is well located to service the surrounding Residential Areas. It is also possible that there will one day be a link through this land to the neighbouring suburb of Grenada. Previous provision has been made for mixed-use residential and commercial development in this area.*

*Care will be taken to ensure that any potential adverse effects of the development of this site will be avoided, remedied or mitigated. A buffer zone (currently zoned Rural and in the ownership of the Council) has been retained between the fill area of the Northern (Mid Grenada) Landfill and the Suburban Centre zone. This buffer*

zone varies in width from approximately 75 – 100 metres and will assist in the avoidance or mitigation of any potential adverse effects associated with the proximity of future development to the Northern (Mid Grenada) Landfill.

Significant development on the site is likely to be visible from the northbound lanes of the motorway, the motorway overbridge and from the suburbs around Churton Park. It is therefore important that visual effects of development of this site are managed. The Council seeks to ensure that high quality landscaping of sufficient density and height is planted between any development and the motorway to provide sufficient visual screening. It is also important that access to the site from the main road is appropriately managed.

The area is adjacent to the Northern (Mid Grenada) Landfill. Care is required to ensure that there are no adverse effects created due to the proximity of the site to the Northern (Mid Grenada) Landfill. District Plan provisions are designed to ensure that the potential adverse effects of odour, litter and visual impacts on the Suburban Centre will be avoided or mitigated. There is also the potential for gas migration from the former fill area to occur. Gas migration is of particular concern where services would be proposed through the former fill area. Restrictions have been placed on earthworks, buildings and structures and subdivision to ensure that the potential adverse effects of gas migration will be appropriately managed.

Council's Earthworks Bylaw (Part 8) is designed to ensure that any earthworks are properly engineered and will be safe. Council is also concerned that earthworks should not adversely affect existing landforms or detract from the amenities of an area. Discretionary control has therefore been imposed so that any proposal may be evaluated.

## [Appendix 8. Takapu Island, Tawa

Land known as Takapu Island (which is immediately south of Takapu Road and west of State Highway 1) being Section 1 SO 23462 as of 10 October 2007 shown on District Plan Map 30 is subject to the provisions set out below:

### Effect of Appendix 8

Appendix 8 was inserted in the District Plan as a result of private Plan Change 47. The Council's decision on the Plan Change was appealed and resolved through Environment Court mediation.

The appendix comprises a site specific objective, policies, rules and definitions. For the avoidance of doubt, where Rule 2-6 apply, all Suburban Centre rules also apply except that Resource Consent will not also be required under Rules 7.1.1, 7.1.2, 7.3.1, 7.3.2, 7.3.4 and 7.3.5.

### DEFINITIONS

**RETAIL ACTIVITY** means any activity or activities within a building involving the sale of goods, merchandise, equipment to the public, but excludes:

- Service stations and motor vehicle service premises
- Takeaway food bars, restaurants, cafes or other eating places
- Office product suppliers
- Second-hand goods
- Yard-based suppliers such as building suppliers, farming, horticulture and agricultural suppliers, garden and landscape suppliers

**SUPERMARKET** means a departmentalized self service store offering a wide variety of food and household merchandise. A supermarket typically comprises meat, produce, dairy, and baked goods departments along with shelf space reserved for canned and packaged goods as well as for various non-food items such as household cleaners, pharmacy products, and pet supplies. Supermarkets may also sell a variety of other household products that are consumed regularly, such as alcohol (where permitted), household cleaning products, and medicine. A supermarket may occupy a large floor space on a single level. Current examples include: "Pak n Save", "Countdown", "New World", "Foodtown".

**DEPARTMENT STORE OR DISCOUNT DEPARTMENT STORE** means a retail establishment which specializes in selling a wide range of merchandise without a single predominant merchandise line. A department store typically sells products including apparel, furniture, appliances, electronics, and other lines of products such as toiletries, cosmetics, photographic equipment, jewellery, toys, and sporting goods. Certain department stores are further classified as discount department stores. Discount department stores commonly have central customer check out areas, generally at the front of the store. Department stores or discount department stores are usually part of a retail chain of many stores around a country or several countries. Current examples include: "Farmers", "Kmart" and "The Warehouse".

**SPECIALTY RETAIL STORE** means a retail establishment that predominantly stocks and sells apparel; shoes; cosmetics; books and/or magazines; compact discs; DVD's; computer games; stereos; or pharmaceutical products.

## OBJECTIVE

- 1.0 To ensure that large out-of-centre retail activities on Takapu Island do not compromise the efficient and effective operation of nearby existing centres and lead to unsustainable urban forms.**

## POLICIES

To achieve this objective, Council will:

- 1.1 Ensure that large out-of-centre retail developments do not adversely impact on the efficiency and vitality of nearby existing centres**
- 1.2 Ensure that large out-of-centre retail developments do not compromise Wellington's compact urban form, lead to an inefficient use of resources and compromise the use and future development of sustainable transport options.**
- 1.3 To enable office product suppliers, second hand goods and yard-based suppliers to locate on the Takapu Island site as a right, subject to compliance with specified activity standards.**
- 1.4 Development within Takapu Island Suburban Centre shall be undertaken in accordance with a comprehensive development plan which will ensure a sustainable mix of business, residential, community and open space activities and facilities, including park-and-ride, are provided.**

## METHODS

- Rules
- WCC Centres Policy (August 2008)
- WCC operational activities (Urban Development Strategy, Transport Strategy, Public Space Centres Development Programme)
- Other Mechanisms (the Wellington Regional Strategy)
- WRC operational activities for the proposed Takapu Island park-and-ride facility
- NZ Transport Agency operational activities as a road controlling authority

*Council considers that it is important to manage the impact of out-of-centre large retail development on existing centres and to ensure the maintenance of a compact urban form.*

*The size and high profile location of the Takapu Island land means it is particularly susceptible to retail activity development which may potentially compromise the efficiency and vitality of nearby existing centres. For this reason, site specific activity controls have been implemented to avoid the establishment of large retail 'anchors' (such as supermarkets and department stores) and specialty general merchandise retail activity. Minimum floor area requirements for other types of retail activity encourage large format type stores which are better suited to an out-of-centre location.*

*Office product suppliers, second-hand goods and yard-based suppliers (such as building suppliers, farming, horticulture and agricultural suppliers, garden and landscape suppliers) provide a mix of general retail, warehousing and trade supplies. These activities often require large sites, buildings and service areas which are not often available physically or economically in established sub-regional or town centres. Given the nature and location of these activities, locating them within the Takapu Island Suburban Centre is likely to compromise the vitality and viability of the existing centres.*

*These developments can often generate significant levels of traffic and parking demand, which if not appropriately managed can have adverse impacts on the efficiency and effectiveness of local transport networks. Activities in excess of 500m<sup>2</sup> will therefore be a discretionary activity (restricted). Council has restricted its discretion to assessing traffic, parking and transport impacts only.*

*The approach taken to managing retail, urban form, traffic, parking demand and transport impacts in the Takapu Island Suburban Centre will enable the Council to give effect to the policies contained in the Urban development and Transport Strategies, and support the Public Space Centres Development Programme.*

*When the Takapu Island Suburban Centre plan change was approved by the Council in 2007 no plan had been prepared by the owners for the future use of the land. Approximately three hectares of the six-hectare site is available for a range of uses. Given the development potential of the land and the risk of fragmented, ad hoc development occurring specific site rules have been imposed. These rules require that a comprehensive development plan be produced and approved by Council before any development may occur. These rules are set out in Appendix 8, and require that all development be assessed as a discretionary activity (restricted). This will ensure:*

- a sustainable mix of business, residential, community and open space activities and facilities;*
- retail development does not compromise the vitality and viability of nearby centres;*
- integrated development of the land occurs to ensure a high quality of urban design, traffic and service infrastructure, and public transport connections and facilities (such as a park-and-ride facility of the land);*
- the environmental quality of the Porirua Stream adjacent to the site is maintained and enhanced;*
- the visual impact of development is mitigated through appropriate landscaping, earthworks and other mitigation measures;*
- appropriate staging and timing of development to give effect to the above matters; and*
- the environmental effects of development within the site and locality are appropriately managed and mitigated.*

*Council is particularly concerned to ensure that future development of the land provides for public transport, safe and efficient access into the site and a mixed use development in general accordance with the Northern Growth Management Framework. Accordingly applications for resource consent are likely to be notified if they do not adequately address these matters and the other bulleted matters listed above.*

## RULES

**2.0 Any activity including (but not restricted to) service stations and motor vehicle service premises, takeaway food bars, restaurants, cafes of other eating places, second hand goods and yard based suppliers such as building suppliers, farming, horticultural and agricultural suppliers, garden and landscape suppliers, except for Supermarkets, Department Stores, and Specialty Retail Stores is a Permitted Activity, subject to compliance with rules 7.1.1.1 – 7.1.1.10 and the following conditions:**

**2.1 Gross floor area of retail activities**

2.1.1 The maximum gross floor area than any retail activity may occupy is 500m<sup>2</sup>

*Standards and terms for discretionary activities (restricted) set out the matters to be addressed in any application for resource consent for retail activities exceeding the specific gross floor area*

**3.0 The construction, alteration of, and addition to buildings and structures except for Discretionary Activities (Restricted) or Non-Complying activities are Permitted Activities provided that they comply with rules 7.1.2.1 – 7.1.2.7 and the following conditions:**

**3.1 Gross floor area (design controls)**

3.1.1 The gross floor area of any building must not exceed 500m<sup>2</sup>. This condition does not apply to any addition or alteration that is not visible from a public space.

*A limitation has been imposed on the gross floor area of buildings to provide for the design assessment of larger developments. The Council seeks to promote buildings and building modifications with design qualities, which create a positive relationship to public spaces within Suburban Centres.*

*Standards and terms for discretionary activities (restricted) set out the matters for a design statement to address in an application for resource consent for any new building exceeding the specified gross floor area*

**3.2 Gross floor area of office product suppliers, second hand goods dealers and yard based suppliers**

3.2.1 The gross floor area of office product suppliers, second hand goods dealers and yard based suppliers must not exceed 500m<sup>2</sup>.

*Large office product and yard based suppliers such as Bunnings, Mitre Ten, and Placemakers can generate significant levels of traffic and demand for parking. This can adversely impact on the efficiency and effectiveness of the local transport network where such developments have not been anticipated.*

*Accordingly, activities in excess of 500m<sup>2</sup> outside of the identified suburban centres will be a discretionary activity (restricted). Council has restricted its discretion to assessing traffic, parking demand and transport impacts.*

*Standards and terms for discretionary activities (restricted) set out the matters for a traffic, parking demand and transport impact assessment to accompany a resource consent application for any new building associated with an office product supplier, second hand goods dealer and yard base supplier exceeding 500m<sup>2</sup> gross floor area*

- 4.0 Any activity, including the construction, alteration of, and addition to buildings and structures (excluding signs, and fences two metres or less in height) except for Permitted or Non-Complying Activities, is a Discretionary Activity (Restricted) in respect of:**
- 4.1 the effects generated by the conditions not met under permitted activity rules 2.0 and 3.0**
  - 4.2 The type and mix of landuse activities and buildings**
  - 4.3 Building height and location, and location, and their relationship to open space**
  - 4.4 Building materials and design elements**
  - 4.5 Landscaping and visual impacts of development on the locality**
  - 4.6 Impacts on Porirua Stream**
  - 4.7 Public transport and park and ride facilities, traffic and parking**
  - 4.8 Retailing**

### *Non-notification*

The written approval of affected persons will not be necessary in respect of any application under Rule 4.0. Notice of applications need not be served on affected persons and applications need not be notified.

### *Standards and Terms*

#### **4.9 Comprehensive Development Plan**

- 4.9.1 All development (including buildings, open space, public infrastructure, public transport and traffic management works) will only be undertaken in accordance with an approved comprehensive development plan for the whole of the Takapu Island Suburban Centre. The comprehensive development plan shall address the following matters:
- Provision of a compatible mix of business, residential, community and open space activities and facilities;
  - A scale and nature of retail development which does not compromise the vitality and viability of existing centres;
  - Integrated development of the land, including the staging and timing of development;
  - High quality urban design, traffic and service infrastructure including providing two agreed access roundabouts, and public transport connections and facilities, including provision of a park and ride facility on the Takapu Island site;
  - The environmental quality of the Porirua Stream adjacent to the site is maintained and enhanced;
  - The visual impact of development is mitigated through appropriate landscaping, earthworks and other mitigation measures;
  - The environmental effects of development within the site and locality are appropriately managed and mitigated.
- 4.9.2 An application for resource consent for any retail building/s either as part of a comprehensive development plan or as a separate one-off development that occupies a gross floor area exceeding 500m<sup>2</sup> (either singly or cumulatively), shall supply a retail report as set out under 4.10.2 Standards and Terms.

#### **4.10 Gross floor area of retail activities**

- 4.10.1 The average Gross Floor area of retail activity tenancies shall be a minimum of 500m<sup>2</sup>, provided that no more than three individual retail activity tenancies shall be less than 350m<sup>2</sup>.
- 4.10.2 An application for resource consent for a building for a retail activity must supply a report that addresses;
- The extent to which the retail activity avoids any adverse effect on the overall vitality and viability of existing retail centres
  - The extent to which the activity promotes the efficient use of resources and a compact urban form
  - The extent to which the activity promotes the activity affects existing public investment and minimises the need for additional public investment in infrastructure and public spaces
  - How the activity promotes accessibility, manages traffic and parking demand, enables sustainable transport choices (including public transport), and minimises trip generation through the co-location of similar activities
  - A detailed assessment may not be required if the applicant can show the proposed development is unlikely to have any significant impact on the matters referred to above.

#### **4.11 Gross floor area of office product suppliers, second hand goods dealers and yard based suppliers**

- 4.11.1 An application for resource consent for an office product supplier, second hand goods dealer and yard based supplier that occupies a gross floor area exceeding 500m<sup>2</sup>, must supply a report that addresses:
- The matters referred to in bullet point four above (under 'Gross floor area of retail activities').
  - A detailed assessment may not be required if the applicant can show the proposed development is unlikely to have any significant impact on the matters referred to above with respect to accessibility, traffic and parking demand, sustainable transport choices, and trip generation.

#### **4.12 Building Design**

- 4.12.1 An application for resource consent for any building exceeding a gross floor area of 500m<sup>2</sup>, must supply a design statement that demonstrates:
- The extent to which the design and siting of the building reinforces and defines the adjoining street edge and public space
  - The way the treatment of the building bulk mitigates the scale of the building relative to adjacent sites and buildings (eg. Through providing transitional volumes or contrasting elements)
  - The way in which any wall surfaces facing a public space are articulated to avoid featureless or blank walls

- The extent to which the building is designed so that entrances, windows and publicly-relevant activities are located along ground floor street frontages
- Whether servicing and vehicle parking is located and functions in a way that does not compromise the quality of the street edge, nor the status of the main entry to the building
- The extent to which the building is designed to respond appropriately to its context
- For any residential unit, the extent to which the proposal meets the Multi-Unit Development Design Guide, in Volume 2 of the District Plan
- The extent to which cultural or heritage values associated with the site are recognised
- The extent to which principles for crime prevention through environmental design are incorporated into the building development. Reference can be made to the Guidelines for Design Against Crime, in Volume 2 of the District Plan.
- The extent to which the building is not able to achieve the above matters, and the reasons why it is not practicable to do this.

#### **4.13 Traffic and Parking**

4.13.1 An application for resource consent for any activity or the erection of buildings or structures involving the provision of more than 120 vehicle parking spaces must include a traffic report which addresses:

- Details of the parking to be provided on the site, and its intended use (whether it is intended for staff or consumers)
- Site access
- Provisions for servicing
- Internal traffic circulation
- What effect the extra traffic will have on local streets
- Transportation impact assessment

#### **4.14 Other matters**

4.14.1 The standards and terms under Rules 7.3.1 and 7.3.2 must be met.

#### ***Assessment Criteria***

#### **4.15 In determining whether to grant consent and what conditions, if any, to impose, Council will have regards to the following criteria:**

- 4.15.1 The extent to which the development gives effect to the matters specified under the Standards and Terms relating to retailing and design.
- 4.15.2 The extent to which the density and height of landscaping between the proposed building and the motorway will mitigate any adverse visual effects of the proposed build(s) when viewed from the motorway and adjoining sites.

4.15.3 The extent to which earthworks are treated and landscaped to reduce potential adverse visual effects.

4.15.4 The efficient operation of any existing nearby network utility infrastructure.

**5.0 The construction, alteration of, and addition to buildings and structures within 30 metres of the Takapu Road-Wilton A high voltage transmission line is a Discretionary Activity (Restricted) in respect of:**

**5.1 The adverse effects on the transmission line**

**5.2 The adverse effects on public safety**

**4.0 The construction, alteration and addition to buildings and structures within 30 metres of the Takapu Road-Wilton A high voltage transmission line is a Discretionary Activity (Restricted) in respect of:**

**4.1 The adverse effects on the transmission line**

**4.2 The adverse effects on public safety**

*Assessment Criteria*

**4.3 In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:**

5.3.1 *Location of building sites and works*

5.3.2 *Whether the location of the building site or works will inhibit the safe and efficient operation of the Takapu Road – Wilton A high voltage transmission line, or result in adverse effects on people's safety including:*

- *The ability for maintenance and inspection of transmission lines and supporting structures and the minimising of risk of injury or property damage from or to such lines;*
- *The extent to which any buildings, structures, mobile plant or earth works could affect transmission lines and support structures;*
- *How the separation distances in the New Zealand Electrical Code of Practice of Electrical Safety Distances (NZECP:34 1993) are met;*
- *Availability of access to the Takapu Road – Wilton A high voltage transmission line.*

5.3.3 *Landscaping – The ability for tree planting adjoining transmission lines and support structures to comply with the Electricity (Hazard from Trees) Regulations 2003.*

**6.0 Any activity which does not meet any of the standards and terms in Rules 4.0 or is defined as a Supermarket, Department Store or Discount Department Store or Specialty Retail Store is a Non-Complying Activity.]<sup>PC47</sup>**

# [Appendix 9. Churton Park Village Concept Plan

## 1.0 Introduction

This Concept Plan is made up of a map, a set of requirements and a set of guiding principles. Together these are intended to guide the development of a village centre. All resource consent applications made under Rules 7.3.11 (development in Churton Park Village Concept Plan area) and 7.3.12 (subdivision) must be assessed against all three parts of the Concept Plan. Any development or subdivision that departs from the **requirements** of the Concept Plan will be considered as a non-complying activity; otherwise it will need to be demonstrated in the Assessment of Effects accompany resource consent applications, how proposals meet the **guiding principles**.

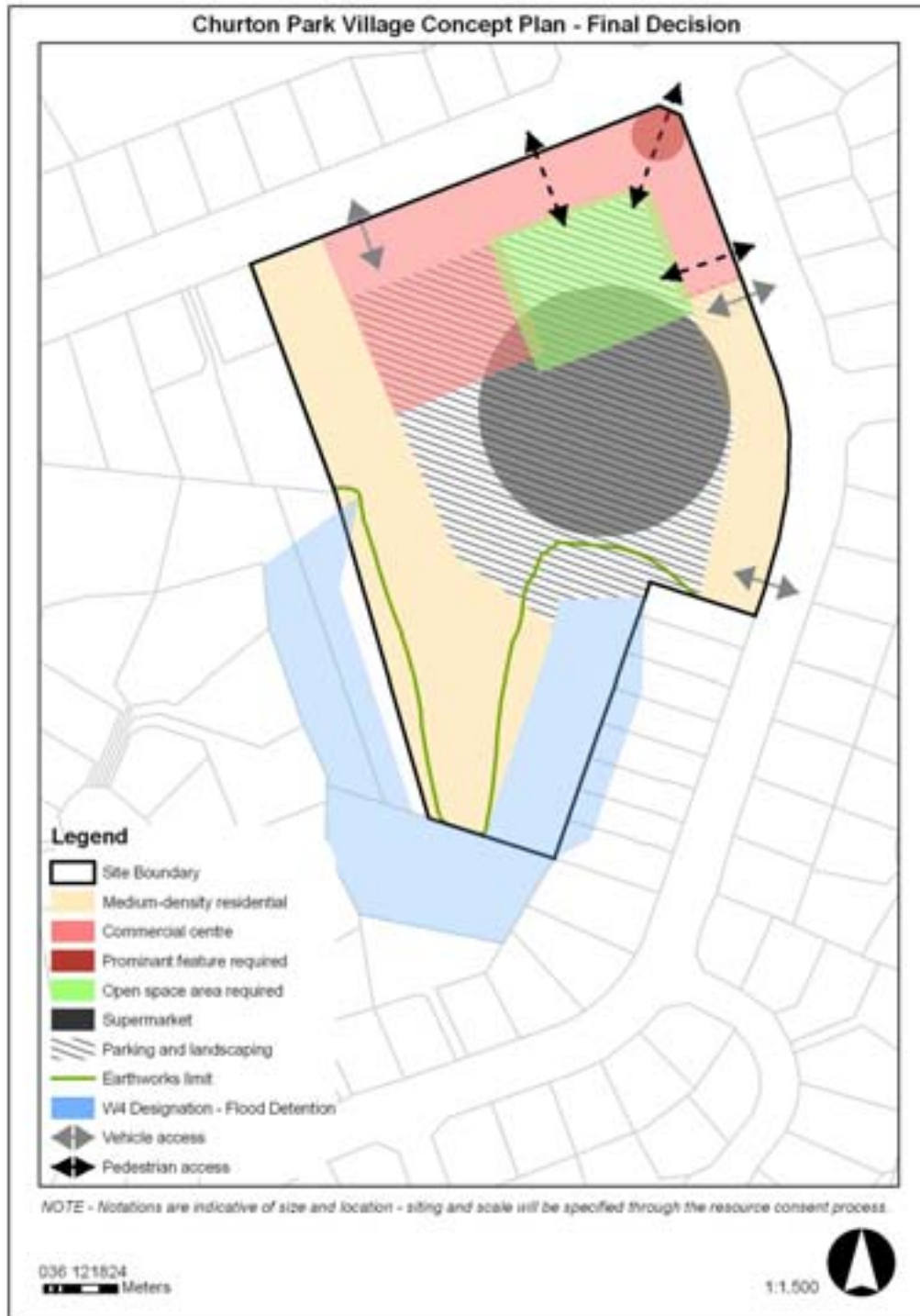
The map illustrates a flexible framework for development, indicating the general location within the village where activities should be located. The accompanying text reinforces the map with requirements and the guiding principles are there to reinforce urban design principles to be achieved but do not fix the actual design for village or the individual buildings.

## 2.0 Vision Statement

To provide the communities of Churton Park and Glenside with a Village that will form the focal point and social interaction hub for these communities whilst providing for their day-to-day needs. Quality of development is essential in delivering such a place. Buildings will create a degree of critical mass balanced by park and open space to ensure a sense of place is established. Accessibility for public transport, private vehicles and pedestrians is made easy though balanced against pedestrian amenity. The Village will be an inviting and safe place to be in at all times of the day and night.

## 3.0 Map

The different activity areas shown on the map *do not* represent the absolute location, footprint or specific land area to be used. Rather, these are diagrammatic representations of the general locations for buildings and activities. There is no specific requirement to either develop adjoined or separate buildings in any on part of the village. The final size, location and design of any component of the village required by the Concept Plan and shown on the map will be assessed through the resource consent process. Any subdivision will also be assessed through the resource consent process for compliance with the requirements and compatibility with the map of the Concept Plan. Additionally, given that timing of development or subdivision of any part of the village is uncertain, the Concept Plan anticipates any balance areas *not* being developed, but remaining in grass cover or be landscape planted awaiting development. In particular, the plan does not intend that undeveloped areas be temporarily developed or used for car parking.



## 4.0 Requirements

1. A **supermarket** shall be located toward the centre of the village and:
  - Shall be orientated toward (i.e. visually connect with) the commercial centre and open space area shown on the concept plan map; and
  - Shall fully activate any elevation(s) that front directly onto or face directly toward the open space area shown on the concept plan map; and
  - Shall activate a part of any elevation that directly abuts or faces onto any other 'public space' (as defined by the Plan), and shall articulate the remainder of any such elevation; and
  - Shall be serviced from the rear, southern, aspect; and
  - May have a pedestrian link to or a pedestrian entrance on a street frontage. Any such portion of building on a street frontage shall provide verandah cover over the footpath.
2. The Commercial Centre may only contain **retail, community, commercial, healthcare and related or similar activities**, and **residential activities** above the ground floor.
3. Buildings comprising the Commercial Centre component of the village shall **occupy and engage the public street edge** along Westchester Drive and Lakewood Ave.
4. The Commercial Centre buildings must incorporate **display windows and verandah cover**, as identified on planning map 47 or as identified in requirement 1 above.
5. A **prominent landmark corner feature** using prominent building form supported by signage, landscaping or a combination thereof must be included on the street corner as shown on the map.
6. A dedicated **open space area**, free from vehicles and car parking, must be created adjacent to the commercial activities and be provided with visual and physical connections to the public street. The exact number and locations of these connections will ultimately depend on building design and layout. The open space area and connections shown on the map are indicative in terms of size and location. The open space area will not occupy all the area identified green on the map, but shall fit within that location.
7. **Medium density residential housing** shall flank the western boundary of the zone and front a portion of Lakewood Ave between the commercial activities and the southern boundary of zone.
8. Medium density residential housing shall be developed at a **density of 1 unit/300m<sup>2</sup>** of site area or greater (i.e. denser). Site area for the purpose of this requirement is the area of land to be legally associated with an individual or group of residential units. Proposals must therefore identify this land area if a subdivision has not already occurred to create it.
9. There shall be at least one main **vehicle access** providing for entry to and/or exit from the village on each street frontage, in addition to access points for residential activities. The concept plan map shows 2 vehicle accesses on Lakewood Ave but that is indicative only. A Traffic Engineers Assessment shall accompany each proposal involving provision of pedestrian access and vehicle access for any purpose. That report shall consider requirements 9 to 12 and 14, and include an assessment of effects on road safety, whether or not traffic calming measures are required on public roads, appropriateness of vehicle access location, type and volume of traffic use anticipated for each access and how pedestrian access will be facilitated to and from the centre (including crossing public roads). Each vehicle access shall be landscaped to assist the legibility of the village in finding the access points and also to assist pedestrians.

10. There shall be at least one dedicated **pedestrian access** provided through the commercial activities on each street frontage *and* throughout the car parking area. The pedestrian access points shown on the map are not precisely located and only indicate the need for the access.
11. **Car parking** shall be located behind the street front activities and must not directly front the public street.
12. **Car parking** for medium density residential housing shall be provided at a ratio of 1 car park / unit plus a minimum of 1 visitor car park per 4 units (this provision is the same as that for infill housing requirements in the outer residential area). If fractions result, additional parking is required where the fraction is 0.6 or higher.
13. All proposals incorporating any area of public space (as defined in the Plan) shall include a **landscaping** component. Specimen trees as part of that landscaping shall be included at the ratio identified in the guiding principles below.
14. **Public transport** must be facilitated by including cycle racks in a priority location near village entrances and integrated pedestrian links to bus stops. The cycle racks and pedestrian links shall be shown on plans accompanying development proposals.
15. All development and subdivision proposals must be designed to ensure a **secondary overland flow path** is available between Stebbings Dam and the Southern most extent of the W4 designation area that is clear of buildings and structures and protected by easements at the time of subdivision or development; and that the **capacity of the culvert** from the W4 designation area (1 in 100 year flood detention) is not exceeded by introduced hard surfaces, including roofs and paving. Development and subdivision proposals must include information demonstrating how both these requirements are achieved, including identifying where the secondary overland flow path to be located.
16. A **3m wide access**, suitable for 4 wheel drive vehicles and at a grade suitable for pedestrian access, shall be provided to the stream within the W4 designation area in the vicinity of no. 61 Lakewood Ave. Easements shall be created over the access, at the time of development or subdivision, in favour of both Greater Wellington Regional and Wellington City Council's and shall include rights of way for public pedestrian access.
17. **Subdivision** design and layout shall demonstrate that the above requirements can be met.
18. **Earthworks** for any purpose shall not be undertaken beyond the earthworks limit shown on the Churton Park Village Concept Plan. Any application for earthworks shall be accompanied by a plan showing proposed earthworks overlaid with the concept plan to confirm compliance with this requirement. Earthworks to meet requirement 16 (3m wide access track) or for utility services (such as stormwater pipes and discharge points) beyond the earthworks limit shall not be subject to this requirement.

## 5.0 GUIDING PRINCIPLES

### 5.1 Design, external appearance and siting of buildings

*Design in context of intended use:*

Buildings need to be designed to accommodate the anticipated activities for the village. The supermarket is located centrally, substantially (but not necessarily entirely) behind the street front shops and residential activities, in order that it does not overly dominate the village feel of the development and to ensure a balance is struck across all anticipated uses. Plans submitted with applications will need to demonstrate what activities are anticipated for any individual or part of a new building or extension. Likewise, subdivision

layout needs to be able to accommodate the anticipated activities and this needs to be demonstrated in applications.

*Street edge:*

The commercial buildings fronting Westchester Drive and Lakewood Ave need to form an active edge through their siting and design. This *does not* necessarily require that buildings form an unbroken lineal edge along the street but that needs to be considered in the context of the requirement for continuous verandah cover over the public street. Buildings *may* be setback with a curtilage that edges the street, or have recessed doors at the street edge, though any such treatment or design needs to take account of both the verandah, display window and prominent feature requirements. Any supermarket design that extends a pedestrian link or pedestrian entrance to a street frontage needs to be in keeping with these street edge design principles and meet the **requirements** for shop windows and verandah cover.

The prominent feature will be the identifier for the centre and as such needs to be designed as a landmark. It may extend into the public street, but this may require an encroachment licence to be obtained from Council.

*Buildings:*

All buildings in the commercial centre must have front and rear elevation treatments that are appropriate to the spaces and activities they adjoin or face. All buildings, including the supermarket building, facing a public space must form an appropriate relationship with it, including fronting and interacting with the space.

For the supermarket building, the appropriateness of the relationship between any building elevation and public space will be determined by:

- Whether or not the elevation, or part thereof, faces directly onto or toward the public space that is part of the required open space area (shown green on the concept plan map). Any such elevation will need to be fully activated; and otherwise
- What part of the site a building elevation facing public space is located in:
  - a) The actual length of activation considered necessary for each elevation will depend upon the length and importance of the elevation facing the public space and how prominent on the site the elevation is.
  - b) Areas towards the front of the site and heart of the village, nearer road frontages, site access points and integral activities of the village are important so up to 50% of an elevation at the front of the site should be activated.
  - c) Areas towards the rear (south), of the site and away from site entranceways are less important so activated building elevations will not be necessary. This does not dispense with the need for articulation or other appropriate elevation treatments to deal with building appearance, blank walls and mass. Landscaping may be used to assist but building treatments are more important.

The design of any building needs to be derived from a coherent overall compositional idea, taking into consideration the adjoining or adjacent building. Dimensions should aim to reduce the apparent size of a building, using modulation where necessary. Un-modulated square boxes and multi storey blank walls are not anticipated. All elevations must exhibit some form of relief, whether by architectural detailing or openings with doors and windows. Detailing and tactile qualities should provide visual interest and materials should be used that give an appearance of durability and robustness.

In siting and designing the floor layout of buildings, consideration needs to be given to connectivity to public space and interconnections with other buildings and activities within the centre. Building location and layout will need to demonstrate how safe pedestrian 'pathways' are facilitated so that the centre is legible and permeable from all edges and between all activities.

Additionally, all buildings shall be located to avoid the secondary overland flow path referred to in requirement 15. The overland flow path is required to be shown on all development plans.

## **5.2 Structure and design of public space**

The open space area needs to have good access to sunlight and be protected from the wind. Physical and visual connections need to be made with the public street as well as active edges with adjoining buildings and pathways. The layout and design of buildings and any public space surrounding them need to consider crime prevention and public safety, including (but not limited to) lighting, sense of security and the ability for observation over public space areas. Overall public space needs to provide a pleasant place for people to congregate, be user friendly and well connected to other parts of the centre. The design and location of public space needs to demonstrate all these attributes and show how they will be achieved through design, landscaping, furniture, planting etc.

## **5.3 Location and layout of parking and servicing, and servicing hours**

Service and parking areas are essential to the efficient functioning of the village though both have the potential to visually detract from it if not well planned and integrated.

### *Car parking:*

The layout of parking and vehicle circulation areas should be easy to navigate for both drivers and pedestrians, and accommodate clear and safe pedestrian routes linking the village activities.

Car parking should be laid out in a manner that avoids the appearance of a 'sea of parking', rather parking should be compartmentalised and broken up. This can be achieved through building location, appropriate site design using landscaping (including planting), and pedestrian pathways through the parking area that have a different surface (texture or colour) treatment. Both landscaping and pedestrian pathways are required so these need to be included in parking layout design.

Plans accompanying proposals will need to demonstrate how the above matters are achieved.

### *Service areas:*

Service areas for all activities/buildings should be located separately from public spaces and pedestrian pathways wherever possible (i.e. predominantly); appropriate screening and/or landscaping needs to be used in the few instances where service areas *cannot be* located separately from and back onto public space. Plans accompanying applications need to show all service areas, demonstrate they are located in the best possible place and how interface areas are to be treated.

Applications for all activities requiring or providing service areas will need to provide information about likely service times, what types of service vehicles will frequent the site and which site access will be used. If necessary resource consent conditions may be imposed limiting service delivery hours between the hours of 10pm and 7am all days of the week in order to manage potential noise and disturbance effects to neighbouring or adjacent residential properties and dwellings.

#### 5.4 Landscaping

Landscaping has several functions besides providing amenity value for the village. It can be used to identify pedestrian from vehicle routes, to screen unsightly service/rear of building areas, as a means of storm water management and to create feature areas.

Landscape components of developments should consider the need for hard surface and planted areas. Pedestrian routes need to have different surface treatments (texture or colour). The open space area needs to include furniture, lighting, planting and hard surface areas (pathways and seating space).

Any hard surface areas may need to have a permeability function for storm water management if they drain to the W4 area, thus materials need to be investigated for their function and identified in landscape plans accompanying development proposals.

Specimen trees need to be included at a ratio of not less than 1 tree per 10 car parks *plus* 1 tree per 25m at other locations throughout the village such as between activities and along boundaries.

The use of plants needs to be appropriate to their location and intended function and affect. Landscape plans need to identify plant type and state their intended purpose in the area proposed; e.g. specimen tree to break parking area, or row of 1m tall shrubs to edge open space, or mass planting of grasses to add texture and colour. Planting needs to be effective, visible from the intended viewing space and create soft edges to built development. Landscape plans need to demonstrate how this is achieved. An inappropriate use of plants would be for example, low level grasses in a large format parking area as they are hardly visible and do not compartmentalise or break-up the open space created by parking.

#### 5.5 Site Access, pedestrian and vehicular

Site access needs to consider where vehicles and pedestrian will enter and leave the site, what vehicle use will be made of each access point and appropriateness of design of the access to suit the intended use (i.e. will vehicle access be used by service delivery vehicles, cars or residential?), what impacts/changes will occur in the public street as a result of vehicle and pedestrian access points and whether or not alterations to or in the public street (e.g. traffic calming, pedestrian crossings etc) will be necessary to ensure public safety and transport safety factors are provided for. Public transport also needs to be considered and integrated into site access design and functions. The Traffic Engineers Report required to be submitted will be used to assess these matters and the appropriateness of response to them in any resource consent application.

##### *Pedestrian:*

The location of pedestrian access points to the village need to be legible and visible from the public street, be connected with public transport and provide views to focal point(s) within the village (such as the supermarket, a specimen tree or the open space). Approximate locations for pedestrian access points are indicated on the map, though the number and locations are not precise and are ultimately dependent on building design and location, vehicle access points and location of public transport.

##### *Vehicular:*

The design of vehicle access points needs to incorporate landscape treatments and space for signs. Additionally, pedestrian friendly design of the vehicle access points is to be considered with use of islands, paths and landscaping to

assist. Development proposals must demonstrate these components have been considered and incorporated.

### **5.6 Residential development**

Semi-detached residences or rows/terraces of attached residences are anticipated to make up the bulk of residential development. Standalone houses should be limited (i.e. comprising less than one quarter of the housing), but may be considered in providing a range of housing options. All residential development, whether stand alone, semi-detached or attached shall be designed in accordance with the Residential Design Guide.

### **5.7 Storm water management**

On site developments and subdivision need to consider the volume of water that would be discharged in a 1 in 100 year storm event into the adjacent W4 flood detention area designated by Wellington Regional Council. How water is treated and discharged into the W4 area will be assessed for appropriateness in any development or subdivision application, and again conditions of consent imposed where necessary.

Additionally, the secondary overland flow path shall be identified, protected by easements in any subdivision proposal and all building development clear of it. The appropriateness of treatment of the secondary overland flow path by development and subdivision will be assessed at the time a resource consent application is made, and where necessary conditions of consent imposed.

The role of soft landscaping options need to be considered in reducing storm water flow from the site and be used as a means of primary treatment of storm water.

### **5.8 Subdivision**

Subdivision type (tenure), layout (including access arrangements) and lot size need to facilitate the envisaged development identified on the map. Applications for subdivision must clearly demonstrate how the subdivision layout and lot size will facilitate development of the village as per the map and the requirements.

### **5.9 Earthworks**

Any earthworks of 1m or more in depth (cut or fill) measured vertically or greater than 250m<sup>2</sup> in area, shall provide the following information:

- An earthworks plan showing proposed cut and fill areas
- Any erosion and sediment control measures consistent with the principles and measures in Greater Wellington Regional Councils' Erosion and Sediment Control guidelines for the Wellington Region (2003)' or 'Erosion and Sediment Control for small sites (2006)'
- Details of how cut faces or constructed slope faces will be treated e.g. retaining structures, including materials and/or landscaping details. No cut face should be visible above any building roofline. Constructed slopes should be planted or grassed.

- Identification of any relevant geotechnical issues associated with erosion, falling debris, subsidence, slippage or inundation from any earthworks and related structures or building platforms. A full geotechnical report may be required from an appropriate qualified and experienced person
- An accompanying assessment of effects detailing the full effects of the works including visual effects, erosion and sedimentation effects, effects on adjacent watercourses (if and where relevant), related geotechnical effects (if and where relevant) and mitigation measures to address the effects.
- For any earthworks adjacent to the W4 – flood detention designation, consideration on whether or not GWRC might be an affected party should be provided.

*\*Trenching for services needs not be assessed except when below the earthworks limit as specifically mentioned.]<sup>PC60</sup>*