

PART 16 TAKANINI STRUCTURE PLAN AREA

16.1 RESIDENTIAL 8 ZONE

16.1.1 OBJECTIVES AND POLICIES

In addition to the general objectives and policies set out in 5B.2.2 of Section One, the following specific objectives and policies apply to the Residential 8 Zone.

16.1.1.1 Density

1. Objectives

- i.* To achieve forms of medium density residential development which are supportive of pedestrian, cycle and public transport and which take advantage of the zone's proximity to public transport routes, the proposed mixed use node and Bruce Pulman Park.
- ii.* To ensure that the establishment of medium density residential development (referred to in *i.* above) is not precluded by the establishment of low intensity residential uses.

2. Policy

Residential subdivision and development should be of a density and form which is supportive of pedestrian, cycle and public transport and is consistent with Regional Growth Strategy objectives. Lower density forms of residential development, which have the potential to preclude the establishment of medium density development, should generally be discouraged.

These objectives and policy relate to Issues 5B2.2.1.1 and 5B2.2.2.1 in Section One.

16.1.1.2 Amenity Values

1. Objective

To achieve a high standard of amenity, pedestrian safety and convenience, a positive sense of place and local identity.

2. Policy

Subdivision and development should be designed and located to create a high standard of amenity, pedestrian safety and convenience, and contribute to a positive sense of place and identity. Key elements of subdivision design and urban form which are considered likely to contribute to achieving this within the Residential 8 Zone are as follows:

A highly connected street network, providing footpaths, cycle routes and vehicular access to passenger transport and to the facilities of nearby proposed nodal areas

Innovative residential street design in terms of widths, traffic calming measures and provision of hard and soft landscaping.

Quality public open spaces which generally abut streets rather than residential sections and thus provide opportunities for passive surveillance

Residential development that addresses and engages the street and public realm through quality urban design at the interface, and building in close proximity to site frontages

Residential development that achieves good on-site amenity in terms of privacy, sunlight and daylight access, and appropriate design of private open space

This objective and policy relate to Issue 5B2.2.5.1 of Section One.

16.1.1.3 Explanation

The land within the Residential 8 Zone is ideally located to take advantage of flat topography, its close proximity to planned public transport routes, local centres or nodes, the NIMT railway line, proposed mixed use node, and Bruce Pulman Part. The zone encourages development densities which are supportive of public transport use and non motor vehicle modes of transport consistent with Regional Growth and Land Transport Strategy objectives. Accordingly, significant medium density housing is envisaged.

At these higher densities it is important to ensure that subdivision and design deliver acceptable amenity outcomes. Accordingly, a range of amenity outcomes are specified, and the Plan includes rules and criteria which seek to ensure that these are achieved.

Noise mitigation measures are required for new residential and other noise sensitive development within close proximity of Transpower's existing Electricity Substation in Airfield Road, to ensure that such development is protected against any potential disturbance from the noise that is currently generated by that substation.

16.1.1.4 Methods

The following methods have been adopted to implement these policies:

Subdivision rules and assessment criteria

Activity controls and assessment criteria

Performance standards

16.1.1.5 Expected Environmental Results

In addition to the expected environmental results set out in 5B2.2.7 of Section One, the following more specific outcomes are expected:

The establishment of significant medium density residential development

Utilisation of pedestrian, cycle and public transport modes by the residents of the zone.

The continued operation of Transpower's existing electricity substation in Airfield Road is not compromised by the intensification of new noise sensitive development around the substation.

New residential and other noise sensitive development within close proximity of Transpower's existing electricity substation, is located or constructed so that it is protected from potential noise disturbance.

Establishment of a positive sense of place and identity, high standard of amenity and pedestrian safety. Aspects of urban form expected are as follows: -

- Innovative residential street design in terms of widths, traffic calming measures and hard and soft landscaping
- Quality public open spaces which generally abut streets and provide opportunities for passive surveillance
- Complementary, consistent and legible landscaping themes within the road reserve and open spaces
- Residential development that addresses and engages the street and public realm through quality urban design at the interface, and building in close proximity to site frontages
- Residential development that achieves a high standard of on-site amenity in terms of privacy, sunlight and daylight access, and appropriate design of private open space

16.1.2 RULES: GENERAL

16.1.2.1 Definition of Area of Residential 8 Zone

The location and boundaries of the Residential 8 Zone subject to plan change No. 3 are as shown on the Zoning Maps, however the western boundary of the Zone is indicative only. This boundary will be defined by the location of a new proposed Takanini School Road extension between Walters Road and Taka Street as shown on the Zoning Maps and Glenora Structure Plan.

16.1.2.2 Other Relevant Rules

In addition to the relevant rules specified in Part 16 rules in the following parts of Section Three of the Plan apply:

- Part 2 Protection of the Urban Environment
- Part 3 Heritage Protection and Management
- Part 11 Network Utilities, Transport and Roothing
- Part 13 Landscape Design
- Part 14 Signs
- Part 15 Parking and Loading of vehicles (except as provided for by Rule 16.1.6.7)

16.1.3 RULES : SUBDIVISION

16.1.3.1 Permitted Activities

Rule 9.8.3 of Section Three of the Plan applies.

16.1.3.2 Controlled Activities

Rules 9.8.4 and 9.8.5 of Section Three of the Plan apply.

16.1.3.3 Restricted Discretionary Activities

Unless provided for as a Permitted or Controlled activity, any subdivision which complies with the subdivision standards of 16.1.3.5 is a Restricted Discretionary Activity.

Council has restricted the exercise of its discretion to the following matters, and may impose conditions of consent in relation to these:

The code of urban subdivision (excluding the Section relating to road standards and Schedule 9A).

Geotechnical matters.

Servicing.

Design and layout.

Proximity to electricity transmission lines.

Except as provided for by section 94C of the Resource Management Act 1991, and except where council does not consider the proposed design satisfactorily meets the criterion 16.1.3.6.4, applications for restricted discretionary activity subdivision will be considered without notification or the need to obtain approval from affected persons.

16.1.3.4 Discretionary Activities

Unless provided for as a Permitted or Controlled activity, any subdivision which does not comply with the subdivision standards of 16.1.3.5 is a Discretionary Activity.

16.1.3.5 Subdivision Standards

1. All applications for subdivision shall be accompanied by a Geotechnical Report, prepared by a suitably qualified Geotechnical Engineer, confirming that the subdivided lots will be suitable for development of a Permitted Activity, or for a development approved by means of a resource consent. The Geotechnical report shall make recommendations for future site development in respect of the following matters :

Consolidation settlement

Differential settlement

Foundation bearing pressure

2. All new vacant residential lots shall either:
 - Have a minimum frontage to legal road of no less than 8 metres, or
 - Be served by an access lot or right of way having a total width of no less than 8m, and formed carriageway of no less than 4.5 metres

3. All new residential lots shall either:
 - Be of sufficient size and dimensions to accommodate existing or proposed development for which a land use consent or certificate of compliance has been obtained, or, where no such consent has been obtained;

 - Be of sufficient size and dimensions to accommodate permitted activity development and in addition fall within the following net site area ranges:
 - 400m² - 525m²
 - 700m² - 1,050m² (in which case the applicant shall demonstrate the ability of the lot to accommodate two dwellings constructed as permitted activities).
 - 1,051m² - 1,399m² (in which case the applicant shall demonstrate the ability of the lot to accommodate three dwellings constructed as permitted activities).
 - 1,400m² or greater

4. Fencing of Sites on Land Identified in Figure 16.5 which Adjoin Transpower's Electricity Substation.

The following standard applies to the land as shown in Figure 16.5 – Land subject to environmental noise constraints.

A solid fence is to be erected and maintained along the full length of the common boundary with Transpower's Electricity Substation at 65 Airfield Road and the land shown in Figure 16.5.

The fence is to be of a minimum standard of 1.8m in height, without gaps and of a minimum thickness of either 20mm boarded and battened timber or 9mm fibre cement, or other material having equivalent acoustic performance.

Evidence that the fence has been erected and maintained is to be provided to (and required by) Papakura District Council prior to the issue of any section 224(c) certificate under the Resource Management Act 1991.

Explanation

The standard seeks to achieve some degree of protection of outdoor areas associated with residential or other noise sensitive development from noise generated by Transpower's existing electricity substation.

5. Any new residential lot in the McLennan Structure Plan shall not take direct access from Walters Road.

16.1.3.6 Restricted Discretionary Activity Assessment Criteria

Applications for Restricted Discretionary Activity Resource Consent for subdivision will be assessed in terms of the following matters.

1. **Code of Urban Subdivision**
The extent to which the subdivision is in accordance with the Code of Urban Subdivision (refer Part 9.9 of Section Three of the Plan) excluding matters of vehicle access and road design within Appendix 16B of the Plan.
2. **Geotechnical**
The extent to which the subdivided lots are suitable for the development of a permitted activity or an activity for which resource consent has been obtained.
3. **Servicing**
The extent to which sites can be adequately serviced for stormwater, wastewater, water supply and utilities.
4. **Design and Layout**
 - A. The extent to which the subdivision is in accordance with the Subdivision Design Assessment Criteria in Appendix 16B, which relate to the following matters.
 - Road, Reserve and Access Networks
 - Block Size and Lot Type
 - Design of Roads and Access Routes
 - Design of Reserves
 - B. The extent to which it can be demonstrated that vacant lots of less than 1400m² designed for more than one unit can accommodate dwellings complying with relevant performance standards for each future site.
 - C. The extent to which the subdivision is consistent with the Glenora Structure Plan (Appendix 16A) and the recommendations of an approved Catchment Management Plan for the area.
5. **Proximity to Electricity Transmission Lines**
Subdivision of land which creates new allotments within an area measured 20 metres either side of the centre point of an electrical transmission line designed to operate at or above 110kV will be assessed in terms of the following criteria:
 - Subdivision design : The degree to which subdivision design, including the location of roads and reserves recognises and provides for existing electricity lines so that reasonable access to the lines is maintained.
 - Location of building platforms : The extent of separation between building platforms and existing lines, taking into account the requirements of NZECP : 34 or any subsequent code of practice.
 - Location of proposed tree planting: The extent of separation between the location of proposed trees and existing lines, taking into account the likely mature height of the trees, whether they have potential to interfere with the lines, and whether an alternative location would be more suitable given the

operational requirements of the lines owner to prune or remove trees which have the potential to interfere with the lines.

Extent and mode of earthworks: Whether appropriate safeguards are in place to avoid contact with or flashovers from lines, and effects on the stability of support structures.

NOTE

Consultation with Transpower New Zealand Ltd (or its successor) is advised when considering construction within 20 metres of a high voltage electricity transmission line. The New Zealand Electrical Code of Practice NZECP : 34 contains restrictions on the location of structures in relation to lines.

16.1.3.7 Discretionary Activity Assessment Criteria

Applications for Discretionary Activity Resource Consent for subdivision will be assessed in terms of the following matters:

The Code of Urban Subdivision (refer Part 9.9 of Section Three of the Plan) excluding matters of vehicle access and road design dealt with in Appendix 16B of the Plan.

The assessment criteria for Restricted Discretionary Activities

The extent to which any adverse environmental effects can be avoided, remedied or mitigated

The extent to which the subdivision is consistent with the relevant Structure Plan (Appendix 16A) and the objectives and policies of the Residential 8 Zone.

Any other relevant matters under section 104 of the Resource Management Act 1991.

16.1.4 RULES: ACTIVITY STATUS

16.1.4.1 Permitted Activities

Provided that they comply with the performance standards specified in 16.1.6 the following are Permitted Activities in the Residential 8 Zone :

1. The construction and use of household units at a density not exceeding one dwelling unit per 350m² and not less than one unit per 525m² net site area;
2. Home enterprises complying with Rule 4.16.2 (Home Enterprises in Residential Zones).

16.1.4.2 Restricted Discretionary Activities

1. Activities which are otherwise permitted that do not comply with any of the following performance standards :
 - 16.1.6.1 : Maximum Height
 - 16.1.6.2 : Height in Relation to Boundary
 - 16.1.6.3 : Road Frontage and Bruce Pulman Park Interface Controls
 - 16.1.6.4 : Maximum Building Coverage
 - 16.1.6.5 : Minimum Landscaped Area
 - 16.1.6.7 : On-Site Parking

Council has restricted the exercise of its discretion to the infringed standard(s).

2. Medium Density Housing Development complying with the Performance Standards specified in 16.1.7.

Council has restricted the exercise of its discretion to the following matters in accordance with the Design Assessment Criteria contained in Appendix 16C, and may impose conditions in relation to these:

Public Interface and External Appearance;

Dwelling Design, Position and Orientation;

Private Outdoor Spaces;

Visual and Acoustic Privacy;

Parking and Access;

Location relative to Public Transport;

Servicing.

Except as provided for by section 94C of the Resource Management Act 1991, applications will be considered without notification or the need to obtain approval from affected persons.

3. Retirement Villages and Homes for the Aged complying with the performance standards specified in 16.1.7.

Council has restricted the exercise of its discretion to the following matters in accordance with the Design Assessment Criteria contained in Appendix 16C, and may impose conditions of consent in relation to these :

- Public Interface and External Appearance;
- Dwelling Design, Position and Orientation;
- Private Outdoor Spaces;
- Visual and Acoustic privacy;
- Parking and Access;
- Location relative to public transport;
- Servicing.

Except as provided for by section 94C of the Resource Management Act 1991, applications will be considered without notification or the need to obtain approval from affected persons.

4. Household units complying with the performance standards specified in 16.1.6 developed at a density of greater than one dwelling unit per 350m² net site area but not falling within the definition of Medium Density Housing Development.

Council has restricted the exercise of its discretion to the following matters in accordance with the Design Assessment Criteria contained in Appendix 16C, and may impose conditions of consent in relation to these:

- Public Interface and External Appearance;
- Dwelling Design, Position and Orientation;
- Private Outdoor Spaces;
- Visual and Acoustic Privacy;
- Parking and Access;
- Location relative to public transport;
- Servicing

16.1.4.3 Discretionary Activities

1. Any development or activity not provided for as a Permitted or Restricted Discretionary Activity.
2. The construction and use of household units and retirement villages at a density of less than one dwelling unit per 525m² net site area.

Explanation for Activity Status

Council seeks to encourage the development of household units at a density required to accommodate envisaged future growth in the Takanini Structure Plan Area. To do this, the rules establish a permitted density range of between one dwelling per 350m² net site area and one dwelling per 525m² net site area. Within this range household

units can be established as a permitted activity subject to compliance with a series of performance standards (Rules 16.1.6) established to maintain amenity without recourse to specific design assessment.

Development at densities below this range (i.e. at one dwelling per 525m² or greater) is less likely to accommodate the growth anticipated and accordingly is generally not encouraged, although it is recognised that in some instances physical limitations may determine that a lower density is appropriate. It is also recognised that in some instances a lower density of development can be balanced with higher density development elsewhere.

The Plan seeks to encourage developments at densities greater than this permitted range, but also to ensure that their design is comprehensively considered and that they are located on larger base sites, in order to maintain and enhance amenity on-site and on adjoining sites.

The Plan defines “Medium Density Housing Development” as :

A residential development comprising four or more household units on a site with a minimum area of 1400m² and at a density of greater than one dwelling per 350m² of net site area.

Medium Density Housing Development is encouraged by :

defining it as a restricted discretionary activity (non-notified).

making this type of development subject to a less restrictive range of performance standards (Rules 16.1.7) than for permitted activities and subject to consideration under an appended set of Design Assessment Criteria (Appendix 16C).

A restricted discretionary consent status is also available for intensive housing that does not fall within the definition (i.e. developments of dwellings at densities greater than one unit per 350m² on base sites of less than 1400m²). In this case, because the site is smaller, such that design effects off-site can be more perceived, the status is subject to the normal permitted activity performance standards and potential notification issues. The same assessment criteria (Appendix 16C) are able to be used for assessment. Provision is also made for retirement villages and homes for the aged as a restricted discretionary activity. While these types of developments are generally appropriate to residential areas, because they can be characterised by a higher intensity of buildings and off site effects can be more perceived, design assessment is considered appropriate, and again the assessment criteria of Appendix 16C are used for assessment.

The Plan also includes restricted discretionary status for infringements of performance standards on less densely developed sites. Applications will be assessed in terms of effects arising specifically from the particular infringement(s) in relation to their explanation. The final paragraph of each explanation is intended in particular to give some guidance in the infringement situation.

The subdivision rules for the Residential 8 Zone are designed to encourage applications for subdivision into smaller lots to be accompanied by building design proposals. Where land use consent or certificate of compliance is sought concurrently with or in advance of a subdivision resource consent, no maximum or minimum lot sizes or restrictions on frontage (Rule 16.1.3.5.2) apply.

Where vacant lot development is proposed, activity status is largely determined by the permitted residential density, with minimum 400m² net site area applicable.

In practice, because of household density thresholds established by land use rules, vacant lot subdivision proposals can only proceed as restricted discretionary activities if single dwelling lots are between 400m² and 525m² in net site area, and lots for two or more dwellings are greater than 700m². Where a lot proposed is between 525m² and 700m² in net site area the council will generally require the applicant to seek concurrent restricted discretionary activity land use consent for two or more dwellings. Where vacant lots of between 700m² and 1400m² are proposed the council will generally require the applicant to demonstrate the way in which the lot will accommodate future permitted development and restricted discretionary activity subdivision.

The two tables following summarise the activity status regime as it relates to housing density (Table 16.1) and subdivision (Table 16.2).

Table 16.1 Development Density Activity Status Regime

Density	Activity Status
Density of or more than 1 unit per 349m ² .	Restricted Discretionary Activity non-notified subject to compliance with Performance Standards and Assessment against Criteria (including Design Assessment Criteria in Appendix 16C). In the case of medium density housing (i.e. development of 4 or more units on sites of 1400m ²) less restrictive Performance Standards apply.
Density of between 1 unit per 350m ² and 1 unit per 525m ² .	Permitted Activity subject to compliance with Performance Standards.
Density of or less than 1 unit per 526m ² .	Discretionary Activity

Table 16.2 Subdivision Activity Status Regime

Lot Size	Where land use consent or certificate of compliance for development not already obtained.	Where land use consent or certificate of compliance for PROPOSED development has been obtained.
0-399m ²	Discretionary Activity	Restricted Discretionary Activity (non-notified) subject to compliance with subdivision standards and assessed against criteria (including Design Criteria in Appendix 16B).
400m ² -525m ²	Restricted Discretionary Activity (non-notified) subject to compliance with subdivision standards and assessed against criteria (including Design Criteria in Appendix 16B). Applicant to demonstrate that lot can accommodate one unit complying with development controls.	
526-699m ²	Discretionary Activity	
700-1399m ²	Restricted Discretionary Activity (non-notified) subject to compliance with subdivision standards and assessed against criteria (including Design Criteria in Appendix 16B). Applicant to demonstrate that lot can accommodate: <ul style="list-style-type: none"> ▪ two units (on lots 700-1050m²) ▪ three units (on lots 1051-1399m²) complying with development controls. 	
1400 + m ²	Restricted Discretionary Activity (non-notified). Site large enough for "Medium Density Housing".	

16.1.5 ASSESSMENT CRITERIA

16.1.5.1 Restricted Discretionary Activity Assessment Criteria

The following activities for Restricted Discretionary Activity Resource Consent will be assessed in terms of the following matters:

16.1.5.1.1 Medium Density Housing Development; other housing development at a density of greater than one unit per 350m² net site area; retirement villages and homes for the aged.

1. The extent to which the proposal is in accordance with the Medium Density Housing Development Design Assessment Criteria in Appendix 16C.
2. Whether the development is located no more than 800 metres from the proposed railway station or transport interchange as shown on the Glenora Structure Plan or a defined public transport stop, (such developments should generally be within 800 metres of a public transport route);
3. The extent to which the development can be adequately serviced.

16.1.5.1.2 Activities which are otherwise Permitted infringing one or more of performance standards 16.1.6.1 through 16.1.6.7

The extent to which the infringement will result in any significant adverse effects, having particular regard to the purpose of the performance standard as set out in its explanation, and to what extent the effects can be avoided, remedied or mitigated.

16.1.5.2 Discretionary Activity Assessment Criteria

Applications for Discretionary Activity Resource Consent will be assessed in terms of the following matters:

The extent to which any adverse effects on the environment will be avoided, remedied or mitigated;

The extent to which the development is consistent with the objectives and policies for the Takanini Structure Plan Area, and the Residential 8 Zone (Parts 5B2.2 of Section One and 16.1.1 of Section Three),

The extent to which the development is consistent with the recommendations of an approved Catchment Management Plan.

The extent to which any development involving household units is in accordance with Medium Density Housing Development Design Assessment Criteria in Appendix 16C;

Applications for development of residential units at a density of less than 1 unit per 525m² net site area or development that provides less than 20 dwellings per gross hectare on land identified in Figure 16.6 will also be assessed with regard to the following matters:

The extent to which physical limitations (e.g. soils/geology) on the site preclude development at a higher density.

The cumulative effects of allowing the development, and in particular the extent to which allowing the development will compromise the objective of achieving an aggregate of medium density residential development throughout the zone.

For any staged development on the land identified in Figure 16.6 the ability to achieve required gross residential densities through the development of subsequent stages.

Any other relevant matter under section 104 of the Resource Management Act 1991

16.1.6 RULES: PERFORMANCE STANDARDS FOR PERMITTED ACTIVITIES

16.1.6.1 Maximum Height

The maximum height of buildings shall be 9 metres.

Control flexibility is provided for as a Restricted Discretionary Activity (refer Rule 16.1.4.2.1).

Explanation

Controls limiting height are intended to reflect the typical characteristics of the areas to which they have been applied. A permitted building height of 9 metres is consistent with much of the rest of Urban Papakura and enables the construction of two to three storey dwellings.

Buildings and structures that are over the height limit can be perceived as out of scale with their surroundings and can overshadow and visually dominate buildings on adjoining or nearby sites. However, a greater height of up to 12 metres may be appropriate, particularly for developments on sites large enough to contain any adverse effects within the site. This greater height would enable the accommodation of buildings of three or even four storeys, provided the amenity of adjoining sites is maintained.

It should be noted that geotechnical conditions may in some instances preclude building to the heights provided for by this rule.

16.1.6.2 Height in Relation to Boundary

All boundaries except boundaries adjoining the road:

No part of any building shall project beyond a building envelope contained by recession planes measured from points 2.0 metres above any site boundary as shown in Figures 16.1 and 16.2.

Provided that:

- i) Where the consent of the immediately adjoining property owner(s) has/have been obtained and are recorded on the resource consent or building consent plans, then compliance with this rule is not required.
- ii) No account shall be taken of radio and television aerials, solar heating devices and chimneys, (not exceeding 1.1 metres in any horizontal direction), provided such structures are located at least 1metre from each site boundary.
- iii) This provision shall not apply to the length of the common wall between abutting buildings.
- iv) This rule shall not apply to the apex of the gable ends of a roof (including dormers) being no more than 1m² in area (refer Figure 16.3).
- v) This rule shall not apply to a single building on each site exceeding no more than 3.0 metres in height and up to 7.0 metres in length in relation to a single side boundary (refer Figure 16.3).
- vi) Where a point on the boundary immediately adjoins an Entrance Strip, Access Lot or a Council Pedestrian Accessway, the further lot boundary of that Entrance Strip, Access Lot or Council Pedestrian Accessway may be deemed to be the nearest boundary for the purposes of this rule.

Control flexibility is provided for as a Restricted Discretionary Activity (refer Rule 16.1.4.2.1).

Explanation

Height in relation to boundary controls are included to avoid unreasonable loss of sunlight and daylight access to adjoining sites, and also work in combination with height controls to avoid or mitigate overdominance or overlooking effects.

The extent of the adverse effect of any infringement of these controls will vary according to the orientation of the sites and some infringement may be acceptable when mitigated by this factor.

In recognition of the constraints in developing medium density sites the rule makes provision for the erection of a garage or building of similar scale to be built to one side boundary.

Figure 16.1 RECESSION PLANE INDICATOR

Place outside of circle to inside of site boundary
(Note: North is True North)

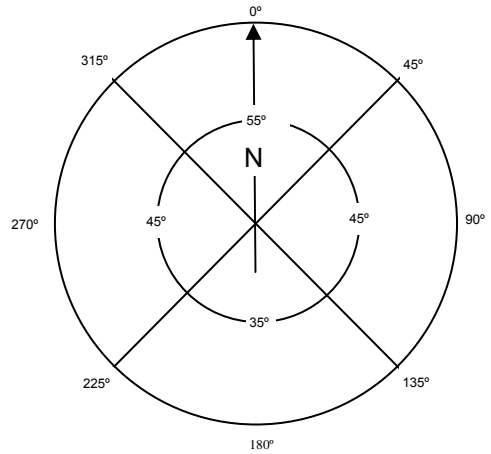


Figure 16.2 RECESSION PLANE CROSS SECTION

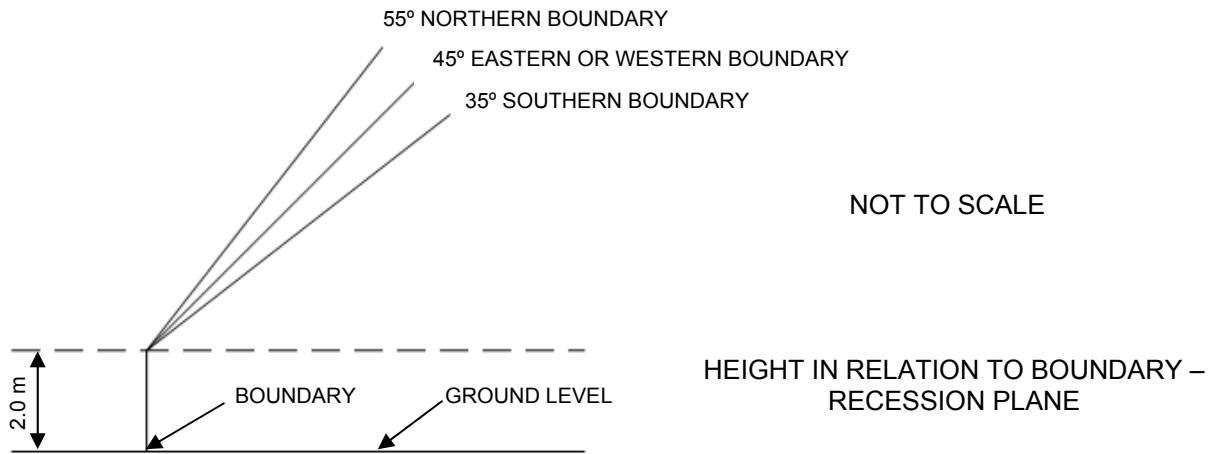
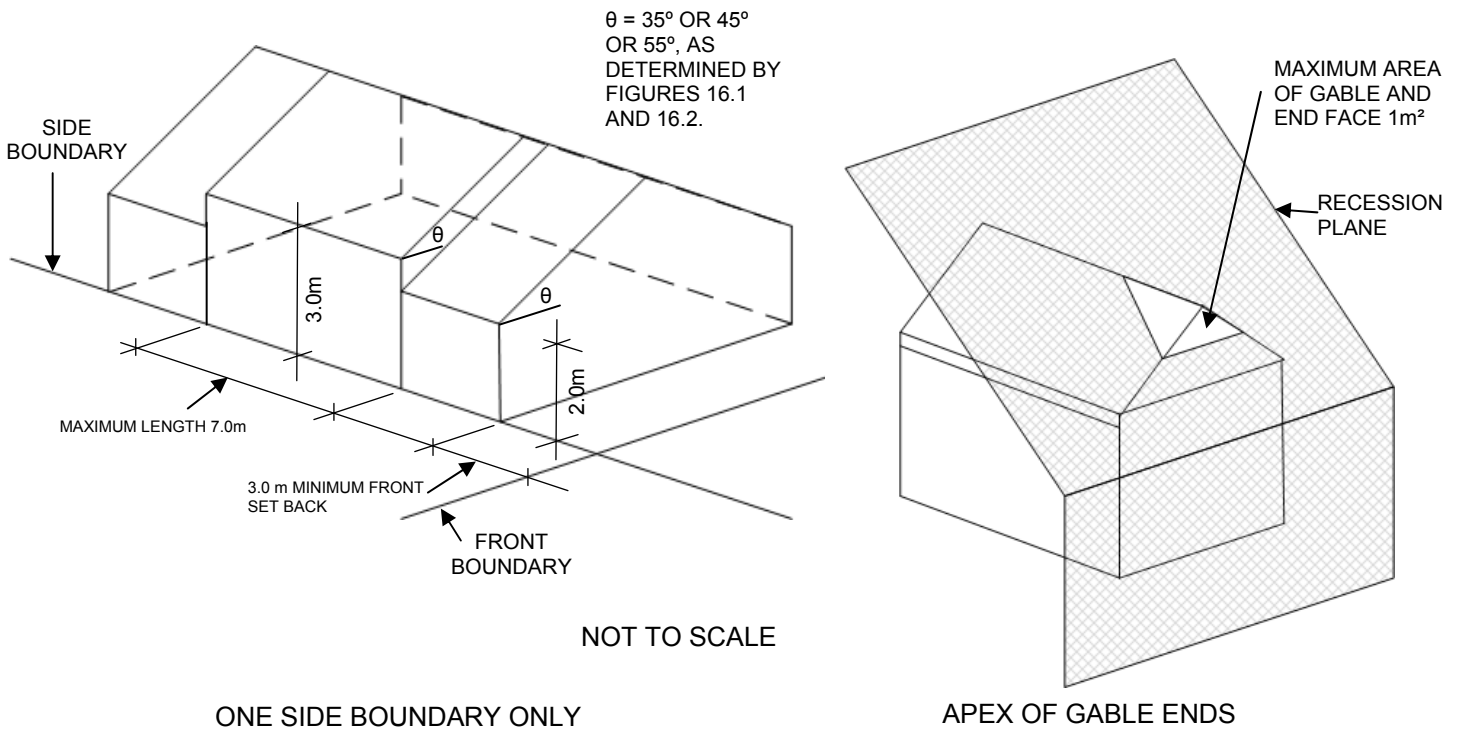


Figure 16.3 ADDITIONAL ALLOWANCE FOR BUILDING ENVELOPE



16.1.6.3 Road Frontage and Bruce Pulman Park Interface Controls

- i) In the following controls the term “setback” is defined as the shortest distance between the legal road boundary and the closest part of the building or part thereof:
 - 1. The maximum setback for front sites shall be 5 metres.
 - 2. The minimum setback for all sites shall be 3 metres.
 - 3. The minimum setback for any garage shall be 5 metres.
 - 4. The setback for any garage shall be a minimum of 1 metre greater than the setback for the associated dwelling.

- ii) Fences on the road boundary, or between the road boundary and the closest building on site, or on any boundary with the Special Purpose and Recreation zone or Reserves and Community Use zone (Bruce Pulman Park) shall not exceed 1.2 metres in height and shall not be close boarded or of similar solid timber construction.

Control flexibility is provided for as a Restricted Discretionary Activity (refer Rule 16.1.4.2.1).

Explanation

These controls pertain to the public face of the development – i.e. where it relates to the public street. Their intention is to establish an appropriate relationship between the development and the street (streetscape).

Avoiding visual dominance of street elevations by garages (particularly garage doors) and high front fences will contribute to pedestrian and public amenity. Utilising only low (or no) front fences, limiting the distance between the road boundary and the dwelling, and ensuring that garages are further set back from the dwelling will assist both public experience and public safety (by enabling informal visual surveillance from the dwelling to the street). At the same time, the provision of a modest minimum setback maintains a degree of privacy and acoustic insulation for the residents and helps provide a space in which to create sense of address and identity.

Where fences are used, unattractive close boarded timber fencing is not envisaged by the rule.

In some situations it may be appropriate to consider other solutions, for example where houses are located on the southern sides of roads. In these situations it may be appropriate for buildings to be located further back within the site, and for the limitation on fencing to be relaxed across part of the frontage to enable greater on-site privacy.

The interface between development abutting the edge of Bruce Pulman Park is also important and using only low fences will enable surveillance of the park. Again, in some situations it may be appropriate for this limitation on fencing to be relaxed across part of the boundary for privacy of the house, but only when an attractive and appropriate fencing solution is utilised.

16.1.6.4 Maximum Building Coverage

The maximum total building coverage per site shall be 40% of the net site area.

Control flexibility is provided for as a Restricted Discretionary Activity (refer Rule 16.1.4.2.1)

Explanation

Building coverage controls are a basic way of controlling the intensity and scale of development in a neighbourhood – the general relationship between building bulk and open space.

Visual and scale effects related to infringements to building coverage are likely to be more perceptible on smaller sites with greater visibility from adjoining properties and public spaces. In other situations it may be appropriate to allow greater levels of coverage, particularly where the design is considered comprehensively.

16.1.6.5 Minimum Landscaped Area

A minimum of 30% of net site area shall be laid out in a permeable surface (e.g. grass, pebbles) and planting including trees or shrubs.

Control flexibility is provided for as a Restricted Discretionary Activity (refer Rule 16.1.4.2.1).

Explanation

The control is intended to enable sufficient space on site to achieve useable outdoor spaces for residents to maintain amenity in the area and encourage ground water recharge. The quality and location of the space and landscaping proposed will be considered where any consent is sought to reduce this requirement.

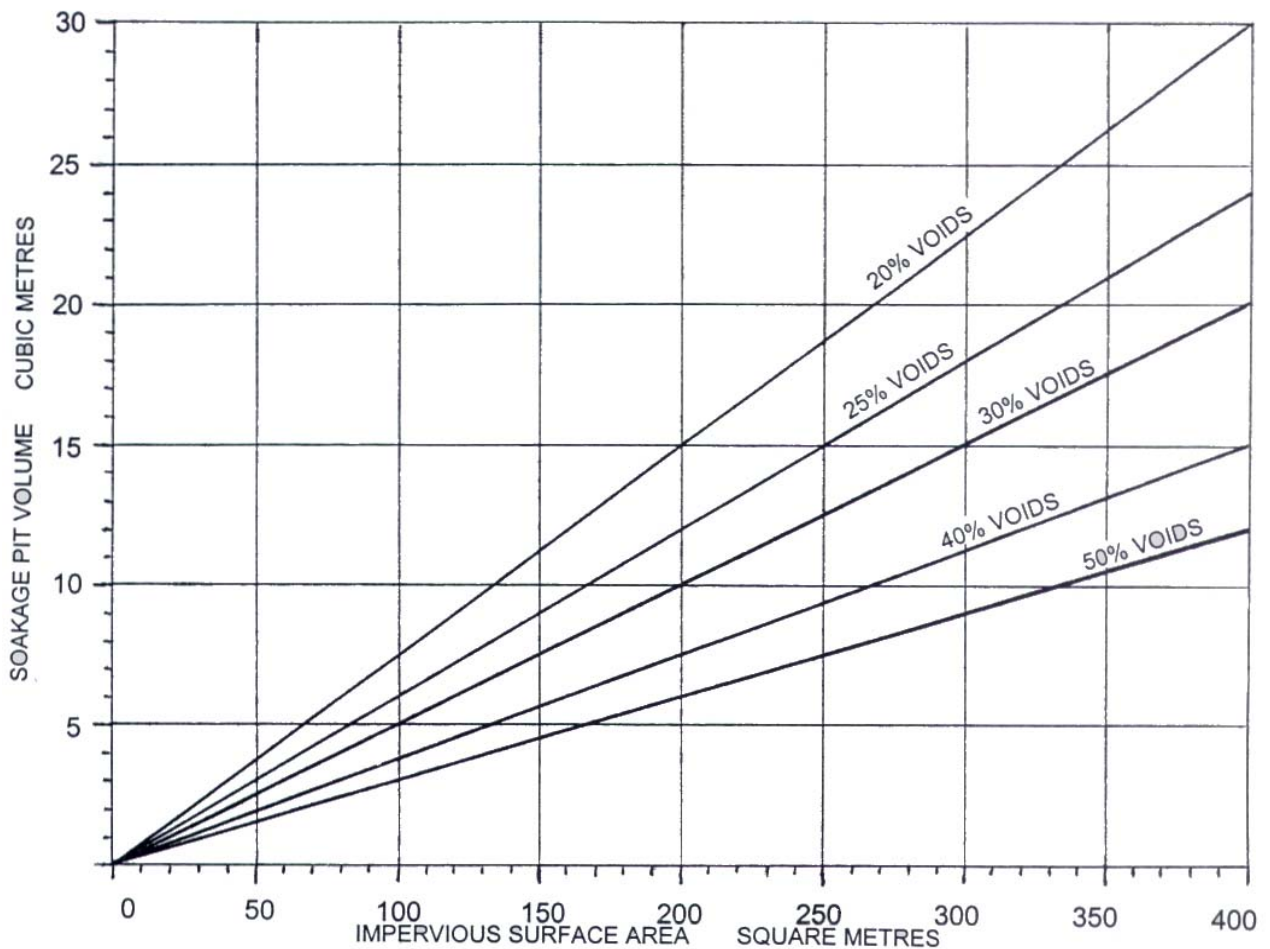
16.1.6.6 Stormwater

- i) Upon development, all sites are to provide for groundwater recharge by providing for soakage disposal of stormwater runoff from buildings and other impervious surfaces.
- ii) A soakage pit providing temporary storage for the runoff is required. Soakage pits are to be designed in accordance with the Code of Urban Subdivision, and storage volume is to be provided between 1.5 metres below ground level and 0.5 metres below ground level. The design soakage pit requirements are based on a design storm of 15mm of rainfall over a 1 hour period.
- iii) Overflow from the soakage system is to be provided for with a piped connection to the public stormwater drainage system.
- iv) The required volume of soakage pit in relation to the building and other impervious surface area for each development is shown in Figure 16.4 - Soakage Pit Requirements.
- v) No development shall preclude the achievement of the recommendations of the approved Catchment Management Plan including the construction of the new

principal road with central swale as shown on the Glenora Structure Plan (Appendix 16A).

Explanation

The purpose of this control is to ensure that sufficient provision is made for on site stormwater disposal including maintenance of the water table so that the integrity of the prevailing soil substrate (peat) is protected, and to ensure that development is consistent with the recommendations of the approved Catchment Management Plan for the area.



N.B. "Voids" is the percentage volume available in the soakage pit for runoff storage.

FIGURE 16.4 SOAKAGE PIT REQUIREMENTS

16.1.6.7 On-site Parking

The minimum number of on site carparking spaces to be provided is as follows:

Household units:	2 per unit
Retirement Villages:	1.5 per unit
Homes for the Aged:	1 for every 2 employees plus one for every 5 people the facility is licensed to accommodate.

Control flexibility is provided for as a Restricted Discretionary Activity (refer rule 16.1.4.2.1).

Explanation

The Plan seeks to encourage development that can take best advantage of the zone's proximity to transport connections, so that a choice of lifestyle and transport options is provided. It is recognised however that until public transport is provided many residents will continue to own vehicles, and so parking requirements consistent with most other residential zones are stipulated.

Provision of on-site parking enables the development of more innovative road design solutions, which may not always cater along their full length for street parking. Inadequate on-site provision of parking can result in adverse amenity effects arising from vehicles parking on streets and berms.

It may be appropriate to relax this control in situations where :

A site is located particularly close to public transport, or an adjoining nodal area

A dwelling is specifically associated with residents less likely to operate two vehicles (e.g. single bedroom units)

Adequate visitor parking is provided

16.1.6.8 Noise

- (i) The noise level (L10) as measured at or within the boundary of any residentially zoned site (other than the site from which the noise is emanating) shall not exceed the following limits :

Monday to Friday	0700 - 1800 hours	45 dBA
Saturday	0800 - 1200 hours	45 dBA
At all other times including Sundays and public holidays		40 dBA

- (ii) This noise standard does not apply to the construction or maintenance of buildings approved by the Council.
- (iii) The noise levels shall be measured and assessed in accordance with the requirements of NZS 6801 : 1991 Measurement of Sound and NZS 6802 1991 Assessment of Environmental Sound or any subsequent code of practice.
- (iv) The noise shall be measured by a sound level meter complying with the International Standard IEC 651 (1979): Sound Level Meters, Type 1 or any subsequent code of practice.

Instruments or standards adopted by Council that supersede those stated in (iii) and (iv) above will be used in place of the instruments/standards.

Notwithstanding the noise standards stated above the Council reserves the power conferred on it under the relevant section of the Resource Management Act 1991 and the Health Act 1956 to control any noise which has become an objectionable element or nuisance.

Explanation

To ensure a good acoustic environment and to support residential amenity, maximum allowable levels of noise which are compatible with human activities such as communication, sleep and hearing purposes have been defined and are applied to the zone.

16.1.6.9 Glare

- (i) Any operation or activity on residential lots shall be conducted so that direct or indirect illumination measures not more than 8 lux (lumens per square metre) on residential boundaries.
- (ii) Glare shall be measured on an instrument meeting the requirements of NZ Standards Institute CP22 (1962) and amendments;

Instruments or standards adopted by Council that supersede those stated in (ii) above will be used in place of the instruments/standards.

- (iii) All outdoor lighting shall be directed away from adjoining residential properties.

Explanation

While sunlight is perceived in a positive way, other artificial sources of light because of quantitative, directional or spectral attributes can cause annoyance, discomfort, distraction, loss of sleep, loss of amenity or a reduction in the ability to see.

The rules reflect the need to control these adverse effects of light spill and glare within residential environments.

16.1.6.10 Fencing of Sites on Land Identified in Figure 16.5 which Adjoin Transpower's Electricity Substation

The following rule applies to the land shown in Figure 16.5 – Land subject to environmental noise constraints.

A solid fence is to be erected and maintained along the full length of the common boundary with Transpower's Electricity Substation at 65 Airfield Road and the land shown in Figure 16.5.

The fence is to be a minimum standard of 1.8m in height, without gaps and of a minimum thickness of either 20mm boarded and battened timber, or 9mm fibre cement, or other material having equivalent acoustic performance.

Evidence that the fence has been erected and maintained is to be provided to (and required by) Papakura District Council prior to the grant of any building consent for any building containing a habitable room.

Explanation

The standard seeks to achieve some degree of protection of outdoor areas associated with residential or other noise sensitive development from noise generated by Transpower's existing Electricity Substation.

16.1.6.11 Development Located on Land Identified in Figure 16.5

The following rules apply to the land as shown in Figure 16.5 – Land subject to environmental noise constraints.

- (i) All buildings with habitable rooms are to be designed and constructed so that the noise level in all habitable rooms shall not exceed a level of 30dBA L10 (includes 5 decibel adjustment for tonal component as provided for in New Zealand Standard NZS6802:1991 "Assessment of Environmental Sound"), with any required ventilation system (including windows) in operation. All measures to achieve this standard are to meet the provisions of the New Zealand Building Code.
- (ii) At the time of lodging a Building Consent Application with the Council, a certificate from a suitable qualified and experienced acoustic consultant is to be provided to the Council stating that, in respect of all habitable rooms, the buildings will achieve the acoustic performance specified in condition (i) above. If that certificate states that the building will achieve the acoustic performance without any special modifications, the certificate may also state that further testing under condition (iii) is not required.
- (iii) Prior to occupation of habitable rooms, representative testing of the rooms is to be undertaken by a suitably qualified and experienced acoustic consultant to confirm that the design criterion of 30dBA L10 is being met (unless it has been certified under condition (ii) above that further testing is not required), with any required ventilation system (including windows) in operation. Noise levels from any mechanical ventilation system shall be measured at least 1m away from any diffuser.
- (iv) Where the results of any testing carried out in the preceding condition demonstrates that the 30dBA L10 criterion is not achieved, remedial action shall be undertaken such that the criterion is met and compliance subsequently is to be certified in accordance with condition (iii) prior to the occupation of the building or the transfer of ownership of the building, whichever occurs first.

Explanation

The standards are to achieve a night-time internal noise limit that will avoid adverse effects on sleep patterns of occupants of low-level frequency noise emitted from the existing Transpower Electricity Substation at Airfield Road. The standards also provide noise protection for people engaged in other noise sensitive activities.

16.1.6.12 Minimum Gross Residential Density

The minimum density of residential development on the land identified in Figure 16.6 shall be 20 dwellings per gross hectare.

Residential development not complying with this rule shall be considered as a discretionary activity unless it is in accordance with the Master Plan in Appendix 16AA in which case it will be assessed as a restricted discretionary activity in accordance with the assessment criteria in Rule 16.1.5.1.1.

16.1.7 RULES: PERFORMANCE STANDARDS FOR SPECIFIED RESTRICTED DISCRETIONARY ACTIVITIES

16.1.7.1 Maximum Height

The maximum height of buildings shall be 12 metres.

Explanation

A height of up to 12 metres is provided for Restricted Discretionary Activities in recognition that sites developed comprehensively for multi unit or medium density housing will be large enough to contain any scale/dominance effects within the site.

16.1.7.2 Height in Relation to Boundary

For a Medium Density Housing Development Rule 16.1.6.2 applies to all external boundaries of the parent site upon which the Medium Density Housing Development is proposed. It is not applicable to proposed future internal boundaries.

16.1.7.3 Minimum Landscaped Area

Rule 16.1.6.5 applies.

16.1.7.4 Stormwater

Rule 16.1.6.6 applies.

16.1.7.5 On-Site Parking

Rule 16.1.6.7 applies.

16.1.7.6 Noise

Rule 16.1.6.8 applies

16.1.7.7 Glare

Rule 16.1.6.9 applies

16.1.7.8 Fencing of Sites on Land Identified in Figure 16.5 which Adjoin Transpower's Electricity Substation

The following rule applies to the land as shown in Figure 16.5 – Land subject to environmental noise constraints.

A solid fence is to be erected and maintained along the full length of the common boundary with Transpower's Electricity Substation at 65 Airfield Road and the land shown in Figure 16.5.

The fence is to be of a minimum standard of 1.8m in height, without gaps and of a minimum thickness of either 20mm boarded and battened timber or 9mm fibre cement, or other material having equivalent acoustic performance.

Evidence that the fence has been erected and maintained is to be provided to (and required by) Papakura District Council prior to either:

- a) The issue of any section 224(c) certificate under the Resource Management Act 1991; or
- b) The grant of any resource consent and / or building consent for any building containing a habitable room.

Explanation

The standard seeks to achieve some degree of protection of outdoor areas associated with residential or other noise sensitive development from noise generated by Transpower's existing Electricity Substation.

16.1.7.9 Development on Land Identified in Figure 16.5

Rule 16.1.6.11 applies.

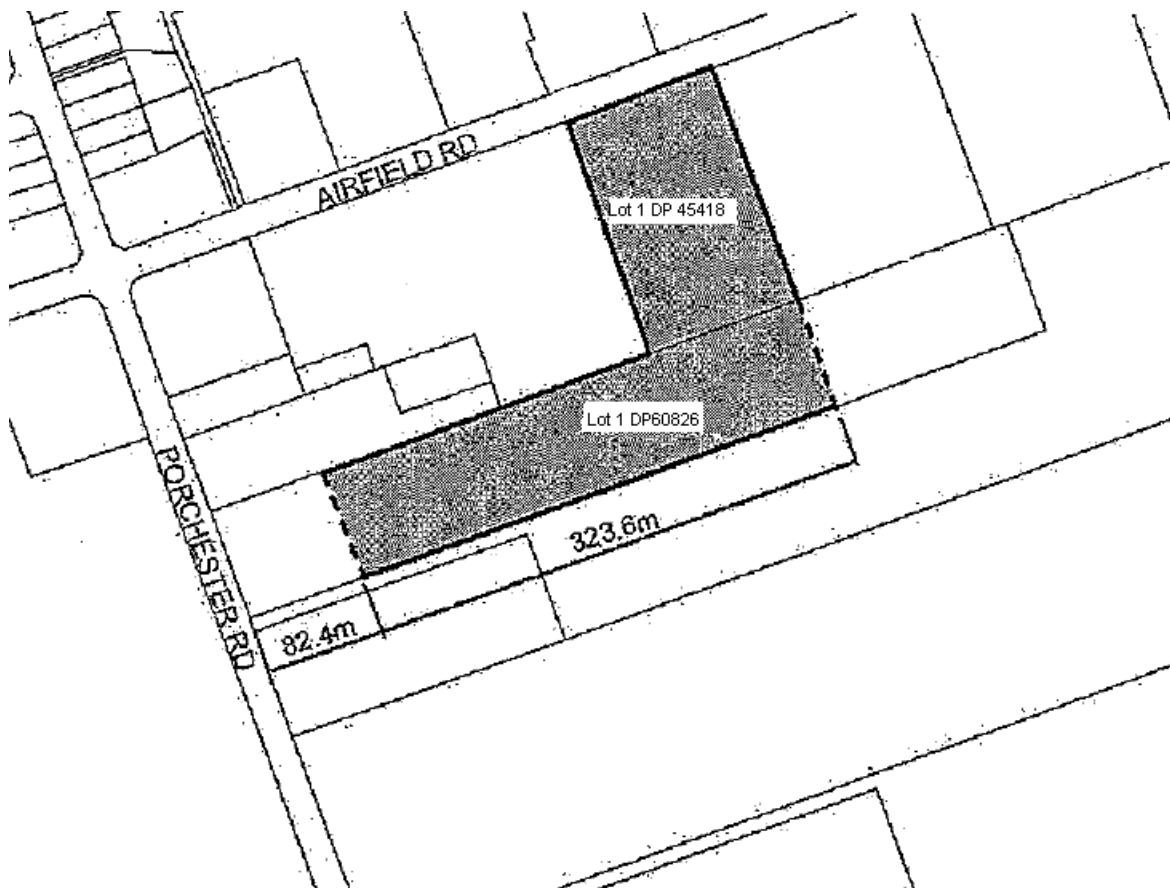


Figure 16.5 Land Subject to Environmental Noise Constraints

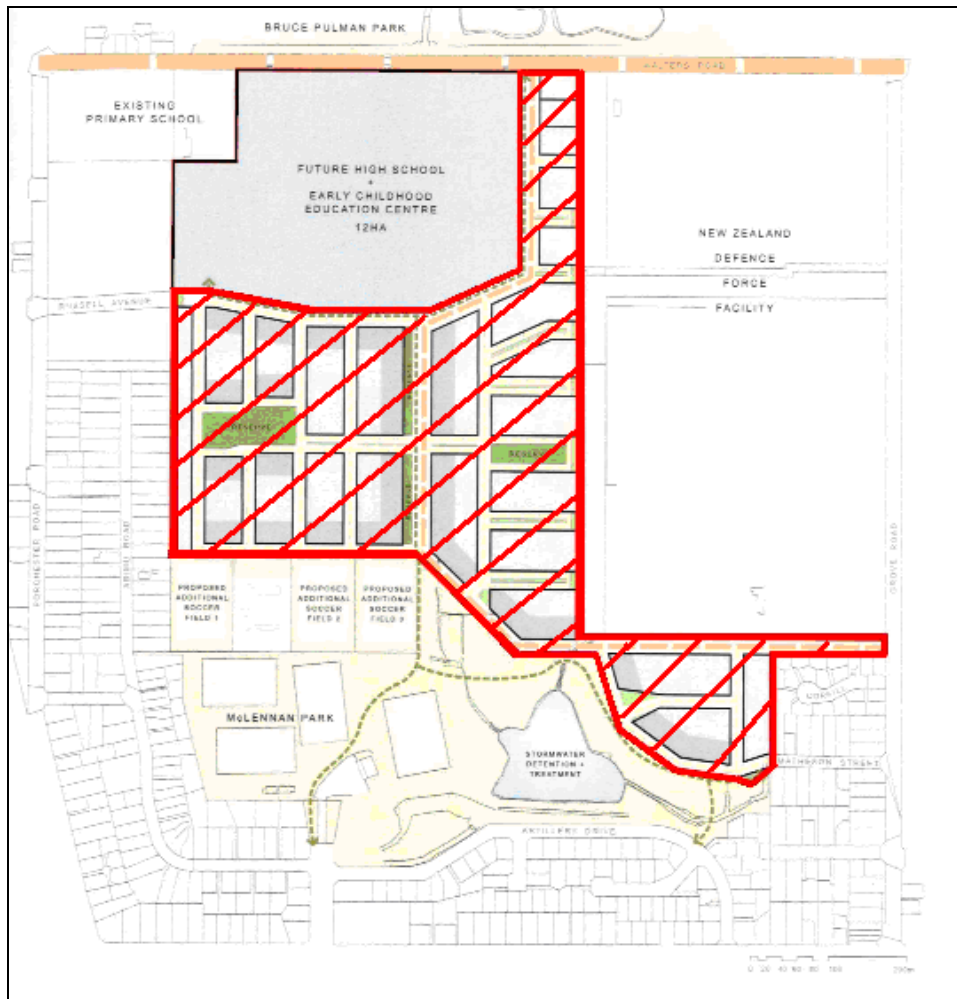


Figure 16.6 Land subject to Minimum Gross Residential Density Rules 16.1.6.12 and 16.1.7.10

16.1.7.10 Minimum Gross Residential Density

The minimum density of residential development on the land identified in Figure 16.6 shall be 20 dwellings per gross hectare.

Residential development not complying with this rule shall be considered as a discretionary activity unless it is in accordance with the Master Plan in Appendix 16AA in which case it will be assessed as a restricted discretionary activity in accordance with the assessment criteria in Rule 16.1.5.1.1.

16.1.8 Changes to the McLennan Master Plan in Appendix 16AA

- (i) Unless (ii) below applies any change to the super block layout in the McLennan Master Plan in Appendix 16AA or any reduction in the number of Lots provided on the Master Plan will be assessed as a discretionary activity against the discretionary activity assessment criteria in Rule 16.1.5.2.
- (ii) Any change to the super block layout in the McLennan Master Plan in Appendix 16AA or any reduction in the number of Lots provided on the Master Plan brought about by physical limitations on the site and or the land ownership or operational requirements of third parties owning land adjoining the land in Figure 16.6 will be

assessed as a restricted discretionary activity. Council has restricted its discretion to the extent to which the changes to the super block layout, or reduction in the number of Lots provided, reduces the total population yield for the land shown in Figure 16.6. The assessment criteria for a restricted discretionary activity application under this rule are set out below and the Council may impose conditions of consent in relation to these:

The extent to which physical limitations (e.g. soils, geology) on the site result in the need to change the Master Plan.

The extent to which the need to change the Master Plan is brought about by a change to the land ownership or operational requirements of third parties owning land adjoining the land in Figure 16.6.

Except as provided for by section 94C of the Resource Management Act 1991, applications for restricted discretionary activity consent under this rule will be considered without notification and without the need to serve or obtain approval from affected persons.

- (iii) Any change to the Master Plan resulting in an increase in the total number of Lots, or resulting only in a change in orientation of the Lots in any Super Block but not altering the total number of Lots, is a permitted activity.
- (iv) Any change to the indicative housing typologies shown on the Master Plan that does not have the effect of reducing the total population yield for the land shown in Figure 16.6 is a permitted activity.

Explanation for Rule 16.1.8

The Southern Sector Agreement (SSA) envisages densities of 20 – 35 dwellings per gross hectare in Area 3 of the Takanini Structure Plan (TSP). Only part of Area 3 of the TSP is available for redevelopment and has been rezoned Residential 8. The Area 3 land available for redevelopment is subject to a number of constraints which mean that the densities able to be achieved on the land will be at the lower end of the range envisaged in the SSA. Therefore a minimum gross density rule has been included in the District Plan for the Area 3 land shown on Figure 16.6 requiring that residential development on this land achieve a minimum gross residential density of 20 dwellings/gross Ha otherwise it will be assessed as a discretionary activity.

However the population yields derived from the densities used in the SSA are based on yields of 2.8 persons per household for higher density development and 3 persons per household for medium to low density development. As the development proposed for this land and shown in the Master Plan in Appendix 16AA includes up to 30% social housing the occupancy rate per dwelling is more likely to be at a higher average level of approximately 3.5 persons per dwelling. Therefore the total population yield for the land shown on Figure 16.6 if it is developed in accordance with the Master Plan in Appendix 16AA will be the same or greater than the yield from 20 dwellings/gross Ha at an average occupancy rate of 2.8 to 3 persons per dwelling used in the SSA. As long as the development of the Area 3 land shown in Figure 16.6 proceeds in accordance with the Master Plan in Appendix 16AA it is not therefore considered necessary to apply the minimum gross residential density requirement of 20 dwellings/gross Ha.

16.2 RESERVES AND COMMUNITY USES ZONE

Provisions relating to the Reserves and Community Uses Zone are as set out in Part 8 and elsewhere in Section Three of the Plan.

Development within Bruce Pulman Park shall include appropriate stormwater management measures in accordance with the approved Takanini South Stormwater Catchment Management Plan.

16.3 SPECIAL PURPOSE AND RECREATION ZONE

16.3.1 OBJECTIVES AND POLICIES

In addition to the general objectives and policies set out in 5B2.2 of Section One the following specific objectives and policies apply to the Special Purpose and Recreation Zone.

16.3.1.1 Activities

1. **Objective**

To establish a range of recreational activities within Bruce Pulman Park which serve the needs of the Takanini Structure Plan Area and the wider Papakura District, together with a range of other compatible activities.

2. **Policy**

Development and activities should be of a type which provides for the recreational needs of residents of the Takanini Structure Plan Area and the wider District, or should be compatible with such activities. Development and activities should not be of a type which have the potential to preclude or compromise recreational activities.

This objective and policy relate to issue 5B2.2.1 of Section One.

16.3.1.2 Amenity Values

1. **Objective**

To establish recreational and other compatible development and activities which contribute to the creation of a positive sense of place and local identity, a high standard of amenity and pedestrian safety.

2. **Policy**

Development and activities should be of a type, design and location so as to contribute to a positive sense of place and identity, a high standard of amenity and pedestrian safety.

Key elements of design and layout which are considered likely to achieving this within the Special Purpose and Recreation Zone are as follows:-

Safe, convenient and legible vehicular and pedestrian access and egress to and from the Park.

Safe, convenient and legible vehicular and pedestrian circulation within the Park.

Parking areas which are conveniently located, broken up by landscaping to avoid adverse visual effects, and located as to maintain privacy for adjacent residential zoned sites.

A comprehensive landscaping theme, which assists in enhancing internal access roads and breaking up or mitigating the visual effect of any large parking areas.

Where used, development of stormwater ponds as amenity features.

This objective and policy relate to issue 5B2.2.5 of Section One.

16.3.1.3 Interface with adjacent residential area

1. **Objective**

To provide for development and activities within the zone which do not adversely affect amenity values, cause undue nuisance or disturbance to residents and future residents of the adjacent Residential 8 Zone.

2. **Policy**

Development and activities should be designed and located so as to avoid, remedy or to mitigate potential adverse effects on the Residential 8 Zone, particularly in relation to amenity, privacy, noise, nuisance and disturbance.

This objective relates to Issue 5B2.2.6 of Section One.

16.3.1.4 Explanation

Bruce Pulman Park is well located to serve many of the recreational needs of the Takanini Structure Plan Area and the wider Papakura District and Auckland Region. The eastern portion of the Park is not vested as reserve with Council, but is in Council ownership.

Given the generally unconstrained nature of the land within the Park, and also given its large area, it is also capable of accommodating non recreational uses.

In order to maintain the predominant park like and recreation focussed character within the park, it is necessary to restrict the range of permitted uses to those which are compatible to the Park and adjacent residential areas.

The Park has the potential to provide a significant community focus for the Takanini Structure Plan Area, and it is important therefore, that it is developed in a manner which makes a positive contribution to amenity and local identity.

Some development and use which is generally appropriate for the Park may have the potential to generate adverse effects in terms of privacy and nuisance if located in close proximity to residential areas. This may include stormwater effects if measures adopted are not in accordance with the approved Takanini South Catchment Management Plan. Accordingly, it is important that such adverse effects are avoided or mitigated.

16.3.1.5 Expected Environmental Results

In addition to the relevant expected environmental results set out in 5B2.2.7 of Section One, the following outcomes are expected:-

The establishment of recreational and compatible development and uses.

Safe, convenient and legible vehicular and pedestrian access and egress to and from the zone.

Safe, convenient and legible vehicular and pedestrian circulation within the zone.

Parking areas which are conveniently located, broken up by landscaping to avoid adverse visual effects, and located so as to maintain privacy for adjacent residentially zoned sites.

A comprehensive landscaping theme, which assists in enhancing internal access roads and breaking up or mitigating the visual effects of any large parking areas.

Where possible the establishment, use and maintenance of stormwater detention ponds as amenity features.

The maintenance of a reasonable standard of privacy, amenity and the absence of nuisance generating activities at the interface of the zone with the Residential 8 Zone.

16.3.2 RULES : GENERAL

The rules set out and referred to in 16.1.2 apply.

16.3.3 RULES : COMPREHENSIVE DEVELOPMENT PLAN

16.3.3.1 Requirement for Comprehensive Development Plan

Land within the Special Purpose and Recreation Zone may be further developed once a Comprehensive Development Plan has been submitted and approved.

The Comprehensive Development Plan (or amendment there of) will be assessed as a Restricted Discretionary Activity.

Council has restricted the exercise of its discretion to the following matters and may impose conditions of consent in respect of these:

Location and design of access.

Location and design of vehicular circulation/pedestrian and cycle linkages and bridle paths.

Location and design of parking areas and provision for public transport (buses).

Location and design of stormwater ponds.

Design of landscape concept.

Location and extent of building platforms.

Mitigation measures in respect of privacy and noise.

16.3.3.2 Information Requirements

The Comprehensive Development Plan shall include the following information. Note that all information is to be provided at a conceptual level of detail unless stated otherwise.

The location of vehicular and pedestrian access into the zone from the existing surrounding road network and any proposed roads.

The location of internal vehicular circulation, pedestrian and cycle linkages and bridle paths.

The location of any major parking areas.

The location of any stormwater ponds, and design elements proposed to ensure an adequate level of water safety.

The landscaping concept.

The general size and location of building platforms.

The contemplated range and location of different activities

16.3.3.3 Assessment Criteria

The Comprehensive Development Plan will be assessed in terms of the following matters.

1. Access

The extent to which safe and convenient access and egress is provided to and from the zone.

The extent to which the location of vehicular access is located in order to utilise primary roads rather than local residential streets.

The extent to which safe and convenient pedestrian and cycle access is provided between the zone and the adjacent residentially zoned land.

2. Vehicular Circulation/Pedestrian, Cycle Linkages and Bridle Paths

The extent to which safe and convenient linkages and circulation are provided throughout the site for vehicles, pedestrians, cycles and horses.

3. Parking Areas

The extent to which parking areas are sized and broken up to avoid adverse visual effects.

The extent to which parking areas are located and designed so as to maintain the privacy of adjacent residentially zoned land.

The extent to which provision is made for public transport parking.

4. Stormwater Ponds

The extent to which any stormwater ponds are located and designed (as far as is practicable) to maximise their potential as amenity elements, and their integrated role in supporting stormwater management for the Glenora Structure Plan Area.

5. Landscape Concept

The extent to which a functional and comprehensive landscaping theme is provided throughout the zone.

The extent to which landscaping is used to enhance internal access roads, and break up or mitigate the visual effects of any large parking areas.

6. Building Platforms

The extent to which buildings are located so as not to dominate or visually intrude into adjacent residential areas.

The extent to which buildings comply with the zone's building coverage and yard requirements.

7. Privacy/Nuisance

The extent to which development, landscaping and activities are located so as to maintain acceptable levels of privacy, and avoid nuisance for adjacent residential areas.

16.3.3.4 Explanation

The Comprehensive Development Plan will facilitate an integrated approach to development within the Special Purpose and Recreation Zone by providing an overall conceptual plan of development that all activities are expected to comply with. In this way the Comprehensive Development Plan will assist in controlling all major development and associated effects within the zone.

16.3.4 RULES : ACTIVITY STATUS

16.3.4.1 Permitted Activities

Provided that they comply with the performance standards specified in 16.3.6 the following are permitted activities in the Special Purpose and Recreation Zone.

Recreation activities

The use of conference centres

The use of educational facilities

The use of accommodation units

Activities and the use of buildings ancillary to the above

16.3.4.2 Restricted Controlled Activities

Provided that they comply with the performance standards specified in 16.3.6 the construction of buildings or structures for the following activities are restricted controlled activities in the Special Purpose and Recreation Zone:

Recreation activities

Conference centres

Educational facilities

Accommodation units

Community facilities

Activities and buildings ancillary to any restricted controlled activities

Council will restrict the exercise of its control to consideration of the extent to which the proposal is consistent with an approved Comprehensive Development Plan, and may impose conditions of consent in respect of this.

Except as provided for by section 94C of the Resource Management Act 1991, applications for restricted controlled activities will be considered without notification or the need to obtain approval from affected persons.

16.3.4.3 Restricted Discretionary Activities

Provided that they comply with the performance standards specified in 16.3.6 the following are restricted discretionary activities in the Special Purpose and Recreation Zone.

1. Any otherwise permitted or restricted controlled activity requiring an on licence or club licence in terms of the Sale of Liquor Act 1989.

Council will restrict the exercise of its discretion to the following:

Visual and acoustic privacy

Siting and design of buildings and outdoor activity areas

Location and design of on site parking and circulation

Location of pedestrian and vehicular access

Vehicle trip generation

Hours of operation

Cumulative effects

Where the activity is located more than 30 metres from land zoned Residential 8 and except as provided for by section 94C of the Resource Management Act 1991, applications will be considered without notification or the need to obtain approval from affected persons.

2. Any otherwise permitted or restricted controlled activity located within 30 metres of land zoned Residential 8 which:

Involves the construction of or results in changes to the external appearance of any building or structure visible from and within 30 metres of the Residential 8 Zone or any road.

Alters pedestrian or vehicle access to the site.

Council will restrict the exercise of its discretion to the following:

Site interface and external appearance

Dominance and overshadowing

Visual and acoustic privacy

Location and design of parking and access

Except as provided for by section 94C of the Resource Management Act 1991, applications will be considered without notification or the need to obtain approval from affected persons.

3. Any otherwise Permitted, Restricted Controlled or Restricted Discretionary Activity that does not comply with any or all of the following performance standards:
 - 16.3.6.1 Maximum height
 - 16.3.6.2 Height in Relation to Boundary
 - 16.3.6.3 Yards
 - 16.3.6.4 Maximum building coverage

Council will restrict the exercise of its discretion to the infringed standard(s)

16.3.4.4 Discretionary Activities

Any development or activity not provided for as a Permitted, Restricted Controlled or Restricted Discretionary Activity is a Discretionary Activity in the Special Purpose and Recreation Zone.

Explanation of activity status

All development within the zone is anticipated to be in accordance with an approved Comprehensive Development Plan. For this reason, all uses specifically envisaged in the zone are Restricted Controlled Activities, to enable assessment against the Comprehensive Development Plan. Other activities which are envisaged but without mitigation measures have the potential to have greater adverse effects, are provided for as Restricted Discretionary Activities. All other activities are provided for as Discretionary Activities.

16.3.5 ASSESSMENT CRITERIA

16.3.5.1 Restricted Controlled Activity Assessment Criteria

Applications for Restricted Controlled Activities will be assessed with regard to the extent to which the proposal is consistent with an approved Comprehensive Development Plan.

16.3.5.2 Restricted Discretionary Activity Assessment Criteria

Applications for Restricted Discretionary Activity Resource Consent will be assessed with regard to the extent to which the proposal is consistent with the approved Comprehensive Development Plan and the following matters:

16.3.5.2.1 Any otherwise Permitted, Restricted Controlled Activity requiring an on licence or club licence in terms of the Sale of Liquor Act 1989

The extent to which:-

- Building and site design
- Pedestrian and vehicular access and circulation

Parking areas

Landscaping and separation distances

Maintain an appropriate level of acoustic and visual privacy for adjacent residentially zoned sites. Outdoor dining and entertainment areas shall generally not be directly visible from adjoining residentially zoned sites.

The extent to which the intensity of use is compatible with the capacity of the existing and proposed roading network. Activities likely to generate high traffic volumes or traffic movements in the late evening will not be encouraged to take access from local access roads or residential streets.

In assessing the appropriateness of allowing an activity to be located in the zone consideration will be given to the presence of activities already located in the zone, and their effect on the surrounding residential environment. Of particular concern is the cumulative effect of locating an activity on a site adjacent to or already accommodating an activity that may currently generate traffic, noise, etc, not in keeping with the residential area. The ability of the zone to internalise effects where more than one activity is seeking to operate from it will be considered.

16.3.5.2.2 Any otherwise Permitted, Restricted Controlled Activity located within 30 metres of the Residential 8 Zone.

Applications will be assessed with regard to the following matters:

The assessment criteria of 16.3.5.2.1 above;

The extent to which the design of buildings, carparking, access areas, and landscaping creates an appearance that is empathetic to and in keeping with the adjacent residential area.

16.3.5.2.3 Any otherwise Permitted, Restricted Controlled or Restricted Discretionary Activity that does not comply with any of the performance standards 16.3.6.1 to 16.3.6.4.

The extent to which the infringement will result in any significant adverse effects, having particular regard to the purpose of the performance standard as set out in its explanation, and to what extent the effect(s) can be avoided, remedied or mitigated.

16.3.5.3 Discretionary Activity Assessment Criteria

Applications for Discretionary Activity Resource Consent will be assessed with regard to the following matters:

The extent to which the proposal is consistent with the approved Comprehensive Development Plan.

The extent to which any adverse effects on the environment will be avoided, remedied or mitigated;

The extent to which the development is consistent with the objectives and policies for the Takanini Structure Plan Area, the Recreation and Special Purpose Zone, and the Glenora Structure Plan.

Any other relevant matter under section 104 of the Resource Management Act 1991.

16.3.6 RULES : PERFORMANCE STANDARDS

16.3.6.1 Maximum Height

The maximum height of buildings shall be 12 metres.

Control flexibility is provided for as a Restricted Discretionary Activity (refer Rule 16.3.4.3.3).

Explanation

A permitted building height of 12 metres is consistent with the maximum permitted height in the adjacent Reserves and Community Uses Zone which applies to the eastern part of the Park. It is also consistent with the maximum height envisaged in the adjacent Residential 8 Zone. The maximum height has been applied to ensure that buildings within the zone are of a similar scale to surrounding developments and do not visually dominate the open space character of the zone. A greater height than 12 metres may be appropriate in situations where location and design can overcome adverse effects associated with scale and dominance.

16.3.6.2 Height in Relation to Boundary

Rule 16.1.6.2 applies to the common boundary with land zoned Residential 8 Zone.

Control flexibility is provided for as a Restricted Discretionary Activity (refer Rule 16.3.4.3.3).

Explanation

The height in relation to boundary control is adopted to avoid unreasonable dominance, loss of daylight or sunlight, or loss of privacy to adjoining and nearby residential sites.

16.3.6.3 Yards

No buildings, sports fields or courts or outdoor sports/play equipment shall be located within 10 metres of the zone boundary where this directly abuts land zoned Residential 8.

Control flexibility is provided for as a Residential Discretionary Activity (refer Rule 16.3.4.3.3).

Explanation

The yard control is adopted to avoid unreasonable dominance or loss of privacy to adjoining residential sites.

16.3.6.4 Maximum Building Coverage

The maximum total building coverage within the zone shall be 20% of the zone area.

Control flexibility is provided for as a Restricted Discretionary Activity (refer Rule 16.3.4.3.3).

Explanation

The maximum building coverage control is applied to maintain the open space character of the park while allowing a reasonable level of development and to support groundwater recharge. Visual and scale effects related to infringements to building coverage are likely to be more perceptible in locations with greater visibility from adjoining properties and public spaces. In other situations it may be appropriate to allow greater levels of coverage particularly where the design is considered comprehensively with landscaping.

16.3.6.5 Parking

Sufficient parking shall be provided for any activity established on the site in accordance with the provisions of Part 15 Parking.

16.3.6.6 Noise

The following noise controls apply to limit the effect of any noise generated.

- (i) The noise level (L10) as measured at or within the boundary of any Residential 8 zoned site shall not exceed the following limits:

Monday to Friday	0700 - 1800 hours	45 dBA
Saturday	0800 - 2200 hours	45 dBA
At all other times including Sundays and public holidays		40 dBA

- (ii) The noise standards shall not apply to the construction or maintenance of buildings approved by the Council.
- (iii) The noise levels shall be measured and assessed in accordance with the requirements of NZS 6801: 1991 Measurement of Sound and NZS 6802: 1991 Assessment of Environmental Sound.
- (iv) The noise shall be measured by a sound level meter complying with the International Standard IEC 651 (1979): Sound Level Meters, Type 1.

Should the Council adopt instruments or standards that supersede (iii) and (iv) then they will be used in place of the standards.

Notwithstanding the noise standards stated above the Council reserves the power conferred on it under the relevant section of the Resource Management Act 1991 and the Health Act 1956 to control any noise which has become an objectionable element of nuisance.

Explanation

A noise standard is applied to maintain an appropriate level of acoustic privacy at the interface with adjoining residential sites.

16.3.6.7 Glare

In respect of every piece of land which abuts land zoned for residential activities, all exterior light fittings shall at all times be so located, directed or screened as to ensure that:

- (a) Any operation or activity on reserve land shall be conducted so that direct or indirect illumination measures not more than 8 lux (lumens per square metre) on residential boundaries.

Glare shall be measured on an instrument meeting the requirements of NZ Standards Institute CP22 (1962) and amendments; or other instruments or standards that Council considers should supersede these.

- (b) All outdoor lighting shall be directed away from adjoining residential properties.
- (c) All reticulation to the poles be underground and that all wiring and control equipment be completely enclosed;
- (d) Light rays do not create a hazard to motorists;
- (e) The use of exterior light fittings shall be restricted to 0900 hours to 2200 hours daily except that this requirement may be relaxed by the Council for special national or international events.

Explanation

While sunlight is perceived in a positive way, other artificial sources of light because of quantitative, directional or spectral attributes can cause annoyance, discomfort, distraction, loss of sleep, loss of amenity or a reduction in the ability to see.

16.3.6.8 Servicing

All development shall be adequately serviced to the satisfaction of Council for stormwater, wastewater, water supply and network utilities.

Explanation

The purpose of this rule is to provide a practicable means of ensuring that all development is satisfactorily serviced. This includes appropriate stormwater management provisions for Bruce Pulman Park consistent with the approved Takanini South Stormwater Catchment Management Plan.

