

## Chapter 7. Centres 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
Activities that comply with standards in 7.6.1	7.1.1	•			
Activities relating to the upgrade and maintenance of roads and accessways	7.1.2	•			
Activities provided for in the Churton Park District Centre Concept Plan subject to standards in 7.6.1 and 7.6.5	7.1.3	•			
Any activity listed in Section 3.5.2.2 (hazardous substances)	7.2.1		•		
Activities with more than 70 parking spaces	7.3.1			•	
Critical facilities in a Hazard Area	7.3.2			•	
Demolition of buildings to create vacant land, open land or parking areas visible from public spaces or on primary or secondary street frontages	7.3.3			•	
Integrated retail developments in Centres with a gross floor area exceeding 20,000 m <sup>2</sup>	7.3.4			•	
Permitted, Controlled or Discretionary (Restricted) Activities that do not meet standards in 7.6.1	7.3.5			•	
Helicopter landing areas	7.4.1				•
Activities in the Churton Park District Centre that do not comply with the standards in 7.6.5	7.4.2				•
<b>Buildings</b>	<b>Rule</b>	<b>P</b>	<b>C</b>	<b>DR</b>	<b>DU</b>
Construction of, alteration of, or addition to buildings and structures subject to standards in 7.6.2	7.1.4	•			
Total or partial demolition or removal of buildings and structures except heritage items and where the result is vacant land, open land or parking areas visible from public spaces or on primary or secondary street frontages	7.1.5	•			
Construction, alteration of, and addition to buildings, including accessory buildings, and structures within the Tawa Hazard (Flooding) Area	7.3.9			•	
Construction, alteration of, and addition to buildings, including accessory buildings, and structures within the Tawa Hazard (Flooding) Area	7.4.4				•
Construction, alteration of and addition to buildings and structures that are not Permitted or Controlled Activities	7.3.6			•	
Construction, alteration of, or addition to buildings and structures that would be Permitted, Controlled or Discretionary (Restricted) Activities that do not meet standards in 7.6.2	7.3.7			•	
Construction, alteration and addition to buildings and structures exceeding 30m <sup>2</sup> gross floor area in the Hazard (Fault Line) Area	7.3.8			•	
Construction of buildings or structures which provide more than 70 parking spaces	7.3.10			•	
Demolition or removal of pre-1930s buildings in the Thorndon Character Area	7.3.11			•	
Pedestrian bridges, buildings and structures over roads	7.4.3				•
<b>Signs</b>	<b>Rule</b>	<b>P</b>	<b>C</b>	<b>DR</b>	<b>DU</b>
Signs complying with the standards in 7.6.3	7.1.6	•			
Signs that do not meet standards in 7.6.3	7.3.12			•	
<b>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 standards in 7.6.4	7.1.7	•			
Company lease, cross lease and unit title subdivision	7.2.2		•		
Subdivision within the Churton Park District Centre Concept Plan area	7.3.13			•	
Subdivision not being Permitted or Controlled Activities	7.3.14			•	
<b>Heritage</b>	<b>Rule</b>	<b>P</b>	<b>C</b>	<b>DR</b>	<b>DU</b>
Activities affecting heritage items	21.0	•	•		•
Buildings affecting heritage items	21.0			•	
<b>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	Masterplans: (a) Churton Park District Centre – Concept Plan (b) Johnsonville Height Zones (c) Adelaide Road Height Zones (d) Kilbirnie Bus Barns Concept Plan

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2	Wind
3	Indicative list of activities under Schedule 3 of the Health Act 1956

## 7 CENTRES RULES

### 7.1 Permitted Activities

Section 7.1 describes which activities, buildings, structures, signs and subdivisions are permitted in Centres, provided they comply with the relevant standards outlined in section 7.6.

#### ACTIVITIES

7.1.1 Any activity is a Permitted Activity, provided that it complies with the standards specified in section 7.6.1 (activities), except:

- activities in the Churton Park District Centre (see Rule 7.1.3)
- the use, storage or handling of those hazardous substances, listed in section 3.5.2.2 (see Rule 7.2.1)

*Note, that the activities listed in section 3.5.2.1 do not require a HFSP assessment and are consequently exempt from the hazardous substances provisions of the Plan.*

- any activity that provides more than 70 parking spaces (see Rule 7.3.1)
- any critical facility within a Hazard Area (excluding port activities located within the Operational Port Area which are permitted) (see Rule 7.3.2)
- the demolition of buildings to create vacant land, open land or parking areas (at ground level) on sites that are visible from public spaces or that have a primary or secondary street frontage as identified on maps 46 to 49D (see Rule 7.3.3)

• integrated retail developments with a cumulative total gross floor area greater than 20,000m<sup>2</sup> (see Rule 7.3.4)

*Integrated retail development is defined in Section 3.10.*

• any activity that would be Permitted, Controlled or Discretionary (Restricted) Activities but that does not meet one or more of the standards specified in section 7.6.1 (activities) (see Rule 7.3.5)

- helicopter landing areas (see Rule 7.4.1)
- those activities listed under the Third Schedule to the Health Act 1956 (see Rule 7.5)

*Note, Appendix 3 lists the types of activities contained in the Third Schedule of the Health Act 1956*

- cleanfills (see Rule 7.5)
- landfills (see Rule 7.5)
- quarrying (see Rule 7.5)

7.1.2 Any activity relating to the upgrade and maintenance of existing formed roads and public accessways including associated earthworks, except the construction of new legal roads, is a Permitted Activity.

7.1.3 Activities provided for in the Churton Park District Centre Concept Plan, as shown in Appendix 1, subject to compliance with the standards specified in sections 7.6.1 and 7.6.5 are a Permitted Activity.

*Any activity that does not comply with the standards in section 7.6.1 or 7.6.5 is a Discretionary Activity (Unrestricted) under Rule 7.4.2.*

#### BUILDINGS AND STRUCTURES

7.1.4 The construction or alteration of, or addition to buildings and structures listed below are Permitted Activities provided they comply with the standards specified in section 7.6.2 (buildings and structures):

*For work on listed heritage buildings and within Heritage Areas see Chapters Chapter 20 and Chapter 21 . For primary and secondary street frontages, refer to Planning Maps 46 to 49A.*

- 7.1.4.1 Any alterations or additions that:
- do not alter the external appearance of the building or structure; or
  - relate to building elevations below verandah level (except in Thorndon Character Area); or
  - are not visible from public spaces.

7.1.4.2 The construction of any building or structure, on sites with frontages other than primary or secondary street frontages, with a gross floor area of less than 100m<sup>2</sup> and resulting in a total coverage (together with other buildings) of no more than 20 percent of the site.

- 7.1.5** The total or partial demolition or removal of buildings and structures are Permitted Activities except those listed below:
- when the result is the creation of vacant land, open land or parking areas (at ground level) that are visible from public spaces or that have a primary or secondary street frontages (see Rule 7.3.3).
  - the total or partial demolition, or removal of any building constructed prior to 1930 in the Thorndon Character Area (see Rule 7.3.11).

## SIGNS

- 7.1.6** Signs are a Permitted Activity provided that they comply with the standards specified in section 7.6.3 (signs).

## SUBDIVISION

- 7.1.7** Subdivision is a Permitted Activity provided that it complies with the standards specified in section 7.6.4 (subdivision), except:

*Subdivision proposals must comply with the City Bylaws. Refer to Section 3.9 of the Plan about requirements to meet Council's Code of Practice for Land Development, service connections to public infrastructure, and vesting infrastructure in the Council.*

- company lease, cross lease and unit title subdivision, which is a Controlled Activity (see Rule 7.2.3)
- subdivision within the Churton Park District Centre Concept Plan area which is a Discretionary Activity (Restricted) (see Rule 7.3.13).

## 7.2 Controlled Activities

Section 7.2 describes which activities are Controlled Activities in Centres. Resource consent will be required but consent cannot be refused. Conditions may be imposed relating to the matters specified in Rules 7.2.1 – 7.2.2. 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.

### ACTIVITIES

- 7.2.1** Any activity listed in Section 3.5.2.2, involving the use, storage or handling of hazardous substances, is a Controlled Activity in respect of:

*Note, that the activities listed in section 3.5.2.1 do not require a HFSP assessment and are consequently exempt from the hazardous substances provisions of the Plan.*

- 7.2.1.1** use, storage or handling of hazardous substances

#### **Non-notification/ service**

In respect of Rule 7.2.1 applications will not be publicly notified (unless special circumstances exist) or limited notified.

#### **Relevant policies for preparing resource consent applications**

See policies 6.2.9.1 - 6.2.9.5

Note that this is an indicative list of relevant policies; applicants should check all policies for relevance to a particular consent application.

### SUBDIVISION

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

- 7.2.2.1** stormwater, sewerage and water supply

- 7.2.2.2** 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

provided that all activities, buildings and structures and signs (existing and proposed) comply with the standards specified in section 7.6 relating to vehicle parking, loading, servicing and site access; buildings and structures; and signs. In terms of Standard 7.6.4.1.4, applications must either meet the vehicle access and parking standards, or demonstrate an ability to meet these standards.

The requirement to meet these standards may be waived if resource consent has been sought and granted for those aspects that do not comply, or the buildings has existing use rights under section 10 of the Resource Management Act.

#### **Non-notification/ service**

In respect of Rule 7.2.2 applications do not need to be publicly notified and do not need to be served on affected persons.

#### **Relevant policies for preparing resource consent applications**

See policy 6.2.7.1

Note that this is an indicative list of relevant policies; applicants should check all policies for relevance to a particular consent application.

## 7.3 Discretionary Activities (Restricted)

Section 7.3 describes which activities are Discretionary Activities (Restricted) in 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 – 7.3.14. 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.

Any activity under Rules 7.3.1 – 7.3.4 that does not meet one or more of the standards specified in section 7.6.1 (activities) is also subject to Rule 7.3.5.

Any building or structure under Rules 7.3.6, 7.3.8, 7.3.9, 7.3.10 or 7.3.11 that does not comply with the standards specified in section 7.6.2 (buildings and structures) is also subject to Rule 7.3.7.

### ACTIVITIES

**7.3.1** Any activity that provides more than 70 parking spaces is a Discretionary (Restricted) Activity in respect of:

*If the activity does not comply with standards for activities in section 7.6.1, Rule 7.3.5 applies in addition to this Rule. Note, any activity that triggers Rule 7.3.1 will require a Transport Assessment to accompany any application for resource consent, as required by section 3.2.2.4 of the District Plan.*

**7.3.1.1** the movement of vehicular traffic to and from the site.

**7.3.1.2** the impact on the roading network and the hierarchy of roads (see Map 33) from trip patterns, travel demand or vehicle use.

**7.3.1.3** the provision and location of facilities for multiple modes of transport.

#### **Non-notification/ service**

In respect of Rule 7.3.1 applications will not be publicly notified (unless special circumstances exist) or limited notified, except that the New Zealand Transport Agency must be notified where it is considered to be an affected party to an application.

#### **Relevant policies for preparing resource consent applications**

See policies 6.2.5.1 – 6.2.5.8

Note that this is an indicative list of relevant policies; applicants should check all policies for relevance to a particular consent application.

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

*If the activity does not comply with standards specified in section 7.6.1, Rule 7.3.5 applies in addition to this Rule*

**7.3.2.1** the location of the facility.

#### **Non-notification/ service**

In respect of Rule 7.3.2 applications will not be publicly notified (unless special circumstances exist) or limited notified.

#### **Relevant policies for preparing resource consent applications**

See policies 6.2.8.1 – 6.2.8.5

Note that this is an indicative list of relevant policies; applicants should check all policies for relevance to a particular consent application.

**7.3.3** The demolition of buildings to create vacant land, open land or parking areas (at ground level) and not associated with an activity for which consent is required under Rule 7.3.6 or 7.3.7 that are on sites that are visible from public spaces, or that have a primary or secondary street frontages as identified on maps 46 to 49D, is a Discretionary Activity (Restricted) in respect of:

**7.3.3.1** the effect on the vitality of the Centre.

**7.3.3.2** the effect on the visual quality of the streetscape.

#### **Non-notification/ service**

In respect of Rule 7.3.3 applications will not be publicly notified (unless special circumstances exist) or limited notified.

#### **Relevant policies for preparing resource consent applications**

See policies 6.2.3.1 – 6.2.3.13

Note that this is an indicative list of relevant policies; applicants should check all policies for relevance to a particular consent application.

**7.3.4** Integrated retail developments (including additions and alterations to existing developments) that will result in a cumulative total gross floor area exceeding 20,000m<sup>2</sup> are a Discretionary Activity (Restricted) in respect of:

*If the activity does not comply with standards for activities specified in section 7.6.1, Rule 7.3.5 applies in addition to this Rule.*

7.3.4.1	the cumulative effect of the development on the viability and vitality of the Golden Mile.
7.3.4.2	the consequential effect on the range of services available to visitors and any resulting loss of economic activity to Wellington.
7.3.4.3	the cumulative effect of the development on the sustainability of the transport network.
7.3.4.4	the cumulative effect on the roading network and the hierarchy of roads (see Map 33) from trip patterns, travel demand or vehicle use.

**Relevant policies for preparing resource consent applications**

See policies 6.2.1.1 – 6.2.1.5, 6.2.2.1, 6.2.2.2, 6.2.5.1 – 6.2.5.8

Note that this is an indicative list of relevant policies; applicants should check all policies for relevance to a particular consent application.

7.3.5	Activities which would be Permitted, Controlled or Discretionary (Restricted) Activities but that do not meet one or more of the standards specified in section 7.6.1 (activities), are Discretionary Activities (Restricted). Discretion is restricted to the effects generated by the standard(s) not met:
7.3.5.1	noise (standard 7.6.1.1)
7.3.5.2	noise (fixed plant) (standard 7.6.1.2)
7.3.5.3	electronic sound system noise (standard 7.6.1.3)
7.3.5.4	temporary activity noise (standard 7.6.1.4)
7.3.5.5	vehicle parking, servicing and site access (standard 7.6.1.5)
7.3.5.6	lighting (standard 7.6.1.6)
7.3.5.7	use, storage, or handling of hazardous substances (standard 7.6.1.7)
7.3.5.8	screening of activities and storage (standard 7.6.1.8)
7.3.5.9	dust (standard 7.6.1.9)
7.3.5.10	electromagnetic radiation (standard 7.6.1.10)

**subject to compliance with the following conditions:**

7.3.5.11	<i>noise emission levels under standards 7.6.1.1 and 7.6.1.2 shall not be exceeded by more than 5 decibels. This condition does not apply to temporary activity noise.</i>
7.3.5.12	<i>maximum lighting levels under standard 7.6.1.6 must not be exceeded by more than 20 percent.</i>
7.3.5.13	<i>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 or equal to 0.1 or does not meet the standard 7.6.1.9 unless the site is located in a Hazard Area.</i>
7.3.5.14	<i>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 standard 7.6.1.9.</i>

**Non-notification/ service**

In respect of the following items applications will not be publicly notified (unless special circumstances exist) or limited notified:

- 7.3.5.5 (vehicle parking, servicing and site access), and
- 7.3.5.9 (screening of activities and storage), and
- 7.3.5.9 (dust), and
- 7.3.5.10 (electromagnetic radiation)

except that in relation to 7.3.5.5 (parking, servicing and site access) the New Zealand Transport Agency must be notified where it is considered to be an affected party to an application.

**Relevant policies for preparing resource consent applications**

See policies 6.2.2.3 – 6.2.3.8, 6.2.5.3, 6.2.5.4, 6.2.5.8, 6.2.9.1 – 6.2.9.5

Note that this is an indicative list of relevant policies; applicants should check all policies for relevance to a particular consent application.

**BUILDINGS AND STRUCTURES**

7.3.6	The construction, alteration of, or addition to buildings and structures that are not a Permitted or Controlled Activity are Discretionary Activities (Restricted) in respect of:
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*Building work covered by Rule 7.3.6 will be assessed against the provisions of the Centres Design Guide. Note, section 3.2.4 requires a Design Statement to accompany any application for resource consent that is to be assessed against a Design Guide. If the proposal does not comply with standards for buildings*

and structures in 7.6.2, Rule 7.3.7 applies in addition to this Rule. Note, existing buildings on a site contribute to the total building mass of any new development. For proposals involving residential development within Centres the Residential Design Guide is also relevant.

7.3.6.1	design, external appearance and siting of buildings and structures
7.3.6.2	site layout
7.3.6.3	site access, pedestrian and vehicular access
7.3.6.4	site landscaping
7.3.6.5	the provision of amenity for any residential activities located on-site
7.3.6.6	the placement of building mass (in Johnsonville and Kilbirnie and Mt Cook Town Centre only)
7.3.6.7	structure and design of public space (in the Churton Park District Centre only)
7.3.6.8	location and layout of parking and servicing, and servicing hours (in the Churton Park District Centre only)
7.3.6.9	density of residential development (in the Churton Park District Centre only)
7.3.6.10	stormwater management (in the Churton Park District Centre only)
7.3.6.11	effects of the building work on the context and setting of Government House and Grounds, including effects on views to and from Government House (on the eastern side of Adelaide Road in the Mt Cook Centre only).

Except this rule does not apply to the following:

- the total or partial demolition, or removal of any building constructed prior to 1930 in the Thorndon Character Area (see Rule 7.3.11)
- buildings and structures, including pedestrian bridges, located above the street that exceed 25 percent of the width of the street at any point (see Rule 7.4.3)
- the construction, alteration of, and addition to, buildings, including accessory buildings within the Tawa Hazard (Flooding) Area and which are not Discretionary Activities (Restricted) (see Rule 7.4.4)

#### **Non-notification/ service**

In respect of Rule 7.3.6 applications will not be publicly notified (unless special circumstances exist) or limited notified.

This non notification clause does not apply to applications for the properties zoned centres between 68-82 Aro Street.

#### **Relevant policies for preparing resource consent applications**

See policies 6.2.3.1 – 6.2.3.13, 6.2.5.14, 6.2.5.6 – 6.2.5.8, 6.2.4.1, 6.2.8.5

Note that this is an indicative list of relevant policies; applicants should check all policies for relevance to a particular consent application.

7.3.7	The construction or alteration of, or addition to buildings and structures which would be a Permitted, Controlled or Discretionary (Restricted) Activity but that do not meet one or more of the standards specified in section 7.6.2 (buildings and structures), are Discretionary Activities (Restricted). Unless otherwise noted below, discretion is limited to the effects generated by the standard(s) not met:
7.3.7.1	height (standard 7.6.2.1), discretion is limited to the effect of the additional building height on: <ul style="list-style-type: none"> <li>• design, external appearance and siting</li> <li>• the amenity of adjoining properties</li> <li>• sunlight access to streets, public space, or residential buildings in Residential Areas</li> <li>• the character of the surrounding streetscape, including the form and scale of neighbouring buildings</li> <li>• the wind environment at ground level</li> </ul>
7.3.7.2	minimum building height (standard 7.6.2.2)
7.3.7.3	height control adjoining Residential Areas (standard 7.6.2.3)
7.3.7.4	building mass (in Johnsonville and Kilbirnie, and Mt Cook Town Centre) (standard 7.6.2.4)
7.3.7.5	yards (standard 7.6.2.5)
7.3.7.6	windows (standard 7.6.2.6)
7.3.7.7	primary and secondary street frontages and display windows (standard 7.6.2.7)
7.3.7.8	fixed plant noise (standard 7.6.2.8)

**7.3.7.9** noise insulation and ventilation (standard 7.6.2.9)

subject to compliance with the following conditions:

- 7.3.7.10** *in Zone 1 of the Johnsonville Sub-Regional Centre and the Mt Cook Town Centre, the maximum building height assessed under standard 7.6.2.1.1 must not be exceeded by more than 50 percent. In Zone 2 of the Johnsonville Sub-Regional Centre and the Mt Cook Town Centre, maximum building height must not be exceeded by more than 33 percent.*
- 7.3.7.11** *in the Kilbirnie Sub-Regional Centre and the Town and District Centres (except for Mt Cook Town Centre and Churton Park District Centre), the maximum building height assessed under standard 7.6.2.1.1 must not be exceeded by more than 50 percent. In the Churton Park District Centre maximum building height must not be exceeded by more than 33 percent.*
- 7.3.7.12** *in the Neighbourhood Centres, apart from 68-82 Aro Street within the Aro Valley Neighbourhood Centre, the maximum building height assessed under standard 7.6.2.1.1 must not be exceeded by more than 33 percent.*
- 7.3.7.13** *in relation to height control adjoining Residential Areas, the building recession planes must not be exceeded by more than 3 metres measured vertically.*

**Non-notification/ service**

In respect of Rule 7.3.7.5 (yards) applications will not be publicly notified (unless special circumstances exist) or limited notified, except that Greater Wellington Regional Council will be considered to be an affected party to any application that breaches Standard 7.6.2.5.1 in relation to Porirua Stream and tributaries.

In respect of the following items applications will not be publicly notified (unless special circumstances exist) or limited notified:

- 7.3.7.7 (primary and secondary street frontages and display windows)
- 7.3.7.9 (noise insulation and ventilation)

This non notification clause does not apply to applications for the properties zoned centres between 68-82 Aro Street.

**Relevant policies for preparing resource consent applications**

See policies 6.2.2.4 – 6.2.2.7, 6.2.3.1 – 6.2.3.13, 6.2.4.1, and 6.2.4.2

Note that this is an indicative list of relevant policies; applicants should check all policies for relevance to a particular consent application.

- 7.3.8** The construction, alteration of, or addition to buildings and 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:

*If the proposal does not comply with the standards for buildings and structures in 7.6.2, Rule 7.3.7 applies in addition to this Rule.*

- 7.3.8.1** the location and type of buildings or structures

**Non-notification/ service**

In respect of Rule 7.3.8 applications will not be publicly notified (unless special circumstances exist) or limited notified.

**Relevant policies for preparing resource consent applications**

See policies 6.2.8.1 – 6.2.8.2

Note that this is an indicative list of relevant policies; applicants should check all policies for relevance to a particular consent application.

- 7.3.9** In the Tawa Hazard (Flooding) Area, the construction of, alteration of, and addition to buildings, including accessory buildings and structures, which are more than 10 metres from the Porirua Stream and its tributaries and which have a floor area above the 1 in 100 year flood event are Discretionary Activities (Restricted) in respect of:

*If the proposal does not comply with the standards for buildings and structures in 7.6.2, Rule 7.3.7 applies in addition to this Rule.*

- 7.3.9.1** building and structure floor levels and building floor area.
- 7.3.9.2** building and structure location within the site.
- 7.3.9.3** the displacement of flood waters from the site.
- 7.3.9.4** effects of the proposal on the erosion and flood hazard risks and stream maintenance access.

*For the purposes of clarification, this Rule does not apply to network utility infrastructure, as they are provided for in 'Chapter 23. Utility Rules' of the District Plan.*

**Non-notification/ service**

In respect of Rule 7.3.9 applications will not be publicly notified (unless special circumstances exist) or limited notified, except that Greater Wellington Regional Council will be considered to be an affected party.

**Relevant policies for preparing resource consent applications**

See policies 6.2.5.1 – 6.2.5.6

Note that this is an indicative list of relevant policies; applicants should check all policies for relevance to a particular consent application.

- 7.3.10** The construction of buildings or structures which provide more than 70 parking spaces is a Discretionary (Restricted) Activity in respect of:

*If the activity does not comply with standards for buildings and structures in 7.6.2, Rule 7.3.7 applies in addition to this Rule. Note,*



any activity that triggers Rule 7.3.10 will require a Transport Assessment to accompany any application for resource consent, as required by section 3.2.2.4 of the District Plan.

- 7.3.10.1 the movement of vehicular traffic to and from the site.
- 7.3.10.2 the impact on the roading network and the hierarchy of roads (see Map 33) from trip patterns, travel demand or vehicle use.
- 7.3.10.3 the provision and location of facilities for multiple modes of transport.

**Non-notification/ service**

In respect of Rule 7.3.10 applications will not be publicly notified (unless special circumstances exist) or limited notified, except that the New Zealand Transport Agency must be notified where it is considered to be an affected party to an application.

**Relevant policies for preparing resource consent applications**

See policies 6.2.5.1 – 6.2.5.6

Note that this is an indicative list of relevant policies; applicants should check all policies for relevance to a particular consent application.

- 7.3.11 The total or partial demolition, or removal of any building constructed prior to 1930 in the Thorndon Character Area is a Discretionary Activity (Restricted) in respect of:

*Note: The total or partial demolition, or removal of any building listed as a heritage building, or within heritage areas is covered in Chapters Chapter 20 and Chapter 21 .*

- 7.3.11.1 the contribution made by the existing building to the streetscape and character of the neighbourhood.
- 7.3.11.2 the physical condition of the existing building.
- 7.3.11.3 the heritage and/or architectural significance of the building.
- 7.3.11.4 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.
- 7.3.11.5 the extent to which any redevelopment will comply with the Thorndon Character Area Design Guidelines.

**Relevant policies for preparing resource consent applications**

See policy 6.2.3.1

Note that this is an indicative list of relevant policies; applicants should check all policies for relevance to a particular consent application.

**SIGNS**

- 7.3.12 Signs that do not meet one or more of the standards specified in section 7.6.3.1, are a Discretionary Activity (Restricted), with discretion restricted to the standard not met.

*An encroachment licence must be obtained from Council to locate any sign on or in the airspace over Council land, even where the sign is affixed to a building on private property. Similarly, landowner approval should be obtained to erect a sign on or in the airspace over private land.*

**Non-notification/ service**

In respect of Rule 7.3.12 applications will not be publicly notified (unless special circumstances exist) or limited notified, except that the New Zealand Transport Agency must be notified where it is considered to be an affected party to an application.

**Relevant policies for preparing resource consent applications**

See policies 6.2.6.1 – 6.2.6.6

Note that this is an indicative list of relevant policies; applicants should check all policies for relevance to a particular consent application.

**SUBDIVISION**

- 7.3.13 Any type of subdivision of land or buildings within the Churton Park District Centre Concept Plan area is a Discretionary Activity (Restricted) in respect of:

*Any subdivision not able to meet the requirements of Rule 7.3.13 will default to a non-complying activity.*

- 7.3.13.1 subdivision design and layout and the provision for future land uses anticipated by the Churton Park District Centre Concept Plan (see Appendix 1A).
- 7.3.13.2 allotment size and location.

- 7.3.13.3 site access.
- 7.3.13.4 pedestrian access.
- 7.3.13.5 stormwater management and effects on water bodies.
- 7.3.13.6 the matters in standards 7.6.4.1.

provided that all activities, buildings and structures and signs (existing and proposed) comply with the standards specified in section 7.6 relating to vehicle parking, loading, servicing and site access; buildings and structures; signs; and Churton Park District Centre standards. The requirement to meet these standards may be waived if resource consent has been sought and granted for those aspects that do not comply, or the building(s) have existing use rights under section 10 of the Resource Management Act.

#### **Non-notification**

In respect of Rule 7.3.13 applications will not be publicly notified (unless special circumstances exist) or limited notified.

#### **Relevant policies for preparing resource consent applications**

See policies 6.2.7.1, 6.2.5.4 – 6.2.5.6, 6.2.8.4 – 6.2.8.5

Note that this is an indicative list of relevant policies; applicants should check all policies for relevance to a particular consent application.

- 7.3.14 Any subdivision not being a Permitted or Controlled Activity, except for subdivision within the Churton Park District Centre Concept Plan area, is a Discretionary Activity (Restricted) in respect of:

*Subdivisions that trigger Rule 7.3.14 will be assessed against the provisions of the Subdivision Design Guide.*

- 7.3.14.1 roading, access, site servicing and parking
- 7.3.14.2 landscaping
- 7.3.14.3 earthworks

#### **Non-notification**

In respect of Rule 7.3.14 applications will not be publicly notified (unless special circumstances exist) or limited notified.

#### **Relevant policies for preparing resource consent applications**

See policies 6.2.3.2, 6.2.5.2, 6.2.5.4 – 6.2.5.6 and 6.2.7.1

Note that this is an indicative list of relevant policies; applicants should check all policies for relevance to a particular consent application.

## **7.4 Discretionary Activities (Unrestricted)**

Section 7.4 describes which activities are Discretionary Activities (Unrestricted) in 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 Acts

### **ACTIVITIES**

- 7.4.1 Helicopter landing areas are a Discretionary Activity (Unrestricted).

#### **Relevant policies for preparing resource consent applications**

See policies 6.2.2.4 – 6.2.2.6

Note that this is an indicative list of relevant policies; applicants should check all policies for relevance to a particular consent application.

- 7.4.2 Any activities in the Churton Park District Centre that do not comply with the standards in 7.6.1 and 7.6.5 are a Discretionary Activity (Unrestricted).

#### **Relevant policies for preparing resource consent applications**

See policies 6.2.1.1, 6.2.1.2, 6.2.1.4, 6.2.1.5, 6.2.2.1 – 6.2.2.6, 6.2.2.8 - 6.2.2.9, 6.2.3.1 – 6.2.3.9, 6.2.3.13, 6.2.4.1 – 6.2.4.2, 6.2.5.1 – 6.2.5.4, 6.2.5.6 – 6.2.5.8

Note that this is an indicative list of relevant policies; applicants should check all policies for relevance to a particular consent application.

### **BUILDINGS AND STRUCTURES**

- 7.4.3 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).

#### **Relevant policies for preparing resource consent applications**

See policies 6.2.3.1 and 6.2.3.5

Note that this is an indicative list of relevant policies; applicants should check all policies for relevance to a particular consent application.

- 7.4.4 In the Tawa Hazard (Flooding) Area, the construction of, alteration of, and addition to, buildings, including accessory buildings, or structures, which are not Permitted Activities or Discretionary Activities (Restricted) are Discretionary Activities (Unrestricted).

*For the purposes of clarification, this Rule does not apply to network utility infrastructure, as they are provided for in 'Chapter 23. Utility Rules' of the District Plan.*

#### **Relevant policies for preparing resource consent applications**

See policies 6.2.8.1, 6.2.8.3 – 6.2.8.5

Note that this is an indicative list of relevant policies; applicants should check all policies for relevance to a particular consent application.

## 7.5 Non-Complying Activities

Activities that contravene a Rule in the Plan, and which have not been provided for as Permitted, Controlled, 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.

## 7.6 Centres Standards

7.6.1 ACTIVITIES STANDARDS	These standards apply to all activities in all Centres
7.6.1.1 Noise	
7.6.1.2 Fixed Plant Noise	
7.6.1.3 Electronic Sound System Noise	
7.6.1.4 Temporary Activity Noise	
7.6.1.5 Parking, Servicing and Site Access	
7.6.1.6 Lighting	
7.6.1.7 Use, Storage or Handling of Hazardous Substances	
7.6.1.8 Screening of Activities and Storage	
7.6.1.9 Dust	
7.6.1.10 Electromagnetic Radiation	
7.6.1.11 Discharge of Contaminants	
7.6.2 BUILDINGS AND STRUCTURES STANDARDS	These standards apply to the construction of buildings and structures in all Centres
7.6.2.1 Maximum building height	
7.6.2.2 Minimum building height	
7.6.2.3 Height Control adjoining Residential Areas	
7.6.2.4 Building mass	
7.6.2.5 Yards	
7.6.2.6 Windows adjacent to Residential Areas	
7.6.2.7 Primary and Secondary Street Frontages	
7.6.2.8 Fixed Plant Noise	
7.6.2.9 Noise Insulation and Ventilation	
7.6.3 SIGNS STANDARDS	These standards apply to the erection of signs in all Centres
7.6.3.1 Signs	
7.6.4 SUBDIVISION STANDARDS	These standards apply to subdivisions in all Centres
7.6.4.1 Subdivision	
7.6.5 CHURTON PARK DISTRICT CENTRE STANDARDS	These standards apply to all development in the Churton Park District Centre
7.6.5.1 General requirements	

<b>7.6.1 ACTIVITIES STANDARDS</b>	These standards apply to all activities in all Centres
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### 7.6.1.1 Noise

**5.3.5.1** design (including building bulk, height, and scale), external appearance, and siting (including landscaping, parking areas, vehicle manoeuvring and site access)

*Note, section 3.2.4 requires a Design Statement to accompany any application for resource consent that is to be assessed against the Residential Design Guide, the Thorndon Character Area Design Guide or the Mt Victoria North Design Guide, as relevant to the proposal.*

**Noise (emitted and received within Centres)**

*Note, the term Noise Emission Level is defined in Section 3.10.*

- 7.6.1.1.1 Noise emission levels from activities in Centres 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 in Centres shall not exceed the following limits:  
At all times 60dB LAeq (15 min)  
At all times 85dB LAFmax

*This rule applies to those sources that can be readily controlled by the noise performance standards. Other day-to-day activities which may cause a noise nuisance can be controlled using the excessive noise provisions of the Act as well.*

- 7.6.1.1.2 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.

- 7.6.1.1.3 In relation to standard 7.6.2.9.1 where activities have been noise insulated 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 insulation had not been undertaken.

*Note, all activities have a duty to avoid unreasonable noise under section 16 of the Resource Management Act regardless of the standards set in this Plan. At all times Council retains its power under the Act to ensure that the general duty under sections 16 and 17 to avoid unreasonable noise and avoid, remedy or mitigate any adverse effects of activities on the environment is met, and section 326 may be used to control excessive noise. The best practicable option shall be adopted to ensure that the emission of noise does not exceed a reasonable level.*

- 7.6.1.1.4 The noise limits set in standard 7.6.1.1.1 do not apply to noise from port related activities located in the Operational Port Area.

#### **Noise (emitted within Centres received in other Areas)**

- 7.6.1.1.5 Noise emission levels from activities in Centres when measured at or within the boundary of any site in Residential and Rural Areas shall not exceed the following limits:

<b>Inner Residential Area / Medium Density Residential Areas</b>		
Monday to Sunday	7am to 10pm	50dB LAeq (15 min)
Monday to Sunday	10pm to 7am	40dB LAeq (15 min)
Monday to Sunday	10pm to 7am	70dB LAfmax
<b>Outer Residential Area</b>		
Monday to Sunday	7am to 7pm	50dB LAeq (15 min)
Monday to Sunday	7pm to 10pm	45dB LAeq (15 min)
Monday to Sunday	10pm to 7am	40dB LAeq (15 min)
Monday to Sunday	10pm to 7am	65dB LAfmax
<b>Rural Areas</b>		
At all times	55dB LAeq (15 min)	
and on any conceptual boundary of a residential building in the Rural Area:		
Monday to Sunday	7am to 8pm	45dB LAeq (15 min)
Monday to Sunday	8pm to 7am	35dB LAeq (15 min)
Monday to Sunday	8pm to 7am	60dB LAfmax

#### **7.6.1.2 Fixed Plant Noise**

- 7.6.1.2.1 Noise emission levels in Centres from fixed plant when measured at or within the boundary of any site, or at the outside wall of any building on any site, other than the building or site from which the noise is emitted in Centres shall not exceed the following limits:  
At all times 55dB LAeq (15 min)  
Monday to Sunday 10pm to 7am 80dB LAFmax
- 7.6.1.2.2 The noise limits set in standard 7.6.1.2.1 do not apply to fixed plant located in the Operational Port Area.
- 7.6.1.2.3 Noise emission levels from fixed plant in Centres must comply with standard 7.6.1.1.5.
- 7.6.1.2.4 The noise limits set in standard 7.6.1.2.1 and 7.6.1.2.3 shall not apply to fixed plant that is used solely for emergency purposes. Examples of such equipment are standby generator sets that are used to supply electricity only at times of electrical supply failure,

or for plant used only during life threatening situations such as smoke fans or sprinkler pumps. This fixed plant is exempt from the noise limits provided that it:

- (i) only operates for maintenance between 8am and 5pm weekdays, and
- (ii) can comply with standard 7.6.1.1.1 and 7.6.1.1.5., or
- (iii) is an electricity generator set that can only be used on an emergency basis and is not used to generate power for the national grid.

#### 7.6.1.3 Electronic Sound Systems Noise

Noise emission levels in Centres in any public space (including streets and parks) generated by electronic sound systems shall not exceed 75dB L<sub>Aeq</sub> when measured over any 2 minute period. In any event the measurements shall be made no closer than 0.6 metres from any part of a loudspeaker and at a height no greater than 1.8 metres (representative of the head of a passer-by).

*Aspects of these measurement and assessment criteria for electronic sound systems are different from and take precedent over the corresponding criteria that are set out in the Definitions Section of this Plan for 'Noise Emission Level'*

7.6.1.3.2 The measured level(s) under 7.6.1.3.1 shall be compared directly with the applicable noise limit without any adjustments for special audible characteristics. However, the measured level shall be adjusted for any significant background sound in the area.

#### 7.6.1.4 Temporary Activity Noise

7.6.1.4.1 Temporary activities in Centres are not subject to the noise standards stated in standards 7.6.1.1.1, 7.6.1.1.5 and 7.6.1.3.1. This exemption applies between the hours of:

- 9am to 9pm each day (Sunday to Thursday)
- 9am to 10pm (Friday and Saturday).

On New Years Eve temporary activities are not subject to the noise standards stated in standards 7.6.1.1.1, 7.6.1.1.5 and 7.6.1.3.1 between the hours of 9pm on 31st December to 1am the following day.

#### 7.6.1.5 Parking, Servicing and Site Access

##### Vehicle parking

7.6.1.5.1 All parking shall be provided and maintained in accordance with sections 1, 2 and 5 of the joint Australian and New Zealand Standard 2890.1 - 2004, Parking Facilities, Part 1: Off-Street Car Parking.

*Note, developments providing more than 70 parking spaces are provided for as Discretionary Activities (Restricted) whereby a Transport Assessment will be required.*

7.6.1.5.2 Where carparking is located within a building, a minimum height clearance of no less than 2.2 metres is required.

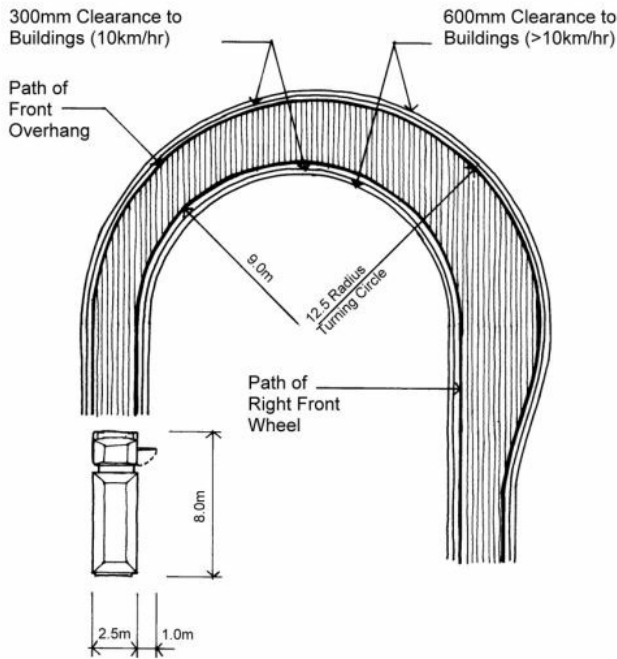
7.6.1.5.3 The gradient for carparking circulation routes shall not be more than 1 in 8.

7.6.1.5.4 Open vehicle parking areas or parking at ground level within a building must not be situated at ground level at the front of sites where standard 7.6.2.7 (Primary and Secondary Street Frontages) applies.

##### Servicing

7.6.1.5.5 On each site in Centres (excluding Neighbourhood Centres, as listed in Policy 6.2.1.1), at least one loading area shall be provided as follows:

- 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 except where lifts only service parking levels;
- the loading area shall be located no further than 15 metres from a lift and there shall be level access between them;
- turning paths shall be based on the standard for a medium rigid truck as illustrated below:



- 7.6.1.5.6 For loading areas located outdoors, the minimum width shall be 3 metres and the minimum length 9 metres.
- 7.6.1.5.7 For loading areas located within a building, the minimum width shall be 4 metres and the minimum length 9 metres.
- 7.6.1.5.8 New servicing and loading areas at ground level within a building must not be situated at ground level at the front of sites to which standard 7.6.2.7 (Primary and Secondary Street Frontages) applies.

**Site access for vehicles**

- 7.6.1.5.9 Site access shall be provided and maintained in accordance with section 3 of the joint Australian and New Zealand Standard 2890.1 – 2004, Parking Facilities, Part 1: Off-Street Car Parking.
- 7.6.1.5.10 No new vehicle access is permitted to a site across a primary frontage, as identified on Planning Maps 46 to 49D.
- 7.6.1.5.11 Subject to standard 7.6.1.5.10 no vehicular access, shall be situated closer to an intersection than the following:  
Arterial and principal streets 20m  
Collector streets 15m  
Other streets 10m
- 7.6.1.5.12 Subject to Standard 7.6.1.5.10, there shall be a maximum of one vehicle access to any site except for sites that have more than one frontage. In such cases, a site may have one access across each frontage, unless one of the frontages is to a State highway, in which case no access shall be to the State highway.
- 7.6.1.5.13 The width of any vehicle crossing to a site shall not exceed 6 metres.
- 7.6.1.5.14 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.
- 7.6.1.5.15 All access to sites must be designed to permit a free flow of traffic so that vehicles do not queue on the street.

**7.6.1.6 Lighting**

- 7.6.1.6.1 Any activity which requires outdoor areas to be lit shall ensure that direct or indirect illumination does not exceed 10 lux at the windows of residential buildings in any Residential Area.
- 7.6.1.6.2 Subject to standard 7.6.1.6.1 any development which includes roads and outdoor public spaces available for use during hours of darkness shall be designed and installed in accordance with AS/NZS 1158.3.1 : 2005 and amendments.

**7.6.1.7 Use, Storage or Handling of Hazardous Substances**

- 7.6.1.7.1 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 PC35 <=0.05	0.002 < ER PC35 <=0.1	<=0.002
Conditions applying	7.6.1.7.2 to 7.6.1.7.12	7.6.1.7.2 to 7.6.1.7.12	7.6.1.7.9, 7.6.1.7.11 and 7.6.1.7.12 only

Activities that do not meet the above Effects Ratio criteria or do not otherwise comply with the applicable conditions will be Discretionary (Restricted) Activities.

- 7.6.1.7.2 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.
- 7.6.1.7.3 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.]PC35
- 7.6.1.7.4 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.] PC35
- 7.6.1.7.5 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.
- 7.6.1.7.6 All stormwater grates, collection structures and inspection chamber covers on the site shall be clearly marked as such.
- 7.6.1.7.7 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.
- 7.6.1.7.8 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] PC35 the Code of Practice for the "Design, Installation and Operation of Underground Petroleum Storage Systems" (1992) is a minimum [requirement.] PC35

#### Signage

- 7.6.1.7.9 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).

#### Waste Management

- 7.6.1.7.10 Any process waste or waste containing hazardous substances shall be stored in a manner which complies with 7.6.1.7.2 to 7.6.1.7.9 above.
- 7.6.1.7.11 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.

*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.*

#### Other

- 7.6.1.7.12 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] PC35

#### 7.6.1.8 Screening of Activities and Storage

- 7.6.1.8.1 Sites with yards which abut a Residential or Open Space Area must be screened from view by a solid fence of no less than 1.8 metres high that conceals the outdoor storage and activities.
- 7.6.1.8.2 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.

#### 7.6.1.9 Dust

7.6.1.9.1 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.

7.6.1.9.2 With regard to the above provisions, where sites are contiguous and are held under the same ownership then any dust nuisance shall be measured at the periphery of the land holding within the District Plan area.

#### 7.6.1.10 Electromagnetic Radiation

7.6.1.10.1 Activities must be conducted to comply with the New Zealand Standard NZS 277.1:1999 (Radio Frequency fields) and any subsequent amendment.

*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.*

#### 7.6.1.11 Discharge of Contaminants

*Note, 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.*

<b>7.6.2 BUILDINGS AND STRUCTURES STANDARDS</b>	These standards apply to the construction of buildings and structures in all Centres.
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#### 7.6.2.1 Maximum building height

7.6.2.1.1 No building or structure shall exceed the building height as listed in Table 1 below:

Table 1:

Centre	Height (standard 7.6.2.1.1)	Planning Map No.
<b>Sub-Regional Centres</b>		
Johnsonville	See Appendix 1 for Zone boundaries	
• Zone 1	12m	23
• Zone 2	18m	23
Kilbirnie	12m	6
<b>Town Centres</b>		
Karori	12m	11
Miramar	12m	7
Mt Cook (Adelaide Road)	See Appendix 1 for Zone boundaries	
• Zone 1	12m	6/16
• Zone 2	18m	6/16
Newtown	12m	6
Lot 1 DP 9703 (42A Riddiford Street, Newtown), excluding the sites access leg	9m	6
Tawa	12m	30
<b>District Centres</b>		
Brooklyn	12m	6
Churton Park	9m	26
Crofton Downs	12m	21/15
Island Bay	12m	4
Khandallah - Dekka Street/Ganges Road and Box Hill/Baroda Street	12m	21
Newlands	12m	24/23
<b>Neighbourhood Centres</b>		
Aro Valley	9m	11/16
Berhampore	12m	6
Berhampore - Rintoul Street	9m	6
Hataitai	9m	6/12
Island Bay - Mersey Street	9m	4
Island Bay - Shorland Park shops	9m	4
Karori - Marsden Village	9m	11
Karori - Nottingham/Standen Street Shops	9m	11
Karori - Tringham Street shops	9m	11
Kelburn	9m	11



Kingston	9m	6
Linden	9m	31
Lyll Bay - Onepu Road	9m	4/6
Miramar • cnr Darlington Road and Camperdown Road • cnr Park Road and Brussels Street • cnr Park Road and Rex Street (east and west of Park Road) • cnr Park Road and Rotherham Terrace • cnr Para Street and Rotherham Terrace	9m	7
Newlands - Newlands Road/Salford Street	9m	23
Newtown - Constable Street/Owen Street	9m	6
Ngaio	9m	21
Ngaio - Crofton Road	9m	21
Northland	12m	11
Roseneath	9m	12
Seatoun - Dundas Street	9m	7
Strathmore - Broadway (both Strathmore Avenue and Hobart/Kauri Street Centres)	9m	7/5
Strathmore - cnr Caledonia Street, Hobart Street, and Devonshire Road	9m	7
Tawa - Oxford Street	9m	30
Thorndon	9m	18/17
Wadestown	9m	15

#### 7.6.2.2 Minimum building height

7.6.2.2.1 New buildings or structures or additions to the frontages of buildings and structures along any primary or secondary street frontages in Centres, as identified on maps 46 to 49D, shall have a minimum height of 7m. This standard does not apply where Standard 7.6.2.3.1 applies.

7.6.2.2.2 The ground floor to floor (stud) height of all new buildings along primary and secondary street frontages in Centres, as identified on maps 46 to 49D, shall be at least one-third higher than the upper storey(s) of the building.

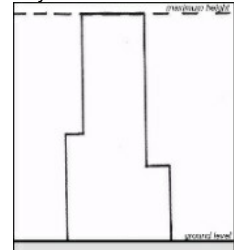
#### 7.6.2.3 Height control adjoining Residential Areas

7.6.2.3.1 Any building or structure must comply with the applicable building recession plane rule for the Residential Area at any point along a boundary adjoining the Residential Area. In addition, no building or structures in Centres shall be higher than 3 metres within 5 metres of a Residential Area boundary.

#### 7.6.2.4 Building Mass in Johnsonville Sub-Regional Centres and Mt Cook Town Centre only (as listed in Appendix 1)

7.6.2.4.1 No building (or buildings) within Zone 2 of the Johnsonville Sub-Regional Centre or Zone 2 of the Mt Cook Town Centre shall have a mass in excess of the total building mass (volume) for the site. Total building mass (volume) is calculated using the following formula:

For illustrative purposes only



A. In areas where building heights are measured above ground level:

Total mass = site area x height x 0.75

B. For freehold sites in strata (or portions of a site subdivided by strata):

Total mass = strata area x (upper height – lower height) x 0.75

For the purpose of calculating total building mass (volume):

**Assessed Ground Level** - is as per the definition of assessed ground level in section 3.10.

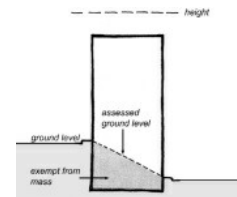
**Height** - means the maximum height specified for the site in standards 7.6.2.1.1 – 7.6.2.1.3.

**Lower Height** - for strata lots the lower height will be taken to be whichever is the higher of either the assessed ground level, or the lower reduced level (r.l.) specified for the strata lot. In situations where the lower r.l. in a single strata lot varies across the site, the building mass must be calculated separately for each strata area.

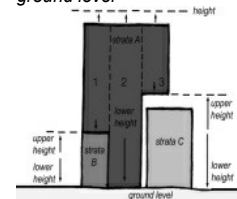
**Upper Height** - for strata lots the upper height will be taken to be whichever is the lesser of either the upper reduced level of the strata area, or the maximum height specified for the site in standard 7.6.2.1.1, 7.6.2.2.1 or 7.6.2.2.2.

**Site Area** - means the total area of the site (or sites) that forms part of the development, but does not include any portion of the site subject to a strata title. See also the definition of site.

**Strata Area** - means any portion of a site that is subject to a strata height limit (upper, lower or both). In situations where the height limits in a single strata lot vary across the site, the building mass must be calculated for each unique combination of lower and/or upper height levels. Each mass calculation will then be combined to arrive at the total building mass for the strata lot. In the event that the r.l. is not flat (i.e. it is not parallel to mean sea level) a mean average height for the r.l. shall be used to calculate total mass for that strata area. The mean average height will be calculated as per the assessed ground level definition. (Note: this definition does not apply to individual Unit Titles in strata).



Scenario B - 'Assessed ground level'



Scenario C - 'Strata titles.' Height limits for strata lots (upper height, lower height or height) shall be used with the strata area to determine the maximum building mass for each strata Scenario C - 'Strata titles.' Height limits for strata lots (upper height, lower height or height) shall be used with the strata area to determine the maximum building mass for each strata lot

#### 7.6.2.5 Yards

7.6.2.5.1 No structure or building shall be located closer than:

- 10 metres to the Porirua Stream and its tributaries; provided that this standard does not apply to areas located within an identified Hazard (Flooding) Area, which are dealt with under Rules 7.3.9 and 7.4.4; or
- 5 metres to any other waterbody, excluding artificial ponds or channels.

7.6.2.5.2 No impervious surface associated with the use of the site shall extend closer than 5 metres to a waterbody or the coastal marine area, excluding artificial ponds or channels.

#### 7.6.2.6 Windows adjacent to Residential Areas

7.6.2.6.1 All windows in walls of buildings above ground floor level located within 5 metres of and facing a Residential Area boundary shall have privacy glazing to protect the privacy of adjoining residentially zoned properties.

7.6.2.6.2 Any deck, terrace or balcony with a finished floor, paving or turf level of 1.5 metres or more above ground level at the boundary shall be located no closer than 5 metres to an adjoining Residential Area boundary.

#### 7.6.2.7 Primary and Secondary Street Frontages

##### Verandahs

7.6.2.7.1 Verandahs must be constructed along any building elevations adjoining the boundary of a primary street frontage (as identified on District Plan Maps 46 to 49D).

*Alterations to a building that are within the scope of existing uses under the Act are not required to construct verandahs as required by 7.6.2.7.1 Standard 7.6.2.7.2 applies when verandahs are voluntarily provided. Standard 7.6.2.7.3 applies when verandahs are a mandatory requirement.*

7.6.2.7.2 Any verandah must:

- provide a minimum clearance of 2.5 metres directly above the footpath or formed ground surface
- be no more than 4 metres (measured at the base of the verandah fascia) directly above the footpath or formed ground surface
- provide a minimum horizontal set back of 450mm from any point along the kerbing extending back to the site boundary
- extend no more than 3 metres in width from the front of the building

7.6.2.7.3 A verandah required by standard 7.6.2.7.1 must:

- extend for the full length of the building elevation
- extend 3 metres outwards from the building elevation (minus any requirement for a 450mm horizontal set back from the kerbing)
- provide continuous shelter with any adjoining verandah or pedestrian shelter

**Display Windows**

- 7.6.2.7.4 Display windows must be constructed at ground floor level along all primary frontages identified on the District Plan Maps 46 to 49D.
- Alterations to a building that are within the scope of existing uses under the Act are not required to construct display windows as required by 7.6.2.7.4*
- 7.6.2.7.5 Display windows on primary street frontages identified in District Plan Maps 46 to 49D must be transparent and 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.
- 7.6.2.7.6 At least 60% of ground floor elevations in building façades on primary street frontages identified in District Plan Maps 46 to 49D are to be display space or transparent window or doors.

**'Active' building edges**

- 7.6.2.7.7 The entire ground floor of all buildings along primary and secondary street frontages within Sub-Regional, Town and District Centres and the primary street frontage of Aro Valley Neighbourhood Centre at 68-82 Aro Street shall be occupied by non-residential activities; in addition, for properties fronting Adelaide Road or John Street the entire first floor of all buildings must also be occupied by non-residential activities.
- 7.6.2.7.8 For the ground floor of any buildings on the properties zoned Aro Valley Neighbourhood Centre at 68-82 Aro Street area to the rear of the ground floor may be occupied by residential activities provided that non-residential activities adjoin the primary frontage.
- No ground floor wall shall be continuously featureless for greater than 3 metres in width on primary street frontages identified on District Plan Maps 46 to 49D.
- 7.6.2.7.9 New buildings built at the front of a site identified as having a primary street frontage (as identified on planning maps 46 to 49D), must be built up to the street edge along the primary frontage.
- 7.6.2.7.10 Any addition to, alteration or modification of a building or structure where the works are confined to the area below verandah level must not create a featureless façade more than 4 metres wide on any wall that faces a public space, and extends from a height of 1m above ground level up to a maximum height of 2.5m. A featureless façade will be considered to be one that lacks windows, doors, columns, recesses, stairs, niches or other architectural detailing.
- This standard does not apply to new buildings/ structures, or to modifications extending above verandah level on existing buildings/ structures.*

**7.6.2.8 Fixed Plant Noise**

- 7.6.2.8.1 Noise emission levels in Centres from fixed plant when measured at or within the boundary of any site, or at the outside wall of any building on any site, other than the building or site from which the noise is emitted in Centres shall not exceed the following limits:  
At all times 55dB L<sub>Aeq</sub> (15 min)  
Monday to Sunday 10pm to 7am 80dB L<sub>AFmax</sub>
- Note, the term Noise Emission Level is defined in Section 3.10. These standards apply to those sources that can be readily controlled by the noise performance standards. Other day to day activities which may cause a noise nuisance can be controlled using the excessive noise provisions of the Act as well.*
- 7.6.2.8.2 The noise limits set in standard 7.6.2.8.1 do not apply to fixed plant located in the Operational Port Area.
- 7.6.2.8.3 Noise emission levels from fixed plant in Centres must comply with standard 7.6.1.1.5.
- 7.6.2.8.4 The noise limits set in standard 7.6.2.8.1 and 7.6.2.8.3 shall not apply to fixed plant that is used solely for emergency purposes. Examples of such equipment are standby generator sets that are used to supply electricity only at times of electrical supply failure, or for plant used only during life threatening situations such as smoke fans or sprinkler pumps. This fixed plant is exempt from the noise limits provided that it
- (i) only operates for maintenance between 8am and 5pm weekdays, and  
(ii) can comply with standard 7.6.2.8.1 and 7.6.2.8.3, or  
(iii) is an electricity generator set that can only be used on an emergency basis and is not used to generate power for the national grid.

**7.6.2.9 Noise Insulation and Ventilation****Noise Insulation**

- Note: In Centres, the definition for Noise Sensitive Activity includes residential activities.*
- 7.6.2.9.1 Except for port noise and airport noise zone, any habitable room in a building used by a noise sensitive activity within Centres shall be protected from noise arising from outside the building by ensuring the external sound insulation level achieves the following minimum performance standard:
- $D_{nT,w} + C_{tr} > 30 \text{ dB}$
- Compliance with this performance standard shall be achieved by ensuring habitable rooms are designed and constructed in a manner that:

- 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, or
- accords with the schedule of typical building construction set out below:  
(the schedule describes the minimum requirements necessary to achieve an external sound insulation level of  $D_{nT,w} + C_{tr} > 30$  dB)

Building Element	Minimum Construction Requirement	
External Walls of Habitable Rooms	Stud Walls:	
	Exterior cladding:	20 mm timber or 9mm compressed fibre cement sheet over timber frame (100 mm x 50 mm).*
	Cavity infill:	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.
	Interior lining:	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.
	Combined superficial density:	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.
	Mass Walls:	190 mm concrete block, strapped and lined internally with 10 mm gypsum plaster board, or 150 mm concrete wall.
Glazed Areas of Habitable Rooms	Glazed areas up to 10% of floor area:	6 mm glazing single float
	Glazed areas between 10% and 35% of floor area:	6 mm laminated glazing
	Glazed areas greater than 35% of floor area:	Require a specialist acoustic report to show conformance with the insulation rule.
	Frames to be aluminium window frames with compression seals.	
Skillion Roof	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).
	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 Roof (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> .
Floor 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 Door 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."

## Ventilation

7.6.2.9.2

Where habitable rooms with openable windows are proposed, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person.

## Noise Insulation and Ventilation: Airnoise Boundary

7.6.2.9.3.1 Any new habitable room within the Airnoise boundary depicted on Map 35 must be designed and constructed to achieve an internal level of  $L_{dn}$  40dB with doors and windows closed.

The certification of an approved acoustical engineer will be accepted as evidence that the design meets the insulation standard.

7.6.2.9.3.2 Any new habitable room within the Airnoise boundary depicted on Map 35 that is proposed to have openable windows must be provided with, at the time of fit-out, a positive supplementary source of fresh air ducted from the outside. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person.

<b>7.6.3 SIGNS STANDARDS</b>	These standards apply to the erection of all signs in Centres. All signs will be assessed against the Signs Design Guide.
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#### 7.6.3.1 Signs

*Note signs located on a site with a listed heritage building are subject to the Heritage Rules in Chapter Chapter 21.*

7.6.3.1.1 Any sign (excluding signs below verandah level) that is illuminated must not flash, or must not contain moving images, moving text or moving lights if that sign is:

- visible from a vehicle on the legal road within 100m of an intersection
- visible from and located within 50m of a Residential Area
- located on a building above ground floor level
- located on a site frontage (including on any building) that is adjoining or opposite (on the other side of the legal road) any Heritage Area (as shown in Chapter Chapter 21)

This standard does not apply to temporary signs provided for under standard 7.6.3.1.6.

7.6.3.1.2 Any sign located on a building:

- that is affixed to the underneath of a verandah must provide at least 2.5 metres clearance directly above the footpath or ground level
- must be displayed only on plain wall surfaces
- must not obscure windows or architectural features
- must not project above the parapet level, or the highest part of that part of the building to which the sign is attached. This part of the standard does not apply to temporary signs provided for under Standard 7.6.3.1.6.
- must not project above the verandah level or the shopfront fascia. This part of the standard does not apply to temporary signs provided for under standard 7.6.3.1.6.
- must not be more than a maximum area of 5m<sup>2</sup>
- may project up to a maximum of 1 metre from the elevation of the building on which the sign is located

7.6.3.1.3 In addition to 7.6.3.1.2, no sign shall be for the purpose of third party advertising.

7.6.3.1.4 For one free-standing sign or sign located on a structure:

*Note: Neighbourhood Centres are listed in Policy 6.2.1.1 and in Table 1 under Standard 7.6.2.1.1*

- the maximum area is 8m<sup>2</sup>.
  - the maximum height is 6m
  - only one sign is permitted on any site frontage
- For any additional free standing signs or signs located on a structure (except Neighbourhood Centres):
- the maximum area is 5m<sup>2</sup>
  - the maximum height is 6m
  - only one sign is permitted on any site frontage

7.6.3.1.5 For signs located in a Heritage Area, the information that may be displayed on the sign is limited to the building name, the name/logo of the business, owner or occupier of the building (or site) on which the sign is located, and/or the product or service available on site.

7.6.3.1.6 Any temporary sign that is established for the purpose of advertising a community event:

- must not be erected for more than 28 consecutive days before, and must be fully removed (including any associated structures) within 7 days of the completion of the event for which the sign was erected
- may exceed the standards in 7.6.3.1.3, 7.6.3.1.4 and 7.6.3.1.5. specifying the maximum area or maximum number of signs permitted, provided that all other sign standards are met
- may be an illuminated sign that flashes and contain moving text

For the purpose of this standard, a community event includes an event that promotes Wellington City or public activities within a local community, and that event is non-repetitive and temporary in nature. This standard excludes advertising for primarily commercial purposes.

*Note, the term Temporary Sign is defined in Section 3.10 Any sign that complies with relevant sign standards in 7.6.3.1 is also permitted on a temporary basis.*

<b>7.6.4 SUBDIVISION STANDARDS</b>	These standards apply to all subdivisions in Centres
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#### 7.6.4.1 Subdivision

7.6.4.1.1 Every building or structure adjoining a new boundary must comply fully with the standards for buildings and structures specified in 7.6.2 or otherwise be lawfully established.

*Subdivision within a heritage area or on a site associated with a heritage item is controlled by the provisions of the Heritage Chapter (chapters 20 and*

- 7.6.4.1.2 Every allotment must have services in compliance with City Bylaws or if applicable the Council's Code of Practice for Land Development.
- 7.6.4.1.3 Every allotment must have practical, physical and legal access to a formed legal road.
- 7.6.4.1.4 Every allotment must have drive-on vehicle access and parking constructed in accordance with standard 7.6.1.5.
- 7.6.4.1.5 All earthworks needed to complete the subdivision are undertaken.
- 7.6.4.1.6 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.
- 7.6.4.1.7 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.
- 7.6.4.1.8 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.
- 7.6.4.1.9 For any subdivision incorporating new roads, all services must be reticulated underground.
- 7.6.4.1.10 In respect of subdivision at Churton Park, all subdivision proposals must comply with the Churton Park Village Concept Plan and associated provisions.
- 7.6.4.1.11 A Certificate of Compliance must be obtained for the subdivision to allow Council to assess survey plans for approval.

*Archaeological sites associated with human activity that occurred before 1900 are protected under the Historic Places Act 1993. An archaeological authority will be required from the New Zealand Historic Places Trust to destroy, damage or modify these sites.*

*See Appendix 1A in Chapter 7.*

An applicant must supply the following:

- information to allow Council to assess compliance with standard 7.6.4.1.1.
  - 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 licensed cadastral surveyor or other suitably qualified person certifying their accuracy.

<b>7.6.5 CHURTON PARK DISTRICT CENTRE STANDARDS</b>	These standards apply to all development in the Churton Park District Centre Concept Plan (See Appendix 1)
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- 7.6.5.1 General requirements
- 7.6.5.1.1 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.
- 7.6.5.1.2 The Commercial Centre may only contain **retail, community, commercial, healthcare** and related or similar activities, and **residential activities** above the ground floor.
- 7.6.5.1.3 Buildings comprising the Commercial Centre component of the village shall occupy and engage the public street edge along Westchester Drive and Lakewood Ave.
- 7.6.5.1.4 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.
- 7.6.5.1.5 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.
- 7.6.5.1.6 **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.
- 7.6.5.1.7 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.
- 7.6.5.1.8 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

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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.

- 7.6.5.1.9 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.
- 7.6.5.1.10 **Car parking** shall be located behind the street front activities and must not directly front the public street.
- 7.6.5.1.11 *Removed by NPS-UD 2020 Policy 11*
- 7.6.5.1.12 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.
- 7.6.5.1.13 **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.
- 7.6.5.1.14 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 is to be located.
- 7.6.5.1.15 A **3m wide formed access** shall be provided to the W4 designation area in the vicinity of no. 61 Lakewood Ave. Easements shall be created over it at the time of subdivision in favour of both Greater Wellington Regional and Wellington City Council's.
- 7.6.5.1.16 **Subdivision** design and layout shall demonstrate that the above requirements can be met.