

PART 17 HINGAIA STRUCTURE PLAN AREA

17.1 RESIDENTIAL 9 ZONE

17.1.1 OBJECTIVES AND POLICIES

In addition to the general objectives and policies set out in Part 5B.3.2 of Section One, the following specific objectives and policies apply to the Residential 9 Zone.

17.1.1.1 Urban Amenity Values

1. Objective

To achieve residential subdivision and development that provides a high standard of amenity, safety and convenience and contributes to a positive sense of place and identity.

2. Policy

Residential subdivision and development should be of a type and design that will achieve a high standard of amenity, safety and convenience for pedestrians and vehicles, contribute to a positive sense of place and identity, and maintain elements of an open spacious character throughout the zone. Key elements of urban form which are considered likely to contribute to achieving this policy within the Residential 9 Zone are:

(i) Subdivision Design

- a) A connected road, reserve and access network, providing direct footpaths, cycle routes and vehicular access to the facilities of the Mixed Use 1 Zone, and connectivity throughout the Residential 9 Zone.
- b) Innovative residential street design in terms of widths, traffic calming measures and ample provision of hard and soft landscaping.
- c) Quality public open spaces which generally abut streets rather than residential sections and thus provide opportunities for passive surveillance.
- d) A network of landscaped stream margin reserves which will maintain elements of an open spacious character throughout the zone.

(ii) Residential Development

- a) Generally lower density residential development with more intensive residential development located where its visual scale and extent is mitigated by good design and:
 - it maximises opportunities for residents to enjoy easy walking or cycling access to the Neighbourhood Centre; and
 - it is located adjacent to or opposite public open space and/or
 - it is designed and located such that it will not significantly compromise the generally lower density character of the zone
- b) Residential building and site development that addresses the street and public realm through quality urban design and landscape design at the interface.
- c) 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 relates to issues 5B.3.2.3.1 and 5B.3.2.4.1 in Section One.

17.1.1.2 Density

1. Objective

To maintain a generally lower density environment throughout the zone while enabling higher densities in appropriate locations to support pedestrian, cycle and public transport, and support the viability and vibrancy of the Mixed Use 1 Zone and Neighbourhood Centre.

2. Policy

Residential subdivision and development at a lower density shall be enabled throughout the zone. Residential subdivision and development which is supportive of pedestrian, cycle and public transport and the viability and vibrancy of the adjacent proposed Neighbourhood Centre shall be enabled, and contained within easy walking or cycling distance of the Neighbourhood Centre and shall be located and designed such that it does not significantly compromise the generally lower density character of the zone.

This objective and policy relate to issues 5B.3.2.1.1 and 5B.3.2.3.1 in Section One.

17.1.1.3 Explanation

Hingaia East is bisected by Hingaia Road, which connects to the Papakura Motorway Interchange. Provisions encouraging a Mixed Use Area and Neighbourhood Centre serving the whole of the Hingaia Structure Plan Area, centred on Hingaia Road close to this interchange are generally established through the provisions of the Mixed Use 1 Zone.

The Residential 9 Zone is the principal residential zoning proposed for Hingaia East and is located to the north and south of Hingaia Road. The zone comprises 129.5 ha.

The land exhibits an existing rural character valued by the community, and retaining elements of an open spacious character is envisaged throughout most of the zone to maintain and enhance this sense of place, and assist in maintaining a high standard of visual amenity. It is intended that this be achieved principally through the reserve and riparian network, street planting and yards.

Safety and convenience, for pedestrians, cyclists and drivers, also contributes to amenity, and so is also encouraged through policy provisions and assessment criteria calling for connectivity both within the zone and between the zone and the Mixed Use 1 Zone.

The Regional Growth and Land Transport Strategies encourage development densities which are supportive of public transport use and non motor vehicle modes of transport at appropriate locations, such as along transport corridors and at or close to mixed use centres.

Some of the land in the northern part of the zone is physically separated from the proposed Neighbourhood Centre by the intervening lifestyle block properties (Karaka Park). Provision of higher development densities in such locations is generally unlikely to be supportive of non motor vehicle modes of transport and so is not encouraged there.

Extensive areas of multiple-unit housing have the potential to adversely affect the lower density and spacious character the zone seeks to retain. Accordingly, the objectives and policies for the zone support lower density development and enable more intensive permanent residential development to be located only on sites within walking distance of the Neighbourhood Centre, and in instances where through location and design the generally lower density character of the zone will not be compromised.

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

17.1.1.4 Methods

The following methods have been adopted to implement these policies:

- a) Subdivision rules and assessment criteria
- b) Activity controls and assessment criteria
- c) Performance standards

17.1.1.5 Expected Environmental Results

In addition to the expected environmental results set out in 5B.3.2.8 in Section One, the following more specific outcomes are expected:

- a) Establishment of residential subdivision and development which achieves a high standard of amenity, contributes to a positive sense of place and identity and maintains elements of an open spacious character throughout most of the zone.
- b) Utilisation of pedestrian and cycle routes by the residents of the zone to travel easily and safely within the zone to the open space network, to the Mixed Use Zone and Neighbourhood Centre, and to future public transport connections therein.
- c) Provision of comprehensively designed multiple-unit residential development located within easy walking and cycling distance of the Neighbourhood Centre.

17.1.2 RULES: SUBDIVISION

17.1.2.1 Permitted Activities

Rule 9.8.3 of Section Three of the Plan applies.

17.1.2.2 Controlled Activities

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

17.1.2.3 Restricted Discretionary Activities

Unless provided for as a Permitted or Controlled activity, any subdivision which complies with all the subdivision standards of 17.1.2.5 is a Restricted Discretionary Activity.

Council has restricted the exercise of its discretion to the following matters (refer 17.1.2.6 for assessment criteria), and may impose conditions of consent in relation to these:

- a) The code of urban subdivision (excluding matters of vehicle access and road design dealt with in Appendix 17B of the Plan)
- b) Servicing
- c) Design and layout
- d) The recommendations of the approved Stormwater Catchment Management Plan for the Hingaia Peninsula
- e) Geotechnical matters, and in particular appropriate building setbacks from the coastline.
- f) Proximity to electricity transmission lines

- g) Remediation of soil contamination and verification of effective completion of works.

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

17.1.2.4 Non-Complying Activities

Any subdivision not provided for as a Permitted, Controlled or Restricted Discretionary Activity is a Non-Complying Activity.

17.1.2.5 Subdivision Standards

1. Any new residential lot shall either

- i. Have a minimum net site area of 550m² and be of sufficient size and dimensions to accommodate existing or proposed development as a Permitted Activity; and
- ii. The minimum average net site area of all residential lots of less than 1000m² in any subdivision shall be 600m².

or

Be of sufficient size and dimensions to accommodate development for which a resource consent has been obtained.

2. Esplanade reserves of 20m in width measured from MHWS shall be provided in the locations shown on the Hingaia East Structure Plan.
3. Riparian margins shall be established either side of the banks of streams shown on the Hingaia East Structure Plan to a minimum width as shown thereon measured from the bank of the stream, where the location of the bank can be physically identified by ground survey, or from the centreline of the stream where the bank cannot be physically identified by ground survey. These margins shall be planted in dense native vegetation and shall be accommodated in local purpose reserves (refer also Design Element 5 of Appendix 17B for recommended treatment).

4. Hingaia and Hinai Roads

Road widening from its current legal road width (as at 18 June 2003) will be required, in accordance with the dimensions shown on Figure 4/1 and Figure 4/2.

Any new lot shall not take direct vehicular access from Hingaia Road.

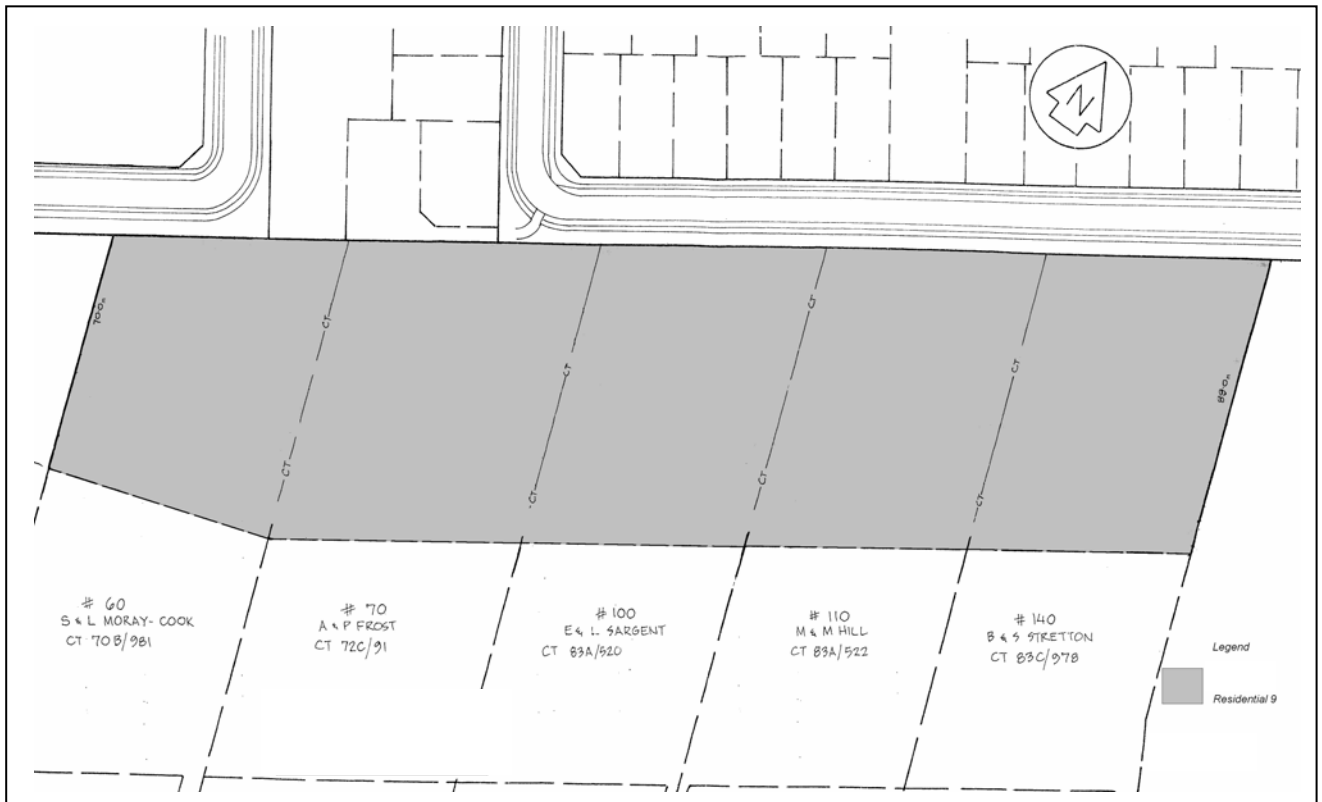
5. A landscaped 'buffer' and noise attenuation bund shall be established along the eastern edge of the Residential 9 Zone abutting the Southern Motorway. This shall have a minimum width of 15m. The bund shall accommodate planting (refer also Design Element 5 of Appendix 17B for recommended design treatment).
6. Any subdivision within the shaded area of the following properties (as shown in Figure 1):

140 Normanby Road	Lot 39 DP 141045 – SUBJ TO & INT IN ROW	CT83C/978
110 Normanby Road	Lot 37 DP 139860 – SUBJ TO & INT IN ROW	CT83A/522
100 Normanby Road	Lot 35 DP 139860 – SUBJ TO & INT IN ROW	CT83A/520
70 Normanby Road	Lot 16 DP 124480 INT IN R/WAY OVER PT Lot 17 DP 121329	CT72C/91
60 Normanby Road	Lot 17 DP 121329 – SUBJ TO ROW	CT70B/981

(“the subject area”) shall:

- i) Be a subdivision of the whole of the subject area into residential lots and appropriate access roads/private ways and create no fewer than 30 lots for residential uses; and
- ii) Have a maximum lot size of 850m² for any new residential lot; and
- iii) Create no more than 3 short residential culs de sac or short residential streets throughout the subject area; and
- iv) Create no more than 7 rear lots throughout the subject area; and
- v) Provide for the 10m buffer area required by Rule 17.1.5.5 (5) within the Residential 9 zone.

Figure 1
Residential 9 zone subject to Rule 17.1.2.5 (6)



17.1.2.6 Restricted Discretionary Activity Assessment Criteria for Subdivision

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

1 Code of Urban Subdivision

Whether 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 dealt with in Appendix 17B of the Plan.

2 Servicing

Whether sites can be adequately serviced for stormwater, wastewater, water supply and utilities.

3 Design and Layout

i) The extent to which the subdivision is in accordance with the Subdivision Design Assessment Criteria in Appendix 17B, which relate to the following matters.

- a) Road, Reserve and Access Networks
- b) Block Size and Lot Type
- c) Design of Roads and Access Routes
- d) Design of Reserves
- e) Design of Margins

ii) The extent to which the subdivision is consistent with the Hingaia East Structure Plan (Appendix 17A), Design Element 2 of the Mixed Use 1 Zone Design Assessment Criteria - (Appendix 17D) and the recommendations of the approved Stormwater Catchment Management Plan for the area.

4 Geotechnical

- a) Whether the subdivided lots are suitable for the development of a permitted activity or an activity for which resource consent has been obtained.
- b) Whether appropriate building setbacks are proposed where potential coastal erosion or instability is identified, with particular regard to Rule 17.1.5.5.4 Coastal Protection Yard and Controlled Building Area.

5 Proximity to Electricity Transmission Lines

Subdivision of land which creates new allotments within an area measured 20m 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:

- a) Subdivision design: The degree to which subdivision design, including the location of roads and reserves recognises and provides for existing electricity lines so that necessary access to the lines is maintained.

- b) Location of building platforms: The extent of separation between building platforms and existing lines, taking into account the mandatory requirements of NZECP: 34 2001.
- c) 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.
- d) 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 20m of a high voltage electricity transmission line. Evidence of consultation with and support/comments from Transpower New Zealand Ltd (or its successor) should be included in the subdivision resource consent application. The New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP: 34:2001 contains restrictions on the location of structures, on earthworks and activities such as the operation of mobile plant in relation to lines. Compliance with the NZECP: 34:2001 is mandatory under the Electricity Regulations 1997.

6 Remediation of Soil Contamination

- a) Whether, upon investigation, soil has been found to be contaminated by substances associated with rural service activities, horticultural uses or other contaminating uses.
- b) Whether, in instances where contaminants have been identified as present, appropriate remediation works can be undertaken to satisfactorily deal with any potential adverse effects in relation to human health.
- c) Whether mitigating measures can be adopted to deal with any potential effects (if any) of undertaking these works.

17.1.2.7 Specific Information Requirements for Subdivision

In addition to the general requirements for information to accompany applications for resource consent (refer Part 9.5 of Section One of the Plan), the following specific information requirements shall apply to all subdivision applications in the Residential 9 Zone.

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. Where the subdivision creates lots abutting the foreshore or esplanade reserve (or other reserve abutting the foreshore) the Geotechnical Report shall make recommendations in respect of the need for and extent of development lot and building setbacks from the coastline.

2.
 - a) All applications for subdivision shall be accompanied by a soil report, to the satisfaction of Council, which shall set out the results of soil sampling and testing to verify the presence (or otherwise) of contaminants associated with rural service activity, horticultural use or other contaminating land uses together with recommendations as to (if required) appropriate remedial works.
 - b) Council retains the discretion to waive this requirement in instances where this information has been provided previously, and the Council is satisfied that either no remediation is necessary or any remediation required has or will be undertaken.
3. Refer to Rule 17.1.4.1.3.

17.1.3 RULES: ACTIVITY STATUS

17.1.3.1 Permitted Activities

- 1 Provided that they comply with the performance standards specified in 17.1.5, the following are Permitted Activities in the Residential 9 Zone:
 - a) The construction and use of one household unit (and ancillary buildings) per lot
 - b) Home enterprises complying with Rule 4.16.2 (Home Enterprises in Residential zones)
- 2 Provided they comply with the Rules for the Special Purpose 2 Zone (Education Facilities) as set out in Part 7 of Section Three of the Plan, and provided they comply with Rule 17.1.5.5 (Yards), the following activities are permitted at Lots 1 and 2 DP 103668 (the Karaka Learning Centre at 112 Hilldene Road).
 - a) Any land or building used for education facilities
 - b) Residential accommodation associated with the primary use of the site
 - c) Organised sports and recreation and associated grounds and playing fields
 - d) Administration facilities and ancillary activities associated with the primary use of the site.

17.1.3.2 Restricted Discretionary Activities

1. Activities which are otherwise permitted that do not comply with one (but no more than one) of the Performance Standards specified below:

- 17.1.5.1 Delineated Area
- 17.1.5.3 Maximum Height
- 17.1.5.4 Height in Relation to Boundary
- 17.1.5.5 Yards
- 17.1.5.6 Maximum Building Coverage
- 17.1.5.7 Minimum Landscaped Area
- 17.1.5.8 On-site Parking

Council has restricted the exercise of its discretion to the extent of the infringed standard and its specific effects, with reference to the explanation of the relevant standard.

Refer 17.1.4.1.1 for Assessment Criteria.

2. The construction and use of multiple household units located within the Multiple Household Unit Overlay and complying with the Performance Standards specified in 17.1.5.2 through 17.1.5.11.

Council has restricted the exercise of its discretion to the following matters:

- (i) The Design Assessment Criteria contained in Appendix 17C, as relevant and may impose conditions in relation to these:
 - a) Location and Extent
 - b) Public Interface and External Appearance
 - c) Dwelling Design, Position and Orientation
 - d) Private Outdoor Spaces
 - e) Visual and Acoustic Privacy
 - f) Parking and Access
 - g) Landscaping

- (ii) 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.

Refer 17.1.4.1.2 for Assessment Criteria.

3. The construction of buildings in an area defined on the Hingaia East Structure Plan as the location of a controlled building area - an area extending 40m inland from Mean High Water Springs.

Council will restrict the exercise of its discretion to consideration of geotechnical stability and effects in relation to coastal erosion and stability.

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

Refer 17.1.4.1.3 for Assessment Criteria.

17.1.3.3 Discretionary Activities

1. A Household unit not complying with two or more of rules 17.1.5.1 and 17.1.5.3 through to 17.1.5.8.
2. Residential activities other than household units.
3. Childcare centres
4. Educational Facilities
5. Churches

17.1.3.4 Non-Complying Activities

Any activity not provided for as a Permitted, Restricted Discretionary or Discretionary Activity is a Non-Complying Activity.

17.1.3.5 Explanation for Activity Status

Council seeks to encourage development in the Residential 9 Zone at a generally low density, to assist in maintaining elements of an open, spacious character.

To do this, the rules define a maximum of one household unit per lot as a permitted activity. A household unit can be established as a permitted activity subject to compliance with a series of performance standards (Rules 17.1.5) established to maintain the amenity anticipated in the Residential 9 Zone without recourse to specific design assessment. Performance Standard 17.1.5.1 for delineated area requires a delineated area to be provided around the household unit that in effect establishes a minimum net site area of 550m².

The Plan seeks overall densities in the Hingaia Structure Plan Area that will accommodate envisaged future growth. Thus the rules of the Residential 9 Zone also enable development at a density greater than this permitted level. The rules also seek to ensure that their design and location is comprehensively considered in order to maintain and enhance amenity on-site and on adjoining sites and maintain elements of the generally lower density character that the zone seeks to achieve.

Accordingly, Rule 17.1.3.2.2 defines developments of multiple household units on the Multiple Household Unit Overlay, shown in Figure 5, and as shown on the Hingaia East Structure Plan area as Restricted Discretionary Activities (subject to consideration under the Design Criteria of Appendix 17C) provided that they are also able to comply with all but one of the performance standards for permitted activities. Compliance is not required with the 550m² delineated area standard (17.1.5.1). Standard 17.1.5.2 instead applies a maximum density of one unit per 300m² net site area and the presumption is for non-notification of applications. The Multiple Household Unit Overlay includes those properties partly or wholly within a 800m radius of the focal point, as shown on Appendix 17A – Hingaia East Structure Plan. The properties included in the Overlay are those existing as at 1 August 2004:

Part Lot 2 of a subdivision of the western portion of Allotment 11 of the Parish of Opaheke, and
Lot 1 DP 73084; and
Part Lot 1 DP 33295; and
Lot 2 DP 100911; and
Lot 1 DP 103668; and
Lot 2 DP 103668 and a 1/2 Share in Lot 4 DP 103668; and
Lot 3 DP 103668 and a 1/2 Share in Lot 4 DP 103668; and
Part Lot 8 DP 4894; and
Part Lot 3 Deeds 974; and
Lot 2 Deeds 974.

Multiple household units are not provided for elsewhere within the zone as it is intended that the remainder of the zone retains a relatively spacious low density character.

The Plan includes restricted discretionary status for infringements of most performance standards for otherwise permitted situations (i.e. single household unit and home enterprise). 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 gives some guidance in the infringement situation.

The Plan provides for the continuation of educational facilities at the Karaka Learning Centre in accordance with the provisions of the Special Purpose 2 Zone (Educational Facilities).

Where development may precede subdivision activity in proximity to the coastal zone and where there is potential for hazard to occur, the Plan specifies a Controlled Building Area.

Household units not complying with more than one of the stated performance standards are a Discretionary Activity as are childcare facilities, churches and educational facilities. Residential activities other than household units are also provided for as a Discretionary Activity. This would include such activities as motels and retirement villages. Childcare centres, educational facilities and churches are also provided for as Discretionary Activities. These activities can be accommodated within residential areas provided that design and siting can adequately avoid or mitigate effects associated with the intensity of use and the scale of the buildings. Other non-residential developments are Non-Complying.

17.1.4 ASSESSMENT CRITERIA

17.1.4.1 Restricted Discretionary Assessment Criteria

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

17.1.4.1.1 Activities which are otherwise Permitted infringing not more than one of the performance standards 17.1.5.1 and 17.1.5.3 through 17.1.5.8

Whether 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.

17.1.4.1.2 The construction and use of multiple household units within the Multiple Household Unit Overlay, as shown in Figure 5 and on the Hingaia East Structure Plan in Appendix 17A complying with the Performance Standards specified in 17.1.5.2 through 17.1.5.11

1. The extent to which the proposal is in accordance with the Multiple-Unit Housing Design Assessment Criteria in Appendix 17C.
2. Whether the development can be adequately serviced for stormwater, wastewater, water supply and utilities.

17.1.4.1.3 The construction of buildings within an area defined as a Controlled Building Area

Whether, buildings are located an appropriate distance from Mean High Water Springs, having regard to geotechnical conditions, and effects in relation to coastal erosion rates and potential instability, so as to avoid the need for coastal protection works in the long term. See also Rule 17.1.5.5(4).

17.1.4.2 Discretionary Activity Assessment Criteria

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

- a) Whether any adverse effects on the environment will be avoided, remedied or mitigated;
- b) Whether the scale and intensity of the development and use are such that the adverse effects of this on the amenity and character of the surrounding area will be no more than minor.
- c) The extent to which the development is consistent with the objectives, policies and rules for the Hingaia Structure Plan Area and the Residential 9 Zone.
- d) Whether the development is consistent with the recommendations of an approved Stormwater Catchment Management Plan.
- e) Whether any development involving residential activities is in accordance with the Design Assessment Criteria in Appendix 17C (to the extent that these criteria are relevant);
- f) In the case of Lots 1 and 2 DP 103668 (the Karaka Learning Centre at 112 Hilldene Road), the objectives and policies of the Special Purpose 2 Zone (Educational Facilities).
- g) Any other relevant matters under Section 104 of the Resource Management Act 1991.

17.1.5 RULES : PERFORMANCE STANDARDS FOR PERMITTED AND RESTRICTED DISCRETIONARY ACTIVITIES

17.1.5.1 Delineated Area

A delineated area of at least 550m² shall be provided for each permitted household unit. Such delineated area shall be shown on plans submitted to Council in support of a building or resource consent application. It shall be retained for the exclusive use of the occupier and comprise the household unit, required parking, private open space but no common driveway or manoeuvring area.

Explanation

A delineated area requirement is intended to ensure sufficient space around a single household unit development where a specific design is unable to be considered, in order to maintain the generally spacious character of the Zone.

It may be appropriate to relax such a requirement where a proposed house generally complies with other performance standards controlling bulk and location, and maintains an open spacious character in the neighbourhood.

17.1.5.2 Density For Household Units

1. The maximum density of any residential development shall be no greater than one household unit per 300m² of net site area, where the development is located within the Multiple Household Unit Overlay, as shown on Figure 5. 2. Elsewhere, the maximum density is 1 unit per site.

Explanation

This standard sets a 'bottom line' density requirement intended to maintain a reasonably spacious character through the whole zone, while recognising the appropriateness of maximising opportunities to live in reasonable walking distance to the Neighbourhood Centre.

No provision is made to relax this control through a restricted discretionary or discretionary procedure. An application for greater density would need to address the cumulative adverse effects of a greater intensity of development, throughout the neighbourhood, the Residential 9 Zone, and the Hingaia Structure Plan Area as a whole.

17.1.5.3 Maximum Height

The maximum height of buildings shall be 9 metres.

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 9m 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 may be appropriate, particularly for developments on sites large enough to contain any adverse effects within the site.

17.1.5.4 Height in Relation to Boundary

No part of any building shall project beyond a building envelope contained by recession planes measured from points 2.0m above any site boundary as shown in Figures 1.0 and 2.0.

Provided that :

- a) No account shall be taken of radio and television aerials, solar heating devices and chimneys, (not exceeding 1.1m in any horizontal direction), provided such structures are located at least 1m from each site boundary.
- b) This provision shall not apply to the length of the common wall between abutting buildings.
- c) 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 3.0).

- d) For a Multiple-Unit development this rule applies to all external boundaries of the parent site upon which the development is proposed. It is not applicable to proposed future internal boundaries.
- e) Where a point on the boundary immediately adjoins an Entrance Strip, Access Lot or a Council Pedestrian Access way the further lot boundary of that Entrance Strip, Access Lot or Council Pedestrian Access way may be deemed to be the nearest boundary for the purposes of this rule.

Explanation

Height in relation to boundary controls are included to avoid unreasonable loss of sunlight and daylight access to the affected abutting site (i.e. the site sharing the common boundary from which the performance standard is measured), and also work in combination with height controls to avoid or mitigate over-dominance 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.

17.1.5.5 Yards

1. Front Yard and Road Interface

Minimum Front Yard: 5m

Fences on the road boundary, or between the road boundary and the closest building on site, shall not exceed 1.2m in height and shall not be close boarded or of similar solid timber construction.

Hingaia Road Yard

Minimum 5m, measured after road widening (refer Figure 4/1 and 4/2).

2. Side and Rear Yards

Minimum Rear Yard: 3m

Minimum Side Yard: 1m

All yards on rear sites shall be rear yards

Provided that for a Multiple-Household Unit development this rule applies to all external boundaries of the parent site upon which the development is proposed. It is not applicable to proposed future internal boundaries.

3. Riparian Yard

The minimum distance between any buildings or impervious surface and the bank of any stream identified on the Hingaia East Structure Plan as a stream to be retained shall be 20m. Where the location of such bank cannot be physically identified by ground survey, then the minimum distance of 20m between any buildings or impervious surface and the stream shall be measured from the centre line of the stream.

4. Coastal Protection Yard and Controlled Building Area

The minimum distance between any buildings and Mean High Water Springs shall be 25m.

The minimum distance between any buildings and Mean High Water Springs within the area identified as “Controlled Building Area” on the Hingaia East Structure Plan shall be 40m.

5. Rural Yard

The minimum distance between any buildings and the boundary of the Rural Papakura Zone shall be 10m.

6. Southern Motorway Yard

The minimum distance between any buildings and the western legal boundary of either the Southern Motorway or Hilldene Road, whichever is the closest, shall be 20m.

Explanation

The Front Yard and Road Interface control pertains to the public face of any development - i.e. where it relates to the public street. The intention is to maintain an appropriate relationship between all built development and the street (streetscape).

Avoiding visual dominance of street elevations by high front fences will contribute to pedestrian and public amenity. Utilising only low (or no) front fences, 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 minimum yard 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.

In some situations it may be appropriate to consider other solutions, for example where houses are located on the southern sides of roads or on corners it may be appropriate for the limitation on fencing height to be relaxed across part of the frontage to enable greater on-site privacy. Where fences are used, unattractive close boarded timber fencing is not envisaged by the rule.

The Rear and Side Yard rules are intended to provide conventional separation between dwellings where specific comprehensive design is not being considered.

The Riparian Yard maintains separation of buildings and impermeable surfaces from the streams identified on the Hingaia East Structure Plan as requiring riparian margins. The purpose of this yard is to reduce the impact of activities on water quality and water flows and in particular to provide a permeable area between the streams and impermeable surfaces. Implementation of riparian margins shall normally be achieved as part of the subdivision resource consent process.

The purpose of the Coastal Protection Yard is two-fold. Its first purpose is to ensure that buildings do not have adverse effects (in terms of scale and dominance) on the open space character of the coastline. For this reason, a minimum 25m yard (which is measured from Mean High Water Springs), has been applied. The yard makes an allowance for a 20m wide esplanade reserve, plus an additional 5m set-back from that reserve.

The second purpose of the Yard is to ensure that buildings are not located on land which is potentially unstable where there is accelerated rates of coastal erosion. For this reason, there is also an additional “Controlled Building Area” extending 40m inland from Mean High Water Springs. A resource consent will be required for all buildings in terms of Rule 17.1.3.2.3.

The Rural Yard maintains separation of buildings from the adjoining rural and lifestyle block area, and is intended to maintain a transition in built scale and density, and also maintain the amenity enjoyed by the properties in Karaka Park. It is also intended to provide a buffer between residential and rural activities which may conflict.

The purpose of the Southern Motorway Yard is to provide sufficient space between buildings and the Motorway for suitable noise attenuation measures and landscaping.

Figure 1 RECESION PLANE INDICATOR

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

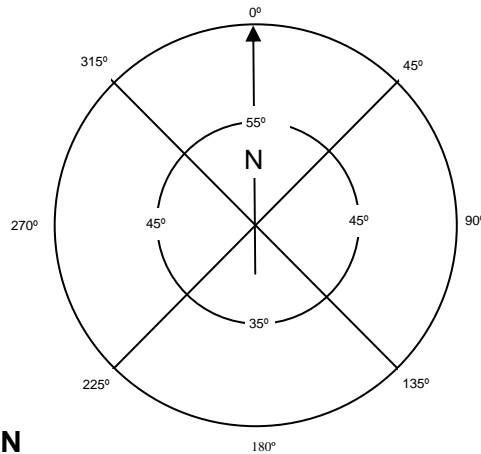


Figure 2 RECESION PLANE CROSS SECTION

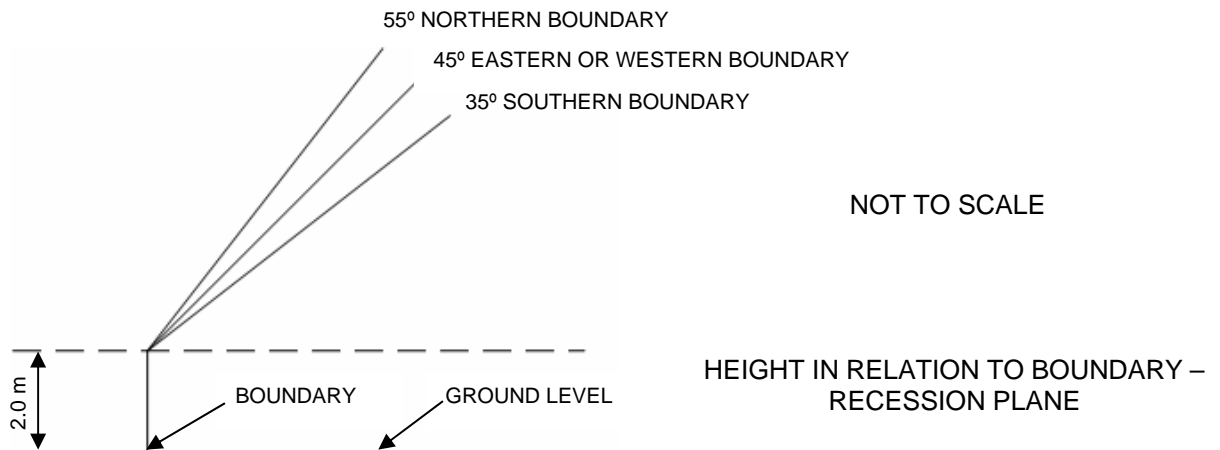
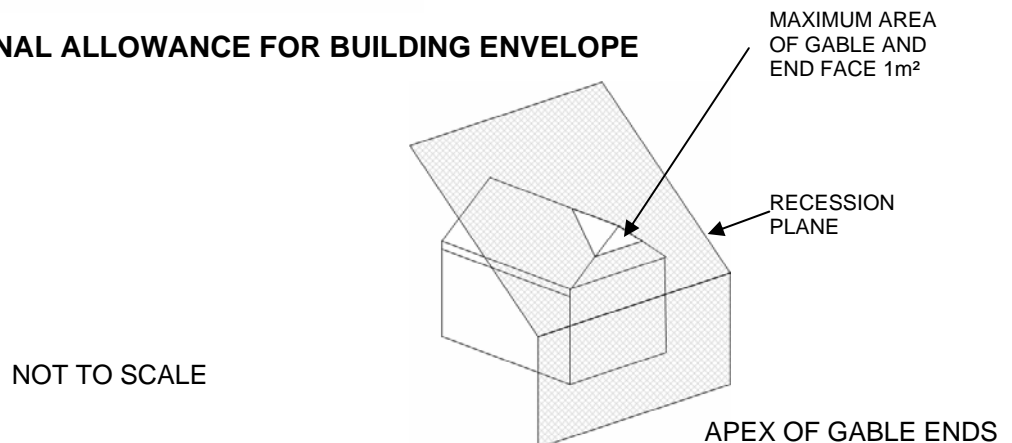
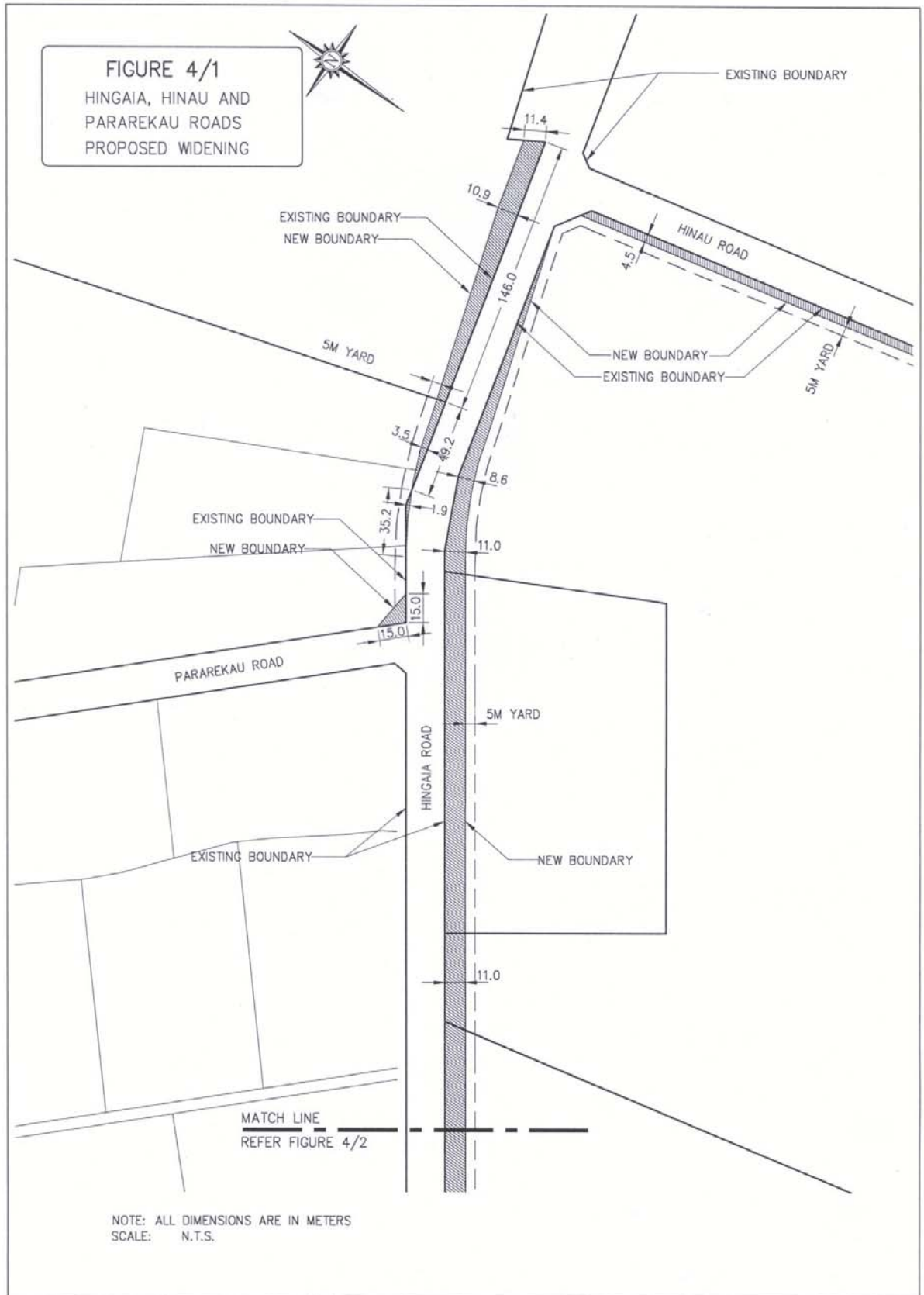
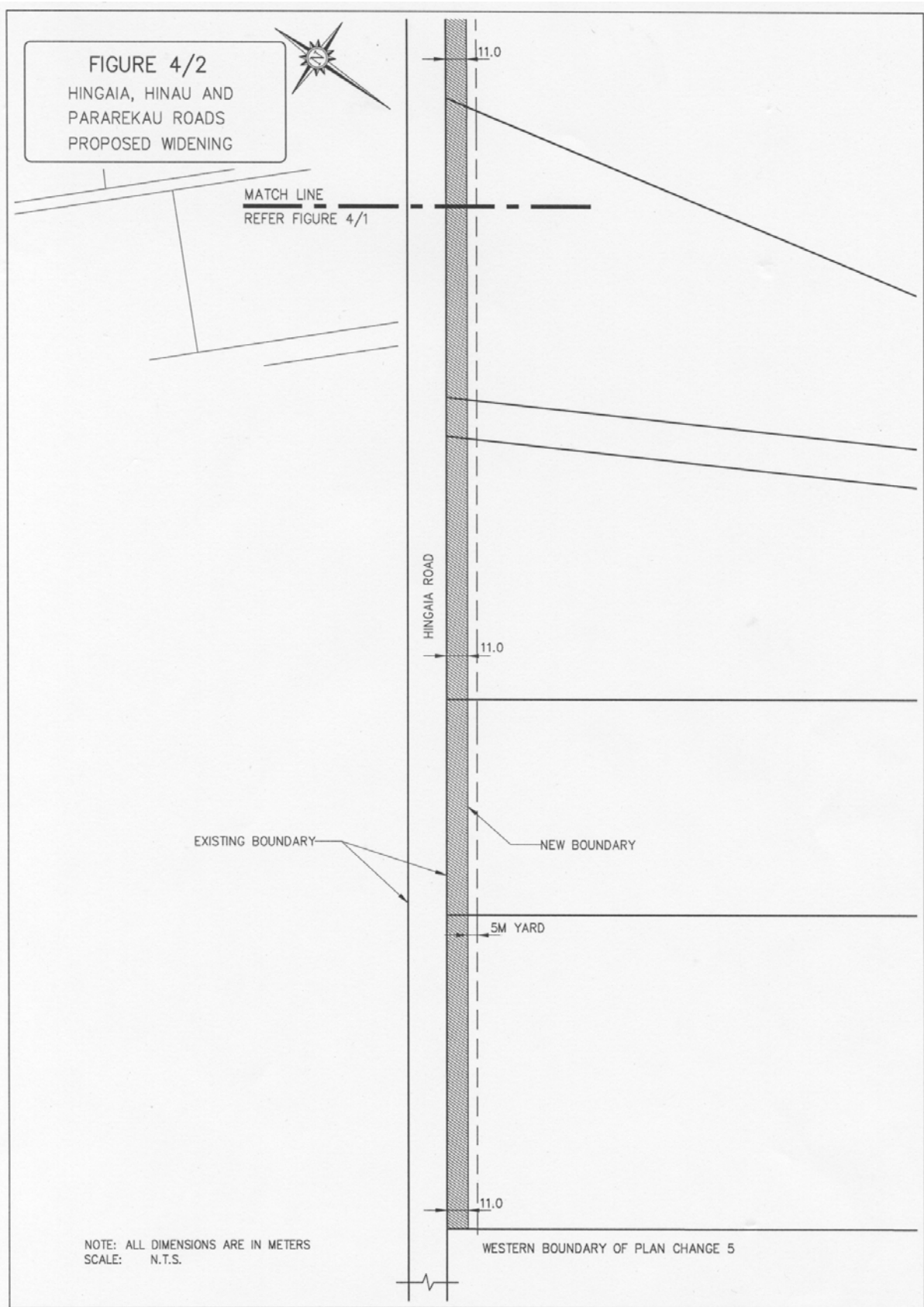
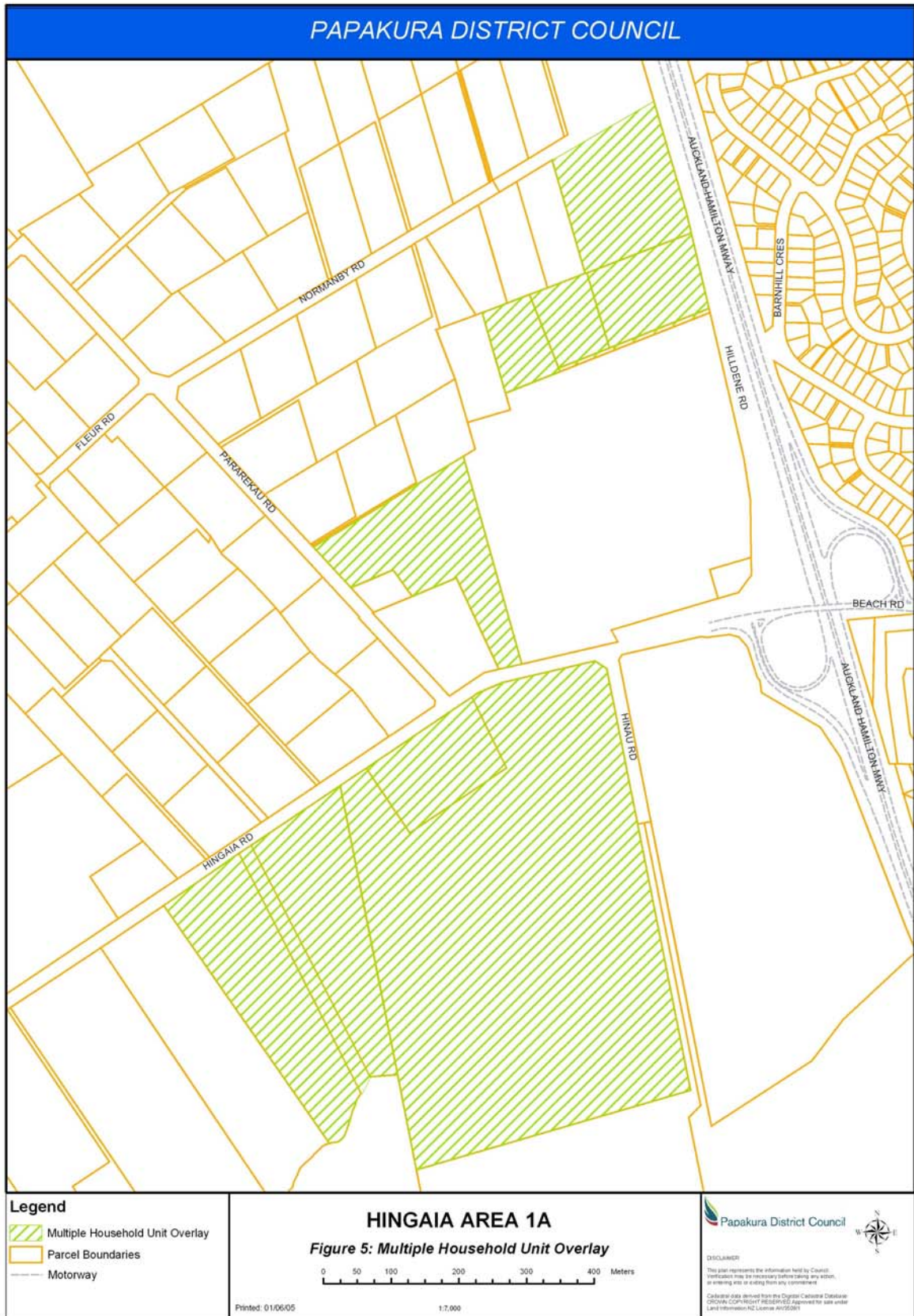


Figure 3 ADDITIONAL ALLOWANCE FOR BUILDING ENVELOPE









17.1.5.6 Maximum Building Coverage

The maximum total building coverage per site shall be 35% of the net site area, provided that for a Multiple-Unit development this rule applies to the parent site upon which the development is proposed. It is not applicable to proposed sites for the individual houses in the development.

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.

17.1.5.7 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. For multiple unit developments this rule applies to the parent site upon which the development is proposed. It is not applicable to sites for the individual houses in the development.

Explanation

This control is intended to enable sufficient space on site to achieve useable outdoor spaces for residents to maintain amenity in the area, and to encourage ground water recharge and reduce runoff.

The quality and location of the space and landscaping proposed and any cumulative effect on stormwater runoff will be considered where any consent is sought to reduce this requirement.

17.1.5.8 On-Site Parking

The minimum number of on site carparking spaces to be provided is 2 per household unit.

Explanation

It is recognised that until public transport is provided to the Peninsula most residents will continue to own vehicles, and so a parking requirement consistent with most other residential zones is stipulated.

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) A site is located particularly close to public transport, or the Mixed Use 1 Zone Area.

- b) A dwelling is specifically associated with residents less likely to operate two vehicles (e.g. single bedroom units).
- c) Adequate visitor parking is provided.

17.1.5.9 Noise

- a) 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	

- b) This noise standard does not apply to the construction or maintenance of buildings approved by the Council.
- c) 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.
- d) 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 (c) and (d) 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.

17.1.5.10 Glare

- a) 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.
- b) Glare shall be measured on an instrument meeting the requirements of NZ Standards Institute CP22 (1962) and amendments;
- c) Instruments or standards adopted by Council that supersede those stated in (ii) above will be used in place of the instruments/standards.

- d) 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.

17.1.5.11 Access to Hingaia Road

No activity shall take direct vehicular access to Hingaia Road except where the activity was established or consented to as 18 June 2003.

Explanation

In order to safeguard the primarily arterial function of Hingaia road, new activities are not permitted to take direct vehicular access from that road. Instead, it is anticipated that access will be gained via secondary roads, slip roads, or access lots.

17.1.6 RULES: GENERAL

In addition to the relevant rules specified in Part 17 of Section Three and Part 5B of Section One, 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 10 Development Impact Fees
- Part 11 Network Utilities. Transport and Roading
- Part 13 Landscape Design
- Part 14 Signs
- Part 15 Parking and Loading of vehicles unless provided for otherwise in Part 17.

17.2 MIXED USE 1 ZONE

17.2.1 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 Mixed Use 1 Zone.

17.2.1.1 Urban Amenity Values

1 Objective

To achieve subdivision and development that provides a high standard of amenity, safety and convenience, contributes to a positive sense of place and identity and creates a coherent neighbourhood and business centre for Hingaia.

2 Policies

- (i) Subdivision and development shall be of a type, scale and design so as to achieve a high standard of amenity, safety and convenience for pedestrians, contributes to a positive sense of place and identity and creates a coherent neighbourhood and business centre for Hingaia.
- (ii) Residential development shall be of a type and limited to an extent that does not undermine the achievement of a predominantly commercial character in the neighbourhood centre.
- (iii) No subdivision or development shall occur unless in accordance with an approved Concept Plan and (in relation to the Neighbourhood Centre) an approved Comprehensive Development Plan, so as to ensure all development proceeds in a planned, co-ordinated and consistent manner.

This objective and policy relate to Issue 5B.2.2.4.1 in Section One

17.2.1.2 Activities with Inappropriate Effects

1 Objective

To ensure that the Zone's potential to provide for mixed use opportunities is not compromised by activities which are likely to have adverse effects on the quality of the environment and amenity values.

2 Policy

The high standard of amenity and environmental quality appropriate to mixed use activity sought in the Zone shall not be undermined by activities which have potentially objectionable, noxious or dangerous effects.

This objective and policy relate to Issue 5B.2.2.5.1 in Section One

17.2.1.3 Retail Activities

1 Issue

The establishment of retail activities within Hingaia East has the potential to compromise the sub-regional role of the existing Papakura Central Business Area (CBA). This in turn

could have adverse consequential effects on the social, economic and cultural well-being of the community served by that centre, and on the functional and social amenity provided by it.

However, the establishment of retail and service activities is important to efficiently provide for the convenience needs of the community of the Hingaia Peninsula and environs. Subject to a scale, mix, type and form of development commensurate with these needs there will be less potential for consequential adverse effects on the wider community served by the existing Papakura CBA.

2 Objective

To achieve the establishment of retail and service activities of a scale, mix, type and form which provide generally a convenience function in a coherent Neighbourhood Centre commensurate with the needs of the Hingaia Peninsula and environs, while ensuring that the sub-regional function of Papakura's existing CBA is not compromised to an extent that results in significant adverse consequential effects on the social, economic and cultural well-being of the community served by that centre and on the amenity provided by it.

3 Policies

- (1) Retail activities serving the Hingaia Peninsula and environs and generally providing a convenience function shall be enabled within the Mixed Use 1 Zone. However, the scale of retail activities within the Mixed Use 1 Zone should not be such that they undermine the sub-regional retail role of the Papakura CBA in providing a coherent and convenient focus for retail and service activities, nor result in significant adverse consequential effects on the social, economic and cultural well-being of the community served by that centre.
- (2) Retail activities shall be consolidated within the neighbourhood centre of the Mixed Use 1 Zone in order to provide a coherent and convenient shopping area for residents and future residents of Hingaia. Controls are provided to ensure that the scale, mix, type and form of the Neighbourhood Centre are commensurate with the needs of the Hingaia Peninsula and environs.
- (3) The scale, mix, type and form of retailing on the Hingaia Peninsula shall be managed by limiting:
 - a) The size of the Mixed Use 1 Zone to a total of 15 ha; and
 - b) The size of the Neighbourhood Centre within the Mixed Use 1 Zone to 3 ha; and
 - c) The total gross floor area for retail activities within the Neighbourhood Centre; and
 - d) The maximum floor areas for any one shop, distinguishing between the Neighbourhood Centre and the balance of the Mixed Use 1 Zone; and
 - e) The size and location of a supermarket to that commensurate with the needs of the residential community of the Hingaia Peninsula and environs.

17.2.1.4 Explanation

The Mixed Use 1 Zone is applied to 15ha of land adjacent to Hingaia Road close to the Motorway interchange. The zone seeks to enable and encourage the development of a mixed use "Neighbourhood Centre" of up to 3ha net development area as a retail and service area serving the Hingaia Peninsula and environs, and a mix of activities elsewhere in the zone, (refer Appendix 17A Hingaia East Structure Plan).. Activities anticipated in the Neighbourhood Centre include retail and household services, community facilities and above ground floor residential units. Activities anticipated elsewhere in the zone include commercial, light manufacturing, medium density residential, community and educational facilities.

It is recognised that urban form and design can strongly influence the desirability, level of convenience and level of amenity of an area, and ultimately the success of a newly developed urban area. Accordingly, elements of urban layout and design that assist in providing a high standard of amenity, and safety will be sought. The Plan utilises rules and assessment criteria (applied at the time of the subdivision and development) to ensure that the desired elements are achieved. Rules and assessment criteria include the requirement for a Concept Plan for the whole of the Mixed Use 1 Zone prior to any subdivision or development in the Zone. Rules also require that a Comprehensive Development Plan is provided for the Neighbourhood Centre prior to any subsequent subdivision and/or development within the Neighbourhood Centre. Subsequent applications for resource consent for subdivision and/or development are required to be consistent with the approved Concept Plan and Comprehensive Development Plan, as relevant

Activities enabled in a Mixed Use Zone are, by definition, mixed. There is always the potential therefore, for conflict between potentially incompatible activities. The Plan seeks to discourage the establishment of activities which because of their effects, have the potential to discourage the establishment of a wide range of generally compatible activities. Accordingly, activities with potentially objectionable, noxious or dangerous effects are discouraged from establishing in the zone.

Rules for the zone seek to discourage the establishment of activities involving air discharges, or storing or using potentially noxious substances and other activities. Performance standards seek to deal with potential nuisance effects such as noise, glare, odour and vibration.

The plan seeks consolidation of core retail and service activity as a Neighbourhood Centre in a single precinct. This is to achieve convenience and other benefits to users of a cohesive centre, and to limit the extent of retail activity elsewhere in the Mixed Use 1 Zone. A consolidated and coherent centre will deliver convenience benefits to users, by making it easier to undertake multiple-purpose trips and access a range of goods and services during one visit. A dispersed pattern of retail and related service activity throughout the Mixed Use 1 Zone would mean greater average distances between outlets, and generally reduced convenience to users, significantly lowering the functional amenity of the centre. A less cohesive structure would also lessen the less-tangible role of the centre as a community focus.

The future community in the primary (Hingaia and Karaka-Kingseat) catchment will not be large enough to sustain retail and service activity across all the Mixed Use 1 Zone, and development at that scale would in any case be contrary to the District's commercial centres strategy.

The requirement to consolidate these retail activities rather than have a dispersed pattern across the Mixed Use 1 Zone, and the need to limit potential direct impacts on the CBA, together mean there should be limited scope for other retail activity to establish outside the Neighbourhood Centre, elsewhere in the Mixed Use 1 Zone.

The residential development of the Hingaia Peninsula is expected to occur over a long period, with the area only half developed for residential by 2021. The correspondingly slow growth in spending power means Hingaia is unlikely to be especially attractive to retail businesses in the medium term, and other locations with larger markets and/or stronger growth are likely to attract investment first. This raises the risk that retail development elsewhere in Papakura (and southern Auckland) will pre-empt or limit the opportunity for a sustainable retail centre to establish in Hingaia. Such an outcome would mean a lower level of convenience (reduced travel efficiency) for the Hingaia community.

While this risk cannot be avoided, it may be mitigated by signalling clearly the long term opportunity for retail and service development at Hingaia, and enable this development to begin in the short-medium term.

The corresponding risk is that by enabling retail development to occur in the short-medium term, then retail activities which are oriented to the wider Papakura and southern Auckland catchments would establish in the Neighbourhood Centre precinct. The obvious opportunity is for large format stores, which have low representation in Papakura. However, their establishment at Hingaia in the neighbourhood precinct may displace the core retail and service activities which the community will require in the long term. At the same time, large format retail activity may compete directly with the CBA, and enabling their development at Hingaia may be contrary to the District Plan because of negative effects on the CBA role.

Accordingly, it is important to both balance enablement of retail development in the Hingaia Neighbourhood Centre precinct, and manage this area so that core retail and service activities oriented to the Hingaia community's 'convenience' needs are able to establish as the local market grows.

Papakura's town centre is the District's major retail centre, servicing the whole district and surrounding rural areas. Elsewhere in the District there are smaller neighbourhood and local centres, which provide more of a convenience function to local communities.

Papakura's town centre is a valuable resource which provides social and economic benefits to the community. Council wishes to maintain this centre as the primary focus for retail and service activity within the District, while at the same time enabling the establishment of neighbourhood and local centres meeting the convenience needs of the communities in their catchments. Accordingly, the Neighbourhood Centre within the Mixed Use 1 Zone at Hingaia seeks to enable the establishment of retail activities which serve the local area, but does not compromise the viability of the Papakura CBA.

The approach in the Mixed Use 1 Zone is to consolidate core retail and service activity within the Neighbourhood Centre, and to discourage other retail uses in the remainder of the Mixed Use 1 Zone where these have the potential to significantly detract from the role of the Papakura CBA.

17.2.1.5 Expected Environmental Results

In addition to the expected environmental results in 5B.2.2.8 of Section One, the following more specific outcomes are expected.

- a) Establishment of a Neighbourhood Centre which :
 - Provides convenient access to goods and services for the residents of the Hingaia Peninsula and environs.
- b) Establishment of a Mixed Use Zone which:
 - Provides employment opportunities.
 - Accommodates a range of business, medium density residential and community facilities.
 - Supports District objectives and policies with regard to commercial centres and the role of the CBA as a sub-regional centre.
- c) Establishment of development which achieves a high standard of amenity, convenience and pedestrian and vehicular safety.
- d) Absence of activities having noxious, objectionable or dangerous effects.

17.2.2 RULES: SUBDIVISION

Activity Table

Activity	Activity Status
1. Rule 9.8.3 of Section Three of the Plan applies.	Permitted Activity
2. Rules 9.8.4 and 9.8.5 of Section Three of the Plan apply.	Controlled Activity
3. Unless provided for as a Permitted or Controlled activity, any subdivision which complies with the subdivision standards of 17.2.2.4 is a Restricted Discretionary Activity.	Restricted Discretionary Activity
4. Unless provided for as a Permitted or Controlled or Residential Discretionary activity, any subdivision which does not comply with the subdivision standards of 17.2.2.4.	Non Complying Activity
5. Any subdivision prior to the approval of a Concept Plan under Rule 17.2.6	Non-Complying Activity
6. Any subdivision which does not comply with Rule 17.2.2.4.3 and/or any subdivision which is inconsistent with an approved Concept Plan under Rule 17.2.6	Non-Complying Activity
7. Any subdivision in the Neighbourhood Centre prior to the approval of a Comprehensive Development Plan under Rule 17.2.7.	Non-Complying Activity
8. Any subdivision in the Neighbourhood Centre which does not comply with Rule 17.2.2.4.4 and/or which is inconsistent with an approved Comprehensive Development Plan under Rule 17.2.7	Non-Complying Activity

17.2.2.2 Restricted Discretionary Activities

Council has restricted the exercise of its discretion to the following matters (refer Criteria 17.2.2.5), and may impose conditions of consent in relation to these:

- a) The code of urban subdivision (excluding matters of vehicle access and road design dealt with in Appendix 17B of the Plan).
- b) Servicing.
- c) Design and layout.
- d) The recommendations of the approved Stormwater Catchment Management Plan for the Hingaia Peninsula.
- e) Remediation of soil contamination and verification of effective completion of works.
- f) Proximity to electricity transmission lines.

Except as provided for by Section 94(5) of the Resource Management Act 1991 applications for Restricted Discretionary Activity subdivision will be considered without notification or the need to obtain approval from affected persons.

17.2.2.3 Non-Complying Activities

Unless provided for as a Permitted or Controlled or Residential Discretionary activity, any subdivision which does not comply with the subdivision standards of 17.2.2.4 is a Non-Complying Activity.

17.2.2.4 Subdivision Standards

- 1) Sites shall have a minimum net site area of 2,000m², or else be of sufficient size and dimensions to accommodate development for which resource consent has been obtained.
- 2) No new lot shall take direct vehicular access from Hingaia Road. Road widening from its current legal road width (as at 18 June 2003) will be required, in accordance with the dimensions shown on Figure 4/1 and Figure 4/2.
- 3) All subdivision shall be consistent with an approved Concept Plan prepared in accordance with Rule 17.2.6.
- 4) All subdivision within the Neighbourhood Centre shall be consistent with an approved Concept Plan prepared in accordance with Rule 17.2.6 and an approved Comprehensive Development Plan prepared in accordance with Rule 17.2.7.

17.2.2.5 Restricted Discretionary Activity Assessment Criteria for Subdivision

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

1. Code of Urban Subdivision

Whether 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 dealt with in Appendix 17B of the Plan).

2. Servicing

Whether sites can be adequately serviced for stormwater, wastewater, water supply and utilities.

3. Design and Layout

Whether the subdivision is consistent with:

- a) The Hingaia East Structure Plan (Appendix 17A)
- b) Design Element 3 (Design of Roads and Access Routes) of Appendix 17B
- c) The Mixed Use 1 Zone Design Assessment Criteria to the extent that they are relevant (Appendix 17 D)
- d) The recommendations of the approved Stormwater Catchment Management Plan for the area

4. Remediation of Soil Contamination

- a) Whether, upon investigation, soil has been found to be contaminated by substances associated with rural service activities, horticultural uses or other contaminated uses.
- b) Whether, in instances where contaminants have been identified as present, appropriate remediation works can be undertaken to satisfactorily deal with any potential adverse effects in relation to human health.
- c) Whether mitigating measures can be adopted to deal with any potential adverse effects (if any) of undertaking these works.

5. Proximity to Electricity Transmission Lines

Subdivision of land which creates new allotments within an area measured 20m 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:

- a) Subdivision design: The degree to which subdivision design, including the location of roads and reserves recognises and provides for existing electricity lines so that necessary access to the lines is maintained.
- b) Location of building platforms: The extent of separation between building platforms and existing lines, taking into account the mandatory requirements of NZEC 34: 2001

NOTE:

Consultation with Transpower New Zealand Ltd (or its successor) is advised when considering construction within 20m of a high voltage electricity transmission line. Evidence of consultation with and support/ comments from Transpower New Zealand Ltd (or its successor) should be included in the subdivision resource consent application. The New Zealand Electrical Code of Practice for Electrical Safe Distances NZECP 34: 2001 contains restrictions on the location of structures, on earthworks and activities such as the operation of mobile plant in relation to lines. Compliance with the NZECP 34:2001 is mandatory under the Electricity Regulations 1997.

17.2.2.6 Specific Information Requirements for Subdivision

In addition to the general requirements for information to accompany applications for resource consent (refer Part 9.5 of Section One of the Plan), the following specific information requirements shall apply to all subdivision applications in the Mixed Use 1 Zone.

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. Where the subdivision creates lots abutting the foreshore or esplanade reserve (or other reserve abutting the foreshore) the Geotechnical Report shall make recommendations in respect of the need for and extent of lot and building setbacks from the coastline.
2.
 - a) All applications for subdivision shall be accompanied by a soil report, to the satisfaction of Council, which shall set out the results of soil sampling and testing to verify the presence (or otherwise) of contaminants associated with rural service activity, horticultural use or other contaminating land uses together with recommendations as to (if required) appropriate remedial works.
 - b) Council retains the discretion to waive this requirement in instances where this information has been provided previously, and the Council is satisfied that either no remediation is necessary or any remediation required has been or will be undertaken.
3. All applications for subdivision shall be accompanied by information, to the satisfaction of Council, to demonstrate consistency with the approved Concept Plan required under Rule 17.2.6.
4. All applications for subdivision within the Neighbourhood Centre shall be accompanied by information, to the satisfaction of Council, to demonstrate consistency with the approved Comprehensive Development Plan required under 17.2.7

17.2.2.7 Explanation of Subdivision Rules

The Mixed Use 1 Zone is an area of 15ha. Within this area a 3ha Neighbourhood Centre may establish, but is not fixed by the District Plan, in location or shape or the manner of integration with the balance of the Mixed Use 1 Zone. While subdivision to lot sizes of 2000m² is provided for throughout the Mixed Use 1 Zone, the Council wishes to ensure at the time of subdivision within the Mixed Use 1 Zone, that the layout of roads, access and egress points to sites, pedestrian connections, and the provision for public open spaces is coordinated and provides for a compact business area.

The requirement for a Concept Plan for the whole of the Mixed Use 1 Zone as a precursor to any subdivision or development taking place in the Zone will ensure that the Neighbourhood Centre and the balance of the Mixed Use 1 Zone are well integrated.

Prior to any subdivision taking place within the Neighbourhood Centre a Comprehensive Development Plan is required to demonstrate consistency with the approved Concept Plan and to show further information relating to the design and layout of the subdivision and connectivity to a level of detail that illustrates the integration required.

17.2.3 RULES: ACTIVITY STATUS

17.2.3.1 Activity Table

Activity	Activity Status
<p>A Comprehensive Development Plan under Rule 17.2.7 and/or amendments to an approved Comprehensive Development Plan provided that:</p> <ul style="list-style-type: none"> a) it is consistent with an approved Concept Plan under Rule 17.2.6.and b) the total area of retail activities provided under the Comprehensive Development Plan does not exceed 10,000 square metres gross floor area. 	Restricted Discretionary Activity
<p>A Comprehensive Development Plan under Rule 17.2.7 that is not consistent with an approved Concept Plan under Rule 17.2.6 or in respect of which the total area of retail activities provided under the Comprehensive Development Plan exceeds 10,000 square metres gross floor area.</p>	Non-Complying Activity
<p>A Concept Plan under Rule 17.2.6 and/or amendments to an approved Concept Plan</p>	Restricted Discretionary Activity
<p>Activities which are otherwise specified as controlled, or restricted discretionary, that comply with all except one of the performance standards specified in rules 17.2.5.1-17.2.5.12</p>	Restricted Discretionary Activity
<p>Any activity employing a process listed in Schedule 6C or 6D or Part 6 (Industrial Zones) of Section Three of the Plan.</p>	Non Complying Activity
<p>Any activity, except those specified as Controlled, Restricted Discretionary, Discretionary, or Non-Complying in Activity Status Rules (Activity Table), is a Controlled Activity in the Mixed Use 1 Zone provided that:</p> <ul style="list-style-type: none"> a) It complies with the performance standards specified in 17.2.5. 	Controlled Activity
<p>Any activity in Schedule 6A or 6B of Part 6 (Industrial Zones) of Section Three of the Plan.</p>	Non Complying Activity

Any activity involving the storage of hazardous substances listed in Schedule 6F in quantities in excess of those specified in level 1 of the Schedule in Part 6 (Industrial Zones) of Section Three of the Plan.	Non Complying Activity
Any activity predominately involving outdoor display or storage (excluding garden centres).	Discretionary Activity
Any activity that does not comply with Rule 17.2.5.13 and/or any activity that is not consistent with an approved Concept Plan under Rule 17.2.6	Non-Complying Activity
Any activity that does not comply with Rule 17.2.5.14 and/or any activity that is not consistent with an approved Comprehensive Development Plan under Rule 17.2.7	Non-Complying Activity
Any development which is otherwise Permitted, Controlled or Restricted Discretionary that does not comply with more than one of the performance standards specified in Rule 17.2.5.	Discretionary Activity
Any development which is otherwise Controlled or Restricted Discretionary that does not comply with more than one of the performance standards specified in Rules 17.2.5.1-17.2.5.12.	Discretionary Activity
Any land use prior to the approval of a Concept Plan under Rule 17.2.6	Non-Complying Activity
Any land use within the Neighbourhood Centre prior to the approval of a Comprehensive Development Plan under Rule 17.2.7	Non-Complying Activity
Any licensed premises on a site located within 30m of land zoned Residential 9 or Rural Papakura Zone	Discretionary Activity
Any service station on a site located within 30m of land zoned Residential 9 or Rural Papakura Zone.	Discretionary Activity
Bus Depots, freight forwarding, warehouse distribution, and truck stops	Restricted Discretionary Activity

<p>Residential development located within the Neighbourhood Centre, provided that:</p> <ul style="list-style-type: none"> a) It complies with the performance standards specified in 17.2.5; and b) It is located at the first floor or above as part of a mixed use development; and c) It contains at least one dwelling per 350 square metres of net site area 	<p>Restricted Discretionary Activity</p>
<p>Residential development located outside the Neighbourhood Centre, provided that:</p> <ul style="list-style-type: none"> a) It complies with the performance standards specified in 17.2.5; and b) It contains at least one dwelling per 350 square metres of net site area 	<p>Restricted Discretionary Activity</p>
<p>Residential development that contains less than one dwelling per 350 square metres of net site area.</p>	<p>Non-Complying Activity</p>
<p>Residential Development within the Neighbourhood Centre at ground floor level.</p>	<p>Non-Complying Activity</p>
<p>Retail activities (other than supermarket activities) occupying an area of 400 square metres gross floor area or less per shop and associated car parking provided that:</p> <ul style="list-style-type: none"> a) Both comply with the performance standards specified in 17.2.5; and b) Both are located within the Neighbourhood Centre as shown on a Concept Plan approved under 17.2.6. c) Both are consistent with a Comprehensive Development Plan approved under Rule 17.2.7 	<p>Controlled Activity</p>
<p>Retail activities (other than supermarket activities) occupying an area of 200 square metres gross floor area or less per shop and its associated car parking provided that:</p> <ul style="list-style-type: none"> a) Both comply with the performance standards specified in 17.2.5; and b) Both are located outside of the Neighbourhood Centre. c) Both are consistent with a Concept Plan approved under Rule 17.2.7 	<p>Restricted Discretionary Activity</p>

<p>Retail activities that:</p> <ul style="list-style-type: none"> a) Exceed 200 square metres gross floor area per shop; and b) Are not located in the area shown as Neighbourhood Centre on an approved Mixed Use 1 Zone Concept Plan under 17.2.6. 	<p>Non-Complying Activity</p>
<p>Retail activities (other than supermarket activities) occupying an area in excess of 400 square metres gross floor area per shop.</p>	<p>Non-Complying Activity</p>
<p>Retail activities located within the Neighbourhood Centre that will, in combination with other retail activities in the Neighbourhood Centre, exceed a cumulative total gross floor area for retail activities within the Neighbourhood Centre of 10,000 square metres gross floor area.</p>	<p>Non-Complying Activity</p>
<p>Supermarket activities and associated car parking, provided that:</p> <ul style="list-style-type: none"> a) Both comply with the performance standards specified in 17.2.5; and b) Both are located within the Neighbourhood Centre as shown on a Concept Plan approved under 17.2.6; and c) The total cumulative gross floor area of supermarket activities within the Neighbourhood Centre shall not exceed 3,500 square metres gross floor area d) Both are consistent with a Comprehensive Development Plan approved under Rule 17.2.7 	<p>Controlled Activity</p>
<p>Supermarket activity that:</p> <ul style="list-style-type: none"> a) Exceeds a cumulative gross floor area of 3,500 square metres for supermarket activities; and/or b) Is located outside of the area shown as Neighbourhood Centre on an approved Mixed Use 1 Zone Concept Plan under 17.2.6. 	<p>Non-Complying Activity</p>

17.2.3.2 Matters for Discretion - Controlled Activities

1. Council has restricted the exercise of its discretion for all controlled activities to the following matters, and may impose conditions in relation to these (refer 17.2.4.1 for criteria):
 - a) Motorway Interface
 - b) Layout of Open Spaces
 - c) Street Frontages
 - d) Open Space Provision and Design
 - e) Residential Activities
 - f) Hours of operation
 - g) Traffic Management
 - h) Car Parking
 - i) Site Layout
 - j) Design and External Appearance

Except as provided for by Section 94(5) of the Resource Management Act 1991, applications will be considered without notification or the need to obtain approval from affected persons.

2. In addition to the matters above, for all applications for Controlled Activity resource consents within any part of the Neighbourhood Centre Council has additionally restricted the exercise of its discretion to the following matters and may impose conditions in relation to these (refer 17.2.4.1.2 for criteria):
 - a) The relationship of the proposed development with the balance of the Neighbourhood Centre and its potential effects on the adjoining land, including the built form, scale and character of surrounding and nearby development;
 - b) Means of integrating the proposed development with other activities in the Neighbourhood Centre;
 - c) Design treatment of parking, roads, cycle ways and pedestrian linkages;
 - d) Design treatment of open space, including but not limited to considerations of wind, sunlight, and visual amenity;
 - e) A landscape plan showing the location and extent of areas to be landscaped, and the species to be utilised;
 - f) A lighting plan;
 - g) The location and use of surrounding buildings including any significant noise generators likely to affect the site and the proposed development;
 - h) Location and footprint of all proposed buildings and structures and parking;
 - i) Design and external appearance of all proposed buildings and structures, including the shape and profile of the roofs of buildings;
 - j) Design treatment of shelter for pedestrians in the main retail activity streets, including connectivity to adjacent shelter.
3. In addition to the matters above in 17.2.3.2.1, for Controlled Activity Supermarket activity Council has additionally restricted the exercise of its discretion to the following matters and may impose conditions in relation to these (refer 17.2.4.1.3 for criteria):
 - a) Noise
 - b) Site Design

17.2.3.3 Matters for Discretion - Restricted Discretionary Activities

1. Council has restricted the exercise of its discretion for all Restricted Discretionary activities except applications for restricted discretionary activity resource consent for a Concept Plan and for a Comprehensive Development Plan, to the following matters and may impose conditions in relation to these (refer 17.2.4.2 for criteria):
 - a) Motorway Interface
 - b) Layout of open spaces
 - c) Street frontages
 - d) Open Space Provision and Design
 - e) Residential Activities
 - f) Hours of operation
 - g) Traffic Management
 - h) Carparking
 - i) Site Layout
 - j) Design and external appearance

2. In addition to the matters above in 17.2.3.3.1, for Restricted Discretionary Activities, activities which are otherwise permitted, controlled, or restricted discretionary that comply with all except one of the performance standards specified in rules 17.2.5.1-17.2.5.12, Council has additionally restricted the exercise of its discretion to the following matters and may impose conditions in relation to these (refer 17.2.4.2.1 for criteria):
 - a) Extent of the infringed standard and its specific effects with reference to the explanation for the relevant standard.

3. In addition to the matters above, for all applications for Restricted Discretionary activity resource consents within the Neighbourhood Centre as defined on an approved Concept Plan, Council has additionally restricted the exercise of its discretion to the following matters and may impose conditions in relation to these (refer 17.2.4.2.2 for criteria):
 - a) The relationship of the proposed development with the balance of the Neighbourhood Centre and its potential effects on the adjoining land, including the built form, scale and character of surrounding and nearby development;
 - b) Means of integrating the proposed development with other activities in the Neighbourhood Centre;
 - c) Design treatment of parking, roads, cycle ways and pedestrian linkages;
 - d) Design treatment of open space, including but not limited to considerations of wind, sunlight, and visual amenity;
 - e) A landscape plan showing the location and extent of areas to be landscaped, and the species to be utilised;
 - f) A lighting plan;
 - g) The location and use of surrounding buildings including any significant noise generators likely to affect the site and the proposed development;
 - h) Location and footprint of all proposed buildings and structures and parking;
 - i) Design and external appearance of all proposed buildings and structures, including the shape and profile of the roofs of buildings;
 - j) Design treatment of shelter for pedestrians in the main retail activity streets, including connectivity to adjacent shelter.

4. In addition to the matters above in 17.2.3.3.1, for Restricted Discretionary activity Retail activities (other than supermarket activities) occupying an area of 200 square metres gross floor area or less per shop and its associated car parking Council has additionally restricted the exercise of its discretion to consideration of the following matters and may impose conditions in relation to these (refer 17.2.4.2.3 for criteria):
 - a) Cumulative effects of retail activities
 - b) Traffic
 - c) Noise

5. In addition to the matters above in 17.2.3.3.1, for Restricted Discretionary activity Residential Development containing at least one dwelling per 350 square metres of net site area Council has additionally restricted the exercise of its discretion to the following matters and may impose conditions in relation to these (refer 17.2.4.2.4 for criteria):
 - a) Location and Extent
 - b) Public interface and External Appearance
 - c) Dwelling Design, Position and Orientation
 - d) Private Outdoor Spaces
 - e) Visual and Acoustic Privacy
 - f) Parking and Access
 - g) Landscaping
 - h) Effects of the Southern Motorway

Applications for Residential Development containing at least one dwelling per 350 square metres of net site area which are provided for as a Restricted Discretionary activity shall be considered without notification or service in accordance with Section 94D(2) and (3) of the Resource Management Act 1991 – except for an application that affects land within the Motorway Interface identified in the Hingaia East Structure Plan (Appendix 17A). In these circumstances Transit New Zealand may be considered an affected party solely in respect of effects arising under the matter above at 17.2.3.3.5 (h) and service of notice on this basis may be required under Section 94(1) of the Resource Management Act 1991. Pursuant to Section 94(2) of the Resource Management Act 1991 service of notice will not be required if Transit New Zealand has given its written approval to the application.

However, an application may still be notified if special circumstances exist, in accordance with section 94C(2) of the RMA, or if an applicant requests notification in accordance with section 94C(1) of the Resource Management Act 1991.

6. In addition to the matters above in 17.2.3.3.1, for Restricted Discretionary activity Bus Depots, freight forwarding, warehouse distribution, and truck stops Council has additionally restricted the exercise of its discretion to consideration of the following matters and may impose conditions in relation to these (refer 17.2.4.2.5 for criteria):
 - a) Noise and Adjacent Activities
 - b) Amenity Values

7. For applications for resource consent for a Concept Plan as a Restricted Discretionary activity Council has restricted the exercise of its discretion to consideration of the following matters and may impose conditions in relation to these (refer 17.2.4.2.7 for criteria):
- a) Consistency with objectives and policies for the Mixed Use 1 Zone, Appendix 17A Hingaia East Structure Plan, Appendix 17B Subdivision Design Assessment Criteria, and Appendix 17D Mixed Use 1 Zone Design Assessment Criteria.
 - b) Pedestrian and vehicular access and efficiency of roading layout.
 - c) Provision for public bus transport within the Neighbourhood Centre.
 - d) Integration with the stormwater catchment management plan and associated discharge consent.
 - e) Size, location and shape of the Neighbourhood Centre.
 - f) Size, location and shape of public open space.
 - g) Intended subdivision pattern (if any).
 - h) Relationship of buildings, public open space, roads and landscape elements and streetscape.
 - i) Separation of activities from the corridor which includes the motorway interface and high voltage electricity transmission lines.
 - j) Staging, if any, of subdivision and development
 - k) Design principles for landscaping.
 - l) Consistency with objectives, policies and rules for retail activities.
 - m) Design and external appearance principles for buildings.
 - n) Servicing.
8. For applications for resource consent for a Comprehensive Development Plan as a restricted discretionary activity, Council has restricted the exercise of its discretion to consideration of the following matters and may impose conditions in relation to these (refer 17.2.4.2.8 for criteria):
- a) A design theme and design principles for the external appearance of buildings and other means of achieving a compact, pedestrian friendly, strip shopping (rather than mall) retail activity development that will be complementary to the development of the Hingaia Peninsula;
 - b) Location of key elements within the Neighbourhood Centre, including supermarket, shared parking areas, community buildings and retail precinct;

- c) Location and layout of the main retail activity streets within the Neighbourhood Centre, and the means of managing vehicle movements (including service vehicles) within those streets;
- d) The relationship of the proposed development with the approved Concept Plan for the Mixed Use 1 Zone;
- e) Objectives and policies of the Mixed Use 1 Zone, Appendix 17A Hingaia East Structure Plan and regard to Appendix 17B Subdivision Design Assessment Criteria and Appendix 17D Design Assessment Criteria;
- f) The relationship of any proposed subdivision with the balance of the Mixed Use 1 Zone;
- g) Means of integrating any proposed subdivision with other lots and activities in the zone;
- h) Location of roads, on-street parking provision, cycle ways, pedestrian linkages, and public transport facilities;
- i) Location of open space;
- j) Any proposed staging of the development;
- k) A landscape theme;
- l) A lighting theme;
- m) Location of public toilets;
- n) Means of providing shelter to pedestrians in the main retail activity streets;
- o) Any proposed staging of subdivision;
- p) Consistency with objectives, policies and rules for retail activities;
- q) Servicing.

Except as provided for by section 94C of the Resource Management Act 1991, applications for resource consent for a Comprehensive Development Plan under Rule 17.2.7 will be considered without notification or the serving of notice on persons who may be adversely affected by the activity.

17.2.3.4 Explanation for Activity Status

As noted in objective and policy 17.2.1, Council seeks to encourage the development of a Neighbourhood Centre in the Mixed-Use 1 Zone, and a range of other activities elsewhere. The Neighbourhood Centre concept is shown on the Hingaia East Structure Plan in Appendix 17A, and this area is limited to 3ha of the total 15 ha Mixed Use 1 Zone. The location and details of this Centre, and the details of the whole of the Mixed Use 1 Zone, will be determined by an application for a Restricted Discretionary activity land use resource consent for a Mixed Use 1 Zone Concept Plan. Development and activities within the Mixed Use 1 Zone will require a resource consent, in order that the consistency with the provisions and any conditions of consent for the Concept Plan can be achieved.

Council seeks to encourage development of a coherent retail and service centre in the Neighbourhood Centre to meet the needs of the Hingaia and surrounding communities. At the same time, it also seeks to ensure that retail activity in Hingaia does not significantly detract from the sub-regional retail and service role of the Papakura CBA. For this reason a retail cap on the scale of supermarket activities within the Mixed Use 1 Zone is imposed and the scale, form and mix of retail activity is to be carefully managed by way of maximum gross floor space limits for retailing both within and outside the Neighbourhood Centre, a general cap on the cumulative total of retail activities within the Neighbourhood Centre is also provided..

The supermarket retail cap enables supermarket activities to a cumulative total of 3,500 square metres gross floor area, while the general retail cap enables retail activities to a cumulative total of 10,000 square metres gross floor area within the Neighbourhood Centre.

Within the Neighbourhood Centre, retailing with a gross floor area per shop of 400 square metres or less requires a Controlled activity resource consent. Retail stores that exceed 400 square metres in area are a non-complying activity due to the inappropriateness of retail activity (other than supermarkets) at that scale for the character and amenity values that the Council seeks to achieve for the Mixed Use 1 Zone. Furthermore, retail activities in excess of the cumulative total 10,000 square metres gross floor area within the Neighbourhood Centre are a non-complying activity.

Outside of the Neighbourhood Centre, retail activity of 200 square metres or less gross floor area per shop requires a Restricted Discretionary activity resource consent. Retail activity exceeding 200 square metres gross floor area per shop is a Non-Complying activity. Through these controls the Council seeks to ensure that retail activity is concentrated in the Neighbourhood Centre, in order to create a coherent and high quality pedestrian-focused environment.

These controls on the scale, form mix and location of retailing activities in the Mixed Use 1 Zone will enable the Council to manage the potential cumulative adverse effects of retailing on the amenity values and character of Hingaia, and the potential adverse environmental effects on the Papakura CBA.

Prior to any development taking place within the Neighbourhood Centre a Comprehensive Development Plan is required to demonstrate consistency with the approved Concept Plan and to show further information relating to the design and layout of the development and connectivity to a level of detail that illustrates the integration required.

Consistent with objective and policy 17.2.1, the level of design and amenity resulting from built development, whatever activity the building might house, is of concern, and so the construction of most development is defined as a Restricted Discretionary activity, with discretion restricted to a series of design matters specified under Appendix 17D. Development must be consistent with the Mixed Use 1 Zone Concept Plan required under 17.2.6. Development within the Neighbourhood Centre is additionally required to be consistent with the Comprehensive Development Plan under 17.2.7.

The accommodation of household units at a density required to assist in accommodating envisaged future growth in the Hingaia Structure Plan Area is also a key role envisaged for the Mixed Use 1 Zone. To do this, the rules encourage residential development at a density of at least one dwelling per 350m² of net site area.

The Plan also seeks to ensure that residential development is of a type and extent that will not compromise the predominantly commercial role of the Neighbourhood Centre. In order to promote a vibrant Neighbourhood Centre, residential development and use within the Neighbourhood Centre at ground floor level is a Non-Complying activity.

Residential development at densities of less than one dwelling per 350m² of net site area is less likely to accommodate the growth anticipated for the Peninsula, or otherwise effect the achievement of a vibrant mixed use area. Accordingly, lower densities are not encouraged.

The Plan also includes Restricted Discretionary status for infringements of a single performance standard. Applications will be assessed in terms of effects arising specifically from the particular infringement in relation to their explanation. The final paragraph of each explanation gives some guidance in the infringement situation.

Developments which do not comply with more than one standard may have more complex effects and are assessed as Discretionary Activities.

Consistent with objective 17.2.1.2 certain business activities may have inappropriate, noxious or nuisance effects and so are defined as Non-Complying.

17.2.4 ASSESSMENT CRITERIA

17.2.4.1 Controlled Activity Assessment Criteria

1. Applications for Controlled Activity Resource Consent will be assessed with regard to the following matters:
 - a) Whether the proposal is in accordance with the Mixed Use 1 Zone Design Assessment Criteria in Appendix 17D
 - b) Whether the hours of operation, including the times of goods deliveries, heavy traffic movements, and rubbish collection, will be compatible with a residential environment within and bordering the Mixed Use 1 Zone and the maintenance of amenity values with the Zone;
 - c) Whether the potential conflict between circulating service traffic, heavy vehicles, general traffic, pedestrians and cyclists will be satisfactorily managed. and location of vehicle manoeuvring and storage areas;
 - d) Whether parking and access and egress are designed in such a manner as to promote good traffic movements, provide conveniently located off-street short-term and long-term carparking, and avoid potential adverse effects on pedestrians, cyclists and motorists;
 - e) Whether the site layout has been designed to avoid potential conflicts between activities adjoining the site, including the location and design of storage areas, rubbish and waste disposal, loading bays, delivery areas and noisy machinery and activities;
 - f) Whether the design and external appearance of buildings and structures will create a high standard of visual amenity values.

In addition, the following applications for Controlled Activity Resource Consent will be assessed in terms of the matters set out below:

2. Additional Criteria for all applications for Controlled Activity resource consents within any part of the Neighbourhood Centre:
 - a) Whether the proposal is consistent with a 'village' character;
 - b) Whether the interim management of vacant land during the staging process will ensure potential adverse effects are avoided;

- c) Whether housing development, light industrial, and service uses within the Neighbourhood Centre are satisfactorily integrated;
- d) Whether a high level of pedestrian amenity in the quality of safety, shelter, verandas, and visual interest will be created;
- e) Whether provision is made for high quality public open space including a plaza integrated with the Neighbourhood Centre;
- f) Whether the layout of buildings creates the opportunity for developing communal open spaces, seating areas or similar facilities contributing to the amenity values of the Mixed Use 1 Zone;
- g) Whether the quality of access and linkages for pedestrians, cyclists, motorists and the disabled has been adequately considered and provided for;
- h) Whether the landscape plan:
 - i. Provides for screening of blank walls, storage areas, mechanical plant, equipment and service areas;
 - ii. Mitigates and softens the harsh lines of the built landscape including parking areas;
 - iii. Complements integrated planting throughout the Stage One area;
 - iv. Integrates with the village green on the southern side of Hingaia Road;
 - v. Provides for both winter sun and summer shade;
 - vi. Reduces visual clutter;
 - vii. Integrates street furniture, signage and other hard landscape features;
 - viii. Provides a “gateway” and a sense of entry to the Hingaia Peninsula;
 - ix. Includes no fewer than 30 large grade specimen trees (minimum PB95) per hectare and affiliated ground covering shrub beds;
 - x. Includes a species schedule that takes into account the suitability of the species for long-term maintenance and relationship to infrastructure.
- i) Whether there is consistency with the principles of continuous display frontage for main shopping streets in particular (refer to Rule 17.2.5.5);
- j) Whether significant noise generators are separated from residential uses;
- k) Whether the number and location of parking spaces will serve the intended uses;
- l) Whether safe pedestrian and vehicular access is provided to and within the Neighbourhood Centre;
- m) Whether there is consistency with design elements for Mixed Use 1 Zone listed in Appendix 17D;
- n) Whether the public toilets are integrated with overall design and layout of development;
- o) Whether the design and external appearance of buildings and structures will achieve a village character and a consistent design theme, and in particular the extent to which the structural elements, roofing and facades of large buildings and developments are broken down in scale to match the character of the locality;
- p) Whether consideration is given to glare from the use of outdoor lighting, lit architectural features, and reflective surfaces that may adversely impact on the comfort of people or degrades the level of visual amenity, including any adverse effects on the night time sky environment.

3. Additional Criteria for applications for Controlled Activity Resource Consent for a Supermarket:
 - a) Whether the noise levels from operations of the supermarket will be compatible with adjoining activities, including delivery times and whether the activity can meet the noise standards for the Mixed Use 1 Zone at all times;
 - b) Whether the site design provides for pedestrian access and vehicle linkages between the supermarket, its carparking, and the rest of the Neighbourhood Centre and the Mixed Use 1 Zone, enables safe crossing of Hingaia Road, and avoids the adverse visual effects of large expanses of sealed carparking areas.

17.2.4.2 Restricted Discretionary Activity Assessment Criteria

- 1) Applications for Restricted Discretionary Activity Resource Consent will be assessed with regard to:
 - a) Whether the proposal is in accordance with the Mixed Use 1 Zone Design Assessment Criteria in Appendix 17D;
 - b) Whether the hours of operation, including the times of goods deliveries, heavy traffic movements, and rubbish collection, will be compatible with a residential environment within and bordering the Mixed Use 1 Zone and the maintenance of amenity values with the Zone;
 - c) Whether the potential conflict between circulating service traffic, heavy vehicles, general traffic, pedestrians and cyclists will be satisfactorily managed and location of vehicle manoeuvring and storage areas;
 - d) Whether parking and access and egress are designed in such a manner as to promote good traffic movements, provide conveniently located off-street short-term and long-term carparking, and avoid potential adverse effects on pedestrians, cyclists and motorists;
 - e) Whether the site layout has been designed to avoid potential conflicts between activities adjoining the site, including the location and design of storage areas, rubbish and waste disposal, loading bays, delivery areas and noisy machinery and activities;
 - f) Whether the design and external appearance of buildings and structures will create a high standard of visual amenity values.

In addition, the following applications for Restricted Discretionary Activity Resource Consent will be assessed in terms of the matters set out below:

- 2) Additional Criteria for all applications for Restricted Discretionary Activity resource consents within any part of the Neighbourhood Centre:
 - a) Whether the proposal is consistent with a 'village' character;
 - b) Whether the interim management of vacant land during the staging process will ensure potential adverse effects are avoided;
 - c) Whether medium density housing, light industrial, and service uses within the Neighbourhood Centre are satisfactorily integrated;
 - d) Whether a high level of pedestrian amenity in the quality of safety, shelter, verandas, and visual interest will be created;

- e) Whether provision is made for high quality public open space including a plaza integrated with the Neighbourhood Centre;
- f) Whether the layout of buildings creates the opportunity for developing communal open spaces, seating areas or similar facilities contributing to the amenity values of the Mixed Use 1 Zone;
- g) Whether the quality of access and linkages for pedestrians, cyclists, motorists and the disabled has been adequately considered and provided;
- h) Whether the landscape plan:
 - i. Provides for screening of blank walls, storage areas, mechanical plant, equipment and service areas;
 - ii. Mitigates and softens the harsh lines of the built landscape including parking areas;
 - iii. Complements integrated planting throughout the Stage One area;
 - iv. Integrates with the village green on the southern side of Hingaia Road;
 - v. Provides for both winter sun and summer shade;
 - vi. Reduces visual clutter;
 - vii. Integrates street furniture, signage and other hard landscape features;
 - viii. Provides a “gateway” and a sense of entry to the Hingaia Peninsula;
 - ix. Includes no fewer than 30 large grade specimen trees (minimum PB95) per hectare and affiliated ground covering shrub beds;
 - x. Includes a species schedule that takes into account the suitability of the species for long-term maintenance and relationship to infrastructure.
- i) Whether there is consistency with the principles of continuous display frontage for main shopping streets in particular (refer to Rule 17.2.5.5);
- j) Whether significant noise generators are separated from residential uses;
- k) Whether the number and location of parking spaces will serve the intended uses;
- l) Whether safe pedestrian and vehicular access is provided to and within the Neighbourhood Centre;
- m) Whether there is consistency with design elements for Mixed Use 1 Zone listed in Appendix 17D;
- n) Whether the public toilets are integrated with overall design and layout of development;
- o) Whether the design and external appearance of buildings and structures is consistent with achieving a village character and a consistent design theme, in particular the extent to which the structural elements, roofing and facades of large buildings and developments are broken down in scale to match the character of the locality;

- p) Whether consideration is given to glare from the use of outdoor lighting, lit architectural features, and reflective surfaces that may adversely impact on the comfort of people or degrades the level of visual amenity, including any adverse effects on the night time sky environment.
3. Additional Criteria for Restricted Discretionary Activity Retail activities (other than supermarket activities) occupying an area of 200 square metres gross floor area or less per shop and its associated car parking:
- a) Whether the proposal in combination with other existing or approved development will compromise the objective of achieving and maintaining a compact Neighbourhood Centre, and in particular whether there are potential adverse social and economic effects of the clustering of retail shops outside of the Neighbourhood Centre.
 - b) Whether the cumulative effects of traffic generated by the retail activity when considered together with the traffic effects of other retail activities in the Mixed Use 1 Zone outside of the Neighbourhood Centre will have an adverse effect on the amenity values and traffic management for the Zone.
 - c) Whether the activity can meet the noise standards for the Mixed Use 1 Zone and including whether the potential noise effects are compatible with residential activity within the same building or nearby.
4. Additional Criteria for Residential Development containing at least one dwelling per 350 square metres of net site area:
- a) Whether the proposal is in accordance with the Multiple Unit Housing Development Design Assessment Criteria in Appendix 17C.
 - b) Whether the design, construction and orientation of the residential development, including any outdoor living areas, adequately avoids, remedies or mitigates potential noise, vibration and air quality effects generated by the Southern Motorway.
5. Additional Criteria for Restricted Discretionary Activity Bus Depots, freight forwarding, warehouse distribution, and truck stops:
- a) Whether the proposal will be able to meet the noise standards for the Mixed Use 1 Zone and whether the potential noise effects are compatible with the noise sensitivity of those existing and future potential activities potentially affected by the proposal.
 - b) Whether the proposal will have potential adverse effects on the amenity values of the Mixed Use 1 Zone and the extent to which those potential adverse effects can be avoided, remedied or mitigated.
6. Additional Criteria for Activities infringing no more than one of the performance standards.
- a) Whether 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.

- 7 Criteria for applications for Restricted Discretionary Activity resource consents for a Concept Plan
- a) Whether the proposed Concept Plan promotes development that is generally consistent with the objectives and policies for the Mixed Use 1 Zone, including limitations of location for retail uses, and is in accord with the relevant design assessment criteria in Appendix 17A Hingaia East Structure Plan (taking into account that the location of the Neighbourhood Centre shown on Appendix 17A is indicative only), in Appendix 17B Subdivision Design Assessment Criteria and Appendix 17D Mixed Use 1 Zone Design Assessment Criteria;
 - b) Whether the Concept Plan provides for:
 - i) Reducing exposure of residential uses to high levels of traffic.
 - ii) Reducing the impact of heavy truck movements through the Neighbourhood Centre and past residential uses.
 - iii) Safe pedestrian and vehicular access from and onto Hingaia Road.
 - iv) Sound traffic management of the intersection at Hinau and Hingaia Roads.
 - v) An efficient road layout for pedestrians, cyclists and motorists;
 - c) Whether the Concept Plan facilitates the provision of public bus transport within the Neighbourhood Centre and on key routes, including the location of bus lay-bys;
 - d) Whether the Concept Plan meets the objectives of the stormwater catchment management plan and complies with the conditions of discharge consent;
 - e) Whether the size, location and shape of the Neighbourhood Centre will be:
 - i) Appropriate to an neighbourhood centre; and
 - ii) Compact, and
 - iii) Facilitate the establishment of pedestrian friendly development and
 - iv) Facilitate strip shopping rather than a mall retail activity; and
 - v) Be complementary to the development of the Hingaia Peninsula
 - f) Whether the size, location and shape of public open space will facilitate the provision of a high level of amenity suited to the land uses nearby;
 - g) Whether any subdivision pattern envisaged for the Concept Plan is consistent with the objectives and policies of the Mixed Use 1 Zone and will enable an appropriate mix of activities to take place including the transition between zones;

- h) Whether the relationship of buildings, public open space, roads and landscape elements provide for a high quality streetscape;
 - i) Whether adequate consideration has been given to the corridor which includes the motorway interface and high voltage electricity transmission lines and the separation of activities that may be sensitive to those existing uses in that corridor;
 - j) Whether the potential adverse effects of any staging of subdivision and/or development on amenity values will be satisfactorily avoided, remedied or mitigated;
 - k) Whether the proposed design principles for landscaping will achieve high standards of amenity values;
 - l) Whether the proposal will enable retail activity only to the extent that will be consistent with the objectives, policies and activity rules for retail activities;
 - m) Whether the design and external appearance principles for buildings are appropriate to the character and quality of the Hingaia Peninsula and will minimize the extent to which proposals might impact on the visual amenity values of properties within the zone and in adjoining zones
 - n) Whether the proposed layout and intensity and scale of activity for the Mixed Use 1 Zone can be adequately serviced.
8. Additional Criteria for applications for Restricted Discretionary Activity resource consents for a Comprehensive Development Plan:
- a) Whether the design theme and the principles for the design and external appearance of buildings and other structures and other means proposed will achieve a compact, pedestrian friendly, strip shopping (rather than mall) retail activity that is complementary to the development of the Hingaia Peninsula; ensure a high standard of amenity values for the Neighbourhood Centre; and avoidance of adverse effects on the visual amenity values of properties within the Neighbourhood Centre and in adjoining zones;
 - b) Whether the key elements of the Neighbourhood Centre will be well integrated, including whether areas of shared carparking will be clearly identified;
 - c) Whether the location of the main retail activity streets will facilitate the creation of convenient and safe pedestrian environments with high amenity values;
 - d) Whether the Comprehensive Development Plan is consistent with the layout, shape and form of the Neighbourhood Centre set out in the approved Concept Plan;
 - e) Whether the proposal is generally consistent with the objectives and policies for the Mixed Use 1 Zone, including limitations of location for retail uses, Appendix 17A Hingaia East Structure Plan, and whether the proposal will be able to accord with relevant design assessment criteria of Appendix 17B Subdivision Design Assessment Criteria and Appendix 17D Mixed Use 1 Zone Design Assessment Criteria;

- f) Whether the interrelationship of the Neighbourhood Centre with the balance of the Mixed Use 1 Zone will create a high standard of amenity values and avoid conflicts between activities;
- g) Whether the interrelationship between the key elements of the Neighbourhood Centre will ensure a high standard of amenity values;
- h) Whether suitable provision has been made for public bus transport facilities;
- i) Whether the location and layout of roads, on-street parking provision, cycleways and pedestrian linkages will facilitate safe and convenient movements;
- j) Whether the relationship of buildings, public open spaces, roads and landscape elements will facilitate the provision of a high standard of amenity values;
- k) Whether the provision for public toilets has been satisfactorily addressed in a manner that is integrated with the overall design and layout of the Neighbourhood Centre;
- l) Whether the means of providing shelter to pedestrians in the main retail activity streets will ensure that pedestrians are protected from rain, wind and sun and that the design of the shelters contributes to a high standard of amenity values;
- m) Whether the landscaping theme will ensure that potential adverse effects of development are avoided, remedied or mitigated and that a high standard of amenity values is achieved;
- n) Whether the lighting theme will create and enhance a high standard of amenity values;
- o) Whether the potential adverse effects of any staging of subdivision and development on amenity values will be satisfactorily avoided, remedied or mitigated;
- p) Whether the proposal will enable retail activity only to the extent that will be consistent with the objectives, policies and activity rules for retail activities;
- q) Whether the proposed layout and intensity and scale of activity for the Mixed Use 1 Zone can be adequately serviced.

17.2.4.3 Discretionary Activity Assessment Criteria

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

- a) Whether any adverse effects on the environment will be satisfactorily avoided, remedied or mitigated;
- b) Whether the development is consistent with the objectives and policies for the Hingaia Structure Plan Area, and the Mixed Use 1 Zone;
- c) Whether any retail development will compromise the sub-regional role of the Papakura CBA and result in significant adverse consequential effects on the social, economic and cultural well-being of the community;
- d) The extent to which any retail development outside the Retail Area will compromise the Neighbourhood Centre role of the Retail Area;

- e) Whether any building development is in accordance with the Mixed Use 1 Zone Design Assessment Criteria in Appendix 17D;
- f) Any other relevant matter under Section 104 of the Resource Management Act 1991.

17.2.5 RULES: PERFORMANCE STANDARDS

17.2.5.1 Maximum Height

The maximum height of buildings shall be 15 metres.

Explanation

The height restriction seeks to enable a form of development which is conducive to mixed use activities, which may typically involve ground floor retail uses, first floor office or commercial uses, and upper floor residential apartments. At the same time, the control seeks to avoid adverse effects in respect of shading and visual dominance.

17.2.5.2 Height in Relation to Boundary

The maximum height of buildings in relation to the boundary of the Residential 9 Zone and Rural Papakura Zone shall be 2m plus the horizontal distance from the boundary (i.e. 2m plus 45°).

Explanation

This control is intended to provide sunlight protection and a transition in scale between development in the Mixed Use 1 Zone and the adjoining residential and rural zoned areas.

17.2.5.3 Yards

Road Interface

Fences on the road boundary, or between the road boundary and the closest building on site, shall not exceed 1.2m in height and shall not be close boarded or of similar solid timber construction.

Explanation

This control pertains to the public face of the development - i.e. where it relates to the public street. The intention is to encourage the establishment of an appropriate relationship between the development and the streetscape, by discouraging high fences which can cut developments off visually from the street, and can also be targets for unsightly graffiti.

Rural Amenity Yard

The minimum distance between any buildings and the boundary of the Rural Papakura Zone shall be 10m.

Explanation

The Rural Amenity Yard maintains separation of buildings from the adjoining lifestyle block area of Karaka Park, and is intended to maintain a transition in built scale and density, and maintain the amenity enjoyed by the properties in the Rural Papakura Zone.

17.2.5.4 Maximum Impermeable Coverage

The maximum total impermeable coverage per site (buildings plus impermeable surfaces such as driveways) shall be 85% of the site area.

Explanation

This control is intended to provide some permeable area to enable onsite soakage of stormwater and landscaping.

17.2.5.5 Continuous Display Frontage

Visual display windows shall be constructed at ground floor level along at least 80% of the length and height of the ground floor level on at least two road and/or pedestrian-route frontages of any building, except:

- a) Where the building has only one road or pedestrian-route frontage, 80% of the length and height of that frontage at ground floor level shall be visual display windows constructed at ground floor level ; or
- b) Where the activity is a supermarket, 80% of the length and height of one frontage at ground floor level shall be visual display windows constructed at ground floor level visual; or
- c) Where otherwise approved in a Mixed Use 1 Zone Comprehensive Development Plan approved under 17.2.7.

Explanation

The purpose of this control is to ensure that ground floor uses are principally retail in nature or otherwise provide a lively frontage at street level. The intention is both to avoid blank walls and open yards adjacent to these key areas. Further explanation is provided under the relevant Design Element in Appendix 17D.

17.2.5.6 On Site Parking

Car parking shall be provided in accordance with Part 15 "Parking and loading of vehicles" except for residential units for which 2 spaces per unit shall be provided.

Explanation

It is recognised that until public transport is provided to the Peninsula most residents will continue to own vehicles, and so a parking requirement consistent with most other residential zones is stipulated.

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) A site is located particularly close to public transport.
- b) A dwelling is specifically associated with residents less likely to operate two vehicles (e.g. single bedroom units).
- c) Adequate visitor parking is provided.
- d) Alternative or shared parking is available during periods of peak demand (for example parking provided for other uses within a mixed use development which may be vacant at times when residential parking demand is greatest).

17.2.5.7 Noise

- (a) Any activity involving the use of land or buildings shall be conducted and the buildings shall be designed and located so as to ensure that the following noise levels in Tables A, B and C are not exceeded as a result of any activity involved in that use.

- (b) Table A

The noise level measured at or within the boundary of a site zoned Residential 9 or Rural Papakura shall not exceed the following:

AVERAGE MAXIMUM LEVEL			MAXIMUM
L ₁₀ dBA			L _{MAX} dBA
Monday to Saturday 7.00am - 6.00pm (0700 - 1800)	Monday to Saturday 6.00pm - 10.00pm (1800 - 2200)	At all other times	10.00pm - 7.00am (2200 - 0700)
	Sunday and Public Holidays 7.00am - 10.00pm (0700 - 2200)		
50	45	40	65

- (c) Table B

The noise level as measured at or within the boundary of any adjacent site in the Neighbourhood Centre as shown on an approved Concept Plan under Rule 17.2.6 in the Mixed Use 1 Zone shall not exceed the following limits:

AVERAGE MAXIMUM LEVEL	MAXIMUM
L ₁₀ dBA	L _{MAX} dBA
At all times	10.00pm - 7.00am (2200 - 0700)
60	90

d) Table C

Within the balance of the Mixed Use 1 Zone (excluding the Neighbourhood Centre as shown on an approved Concept Plan under Rule 17.2.6) the noise level as measured at or within the boundary of any adjacent site in the Mixed Use 1 Zone shall not exceed the following limits:

AVERAGE MAXIMUM LEVEL		MAXIMUM
L ₁₀ dBA		L _{MAX} dBA
Monday to Saturday 7.00am - 10.00pm (0700 - 2200)	At all other times	10.00pm - 7.00am (2200 - 0700)
60	55	90

(e) For mixed use development within the same building (residential activity and other activities) the following noise levels shall apply:

Monday to Sunday between the hours of 0700 to 2200
Leq 40 dBA

Monday to Sunday between the hours of 2200 – 0700
Leq 30dBA

(f) Residential Units in both the Neighbourhood Centre and the balance of the Mixed Use 1 zone are a restricted discretionary activity and an acoustic design certificate shall be provided by the applicant demonstrating that the accommodation has been designed in such a manner so as to comply with the following internal noise limits:

Table D

AVERAGE MAXIMUM LEVEL	
L ₁₀ dBA	
7.00am - 10.00pm (0700 - 2200)	10.00pm - 7.00am (2200 - 0700)
Habitable Rooms 45	Bedrooms 35
	Other Habitable Rooms 45

All windows and external doors in the receiving residential unit shall be taken as closed for the purposes of assessment. At the same time and under the same physical conditions as the internal noise levels in Table D will be achieved, all bedrooms and habitable rooms must be adequately ventilated in accordance with the requirements of the Building Code. Where mechanical ventilation is relied upon, the combined internal noise from the mechanical plant and the Mixed Use activities shall not exceed the noise criteria in Table D.

These noise standards do not apply to the construction or maintenance of buildings or the development of land.

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 respectively.

The noise shall be measured by a sound level meter complying with the International Standard IEC 651 (1979): Sound Level Meters, Type 1.

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

As well as providing noise protection on residential boundaries it is also appropriate that some acoustic control is provided between sites or buildings within the Mixed Use Zone. A mixture of activities is likely to be established within these zones and some activities require an appropriate level of acoustic privacy. The controls seek to ensure acoustic privacy for residential units by requiring appropriate standards of acoustic insulation.

17.2.5.8 Glare

- a) Any operation or activity shall be conducted so that direct or indirect illumination measures not more than 8 lux (lumens per square metre) on the boundary with the Residential 9 and Rural Papakura Zones.
- b) Glare shall be measured on an instrument meeting the requirements of NZ Standards Institute CP22 (1962) and amendments.
- c) Instruments or standards adopted by Council that supersede those stated in (ii) above will be used in place of the instruments/standards.
- d) All outdoor lighting shall be directed away from adjoining residential properties Zone in the Residential 9 and Rural Papakura Zones.

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.

17.2.5.9 Odour, Dust, Fumes and Smoke

1. Odour

Activities must not create offensive or objectionable odour able to be detected at or beyond the boundary of the site. In the event of an offensive or objectionable odour

occurring to such an extent that it has, or is likely to have an adverse effect on people, places or resources, such action shall be taken as may be necessary by the owner and or occupier to remedy the situation to the satisfaction of the Council.

2. Dust, Fumes and Smoke

Activities shall not create a dust, fume or smoke nuisance. A dust, fume or smoke nuisance will be deemed to have occurred if :

- a) There is visible evidence of suspended solids/particulate matter in the air beyond the site boundary: and/or
- b) There is visible evidence of deposited particulate matter traceable from a dust source, settling on the ground, building or structure on an adjoining site of waterbody.

Explanation

The reason for adopting dust, fume, smoke, and odour controls is to provide a practicable means of controlling situations which are not satisfactorily regulated by controls on air discharges.

In relation to odour the Council will be guided in its approach through use of the 'FIDO' factors included in the Ministry for the Environment guide "Odour Management under the Resource Management Act 1991".

Flexibility is needed so that various alternatives can be used to avoid or reduce the problem. The control adopted recognises both the subjective nature of the task and the need to provide for flexibility to take whatever action is needed to solve the problem.

17.2.5.10 Outdoor Storage

- a) Any outdoor storage or rubbish collection area visible from any adjacent zone or public road shall be screened from public view by fencing and/or soft landscaping (planting).
- b) Those parts of any site which are or may be visible from any public road or from any adjacent zone shall be maintained in a tidy condition.

Explanation

Suitable screening can reduce any unsightliness from rubbish or storage areas. It can also lessen the amount of noise, dust and litter issued from the site. Solid screening should be provided on the site close to the storage area. Erection of solid fencing on the road boundary is not an acceptable solution (and is contrary to Standard 17.7.6.2).

17.2.5.11 Signs

Unless stated otherwise, the term “sign” in this standard refers to both illuminated and non-illuminated signs.

In addition to those signs permitted in all zones (refer Part 14 of Section 3 of the Plan), further signs in the Mixed Use 1 Zone shall be permitted provided that they comply to the following performance standards.

1. Signs shall not be located within 50m of, and visible from, the boundary of the Rural Zone;
2. Illuminated signs shall not flash;
3. On each site with a total road frontage of greater than 50m there may be a maximum of one free-standing sign on each road frontage, with a maximum height of 9 metres and a maximum area of 15m², provided that there shall be no free-standing commercial signs within 100m of the centre line of the Southern Motorway.
4. Signs may be affixed to the façade of a building, provided that:
 - a) On any one façade the maximum area of signage located above a line 4m above the finished ground level shall be 15m² or 25% of the area of the façade above this line, whichever is the lesser, and there shall be a maximum of one sign located in whole or part above this line. More than one sign shall be permitted if the total area of signage does not exceed the maximum area allowed, and if the signs are placed together to appear as one.
 - b) On any one façade the maximum area of signage located below a line 4m above the finished ground level shall be 20m² or 50% of the area of the façade below this line, whichever is the lesser.
 - c) No sign shall be located on or above the roof of a building, or project above the parapet level or the highest part of the building to which it is attached.
 - d) Signs shall be affixed to and not project from the wall of a building except:
 - e) Where a veranda is provided non-illuminated signage no greater in area than 2m² per site may be displayed on one veranda fascia
 - f) Where signage projects from a wall or hangs from a veranda, such signage shall have a maximum area of 2m²

Explanation

This rule provides performance standards for signage, for signs in addition to those enabled by the rules of Part 14 for all zones.

Signs can provide a desirable townscape feature and contribute to the achievement of a vibrant mixed use area. While the Mixed Use 1 Zone will likely contain a range of business activities, the rules provide standards which are intended to recognise that a higher general amenity and a greater proportion of residents are likely to be found within the zone than in Commercial and Industrial zones.

Residential owners cannot expect the complete exclusion of signs from a view, but the standard recognises and provides for separation of signage from the existing lifestyle blocks of the Rural Papakura Zone. To protect residents, both outside and inside the Zone, from possible disturbance, illuminated signs are not permitted to flash.

The area of buildings below the 4m line is very visible to people at street level. Rules for signage in this area are permissive, and recognise also the likely ground floor commercial/retail uses that are anticipated for the Zone.

Above the 4m line and in particular where they project above the architectural tops of buildings, signs can have a wider impact on general amenity, and so standards are more restrictive.

Free standing signs are not permitted within 100m of the centre line of the Southern Motorway in recognition of the importance of the “first impression” of Hingaia that development in this area will create (refer also to the relevant Design Element in Appendix 17E for further explanation).

The quality of the design and the possible number and nature of viewers will be considered where any infringement is sought. Council is concerned in particular to ensure that the appearance of the Zone as viewed from the Southern Motorway, Hingaia Road and Pararekau Road is not adversely affected by unattractive or excessive commercial signage. This is both in the interests of the experience of users of these roads, and of any existing and future residents of residential and rural zoned properties nearby. Council will generally require consultation with Transit New Zealand for any proposals for signage requiring a resource consent where the proposed sign will be visible from the Southern Motorway.

17.2.5.12 Access from Hingaia Road

No new activity shall take direct vehicular access from Hingaia Road, (note that this does not affect existing uses).

Explanation

In order to safeguard the primarily arterial function of Hingaia Road, new activities are not permitted to take direct vehicular access from it. Instead, it is anticipated that access will be gained from secondary roads, slip roads or access lots.

17.2.5.13 Mixed Use 1 Zone Concept Plan

- a) Activities shall comply with the provisions and conditions of resource consent of an approved Mixed Use 1 Zone Concept Plan under rule 17.2.6.
- b) In the event that a Concept Plan has not been approved by the Council at the time of any other application for resource consent for land use or subdivision within the Mixed Use 1 Zone, the activity shall be assessed as a Non Complying activity.

17.2.5.14 Comprehensive Development Plan

- a) Activities within the Neighbourhood Centre shall comply with the provisions and conditions of resource consent of an approved Comprehensive Development Plan under Rule 17.2.7.
- b) In the event that a Comprehensive Development Plan has not been approved by the Council at the time of any other application for resource consent for land use or subdivision within the Mixed Use 1 Zone, the activity shall be assessed as a Non Complying activity.

Explanation

Rule 17.2.6 requires the applicant to prepare a Mixed Use 1 Zone Concept Plan for the Council's approval before the first resource consent for subdivision and/or development can be approved by the Council within the Mixed Use 1 Zone. The effect of 17.2.5.13 is that non compliance with the Mixed Use 1 Zone Concept Plan, or activities wishing to develop prior to the Council's approval of a Mixed Use 1 Zone Concept Plan, shall be non complying activities.

Rule 17.2.7 requires the applicant to prepare a Comprehensive Development Plan for the Council's approval, before the first resource consent for subdivision and/or development can be approved by the Council within the Neighbourhood Centre. This requirement is additional to the need for a Concept Plan for the whole of the Mixed Use 1 Zone. The effect of Rule 17.2.5.14 is that non compliance with the Comprehensive Development Plan or activities wishing to develop prior to the Council's approval of a Comprehensive Development Plan, shall be non complying activities

17.2.5.15 Specific Additional Information Requirement

In addition to the general requirements for information to accompany applications for resource consent (refer Part 9.5 of Section One of the District Plan), the following specific information requirements shall apply within the Mixed Use 1 Zone:

- i) Evidence in plan and text form of consistency with an approved Concept Plan; and
- ii) For any use or development within any part of the Neighbourhood Centre, evidence in plan and text form of consistency with an approved Comprehensive Development Plan.

17.2.5.16 Residential Development – Private Outdoor Space

1. All housing development within the Mixed Use 1 Zone shall provide an exclusive private outdoor space for each dwelling that:
 - a) Provides either:
 - i) A balcony or roof deck with minimum area of 8 square metres, with a minimum width of 1.5 metres; or
 - ii) A continuous area of land at ground level that has a minimum area of 36 square metres, with a minimum dimension of 6 metres and which has a maximum slope of 1:10 and which is delineated in such a way as to establish clearly that such space is set aside for the exclusive use of the occupants of that dwelling; and

- b) Shall be unobstructed by buildings, vehicle access and egress and vehicle parking areas except that;
 - i) Open decks, open steps and ramps with a floor area less than 10m² are permitted within the private outdoor space; and
 - ii) Any part of a building which is 2m or more above the private outdoor space, may project up to 1.5m over the private outdoor space area; and
 - c) Shall be directly accessible from the main living area, dining room or family room by a glazed doorway; and
 - d) Shall be located on a side of the dwelling within 135° of north; and
 - e) Shall have a minimum distance between a balcony and any side or rear boundary of 6m; and
 - f) Shall have an overhang over each balcony of at least 1m, consisting of a roof or similar fixture or the balcony above.
 - g) Shall have privacy screens where the private outdoor space balcony is within 5m of an adjacent private outdoor space balcony.
2. All houses with any part of the house above ground-floor level shall be provided with glazing in the main living area, dining room or family room which shall have an outlook area of open space, unimpeded by buildings and immediately adjacent to that glazing. Any outlook area must have a minimum dimension of 10 metres, measured at right angles to the wall of the building within which the glazing is located. The outlook area may comprise the following components:
- a) An area of on-site space which must be kept free of structures.
 - b) Areas of road reserve.

17.2.5.17 Protection of Neighbours Private Outdoor Space

Direct views from habitable rooms into the principal areas of existing adjacent private open space should be screened or obscured within a 9m radius and 45 degrees of the wall containing the window.

Explanation and Reasons

Housing development in the Mixed Use 1 Zone is intended to be high density, and will enable a life-style not as dependent on the provision of large areas of private open space, as in the residential zones. The private outdoor space performance standard requires that either a balcony or a ground-level area is provided, located to the north of east or west, and accessible from living areas of the house. Where the private outdoor space is provided by way of a balcony, additional requirements apply to ensure privacy between neighbouring balconies. An outlook area is also required to ensure that the views from the main living areas of each house are not obstructed by buildings.

The effect of Rule 17.2.5.16.1(d) is illustrated in Diagram 1

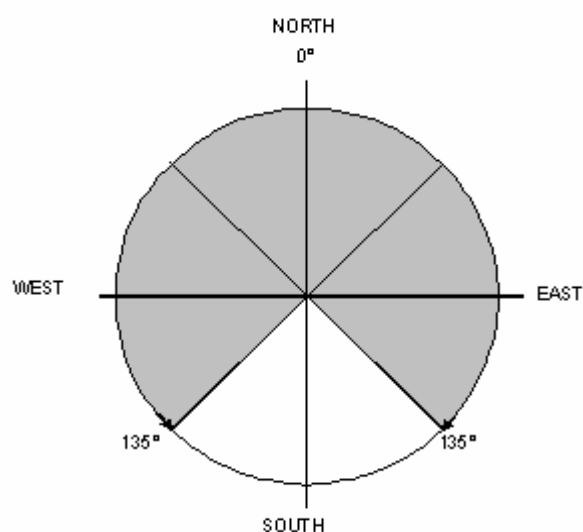


Diagram 1: Private Outdoor Space Orientation

17.2.6 Mixed Use 1 Zone Concept Plan

1. Prior to the approval of any land use or subdivision resource consent for any subdivision or development within the Mixed Use 1 Zone, a Mixed Use 1 Zone Concept Plan for the entire Mixed Use 1 Zone and a Neighbourhood Centre shall be submitted and approved by the Council as a Restricted Discretionary activity.
2. Once approved, the Concept Plan shall provide the basis for subsequent subdivision and/or development, which shall be required to be consistent with the approved Concept Plan.

17.2.7 Comprehensive Development Plan

1. Prior to the approval of any land use or subdivision resource consent for any subdivision or development within the Neighbourhood Centre, a Comprehensive Development Plan for the entire Neighbourhood Centre shall be submitted and approved by the Council as a Restricted Discretionary activity resource consent.
2. Once approved, the Comprehensive Plan shall provide the basis for subsequent subdivision and/or development, which shall be required to be consistent with the approved Comprehensive Development Plan and any conditions of resource consent.

17.2.8 OTHER RELEVANT RULES

In addition to the relevant rules specified in Part 17 of Section Three and Part 5B of Section One, 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 10 Development Impact Fees
- Part 11 Network Utilities. Transport and Roading
- Part 13 Landscape Design
- Part 14 Signs
- Part 15 Parking and Loading of vehicles unless provided for otherwise in Part 17.

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