



12.8.19

12.8.19.1

SPECIAL 19 (SILVERDALE NORTH) ZONE

Area Description

This Zone applies to the majority of the Silverdale North area bounded by State Highway 1A to the west, the Orewa Estuary to the north, Jelas Road to the east and the Hibiscus Coast Highway (State Highway 1) to the south. The area does not include the existing Silverdale Town Centre on Silverdale Street, the Totara Views area and the Commercial area immediately to the west of the Silverdale Town Centre or the area located on the northern side of the corner of Wainui Road and Hibiscus Coast Highway.

The Zone which incorporates a Live, Work, Play and Learn environment, includes a number of policy areas with specific Objectives, Policies and Rules for the various parts of the Silverdale North area.

The provisions enable increased economic activity to occur within the area, and the application of sustainable design principles to all development to achieve community and environmental outcomes. A key principle is to foster ecologically responsive urban design including identifying key natural features and ensuring their protection to create variety and uniqueness in this urban area.

Silverdale North is a beautiful area with spectacular views over the Orewa Estuary and coast from prominent ridges within the area. This zone and the policy areas within it work to retain these key aspects within the intended urban context, providing a uniquely 'Silverdale' environment.

An Outline Plan for the Special 19 (Silverdale North) Zone (refer to Appendix 8 of the Planning Maps) has been compiled to ensure that the development of Silverdale North will be carried out in an "integrated" way. The outline plan delineates the various Policy Areas devoted to particular purposes within the zone.

The majority of the roads and other infrastructure including water, waste water and stormwater services were not yet constructed in the area at the time this zone came into being in 2005. The provision of this infrastructure is expected to require staging of the development and will determine the sequence of development.

The roading pattern, hierarchy and layout are crucial to achieving the intended outcomes for the area. Therefore a number of roads have been shown as indicative roads on the planning maps. There are also specific designs for parts of the roading network. It is intended that the finished cross sections of roads including widths, landscaping, pedestrian and cycle ways etc. and their relationship with site layout, buildings and orientation will contribute to the high level of amenity and character of each area.

The Silverdale North area includes an existing school, and an additional three schools (one state, two private) have been attracted to the 490 hectare area. To meet the need for increasing economic activity and to provide local employment, the area includes a Knowledge Economy Business Park, which will provide a high quality business park environment and a variety of retail/commercial areas. The presence of the schools, in conjunction with the



Knowledge Economy Business Park, has provided an opportunity to incorporate a 'Live, Work, Play and Learn' environment, potentially reducing car reliance and providing an opportunity to create a community of interest and diversity for a range of people.

The area includes a range of residential densities in a flexible arrangement, guided by clear and strong assessment criteria and an extension of the adjoining existing Silverdale Village. The local community needs will also be met by the local neighbourhood commercial centre for day to day needs, and the inclusion of local shops and two extensive park areas. The park areas will cater for both active and passive recreation. It is considered that this mix of activities meets the principles for the area (established through the Silverdale North Structure Plan adopted in May 2004), taking into account the areas development constraints and working with the unique opportunities that the area offers.

12.8.19.2

Approach to the Area's Development

The Silverdale North Zone includes in the following Policy Areas -

- Garden Residential Policy Area
- Knowledge Economy Business Park Policy Area
- Knowledge Economy Mixed Use Centre Policy Area
- Local Shops Policy Area
- Neighbourhood Shops Policy Area
- Silverdale North Mixed Commercial Policy Area.

The Zone includes Rules for the development of the Silverdale North area, and where appropriate, cross references the Policy Areas within the Silverdale North Zone to other chapters of the Plan.

In the Zone all development is required to be consistent with the Outline Plan for the Zone. Some areas within the boundaries of the Silverdale North Outline Plan area have been shown in the outline plan but are not zoned Silverdale North Special 19 Zone. These areas have been zoned under the general provisions of the District Plan.

12.8.19.3

Area Issues

The following issues apply to all areas within the Silverdale North Outline Plan in Appendix 8 of the Planning Maps.

Issue 12.8.19.3.1

The Silverdale North area contains a variety of topographical and other landscape constraints and features which are likely to impact on the form of future urban development within the area. If not guided appropriately development could undermine the contribution that the unique natural features and distinctive natural character make in enhancing the future urban amenity of the area.

Silverdale North is the largest area of undeveloped land available for urban uses within the Hibiscus Coast area.



Issue
12.8.19.3.2

The area is bounded to the northeast by the Orewa Estuary making its connection to the water very important given the ecological value of the estuary.

The existing contours are complex and involve dominant ridge lines and rolling hills with natural gullies and watercourses which form creases in the landform. A dominant ridge line separates the area into two parts. These areas are the southern/western portion with rural facing views and good accessibility to the motorway and a northern/ eastern portion where sea views and aspect lend themselves to residential development.

There are some areas within Silverdale North with soils with severe limitations for development and a number of archaeological and heritage sites have also been identified.

The area contains a number of major stands of trees.

The Outline Plan for Silverdale North is contained in Appendix 8. This outline plan is designed to guide subdivision and development of land in Silverdale North.

The Orewa Estuary and the Weiti River catchments are potentially vulnerable receiving environments which may be adversely effected by stormwater runoff during and post development.

The conversion of rural land to urban activities has the potential to generate adverse effects on receiving environments such as the Orewa Estuary and the Weiti River.

The Silverdale North area discharges into two catchments. The majority of the area discharges into the Orewa Estuary. The area south of the Wainui Rd ridge discharges into the Weiti Estuary.

Catchment Management Plans for both these areas have been lodged with the Auckland Regional Council.

Issue
12.8.19.3.3

Poor urban design, including inappropriate scale of the built form, and architectural design that does not respond appropriately to the natural environment and other built forms will adversely affect the future amenity values experienced both within Silverdale North and beyond.

Good urban design can achieve higher levels of urban amenity than that traditionally found in many suburban areas. Part of this issue is a consideration of the measures taken within the Plan to achieve good urban design. To this end the Council is committed to devote more resources to ensuring it is able to respond adequately to development proposals.

Issue
12.8.19.3.4

Public perception of safety and actual safety (personal and otherwise) is affected by subdivision design, the design of buildings, public places (such as road/footpath corridors, shopping areas and parks) and the interfaces between them.

The design of public places can have significant effects on the safety and perceived safety of those areas. The District Plan is able to assist in improving levels of safety in urban areas.



Issue
12.8.19.3.5

Improved levels of safety will assist in making the Silverdale North area a more vibrant urban environment and a more pleasant place to live in and to visit.

Coherence and cohesion of neighbourhood communities can be encouraged by physically defining neighbourhoods and providing ready access to public open space and community facilities.

It is important that within the urban structure of Silverdale North there are easily identifiable neighbourhoods, each with their own natural boundaries and distinct character, and which are well connected by green walkways to the public open space network.

Issue
12.8.19.3.6

The sameness of building types and the segregation of land uses can lead to a lack of diversity and vibrancy in the urban environment.

Recent developments in many parts of the Region are characterised by a lack of diversity of building types and land uses that are often segregated one from another. If not managed carefully this can lead to sameness in the urban environment especially when an area is developed relatively quickly with a currently fashionable building style.

In Silverdale North the Council wishes to encourage a variety of section sizes, and building types and styles (particularly on higher density sites), so that urban neighbourhoods can be more diverse.

The traditional segregation of land uses (especially the segregation of living and working activities) can affect the vibrancy of urban areas and is contrary to trends towards working from home and other arrangements where work and living activities are more closely integrated.

Issue
12.8.19.3.7

To ensure that sufficient urban parks and other areas of open space (including riparian buffer strips) are made available within Silverdale North area to contribute to the physical health and social and cultural wellbeing of new communities being housed there.

Parks and areas of open space play an important role in offsetting some of the adverse effects of development.

Open space can provide a buffer between development and sensitive natural environments including streams and the coast.

Open space can also provide visual amenity and places for recreation. These are especially important where more intensive urban development occurs and a green space within developments and sites is reduced.

The location of large areas of open space within Silverdale North has significance for the wider Hibiscus Coast area and the entire Rodney District.

Issue
12.8.19.3.8

Potential public access to and along the estuary and rivers, and the conservation values of these areas may be enhanced by subdivision and activities that address the natural river banks and coastline and provide safe and pleasant public access to these areas.

Public open space can become less used and possibly unsafe if development and subdivision turns it back on the open space rather than facing onto the



Issue
12.8.19.3.9

open space and providing good public access to the open space.

Development that addresses the street and creates a safe, pleasant environment for pedestrians and cyclists can encourage alternative mobility choices such as walking and cycling.

The use of streets by pedestrians and cyclists is often affected by the perceived safety of the street. Through development addressing the street (ie buildings facing onto the street) the safety of the street can be improved by providing surveillance of the street by people in houses and businesses.

Improved street safety will offer additional opportunities for more people to use the street and support walking and cycling by residents and visitors to Silverdale North.

Issue
12.8.19.3.10

Roading corridors (including the road carriageway, reserve area and footpaths), that are not appropriate to their immediate environment; are not attractive or are unsafe can adversely effect the amenity values of neighbourhoods and use of streets by pedestrians and cyclists.

The amenity of neighbourhoods is contributed to, not only by development on sites within the neighbourhood but by the nature of the street. The nature of the street is determined by various aspects such as its width, landscaping, the amount of open space, the material used on the carriageway and footpaths.

It is therefore desirable for the District Plan provisions to pay attention to the physical environment of the street as well as the environment of sites to ensure high levels of amenity within neighbourhoods.

Issue
12.8.19.3.11

Access to and convenience of public transport can be affected by the layout of neighbourhood and streets.

The layout of streets and other parts of the pedestrian movement network can make it difficult or easy for pedestrians to reach a passenger transport route. The time taken for pedestrians to get to passenger transport routes is a key component in improving the efficiency and effectiveness of passenger transport.

In a similar way having direct passenger transport routes within an urban area contributes to the effectiveness of passenger transport operations.

Issue
12.8.19.3.12

The Rodney District Council has obligations to provide for additional urban development in terms of the Auckland Regional Growth Strategy and the Northern Sector Agreement.

Under the Auckland Regional Growth Strategy and Northern Sector Agreement the Rodney District Council has agreed to zone land within the District to assist in accommodating population growth.

Issue
12.8.19.3.13

The role of commercial areas as dominant community focal points can be adversely affected by the dispersed location of retail activities in other non-retail business areas resulting in:

- (a) a loss of important amenity values in the centres;
- (b) reduced or less convenient services to the area's communities;
- (c) transportation inefficiencies;



(d) the loss of vitality and economic potential of commercial areas.

Communities place a high value on the functions and community focal points provided by commercial areas. Significant emphasis is given to the need for the District Plan to recognise that such areas could be adversely affected by new retail oriented business development occurring outside such centres.

Some businesses which draw large numbers of customers, particularly retailing, and which therefore tend to support town centres, may seek to establish in other business areas notwithstanding (or perhaps because of) the lower environmental standards and expectations in such areas. This could result in the creation of additional retail areas with adverse effects on established commercial centres, such as:

- (a) eroding the functions and amenity values of the centres, particularly the pedestrian retail cores;
- (b) undermining the ability of centres to provide convenient and efficient services for residents and visitors by limiting the range of services provided in the town centres;
- (c) requiring people to make additional vehicle trips to carry out all their activities.

Issue
12.8.19.3.14

The urban development of Silverdale North will generate adverse effects on the surrounding primary road network unless improvements are made to important aspects of that network.

12.8.19.3.15

Garden Residential Issues

The following issues apply to the Garden Residential Policy Area.

Issue
12.8.19.3.16

Recent residential development has been characterized by larger houses being built on smaller sites. This has led to there being decreased space around houses and greater dominance of the landscape by buildings.

Over recent years the size of residential sections has decreased from the traditional 600m² to 800m² down towards 500m² for single houses and even smaller sites for multi-unit and apartment style housing. At the same time the average size of houses being built has increased from around 170m² in 1995 to 195m² in 2004. This has meant that houses either cover more land on sites or more multi-storey houses are being constructed.

Both these trends have led to a tendency for greater dominance of house buildings in the residential landscape with less room for trees and lawns.

Issue
12.8.19.3.17

Residential areas that are not adequately served by shops and other facilities, and do not contain a range of small scale business activities often lack vitality and convenience.

In newly developed residential areas there is often a lack of shops and other facilities as these sometimes take time to become viable and be established by the private sector. Where such facilities are established in close proximity to or part of residential neighbourhoods they act as neighbourhood centres and can contribute to the quality of living in new neighbourhoods.



Issue
12.8.19.3.18

Residential development that is characterised by similar building styles and designs can result in a bland and uninteresting residential environment that lacks amenity.

Building styles in residential areas can be influenced by trends and fashions. Where urban development is rapid and development of an area occurs over a short period this may lead to houses in that area all being similar to one another.

This “sameness” of building style can lead to monotony in the residential landscape, effectively reducing amenity values.

Issue
12.8.19.3.19

Buildings and activities in residential areas can have significant effects on amenity values and the quality of life experienced by residents and visitors.

Buildings in residential areas can have a range of adverse effects on the amenity values of residents ranging from shading of living areas of neighbours to visual effects on the streetscape and the potential for informal surveillance of the street. These issues fall within the general heading of “Urban Design”.

In addition activities that take place within residential areas can have adverse effects on residents. For example certain businesses operating within a residential area can create noise or odours that create a nuisance to others.

Issue
12.8.19.3.20

Parts of the Garden Residential Policy Area contain soils that are unstable and are not suitable for residential development at standard residential densities.

Parts of the Garden Residential Policy Area contain soils that are not suitable for development at standard residential densities without modification. It will be necessary to ensure that only low intensity development occurs on this land unless soils are modified to be more suitable for standard residential densities.

12.8.19.3.21

Silverdale North Commercial Issues

The following issues apply to the

- Local Shops Policy Area
- Neighbourhood Shops Policy Area
- Silverdale North Mixed Commercial Policy Area.

Issue
12.8.19.3.22

The high levels of visual appeal and amenity values of commercial areas may be adversely affected by some forms of development within the centres.

The community places considerable importance on the amenity values possessed by commercial and retail areas. These values can be eroded by the introduction of activities not in keeping with a pedestrian focused human scale environment. Such activities are those which:



- (a) result in the excessive interruption of footpaths and overhead verandahs by streets, vehicle crossings and parking areas;
- (b) have large expanses of bare walls or interrupt the retail frontage; or
- (c) have large expanses of parking or loading facilities at street level between the building and the street.

The potential for tall buildings to overshadow existing public spaces, create uncomfortable "wind environments" at street level, or to detract from existing levels of "privacy" on adjoining properties are also matters which can adversely affect established amenity values.

Buildings have the potential to detract from the visual appeal and amenity values of a commercial centre (particularly "visual amenity values" and "character") unless adequate attention is paid to detailed design. For example, lack of facade articulation (relief and variation provided by windows, changes in materials, balconies etc.) can result in buildings which exaggerate the actual size of the building relative to other surrounding buildings. The exterior cladding, eg. highly reflective materials, can detract from the level of visual amenity experienced within a retail area by hiding the underlying form of the building and elements which give it a human scale. The design of the roof line and rooftop facilities such as plant rooms can also create a cluttered appearance and detract from the visual appeal of a building.

The amenity values and environmental quality of residential and open space areas may be adversely affected by business activities, through visual impact, noise, dust, odours, glare, overshadowing, encroachments on privacy and traffic.

The interface between commercial and residential activities is the point where the effects of commercial activities are often most keenly felt. In particular, business activities can affect the amenity values of residential areas which have a greater intensity of activities being undertaken. Many of the commercial areas in the Silverdale North area adjoin or are adjacent to residential areas.

Tall buildings located within commercial areas have the potential to generate shadows and restrict the access of daylight to adjacent residential areas and areas of public open space. This can significantly detract from the amenity values of the residential or open space land affected.

Tall buildings located in close proximity to residential areas can also reduce the level of privacy currently enjoyed within these areas. Occupants of tall buildings may be able to obtain previously unavailable views into the private open space of the adjoining residential properties or land uses.

An issue which has arisen in some parts of the District is that of noise, particularly loud music from bars and restaurants. Loud noise can affect people's health, especially if it results in sleep deprivation. Noise, vandalism and anti-social behaviour from people congregating outside premises on closing has also been an issue. These actions impact on the amenity values of the adjacent residential and business area.

Traffic effects can include congestion, parking problems and reduced pedestrian safety. Where business activities are adjacent to open space areas

Issue
12.8.19.3.23



Issue

12.8.19.3.24

(reserves) the issue of maintaining the amenity value of the open space also arises.

Amenity values within commercial areas may be adversely affected by inappropriate urban design and activities that generate noise, dust, odours and traffic.

The maintenance and enhancement of the amenity values is important to the community and to the businesses themselves. Commercial areas should also maintain amenity values, including urban form and in particular the character of the streetscape, the appearance of the site from public areas and the relationship between the buildings and to areas of open space.

Issues relating to amenity values have been identified as weaknesses in some business areas in the District, particularly those relating to parking, access, and the amenity values and quality of public space in the centres. Business activities themselves, such as those which generate high levels of noise, dust or odour, may adversely affect other businesses in an area, for example retail activities. The Council considers that commercial areas in Silverdale North should have a higher level of amenity.

The movement of people and vehicles is also an issue which can impact on the safety and amenity values of business areas which are not pedestrian oriented. Poorly designed parking areas, and entry and exits are an example. Similarly traffic congestion on adjoining roads can impact on safety and amenity values, by making it difficult to get to the business activities.

12.8.19.3.25

Knowledge Economy Business Park and Mixed Use Policy Areas - Issues

The following issues apply to the Knowledge Economy Business Park and Mixed Use Policy Areas.

Issue

12.8.19.3.26

Large numbers of the District's residents commute to employment outside of the District. The opportunity exists in Silverdale North to create a Business Park that would provide employment of a different nature to that presently available in the business areas of the Hibiscus Coast.

While the District Plan cannot ensure that businesses based on the knowledge economy establish within a Business Park, the Plan can create a framework that would enable the development of a pleasant work and business environment with good transport links that is attractive for such knowledge-based businesses.

Issue

12.8.19.3.27

Development of business land in Silverdale North can adversely affect the high quality of environment sought to be achieved throughout the Special 19 Zone.

If the development of a business park is to occur in Silverdale North, it may be necessary to ensure that the standard of development and layout is consistent with that achieved within the remainder of the Special 19 Zone. In addition, the area chosen for the business park provides an important visual frontage to the Structure Plan area to State Highway 1A (the motorway) and is a visual part of the Gateway to the Hibiscus Coast at the southeastern end. This requires special treatment of both buildings and landscaping to ensure that



Issue
12.8.19.3.28

development of the business park enhances the visual impression of the Silverdale North Special 19 Zone.

Development needs to take account of the natural landforms and features.

The Weiti River cuts the KEBP area into two. The extension of the reserve areas along the river mean each part of the KEBP will need to be developed separately. Given the width of the reserve proposed there is no need for integration of development between the two parts.

The KEBP contains few natural features but those that do exist, such as the Weiti River and the watercourse in the northwest area, can be enhanced and integrated into the future development.

Issue
12.8.19.3.29

Ensuring a good final product within each of the northern and southern parts of the KEBP requires a comprehensive approach to development, notwithstanding differences in land ownership.

The Knowledge Economy Business Park Policy Area is divided into two by the Weiti River and a large proposed reserve area along the river. This separation means that each part will develop separate from the other.

Each part of the Policy Area is in more than one title, and the northern part is in multiple ownership. Notwithstanding differences in ownership, the desire of the Council is to see an integrated development within each part. To achieve this the Council will require that Development Concept Plans be approved on a land-ownership basis, and that such Plans integrate to the extent possible into those of adjoining landowners.

Issue
12.8.19.3.30

To allow retail activities to take up land in the KEBP or the KEMUC would both diminish the available land for non-retail business activities and potentially reduce the viability of other identified retail centres within the Special 19 Zone and elsewhere in the District.

The comprehensive approach taken in the Silverdale North Special 19 Zone has been to ensure that an appropriate mix of retail, other business and residential land is provided. The land these Policy Areas represent is needed to provide employment within the District. To allow this land to be used for retail purposes would reduce the potential for other business activities to establish. At the same time, it would undermine the zoning of the Silverdale North Commercial Policy Areas by redirecting retail business away from those areas.

Issue
12.8.19.3.31

The development of an identifiable core area within the Business Park provides an opportunity to cluster together small businesses and residential accommodation that would complement and service the wider needs of the Business Park activities.

In any business area there is a need for space for service businesses such as banks, lunchbars and the like to establish so as to service the businesses and those working in the businesses. The Council's desire for the Knowledge Economy Business Park is that it will contain a range of activities that will be people-intensive. In keeping with the Knowledge Economy focus, this may include activities such as research centres and education institutions.



The KEMUC Policy Area is provided as a location where the more service-oriented activities can locate. This could include banks, restaurants, child care facilities and residential apartments above ground floor level.

Issues from the following chapters are also relevant:

- Chapter 5 – Natural Hazards*
- Chapter 6 – Highly Valued Natural Resources*
- Chapter 10 – Open Space and Recreation*
- Chapter 13 – Future Development and Structure Plans*
- Chapter 14 – Scheduled Activities*
- Chapter 17 – Cultural Heritage*
- Chapter 18 – Urban Land Modification and Vegetation Removal*
- Chapter 19 – Utilities*
- Chapter 20 – Hazardous Substances and Contaminated Sites*
- Chapter 21 – Transportation and Access*
- Chapter 22 – Financial Contributions*
- Chapter 23 – Subdivision and Servicing*



12.8.19.4

Objective
12.8.19.4.1

Special 19 Zone Objectives

The following objectives apply to all areas within the Silverdale North Outline Plan in Appendix 8 to the Planning Maps.

To enable urban development that will create an outstanding environment in which people can live, work, play and learn in accordance with the Outline Plan in Appendix 8 of the Planning Maps.

(This objective relates to Issues 12.8.19.3.1 to 12.8.19.3.13)

Objective
12.8.19.4.2

To protect the key natural features and distinctive character of the area from inappropriate subdivision and development.

The key natural features and distinctive character of the area include:

- Rolling topography
- Streams and gullies
- Significant stands of trees
- Estuarine environment
- Significant views from public places.

(This objective relates to Issue 12.8.19.3.1, 12.8.9.3.2, and 12.8.19.3.8)

Objective
12.8.19.4.3

To avoid the adverse effects of stormwater runoff during and post development on the Orewa Estuary and the Weiti River catchments and their contributing streams.

(This objective relates to Issue 12.8.19.3.2)

Objective
12.8.19.4.4

To promote urban development that is in keeping with accepted urban design principles including:

- Clearly defined public and private space
- Creating attractive and safe streets which encourage walking and cycling
- Buildings fronting public open space
- High quality stormwater design
- Mixed use (mixing living and business where appropriate)
- Active street frontages
- Private Open Space
- Neighbourhood definition
- Reducing visual impact of garages
- Breaking up building mass
- High quality landscape planting.

(This objective relates to Issue 12.8.19.3.3)

Objective
12.8.19.4.5

To promote attractive natural and built landscapes in Silverdale North.

(This objective relates to Issue 12.8.19.3.3)



Objective
12.8.19.4.6

To enhance public and personal safety in public places (including civic areas, parks and streets) through design of buildings and spaces that reduce opportunities for crime to occur.

(This objective relates to Issue 12.8.19.3.4)

Objective
12.8.19.4.7

To maintain and enhance public access to and along the Orewa Estuary and rivers and public access between each neighbourhood and to commercial and business areas.

(This objective relates to Issue 12.8.19.3.5)

Objective
12.8.19.4.8

To create definable, identifiable communities and neighbourhoods in both business and residential areas, through unique developments based on the key natural features of each area of Silverdale North.

(This objective relates to Issue 12.8.19.3.5)

Objective
12.8.19.4.9

To ensure that development in the Silverdale North Area creates a diversity of building types and land uses within each residential and business 'neighbourhood'.

(This objective relates to Issue 12.8.19.3.6)

Objective
12.8.19.4.10

To provide adequate and appropriate land for public open space and ensure that these areas are treated as integrated features in any development.

(This objective relates to Issue 12.8.19.3.7)

Objective
12.8.19.4.11

To encourage alternative transport modes to car use.

(This objective relates to Issues 12.8.19.3.8 and 12.8.19.3.9)

Objective
12.8.19.4.12

To achieve a high level of amenity within legal roads, public reserves and individual sites.

(This objective relates to Issue 12.8.19.3.9)

Objective
12.8.19.4.13

To ensure that the design of roading corridors provides for a range of travel modes.

(This objective relates to Issue 12.8.19.3.10)

Objective
12.8.19.4.14

To encourage through neighbourhood and street layout and design alternative transport modes including passenger transport, cycling and walking.

(This objective relates to Issue 12.8.19.3.11)

Objective
12.8.19.4.15

To ensure the creation of safe connections for pedestrians and cyclists and other transport users.

(This objective relates to Issue 12.8.19.3.9)



Objective
12.8.19.4.16

To zone land for business purposes and encourage business growth which is sustainable.

(This objective relates to Issues 12.8.19.3.1 and 12.8.19.3.12)

Objective
12.8.19.4.17

To identify and protect defined views from public places to the Orewa River and the Hauraki Gulf.

(This objective relates to Issue 12.8.19.3.1)

Objective
12.8.19.4.18

To enable a range of activities appropriate to support the needs of residents of the Silverdale North area and complementary to the range of activities available in the Hibiscus Coast area generally.

(This objective relates to Issue 12.8.19.3.13)

Objective
12.8.19.4.19

The creation of an attractive and visually pleasing urban area appropriate as the gateway to the Hibiscus Coast.

(This objective relates to Issue 12.8.19.3.1)

Objective
12.8.19.4.20

The integration of roading, cycle and pedestrian networks between residential and business areas in a manner that minimises the adverse effects of traffic on residential areas.

(This objective relates to Issue 12.8.19.3.13)

Objective
12.8.19.4.21

To restrict urban development in Silverdale North ahead of the necessary improvements being made to the primary roading network and connections to this network.

(This objective relates to Issue 12.8.19.3.14)

Objective
12.8.19.4.22

To ensure that development in advance of infrastructure does not create significant adverse effects on the primary road network and connections to that network.

(This objective relates to Issue 12.8.19.3.14)

12.8.19.4.23

Garden Residential Objectives

These objectives apply in the Garden Residential Policy Area as shown on the Silverdale North Outline Plan in Appendix 8 of the Planning Maps.

Objective
12.8.19.4.24

To provide a living environment which is landscaped and spacious and which has high amenity, environment and social value.

(This objective relates to Issues 12.8.19.3.16 and 12.8.19.3.19)

Objective
12.8.19.4.25

To provide for a variety of housing types, densities and site sizes in the Silverdale North area, in a manner which will retain the area's landscaped and spacious feel and quality.

(This objective relates to Issue 12.8.19.3.18)



Objective
12.8.19.4.26

To achieve a high level of urban amenity.

(This objective relates to Issue 12.8.19.3.19)

Objective
12.8.19.4.27

To create a residential environment that enables convenient access to shops, parks, schools and community activities.

(This objective relates to Issue 12.8.19.3.17)

Objective
12.8.19.4.28

To provide opportunities for small scale businesses with minimal adverse effects on the environment to establish in residential areas in order to achieve a vibrant and diverse community. This will reduce the need for commuting and provide flexibility for working environments.

(This objective relates to Issue 12.8.19.3.17)

Objective
12.8.19.4.29

To avoid, remedy or mitigate the adverse effects of residential development and residential activities on the natural environment, including landform, water courses, significant vegetation and the sea.

(This objective relates to Issue 12.8.19.3.20 and 12.8.19.3.1)

12.8.19.4.30

Silverdale North Commercial Objectives

These six objectives apply in

- Local Shops Policy Area
- Neighbourhood Shops Policy Area
- Silverdale North Mixed Commercial Policy Area.

Objective
12.8.19.4.31

To maintain and enhance the visual appeal, human scale and amenity values of commercial areas.

(This objective relates to Issues 12.8.19.3.21, 12.8.19.3.23)

Objective
12.8.19.4.32

To maintain the capability of commercial areas to act as community focal points while maintaining the primacy of an extended Silverdale Centre.

(This objective relates to Issue 12.8.19.3.22)

Objective
12.8.19.4.33

To avoid, remedy or mitigate the adverse effects of activities occurring in commercial areas on the amenity values of adjoining areas.

(This objective relates to Issue 12.8.19.3.22)

Objective
12.8.19.4.34

To minimise vehicle trip generation, duration and length resulting from business activities.

(This objective relates to Issues 12.8.19.3.22, 12.8.19.3.23)

Objective
12.8.19.4.35

To ensure safe and efficient access for vehicles and pedestrians to and within areas where business activities occur.

(This objective relates to Issue 12.8.19.3.23)



Objective 12.8.19.4.36	<p>To ensure that potential adverse effects on the environment from traffic generation and parking demand are avoided, remedied or mitigated.</p> <p><i>(This objective relates to issue 12.8.19.3.23)</i></p>
12.8.19.4.37	<p>Silverdale North Mixed Commercial Policy Area Objectives</p> <p>(in addition to Objectives 12.8.19.4.1 to 12.8.19.4.36 inclusive)</p>
Objective 12.8.19.4.38	<p>To facilitate the development of a mixed use centre on the periphery of the Silverdale Town Centre that has a focus on small shops, and people-oriented activities such as cafes and restaurants, commercial services and offices.</p> <p><i>(This objective relates to issue 12.8.19.3.22)</i></p>
Objective 12.8.19.4.39	<p>To facilitate the establishment of a centre containing buildings and business designed with high levels of urban, streetscape and pedestrian amenity so that the character of the centre reflects the high quality of urban amenities sought to be achieved in the entire Silverdale North Special Zone.</p> <p><i>(This objective relates to issue 12.8.19.3.23)</i></p>
12.8.19.4.40	<p>Neighbourhood Shops Policy Area Objectives</p> <p>(in addition to Objectives 12.8.19.4.1 to 12.8.19.4.36 inclusive)</p>
Objective 12.8.19.4.41	<p>To enable the development of a small neighbourhood mixed use centre adjacent to the Metro Park East that can provide for, and act as a focal point for the retail and service needs of residents of Silverdale North and visitors to Metro Park East.</p> <p><i>(This objective relates to issue 12.8.19.3.22)</i></p>
Objective 12.8.19.4.42	<p>To ensure that buildings are of a scale and design appropriate for a community focal point with high levels of urban and pedestrian amenity.</p> <p><i>(This objective relates to issues 12.8.19.3.22, 12.8.19.3.24)</i></p>
Objective 12.8.19.4.43	<p>To provide for the development of the Neighbourhood Shops Policy Area in a way that does not generate adverse effects on nearby land uses.</p> <p><i>(This objective relates to issue 12.8.19.3.23)</i></p>
12.8.19.4.44	<p>Local Shops Policy Area Objectives</p> <p>(in addition to Objective 12.8.19.4.1)</p>
Objective 12.8.19.4.45	<p>To allow the development of small scale retail and commercial services in specific locations distant from larger shopping centres.</p> <p><i>(This objective relates to issues 12.8.19.3.22, 12.8.19.3.24)</i></p>



12.8.19.4.46

Knowledge Economy Business Park and Knowledge Economy Mixed Use Centre Policy Areas - Objectives

These Objectives are additional to the General Objectives applying to the entire Special 19 zone (ie 12.8.14.4.1 to 12.8.19.4.22)

Objective
12.8.19.4.47

To facilitate the development of an area that provides opportunities for employment in knowledge based businesses that will enable the eastern part of Rodney District to become more self-sufficient in job opportunities and reduce the number of people commuting outside the District for employment.

(This objective relates to issues 12.8.19.3.26, 12.8.19.3.29, 12.8.19.3.30, 12.8.19.3.31)

Objective
12.8.19.4.48

The creation of a business area with high amenity values derived in part from the development of a landscaped campus-like setting.

(This objective relates to issues 12.8.19.3.27, 12.8.19.3.28)

Objectives from the following chapters are also relevant:

Chapter 5 – Natural Hazards

Chapter 6 – Highly Valued Natural Resources

Chapter 10 – Open Space and Recreation

Chapter 13 – Future Development and Structure Plans

Chapter 14 – Scheduled Activities

Chapter 17 – Cultural Heritage

Chapter 18 – Urban Land Modification and Vegetation Removal

Chapter 19 – Utilities

Chapter 20 – Hazardous Substances and Contaminated Sites

Chapter 21 – Transportation and Access

Chapter 22 – Financial Contributions

Chapter 23 – Subdivision and Servicing



12.8.19.5

Policy 12.8.19.5.1

Special 19 Zone Policies

The following policies apply to all areas within the Silverdale North Outline Plan in Appendix 8 of the Planning Maps.

Further development within the Silverdale North Zone should generally be in accordance with the Outline Plan at Appendix 8 to the Planning Maps and achieved through the Development Concept Plan process, so that:

- (a) the pattern of activities and the layout of sites and buildings respond positively to the natural qualities of the area including its distinct character and to its coastal context; and
- (b) the amenity values and environmental quality (such as the rolling topography, views and open coastal edge) within the area are reinforced or enhanced.

(This policy seeks to achieve Objective 12.8.19.4.1)

Policy 12.8.19.5.2

Key natural features should be protected so that they contribute to a unique urban character and identity. Features of particular importance are:

- (a) Significant views from public places including roads in the area that are identified in the plan should not be blocked by buildings;
- (b) Development should front natural watercourses across public roads;
- (c) Earthworks should recognise the original topography of the land, in particular ridges and valleys, and this should be reflected in the final landform;
- (d) Significant stands of trees should be retained where practicable;
- (e) Significant watercourses should be retained and enhanced.

(This policy seeks to achieve Objective 12.8.19.4.2)

Policy 12.8.19.5.3

Subdivision and land use activities should be carried out in a manner which avoids the adverse effects of stormwater runoff on receiving environments. In addition to those areas of discharge controlled by the Auckland Regional Council, this can be achieved through practices such as:

- (a) The incorporation of a high level of pervious surfaces on sites;
- (b) The use of roof materials other than uncoated galvanised based products;
- (c) The use of natural contours (creases in the land) for stormwater discharge;
- (d) The use of other external devices to slow the runoff and beautify the area;
- (e) The maintenance of a natural flow regime;



	<ul style="list-style-type: none">(f) The use of swales, filter strips, wetlands for stormwater treatment and attenuation;(g) Implementation of the Silverdale North Integrated Catchment Management Plans;(h) The establishment of WAI care programmes and community monitoring groups. <p><i>(This policy seeks to achieve Objective 12.8.19.4.3)</i></p>
Policy 12.8.19.5.4	<p>Infrastructure and built form should be suitable to the location's key natural features and to the built form surrounding the development to avoid adverse effects on amenity values.</p> <p><i>(This policy seeks to achieve Objective 12.8.19.4.2)</i></p>
Policy 12.8.19.5.5	<p>Architectural quality and the location and design of buildings should take account of the following urban design principles:</p> <ul style="list-style-type: none">(a) diversity in the built form;(b) architectural coherence;(c) relationship of building to the street to create clear distinctions between public and private space which provides a positive experience of the public realm;(d) the impact of materials and colours on character of a neighbourhood. <p><i>(This policy seeks to achieve Objective 12.8.19.4.4)</i></p>
Policy 12.8.19.5.6	<p>Landscaping within sites, particularly fronting public areas and in public areas should complement the built form and be of a high quality so as not to adversely effect the amenity of the Silverdale North area and other zones which have views of Silverdale North. Landscape plans should be provided with subdivision and land use consents and should demonstrate:</p> <ul style="list-style-type: none">(a) the landscape theme;(b) street tree planting;(c) species types that provide identity to neighbourhood and compatibility to the local urban context;(d) options for landscaping within private property;(e) provisions for street gardens or ecological corridors, where appropriate. <p><i>(This policy seeks to achieve Objective 12.8.19.4.4)</i></p>



Policy 12.8.19.5.7	<p>Road reserves and carriageways (including berm landscaping, tree planting and footpath and road finishing etc) should be designed as an integral component of any subdivision and development concept plan in order to create functional traffic routes of high amenity value that pedestrians find pleasant and enjoyable to travel along.</p> <p><i>(This policy seeks to achieve Objective 12.8.19.4.4)</i></p>
Policy 12.8.19.5.8	<p>Buildings, car parks, public open spaces and road reserves should be sited, designed and managed to ensure that the principles of crime prevention through environmental design have been incorporated, including:</p> <ul style="list-style-type: none">(a) natural surveillance of public and semi-public spaces from surrounding activities and buildings; and(b) a clear distinction between public, semi-public and private areas through the use of design techniques. <p><i>(This policy seeks to achieve Objective 12.8.19.4.6.)</i></p>
Policy 12.8.19.5.9	<p>Pedestrian access should be provided, maintained and enhanced between all areas of Silverdale North to assist the creation of an active community and to provide opportunities to easily access a diverse range of live, work, play and learn environments.</p> <p><i>(This policy seeks to achieve Objective 12.8.19.4.7)</i></p>
Policy 12.8.19.5.10	<p>Development design should acknowledge the key natural features of individual areas to assist the creation of identifiable communities and neighbourhoods throughout Silverdale North.</p> <p><i>(This policy seeks to achieve Objective 12.8.19.4.8)</i></p>
Policy 12.8.19.5.11	<p>Small scale business activities that generate few adverse effects on the surrounding environment should be encouraged to locate in residential areas.</p> <p><i>(This policy seeks to achieve Objective 12.8.19.4.18)</i></p>
Policy 12.8.19.5.12	<p>Residential activities located above ground floor level are encouraged to establish in commercial areas provided that any reverse sensitivity effects can be avoided or mitigated through building and site design.</p> <p><i>(This policy seeks to achieve Objectives 12.8.19.4.1 and 12.8.19.4.4)</i></p>
Policy 12.8.19.5.13	<p>The interface between policy areas and zones should be designed to avoid adverse environmental effects resulting from incompatibility of buildings or activities.</p> <p><i>(This policy seeks to achieve Objective 12.8.19.4.8)</i></p>
Policy 12.8.19.5.14	<p>A variety of section sizes and building types should be provided for in each policy area in order to create interest, diversity, and choice.</p> <p><i>(This policy seeks to achieve Objective 12.8.19.4.8)</i></p>



Policy
12.8.19.5.15

Open space and recreation areas and land for facilities should be identified at the Development Concept Plan stage of development and should be provided at the time subdivision and development occurs.

(This policy seeks to achieve Objective 12.8.19.4.10)

Policy
12.8.19.5.16

By ensuring public open spaces are an asset to any development and are enhanced by the development in the vicinity.

(This policy seeks to achieve Objective 12.8.19.4.10)

Policy
12.8.19.5.17

Public open spaces should be bounded and fronted by streets for no less than 75% of their perimeter, to provide a clear sense of public ownership, a high level of amenity for the general public, and a safe environment for users. Public open spaces adjoining the Orewa Estuary should be bounded for their full perimeter by a combination of the estuary and streets. This policy does not apply to the riparian reserves proposed within the Knowledge Economy Business Park Policy Area and any reserve in an approved DCP to be created for the retention of existing trees or bush.

(This policy seeks to achieve Objective 12.8.19.4.10)

Policy
12.8.19.5.18

Developments should address the street to increase street amenity and to encourage pedestrians and cyclists.

(This policy seeks to achieve Objective 12.8.19.4.11)

Policy
12.8.19.5.19

Where additional roading is required for a subdivision or development, the design and landscaping of the street should be an integral component of that subdivision or development and be appropriate to the environment being created.

(This policy seeks to achieve Objective 12.8.19.4.12)

Policy
12.8.19.5.20

The front of buildings, and the landscaping and activities within front yards, should complement the environment being created in each specific roading corridor.

(This policy seeks to achieve Objective 12.8.19.4.12)

Policy
12.8.19.5.21

Silverdale North should be considered a destination and direct through routes should be avoided to minimise the adverse effects of high speed, high volume roads dividing communities.

(This policy seeks to achieve Objective 12.8.19.4.12)

Policy
12.8.19.5.22

Roads, including footpaths and berms, should be designed in an integrated manner taking account of

- (a) a range of transport modes (such as vehicles, cycles, pedestrians and public transport);
- (b) the creation of a street environment that is pleasant and safe for pedestrians to walk along;



- (c) enhancing connectivity and permeability (urban design principles).

(This policy seeks to achieve Objective 12.8.19.4.12)

Policy
12.8.19.5.23

Public transport should be provided for through mechanisms such as development designs incorporating bus routes, direct access to bus routes for pedestrians, the identification of a park and ride facility and the preparation of travel plans.

(This policy seeks to achieve Objectives 12.8.19.4.13, 12.8.19.4.14)

Policy
12.8.19.5.24

Pedestrian and cycle connections should be a safe alternative to car travel.

(This policy seeks to achieve Objective 12.8.19.4.15)

Policy
12.8.19.5.25

The Council is committed to a collaborating design process in the development of Silverdale North in order to achieve good urban design in the area. The Council is also committed to adequately funding this so that it does not result in delays to consent processes.

(This policy seeks to achieve Objective 12.8.19.4.1)

Policy
12.8.19.5.26

The design of streets within the Silverdale North context should consider the following points in order to achieve an integrated and coherent roading/street network:

- (a) Ridges and valleys are the dominant landscape form in Silverdale North. Spatially they create distinct areas that will form the neighbourhood boundaries;
- (b) Connecting roads run along these neighbourhood boundaries thereby directing through traffic away from the centre of neighbourhoods. Wainui Road and Manuel Road when extended around Metropark West will travel along the dominant ridge line linking across the top of neighbourhoods;
- (c) Silverdale Parkway circles the perimeter of the neighbourhoods generally at the base of the slopes. It is the major route linking commercial areas, schools and most of the reserve space;
- (d) The Greenways are located in the centre of neighbourhood areas as they follow streams in the middle of valleys. Therefore they are narrower roads with a dominant central reserve space for walking and cycling. The connections between ridge roads and parkway are dispersed in traffic terms;
- (e) The underlying generator to the urban structure and roading pattern is the natural system of watercourses and landform. The road types below discuss design features to maintain the links between landform and the landuse context for each road.

(This policy seeks to achieve Objective 12.8.19.4.2)



Policy
12.8.19.5.27

Business activities or areas which:

- (a) do not need to maintain a high level of amenity values; or
- (b) have the potential to cause objectionable or noxious effects or be dangerous;

should not be located within the Special 19 Zone.

(This policy seeks to achieve Objective 12.8.19.4.16)

Policy
12.8.19.5.28

Land disturbing activities which may result in the generation and discharge of elevated levels of sediment will be required to employ methods which avoid, remedy or mitigate adverse effects on the quality of water in waterbodies and coastal water.

Policy
12.8.19.5.29

By including rules that stage development in Silverdale North to restrict specific stages of urban development until specific improvements are made to the primary roading network and connections to this network

Policy
12.8.19.5.30

In the event that the infrastructure requirements in Appendix 12T for Stage 5 are not met by 1 January 2010, the traffic modelling undertaken at the time the staging in Schedule 12T.1 was developed may be reviewed to ascertain the level of development, if any, that could be enabled in Precincts 2, 3, 8B2 and 11 in advance of the Stage 5 infrastructure requirements.

Policy
12.8.19.5.31

In the event that the infrastructure requirements in Appendix 12T for Stages 5 and 6 are not met by 1 January 2012, the traffic modelling undertaken at the time the staging in Schedule 12T.1 was developed may be reviewed to ascertain the level of development, if any, that could be enabled in Precinct 11 in advance of those infrastructure requirements. In the event that it is determined that development could be enabled in advance of the completion of the infrastructure requirements of both Stages 5 and 6, any such development shall only proceed once a bond is in place to ensure that the Stage 6 infrastructure is completed.

Policy
12.8.19.5.32

When assessing resource consent applications for development in advance of the provision of the infrastructure specified in Table 12T.2 for Stage 3, the Council may grant consent provided that the commencement date for such a consent is no earlier than 6 months prior to the expected completion of the south facing interchange at Wainui Road. The New Zealand Transport Agency shall be considered to be an affected party in respect of such applications.

Policy
12.8.19.5.33

By restricting urban development in Silverdale North to that provided for in policy 12.8.19.5.29.

12.8.19.5.34

Garden Residential Policy Area Policies

Policy
12.8.19.5.35

The intensity of development over significant parts of the Garden Residential Policy Area should not exceed 1 unit per 650m². Development of a higher intensity should be provided for and should be integrated into the urban landscape in accordance with urban design principles and in the case of the



highest intensities of development, be subject to resource consent. Within Precincts 9A and 9B (but not including the area identified as Weiti Landscape Overlay Area 2) Protected Vegetation is to be excluded from the calculation of minimum site size, and subdivision at a 4000m² average is requested in the area identified Weiti Landscape Overlay Area 2.

(This policy seeks to achieve Objective 12.8.19.4.22)

Policy
12.8.19.5.36

A development concept plan will be required prior to subdivision for each precinct. This plan should indicate where areas for proposed low, medium and high densities, in terms of subdivision/ landuse are to be located within the precinct.

(This policy seeks to achieve Objectives 12.8.19.4.24 to 12.8.19.4.29)

Policy
12.8.19.5.37

Higher intensity development should occur around activity centres (eg shops and parks), adjacent to potential passenger transport routes and places of high amenity value. It is also intended that high intensity development be designed and located in such a way that it helps define the street edge and provides opportunities for informal surveillance, particularly to areas of open space. Higher intensity development should be comprehensively designed.

(This policy seeks to achieve Objectives 12.8.19.4.25 and 12.8.19.4.26)

Policy
12.8.19.5.38

Apart from initial housing construction within comprehensively designed developments, densities in the Garden Residential Policy Area should not exceed one house per site.

(This policy seeks to achieve Objective 12.8.19.4.24)

Policy
12.8.19.5.39

Development and subdivision in the Garden Residential Policy Area should not result in the removal of significant trees and other landscape features. Where such features are removed suitable mitigation should take place.

(This policy seeks to achieve Objective 12.8.19.4.25)

Policy
12.8.19.5.40

Any activity that adversely affects the amenities of residential sites or the sense of residential cohesion that results from having neighbours close at hand should not be located within the Garden Residential Policy Area.

(This policy seeks to achieve Objective 12.8.19.4.24)

Policy
12.8.19.5.41

While relatively low building coverage is appropriate in the Garden Residential Policy Area the area of a site covered in buildings should be related to site size. On sites larger than 450m² building coverage should not exceed 35%. Greater building coverage may be provided in comprehensive developments.

(This policy seeks to achieve Objective 12.8.19.4.25)

Policy
12.8.19.5.42

The proportion of various intensities of residential development in any precinct should be consistent with the following:



Density – site size per household unit	Percentage in Precinct
150m ² - 450m ²	20%
450m ² – 649.9m ²	25-45%
650m ² +	45-65%

(This policy seeks to achieve Objective 12.8.19.4.25)

Policy
12.8.19.5.43

Development in the Physical Limitations Overlay area should not exceed 1 residential unit per 1500m² of site `area with an average of 1 residential unit per 5000m² unless the geotechnical constraints are removed as part of wider development of the area.

(This policy seeks to achieve Objective 12.8.19.4.29)

Policy
12.8.19.5.44

Small scale business activity should be provided for in the Garden Residential Policy Area through more liberal provisions for home occupations and other opportunities for small scale retail activities compared with the Medium Intensity Residential Zone.

(This policy seeks to achieve Objective 12.8.19.4.28)

Policy
12.8.19.5.45

Activities establishing in environments where the amenity of the area is diminished by the adverse effects of a State Highway are to have regard to the character of the receiving environment and should be designed and located to avoid, remedy or mitigate reverse sensitivity between land uses.

(This policy seeks to achieve Objectives 12.8.19.4.1, 12.8.19.4.26 and 12.8.19.4.28)

Explanation and Reasons

On sites where new development establishes adjacent to the existing State Highway network, it is important to ensure that the network is able to continue to operate in accordance with existing designations, resource consents and/or land use rights without adverse reverse sensitivity effects arising.

When assessing resource consent applications for new development, it will therefore be appropriate for consideration to be given to the range of measures (including design and location) required to protect new residents and other sensitive land uses from effects arising from the State Highway network.

Policy
12.8.19.5.46

Commercial Policies

This first group of Policies applies to:

- Local Shops Policy Area
- Neighbourhood Shops Policy Area
- Silverdale North Mixed Commercial Policy Area.



Policy
12.8.19.5.47

Commercial Policy Areas be located where the establishment of commercial centres, focusing on retail, commercial services and other commercial activities such as restaurants, would act as community focal points.

(This policy seeks to achieve Objectives 12.8.19.4.1, 12.8.19.4.2, 12.8.19.4.8, 12.8.19.4.16, 12.8.10.4.18 and 12.8.19.4.32)

Policy
12.8.19.5.48

Activities in Commercial Policy Areas should be sited and designed so that adverse effects on:

- (a) visual amenity values, including the location, design and scale of buildings and the appearance of the site;
- (b) the landscape;
- (c) direct sunlight and daylight admission between sites and to open space;
- (d) privacy;
- (e) traffic movement;
- (f) the acoustic environment; and
- (g) air quality, eg. from dust and odour.

are avoided, remedied or mitigated.

(This policy seeks to achieve Objective 12.8.19.4.4)

Policy
12.8.19.5.49

To enable the development of vibrant centres with a mixture of uses, residential activities should be allowed at first floor level and above in all of the Commercial Policy Areas.

(This policy seeks to achieve Objectives 12.8.19.4.4, 12.8.19.4.8, 12.8.19.4.9 and 12.8.19.4.11)

Policy
12.8.19.5.50

The layout and design of Commercial Policy Areas should enhance pedestrian amenities and ensure integration with pedestrian routes within the Silverdale North Special Zone.

(This policy seeks to achieve Objectives 12.8.19.4.7, 12.8.19.4.14, 12.8.19.4.15, 12.8.19.4.20 and 12.8.19.4.36)

Policy
12.8.19.5.51

Commercial Policy Areas should be developed and activities sited, designed and operated so as to avoid discharges which would have adverse effects on the quality of groundwater, rivers and coastal waters.

(This policy seeks to achieve Objective 12.8.19.4.3)

Policy
12.8.19.5.52

Activities in commercial areas should be sited, designed and operated so as to minimise discharges to the air which have an adverse effect on air quality.

(This policy seeks to achieve Objective 12.8.19.4.34)

Policy
12.8.19.5.53

Commercial areas should exhibit high levels of urban design, streetscape and a sense of public realm so as to provide pleasant places for people to enjoy.

(This policy seeks to achieve Objectives 12.8.19.4.4 and 12.8.19.4.12)



Policy
12.8.19.5.54

Buildings, car parks and other structures should be designed and located in a way that does not have adverse effects on, and maintains and enhances the amenity values of, the commercial areas in respect of:

- (a) pedestrian accessibility and convenience;
- (b) visual amenity values, including location, design, external appearance and scale of buildings;
- (c) the landscape; and
- (d) direct sunlight and daylight admission to areas of open space.

(This policy seeks to achieve Objectives 12.8.19.4.15, 12.8.10.4.35 and 12.8.19.4.4.36)

Policy
12.8.19.5.55

Retail activities, other than garden centres, which have an outdoor storage, display or sales area, including those involving the sale of motor vehicles, should not be located in Commercial Policy Areas.

(This policy seeks to achieve Objectives 12.8.19.4.31 and 12.8.19.4.32)

Policy
12.8.19.5.56

Activities that have the potential to cause objectionable or noxious effects, or be dangerous, should not be located in the Commercial Policy Areas.

(This policy seeks to achieve Objectives 12.8.19.4.31 and 12.8.19.4.32)

Policy
12.8.19.5.57

Buildings and developments should be designed and located so that they result in a form and arrangement of buildings which allows for diversity and variety in their presentation, breaking up the visual bulk of building, and creating pedestrian-friendly environments along shop frontages.

(This policy seeks to achieve Objectives 12.8.19.4.4, 12.8.19.4.6, 12.8.19.4.8, 12.8.19.4.9, 12.8.19.4.31 and 12.8.19.4.35)

Policy
12.8.19.5.58

Site development should occur in a way that results in site contours and landform that allows the development on the site to “fit” into the finished landscape and integrate with development in adjacent Policy Areas and the adjoining road network as far as practicable.

(This policy seeks to achieve Objective 12.8.19.4.2)

Policy
12.8.19.5.59

The architectural design of buildings, including scale, bulk, form, proportions, structure, materials and colour, should create a positive contribution to the identity, aesthetics and amenity values of the area.

(This policy seeks to achieve Objectives 12.8.19.4.5 and 12.8.19.4.8)

Policy
12.8.19.5.60

Bright corporate colours should be used sensitively to minimise the adverse visual impact of the development.

(This policy seeks to achieve Objective 12.8.19.4.31)

Policy
12.8.19.5.61

Landscaping should be used to mitigate the visual impact of car parking within and beyond the site.

(This policy seeks to achieve Objectives 12.8.19.4.31 and 12.8.19.4.36)



Policy
12.8.19.5.62

Structures such as, seats, lighting, rubbish bins, “street furniture” and signage should be designed and located to maintain the visual amenity values of the site and safety of the site.

(This policy seeks to achieve Objective 12.8.19.4.31)

Silverdale North Mixed Commercial Policy Area Policies (in addition to Policies 12.8.19.5.1 to 12.8.19.5.33 inclusive and 12.8.19.5.46 to 12.8.19.5.62 inclusive)

Policy
12.8.19.5.63

That a wide range of commercial activities be provided for in this Policy Area provided that they are appropriate to a town centre and not incompatible with a location close to residential land.

(This policy seeks to achieve Objective 12.8.19.4.37)

Policy
12.8.19.5.64

The design of the centre should encourage public access and use, including plaza and pedestrian areas and public seating.

(This policy seeks to achieve Objective 12.8.19.4.38)

Policy
12.8.19.5.65

That the size of ground floor tenancies or units be limited to ensure a mixed and varied range of activities establish in the Policy area and to limit the opportunity for large floorplate retailers to establish.

(This policy seeks to achieve Objective 12.8.19.4.37)

Policy
12.8.19.5.66

The centre design should provide integrated pedestrian and vehicular connections to activities on adjoining sites and the existing Silverdale Town Centre.

(This policy seeks to achieve Objective 12.8.19.4.20)

Policy
12.8.19.5.67

The design and layout of buildings should ensure that the frontage to Silverdale Parkway represents a high quality built business environment while retaining the park-like edge to the Parkway. To this end car parking should not be located between buildings and the Parkway.

(This policy seeks to achieve Objectives 12.8.19.4.4 and 12.8.19.4.38)

Policy
12.8.19.5.68

The design of the Policy Area is to maximise the potential for buildings to address the corner of the Silverdale Parkway and Silverdale Street and to create a building that reflects the character of the Special 19 Zone overall.

(This policy seeks to achieve Objective 12.8.19.4.4)

Policy
12.8.19.5.69

The design and layout of each of the two Mixed Commercial Policy Areas should ensure a consistent character is maintained within the relevant area, and that that character is consistent with the character of the Special 19 Zone overall.

(This policy seeks to achieve Objectives 12.8.19.4.8 and 12.8.19.4.38)



Policy
12.8.19.5.70

The design and layout of pedestrian and vehicular traffic circulation should create a discernible internal street network linking access to and from Silverdale Parkway and Silverdale Street and car parking areas within this Policy Area and those within the adjoining "The Warehouse Ltd" site.

(This policy seeks to achieve Objective 12.8.19.4.35)

Policy
12.8.19.5.71

The design of the internal street network should include footpaths and other pedestrian linkages within and through the Policy Area and should link, where appropriate, with the internal street network of adjoining Policy Areas.

(This policy seeks to achieve Objectives 12.8.19.4.20 and 12.8.19.4.35)

Policy
12.8.19.5.72

Any activity established within the Policy Area with access to Hibiscus Coast Highway shall be related solely to that Highway and shall not have vehicular access to other parts of the Policy Area.

(This policy seeks to achieve Objective 12.8.19.4.36)

Policy
12.8.19.5.73

Where changes in elevation are required within the Policy Area, landscaped batters are to be used in preference to retaining walls to avoid the adverse visual effects of exposed retaining walls.

(This policy seeks to achieve Objective 12.8.19.4.31)

Policy
12.8.19.5.74

Any retaining wall should not exceed 1.5m in height unless it is hidden from public view by buildings.

(This policy seeks to achieve Objective 12.8.19.4.31)

Policy
12.8.19.5.75

Other than land used for ingress and egress, all land adjoining the Hibiscus Coast Highway for a depth of 5m is to be landscaped and densely planted.

(This policy seeks to achieve Objective 12.8.19.4.19)

Neighbourhood Shops Policy Area Policies (in addition to Policies 12.8.19.5.1 to 12.8.19.5.33 inclusive and 12.8.19.5.46 to 12.8.19.5.62 inclusive)

Policy
12.8.19.5.76

The emphasis be given in this Policy Area to retailing, services, food and drink outlets at ground floor level, with the potential for other business or service, and residential activities to establish above ground floor.

(This policy seeks to achieve Objective 12.8.19.4.39)

Policy
12.8.19.5.77

The design and layout of buildings should create a shopping and business precinct focused on street frontages. To this end car parking should not be located between buildings and the street frontage unless car parking is angle parking within the legal road reserve.

(This policy seeks to achieve Objective 12.8.19.4.39)



Policy
12.8.19.5.78

The design of buildings should maximise the potential to address street corners.
(This policy seeks to achieve Objectives 12.8.19.4.4 and 12.8.19.4.40)

Policy
12.8.19.5.79

Where development of the Policy Area is to be staged, the southern street corner is to be included in the first stage.
(This policy seeks to achieve Objectives 12.8.19.4.4 and 12.8.19.4.40)

Policy
12.8.19.5.80

The design of buildings and associated service areas should include screening to minimise adverse effects on adjacent residential activities.
(This policy seeks to achieve Objectives 12.8.19.4.4 and 12.8.19.4.33 and 12.8.12.4.41)

Policy
12.8.19.5.81

The design of buildings and site layout should ensure that adequate outlook from adjoining Garden Residential sites is maintained.
(This policy seeks to achieve Objectives 12.8.19.4.33 and 12.8.19.4.41)

Policy
12.8.19.5.82

Car parking areas should be provided in such a way as to enable shared parking with facilities on, and users of, Metro Park East.
(This policy seeks to achieve Objective 12.8.19.4.20)

Policy
12.8.19.5.83

Entrances to car parking areas should be located away from the street intersection and should avoid interrupting shop frontages.
(This policy seeks to achieve Objective 12.8.19.4.40)

Policy
12.8.19.5.84

Activities with the potential to create adverse noise effects on night-time residential amenities will be discouraged.
(This policy seeks to achieve Objective 12.8.19.4.41)

Local Shops Policy Area Policies (in addition to Policies 12.8.19.5.1 to 12.8.19.5.28 inclusive, and Policies 12.8.19.5.46 to 12.8.19.5.62 inclusive)

Policy
12.8.19.5.85

Two small areas of local shops to meet the day to day needs of local residents are provided for within the Garden Residential Policy Areas.
(This policy seeks to achieve Objectives 12.8.19.4.8 and 12.8.19.4.2)

Policy
12.8.19.5.86

Shops are to be of a small scale with high levels of urban and pedestrian amenity.
(This policy seeks to achieve Objectives 12.8.19.4.20 and 12.8.19.4.42)

Policy
12.8.19.5.87

While the emphasis is on providing for shops in this Policy Area, other commercial and service activities are provided for to assist in enabling the on-going viability of the small centres.
(This policy seeks to achieve Objective 12.8.19.4.16)



Policy
12.8.19.5.88

Development in the Local Shops Policy Area is not to generate adverse effects on nearby land uses.

(This policy seeks to achieve Objective 12.8.19.4.33)

Policy
12.8.19.5.89

Development in the Local Shops Policy Area is to be exempt from the on-site parking requirements of the Plan.

(This policy seeks to achieve Objectives 12.8.19.4.33 and 12.8.19.4.36)

12.8.19.5.90

Knowledge Economy Business Park and Knowledge Economy Mixed Use Centre Policy Areas - Policies

These Policies are additional to the General Policies applying to the entire Special 19 zone (12.8.19.5.1.to 12.8.19.5.89).

Policy
12.8.19.5.91

The provision of accessible serviced land that is managed and regulated to achieve an environment suitable to the needs of knowledge based and people based businesses and activities and businesses supportive and ancillary to these enterprises. The overall policy is to achieve a business park environment with a higher level of amenity, and a more limited range of business and industry types than would be found in the industrial zones.

(This policy seeks to achieve Objectives 12.8.19.4.1, 12.8.19.4.5, 12.8.19.4.8, 12.8.19.4.16, 12.8.19.4.44 and 12.8.19.4.45)

Policy
12.8.19.5.92

To require the establishment of a high quality urban and landscape form for the Policy Areas which, together with the adjoining residential and recreational precincts, will enable the provision of a complete lifestyle package to attract and retain skilled workers and knowledge based industries.

(This policy seeks to achieve Objectives 12.8.19.4.1, 12.8.19.4.5, 12.8.19.4.8, 12.8.19.4.16, 12.8.19.4.44 and 12.8.19.4.45)

Policy
12.8.19.5.93

Generally retain the orientation of the existing landform, comprising the Wainui Road ridgeline and slopes falling east to west towards State Highway 1A, while achieving a high quality urban and landscape outcome.

(This policy seeks to achieve Objectives 12.8.19.4.1, 12.8.19.4.3 and 12.8.19.4.5)

Policy
12.8.19.5.94

Provide for development within the Policy Areas that results in high visual amenity values when viewed from State Highway 1A, the Hibiscus Coast Highway or the Garden Residential Policy Area.

(This policy seeks to achieve Objective 12.8.19.4.19)

Policy
12.8.19.5.95

Integrate natural features into the layout and design of development so as to enhance the overall quality of the Business Park.

(This policy seeks to achieve Objectives 12.8.19.4.2, 12.8.19.4.8 and 12.8.19.4.45)

Policy
12.8.19.5.96

Provide for the development of a core area where a mixture of activities can service the needs of the businesses and their staff.



(This policy seeks to achieve Objective 12.8.19.4.44)

Policy
12.8.19.5.97

Make provision for a Knowledge Economy Mixed Use Centre of an appropriate scale and in an appropriate central location accessible from the rest of Silverdale, and to allow a range of uses that will allow it to function as a focal point for social interaction particularly for the Knowledge Economy Business Park Policy Area and also the Special 19 Zone.

(This policy seeks to achieve Objective 12.8.19.4.44)

Policy
12.8.19.5.98

Business activities that do not maintain high levels of amenity values, or have the potential to cause objectionable or noxious effects or be dangerous, should not be located within the business park.

(This policy seeks to achieve Objectives 12.8.19.4.1 and 12.8.19.4.44)

Policy
12.8.19.5.99

Make provision proximate to the Silverdale Motorway interchange for the establishment of a public transport centre.

(This policy seeks to achieve Objectives 12.8.19.4.11 and 12.8.19.4.15)

Policy
12.8.19.5.100

Recognise the suitability of the KEBP Policy Area as a location for a hospital due to the high level of amenities in the Policy Area, but also recognise that a hospital has the potential to create adverse effects that would need to be avoided or mitigated.

(This policy seeks to achieve Objectives 12.8.19.4.1, 12.8.19.4.8 and 12.8.19.4.9)

Policy
12.8.19.5.101

Ensure the development of the roading network within the Policy Areas is integrated with the surrounding road network and facilitates access from the motorway.

(This policy seeks to achieve Objective 12.8.19.4.44)

Policy
12.8.19.5.102

Limit the potential for heavy traffic to disrupt the amenity of the adjacent Garden Residential Policy Area by limiting the opportunity for heavy vehicles servicing the KEBP Policy Area to enter local roads in the Garden Residential Policy Area.

(This policy seeks to achieve Objectives 12.8.19.4.14 and 12.8.19.4.15)

Policy
12.8.19.5.103

Provide for a land development process which encourages a comprehensive and integrated approach to urban design, and allows the development of the KEBP by cohesive part.

(This policy seeks to achieve Objectives 12.8.19.4.1 to 12.8.19.4.20 inclusive and 12.8.19.4.44 and 12.8.19.4.45)

Policy
12.8.19.5.104

Provide for earthworks necessary for the formation of roads and formation of building platforms in accordance with an approved Development Concept Plan.

(This policy seeks to achieve Objectives 12.8.19.4.1 to 12.8.19.4.20 inclusive and 12.8.19.4.44 and 12.8.19.4.45)



Policy
12.8.19.5.105

Recognise the visual sensitivity of those parts of the KEBP Policy Area immediately north of the Weiti River and the visual prominence of the land adjacent to State Highway 1A and adjacent to Wainui Road, by retaining discretion over the design and appearance of buildings, site layout and landscaping in these parts of the Policy Area. In the Weiti River Overlay Area the visual amenity and natural landscape qualities of the area should be retained as far as possible.

(This policy seeks to achieve Objectives 12.8.19.4.2, 12.8.19.4.3, 12.8.19.4.5, 12.8.19.4.17, 12.8.19.4.19 and 12.8.19.4.45)

Policy
12.8.19.5.106

Recognise the visual prominence of the rest of the Policy Areas by retaining control over the design and appearance of buildings, lot layouts and landscaping to ensure that the appearance of buildings exhibit high levels of urban design and to maintain a campus park like appearance.

(This policy seeks to achieve Objectives 12.8.19.4.2, 12.8.19.4.3, 12.8.19.4.5, 12.8.19.4.17, 12.8.19.4.19 and 12.8.19.4.45)

Policy
12.8.19.5.107

Activities establishing in environments where the amenity of the area is diminished by the adverse effects of a State Highway are to have regard to the character of the receiving environment and should be designed and located to avoid, remedy or mitigate reverse sensitivity between land uses.

(This policy seeks to achieve Objectives 12.8.19.4.1 and 12.8.19.4.42)

Explanation and Reasons

On sites where new development establishes adjacent to the existing State Highway network, it is important to ensure that the network is able to continue to operate in accordance with existing designations, resource consents and/or land use rights without adverse reverse sensitivity effects arising.

When assessing resource consent applications for new development, it will therefore be appropriate for consideration to be given to the range of measures (including design and location) required to protect new residents and other sensitive land uses from effects arising from the State Highway network.

Policies from the following chapters are also relevant:

- Chapter 5 – Natural Hazards
- Chapter 6 – Highly Valued Natural Resources
- Chapter 10 – Open Space and Recreation
- Chapter 13 – Future Development and Structure Plans
- Chapter 14 – Scheduled Activities
- Chapter 17 – Cultural Heritage
- Chapter 18 – Urban Land Modification and Vegetation Removal
- Chapter 19 – Utilities
- Chapter 20 – Hazardous Substances and Contaminated Sites
- Chapter 21 – Transportation and Access
- Chapter 22 – Financial Contributions
- Chapter 23 – Subdivision and Servicing



12.8.19.6

Special Policy – Collaborative Design Process

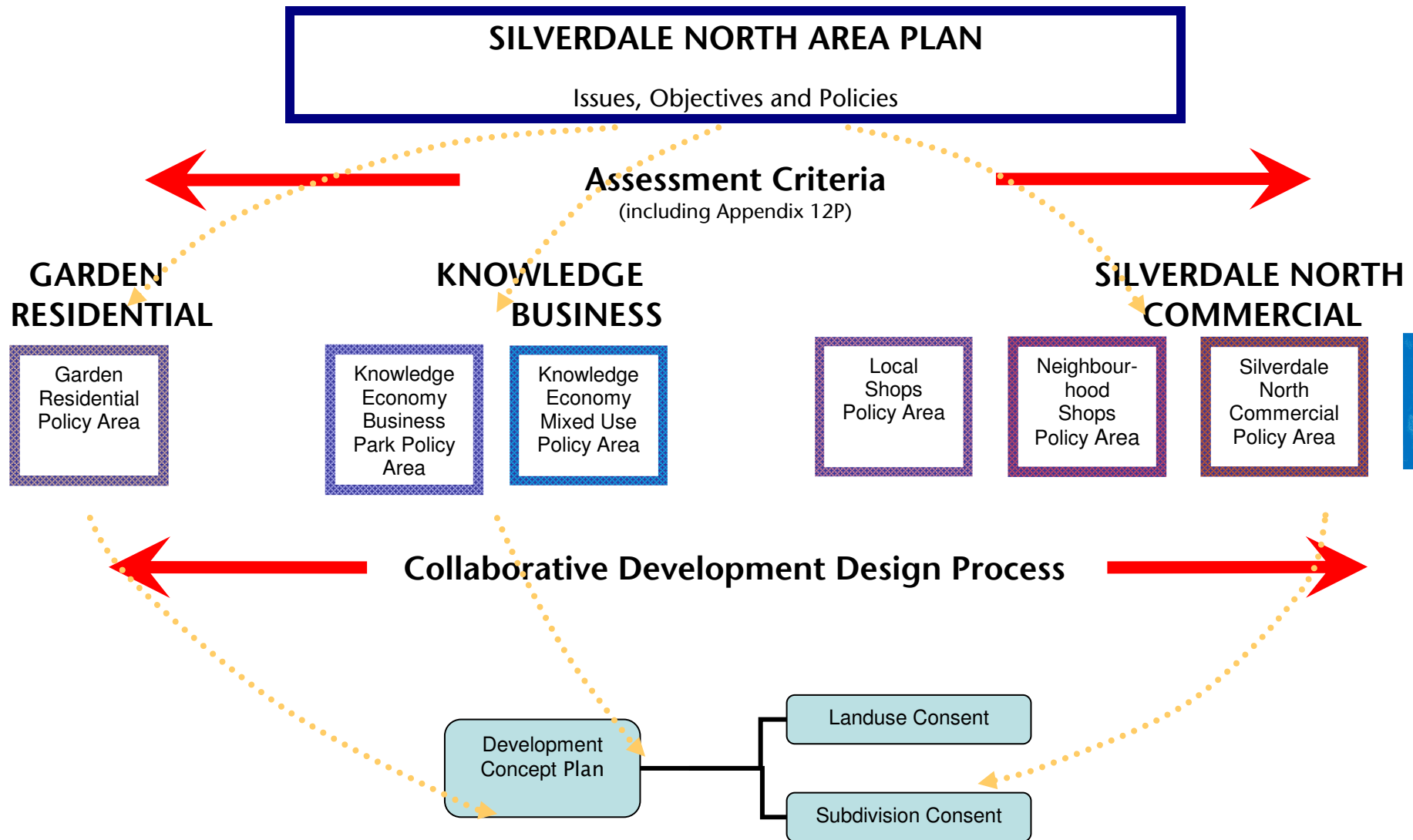
An underlying principle that applies to development within the Special 19 Zone is that good urban design is achieved by way of a consent design assessment process rather than by fixed bulk and location controls which are less responsive to site specific and neighbourhood context. Accordingly much of the subdivision and development in the Silverdale North Area requires resource consent. To facilitate good design outcomes, through the resource consent process, the Council is committed to a collaborative development design approach. To achieve this Council encourages applicants to approach the Council early in the project design process to discuss the project.

The Council is committed to adequately resourcing the design and consenting process to ensure that adequate time can be given to each project and good outcomes can be achieved without delaying project time frames. The Council undertakes not to charge applicants for any of its officers' time spent engaged in such collaborative discussions prior to any resource consent being lodged.

This approach applies to all policy areas within the Silverdale North Outline Plan in Appendix 8 of the Planning Maps.

For larger areas of land or those sites of importance, Council will facilitate a review panel of suitably qualified professionals to assess development concept plans and/or the subdivision and land use plans.

Structure of District Plan Rules of the Special 19 Zone





12.8.19.7

GARDEN RESIDENTIAL POLICY AREA

12.8.19.8

Description

The Garden Residential Policy Area applies to the majority of land identified for residential purposes in the Silverdale North area, and provides for a variety of housing types and site sizes to provide the residential growth node set out in the Auckland Regional Growth Strategy and the Northern and Western Sector Agreement for Silverdale. The policy area also encourages other associated activities to locate in the area, to create a convenient and suitably self contained neighbourhood, provided that the adverse effects of other activities on residents are minor. The policy area has been named 'Garden Residential' in order to convey the notion that an emphasis should be placed on creating neighbourhoods which provide residents with opportunities for landscaping and outdoor activities on most sites.

The Weiti Landscape Overlay Area 2 adjoins a Silverdale Landscape Protection Zone. It forms a backdrop to the Hibiscus Coast Gateway. Whilst it is recognised that this visually sensitive area will be developed for low density residential purposes additional controls will be required in respect of buildings and landscaping.

The key characteristics of the Policy Area are:

- (a) A proportion of larger site sizes with a single house per site;
- (b) Indoor and outdoor space for family activities;
- (c) Space for landscaping (trees, gardens and lawns) on sites;
- (d) Roads which serve as greenways as well as transport functions;
- (e) Opportunities for working from home;
- (f) Provision for higher intensities of residential development in appropriate places;
- (g) Provision for small scale retail activities.

It is intended that land developers have a high degree of flexibility in determining the appropriate locations of various forms of residential development and in helping to achieve development that meets the outcomes set out above. In particular land developers can decide, through the development concept plan process, where different densities should be located, rather than being specified by strict zones.

12.8.19.9

Process

The following diagram sets out the process provided in the Silverdale North Zone for the development of land in the Garden Residential Policy Area. The process is based on a collaborative approach where the Council will work closely with the developers of the land to achieve high quality development of the area.

The Council requires that all applications for resource consents for activities in the Policy Area that involve earthworks, subdivision or the erection of buildings are required to comply with a Development Concept Plan (DCP) covering the precinct in which the site is located.



Where the resource consent application is for the first activity on the land (earthworks, building or subdivision), a DCP is to be included with the application and the adequacy of the DCP will be assessed as part of that resource consent application. The resource consent will be conditioned to require the development of the property to be in general accordance with the DCP provided.

Where the resource consent application is for a subsequent activity, the application will be required to demonstrate that the activity applied for is in accordance with the DCP applying to the property. Alternatively, the applicant may choose to lodge a new DCP updating the original. Where more than one DCP has been approved for a property, the Council will require compliance with the most recent DCP.

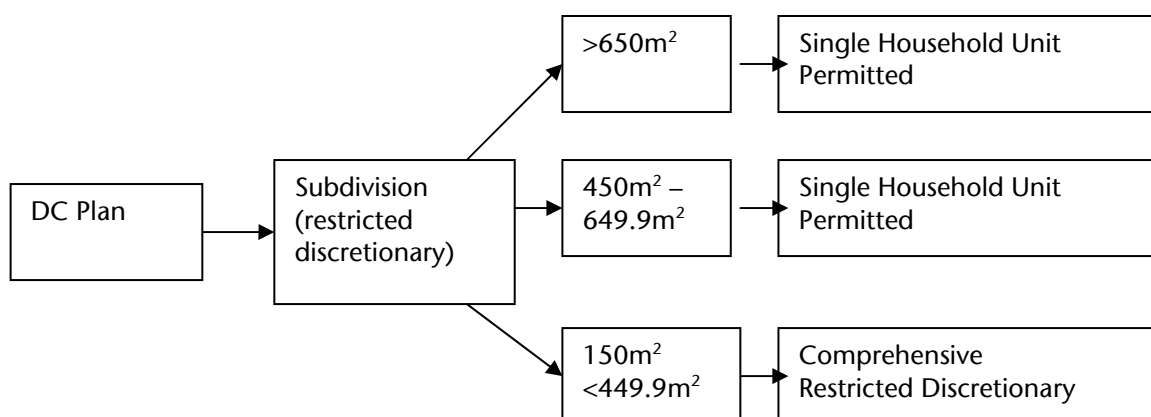
Where the application is for a subdivision consent, future compliance with the DCP will be required by way of a consent notice applied to each lot created by the subdivision, including any balance lot.

Where an application is made for an activity that is listed as a discretionary activity (unrestricted) the Council will consider the extent to which the activity complies with an approved DCP. Where no DCP has been approved, or no DCP is approved as part of the application, the application will be classified as a non-complying activity.

Any application for an activity that is required by the rules to provide a DCP and which fails to do so will be treated as a non-complying activity.

The process is based on land owners/ developers preparing a development concept plan (DCP) that sets out how each part of the garden Residential area is proposed to be developed. Once this is approved by the Council all development shall be in accordance with the DCP. This gives the landowner/ developer a high degree of flexibility in designing a development while also allowing the Council to input into the development so as to successfully manage the effects of any development.

The Council is committed to working with land owners/ developers in a collaborative manner as this is expected to best achieve the objectives and policies of the Plan together with the aims of the landowners/ developers.





12.8.19.10

Activity Rules

12.8.19.10.1

Activities in the Garden Residential Policy Area

Activities in the Garden Residential Policy Area shall comply with the following:

- (a) All Permitted Activities in the Activity Table in Rule 12.8.19.10.2 shall comply with Rule 12.8.19.11 Development Controls, and any other relevant Rule in the District Plan;
- (b) Development and subdivision within the Special 19 Zone shall comply with the layout shown on the Silverdale North Outline Plan in Appendix 8 to the Planning Maps;
- (c) All Controlled Activities in the Activity Table in Rule 12.8.19. 10.2 shall comply with Rule 12.8.19.11 Development Controls, and any other relevant Rule in the District Plan. All Controlled Activities shall be assessed against the criteria in Rule 12.8.19.13;
- (d) All Restricted Discretionary Activities in the Activity Table in Rule 12.8.19. 10.2 shall be assessed against those matters over which discretion is retained as set out in Rule 12.8.19.14. Household units (including those parts of comprehensively designed developments) shall comply with the development controls in Rule 12.8.19.11;
- (e) All Discretionary Activities in the Activity Table in Rule 12.8.19.10.2 shall be assessed against the criteria set out in 12.8.19.15 Discretionary Activities: Assessment Criteria for Residential Activities, any other relevant Discretionary Activity Assessment Criteria in any other chapter of this Plan, and the relevant matters in section 104 of the Act;
- (f) All Non-complying Activities in the Activity Table in Rule 12.8.19.10.2 shall be assessed in terms of Section 104 of the Act;
- (g) Except as provided for by section 94C(2) of the Act, all controlled activities, and restricted discretionary activities marked # will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons;
- (h) Where an activity is marked * the activity must demonstrate compliance with an approved Development Concept Plan or provide a Development Concept Plan as part of the application;
- (i) All activities must also comply with the Silverdale North Staging provisions in Activity Table 12T.2 in Appendix 12T.

12.8.19.10.2

Activity Table

In the following table:

P	=	Permitted Activity
C	=	Controlled Activity
RD	=	Restricted Discretionary Activity
D	=	Discretionary Activity
NC	=	Non-complying Activity

Note: Words in capitals are defined in Chapter 3 - Definitions.



ACTIVITY	GARDEN RESIDENTIAL POLICY AREA
Any activity not listed in the Activity Table	NC
Any Permitted or Controlled Activity not complying with the Development Controls that meet the circumstances set out in Rule 12.8.19.14	RD
Any activity in Precincts 2, 3, 8B2, 9A, 9B and 11 not provided for in Activity Table 12T.2 – Silverdale North Staging provisions where the infrastructure requirements for stage 5 are not met by 1 January 2010 and the circumstances in Rule 12.8.19.15.3 are met.	D
Any Permitted or Controlled Activity not complying with the Development Controls and Performance Standards that does not meet the circumstances set out in Rule 12.8.19.14.	NC
ACCESSORY BUILDINGS for permitted activities.	P
ACCESSORY BUILDINGS for controlled activities.	C
BOARDINGHOUSES, accommodating not more than 10 persons inclusive of owner family and staff. (Note: this is an activity rule only and does not cover buildings associated with this activity)	P
BOARDING HOUSES accommodating <u>not</u> more than 10 persons inclusive of owner family and staff and forming part of an existing household unit or existing accessory BUILDINGS subject to the site containing not less than 650m ² net site area (Note: this is an activity rule only and does not cover buildings associated with this activity).	P
BOARDING HOUSES accommodating more than 10 persons inclusive of owner family and staff subject to the site containing not less than 650m ² net site area (Note: this is an activity rule only and does not cover buildings associated with this activity).	D
Buildings:	
BUILDINGS; The erection, addition to or external alteration to and/or relocation of BUILDINGS associated with a SINGLE HOUSEHOLD UNIT per SITE not exceeding 1 unit per SITE at a standard of greater than 650m² per household unit.	P



BUILDINGS; The erection, addition to or external alteration to and/or relocation of BUILDINGS associated with a SINGLE HOUSEHOLD UNIT per SITE not exceeding 1 unit per SITE at a standard of greater than 450m² and not exceeding 650m² per household unit , that complies with Rule 12.8.19.11 including 12.8.19.11.8 *	P
BUILDINGS; The erection, addition to or external alteration to and/or relocation of BUILDINGS associated with a SINGLE HOUSEHOLD UNIT per SITE not exceeding 1 unit per SITE at a standard of greater than 450m ² and not exceeding 650m² per household unit , that complies with Rule 12.8.19.11 but does not comply with rule 12.8.19.11.8 *	RD
BUILDINGS; The erection, addition to or external alteration to and/or relocation of BUILDINGS associated with a COMPREHENSIVE DESIGNED DEVELOPMENT on sites identified for such activities on an approved DEVELOPMENT CONCEPT PLAN. *	RD #
BUILDINGS; The erection, addition to or external alteration to and/or relocation of BUILDINGS not otherwise listed in this table. *	D
BUILDINGS: The erection, addition to or external alteration to and/or relocation of BUILDINGS within the Weiti Landscape Overlay Area 2.*	RD#*
BUILDINGS; The demolition of BUILDINGS except where listed in Appendix 17A or B	P
BUILDINGS; The use of existing BUILDINGS for residential purposes, where the buildings comply with the activity and density rules	P
CHILDCARE FACILITIES, and after school care for school age children, for <u>not more than 10 children</u> at any one time based on an existing household unit or existing accessory BUILDINGS, subject to the site containing not less than 650m ² net site area (Note: this is an activity rule only and does not cover buildings associated with this activity).	P
CHILDCARE FACILITIES, and after school care for school age children, for <u>more than 10 children</u> at any one time, subject to the site containing not less than 650m ² net site area (Note: this is an activity rule only and does not cover buildings associated with this activity).	D
EDUCATIONAL FACILITIES (Note: this is an activity and building rule).*	D



EDUCATIONAL FACILITIES Alterations and additions to existing educational facilities provided that the buildings comply with the development control rules for the policy area the activity is located within. (Note: this is an activity and building rule).		RD
HOMES FOR THE AGED and day-care facilities for the elderly, accommodating not more than 10 persons inclusive of owner family and staff within an existing household unit or existing accessory BUILDINGS.		P
Retirement Villages, HOMES FOR THE AGED and day-care facilities for the elderly, accommodating more than 10 persons *		D
Grazing of animals on sites greater than 2,000m ² net site area		P
Homestays accommodating not more than 10 persons inclusive of owner family and staff (Note: this is an activity rule only and does not cover buildings associated with this activity).		P
HOME OCCUPATIONS that comply with rule 16.8		P
HOME OCCUPATIONS that comply with rule 16.8 but do not comply with the limitations on the number of people employed in a home occupation contained in Rules 16.8.1(c) and (d).		RD
Density Rules – Residential Activities	SINGLE HOUSEHOLD UNIT per SITE not exceeding 1 unit per SITE at a standard of not less than 650m ² per household unit. (Note this is a density rule.)	P
	SINGLE HOUSEHOLD UNIT per SITE not exceeding 1 unit per SITE at a standard of greater than 450m ² per household unit. (Note this is a density rule).	p
	COMPREHENSIVE DESIGNED DEVELOPMENT at a standard of greater than 150m ² of net site area per household unit on sites identified for such activities on approved DEVELOPMENT CONCEPT PLAN *	RD#*
PLACES OF ASSEMBLY *		D





Public Reserves	P
SERVICE STATIONS on roads classified as arterial and principal roads in this District Plan. *	D
Shops with a GFA of less than 100m2.*	RD
Shops with a GFA of 100m2 or greater where specifically provided for on a development concept plan that has been granted consent.*	RD
District Wide Activities	Refer to Chapter 16 - General Rules
EARTHWORKS, VEGETATION REMOVAL and importation of CLEAN FILL including excavation	Refer to Chapter 18 — Urban Land Modification and Vegetation Protection See also Rule 12.8.19.38.2
Transportation Activities	Refer to Chapter 21 - Transportation and Access
Use and storage of HAZARDOUS SUBSTANCES	Refer to Chapter 20 - Hazardous Substances and Contaminated Sites
UTILITIES	Refer to Chapter 19 - Utilities
All subdivision is subject to Rule 12.8.19.16	

12.8.19.10.3

Definitions for Garden Residential Policy Area Only:

DEVELOPMENT CONCEPT PLAN – means a plan required by Rule 12.8.19.11.1. For the purposes of clarity any reference that requires compliance with a DEVELOPMENT CONCEPT PLAN shall refer to the latest approved DEVELOPMENT CONCEPT PLAN applying to the land in question that has a valid resource consent.

COMPREHENSIVE DESIGNED DEVELOPMENT – means development where;

- (i) More than one household unit is proposed on a site within an area identified for such developments on a DEVELOPMENT CONCEPT PLAN that has been granted consent.

Within a COMPREHENSIVE DESIGNED DEVELOPMENT the design of buildings, their layout, access and relationship to one another and their neighbours is to be planned as a whole.





12.8.19.11

Rule
12.8.19.11.1

Rule
12.8.19.11.1.1

Rule
12.8.19.11.1.2

Rule
12.8.19.11.1.3

Development Controls

Development Concept Plan

Subdivision, earthworks, land development and building works shall only take place in accordance with an approved Development Concept Plan.

Any application for an activity identified in Table 12.8.19.10.2 with an *, any earthworks that require a resource consent, and any subdivision shall either:

- (a) include a Development Concept Plan for the entire area of the Precinct in which the application site is located; or
- (b) demonstrate that the activity applied for is in accordance with the most recently approved Development Concept Plan applying to that Precinct.

In Precinct 1 a DCP shall not be required to be prepared.

Any application that does not comply with (a) or (b) will be assessed as a non-complying activity.

Development as shown on the Development Concept Plan shall comply with the ranges of lot sizes shown on table 12.8.19.11.1.2 below and compliance shall be shown on the Development Concept Plan.

Table 12.8.19.11.1.2

Density – site size per household unit	Percentage of household units in Precinct
150m ² – 449.9m ²	20%
450m ² – 649.9m ²	25-45%
650m ² +	45-65%

1. Within Precincts 9A and 9B (but not including the area identified as Weiti Landscape Overlay Area 2) Protected Vegetation is to be excluded from the calculation of minimum site size.
2. Within the Weiti Landscape Overlay Area 2 sites shall have a minimum site size of 3000m² and an average site size of 4000m².

The Development Concept Plan shall also show compliance with (so far as is can be known at this stage) Rule 12.8.19.17 (subdivision standards).

The Development Concept Plan shall cover the whole of the precinct in which the site is located and show in detail the following information in respect of the entire precinct whether or not that land is owned by the applicant. (Where all the land in a precinct is not owned by a single entity only that part of the Development Concept Plan that is owned by the applicant will be granted consent. Landowners are however encouraged to provide joint Development Concept Plans).



- (a) Existing site boundaries;
- (b) The location and widths of all proposed streets, cycle routes and pedestrian routes including those shown in Silverdale North Outline Plan in Appendix 8 to the Planning Maps;
- (c) The location and dimensions of public reserves as shown in Silverdale North Outline Plan in Appendix 8 to the Planning Maps;
- (d) The distribution of various densities/ site sizes throughout the precinct including sites for comprehensively designed developments in accordance with table 12.8.19.11.1.2;
- (e) The proposed landscape concept for the precinct;
- (f) The existing and proposed finished contours of the precinct at 2m intervals and approximate long sections of roads;
- (g) The general nature of any earthworks proposed;
- (h) Any scheduled buildings as listed in the appendices to the District Plan or on the Register of the New Zealand Historic Places Trust;
- (i) Any protected trees and the location of existing significant vegetation;
***Note:** See Appendix 8 – Figure 4 for areas of identified Protected Vegetation to be protected by covenant – area to be defined by survey on the Development Concept Plan.
- (j) The location and extent of proposed trunk utility services;
- (k) Sites for non-residential activities where these are known;
- (l) Areas subject to the Physical Limitations Overlay;
- (m) Catchment Management Plan details for the precinct.

Rule
12.8.19.11.1.4

The Council shall use the Development Concept Plan to assess subsequent resource consent applications, for both subdivision and land use consents, and will as necessary or appropriate require compliance with the Development Concept Plan through conditions of consent and consent notices. If consent has not been granted for a Development Concept Plan then any application for subdivision consent will be a non complying activity.

Rule
12.8.19.11.1.5

For avoidance of doubt, approval of a Development Concept Plan will not fetter Council's ability to grant or refuse consent for future application for use or development of land.

Rule
12.8.19.11.1.6

A Development Concept Plan may alter the proportion of households of various densities within a precinct by transferring rights from one precinct into another provided that the following standards are met.

- The number of house holds within any density band on table 12.8.19.11.1.2 for any precinct shall not be varied by more than 40% (ie 40% of 10% in band 1);
- An equivalent percentage of households offsetting any variance shall be provided in a second precinct under the control of the applicant;



Rule
12.8.19.11.2

- A DCP must be prepared and approved for both Precincts;
- The range of household units for the combined Precincts must comply with table.

Applications for activities that invoke this rule shall be treated as a discretionary activity and affected persons' approvals may be required.

Maximum Site Coverage

Rule
12.8.19.11.2.1

Garden Residential Policy Area not part of a comprehensively designed development

The maximum site coverage shall be as follows;

- (a) Sites of 450m² or greater in area - 35% of net site area;
- (b) All sites in the Physical Limitations Overlay - 11.5%.

Rule
12.8.19.11.2.2

Garden Residential Policy Area part of a comprehensively designed development (refer to definition of comprehensively designed development)

The maximum site coverage shall be 60% of the net site area.

Explanation and Reasons

The Garden Residential area in Silverdale is intended to be characterised by spaciousness and garden qualities. These Rules are intended to ensure that these characteristics are retained. Open space plays an important part in providing space for the planting of trees, stormwater drainage, and ensuring a high level of amenity values on residential sites.

Rule
12.8.19.11.3

Maximum Height

Rule
12.8.19.11.3.1

Garden Residential Policy Area not part of a comprehensively designed development

The maximum height of any residential building shall be 9 metres.

Rule
12.8.19.11.3.2

Garden Residential Policy Area part of a comprehensively designed development

- (a) The maximum height of any building with a roof pitch of less than 20% shall be 9m;
- (b) The maximum height of any building with a roof pitch of 20% or more shall be 9m plus an additional non habitable roof space of 2m (total 11 metres).

Explanation and Reasons

The purpose of this rule is to provide for buildings with attractively designed roof lines rather than using as much habitable space within the maximum height.



Rule
12.8.19.11.4

Maximum Height in Relation to Boundary

Rule
12.8.19.11.4.1

Garden Residential Policy Area not part of a comprehensively designed development for sites of 650m² or greater in area;

No part of any building shall exceed a height equal to 3metres plus the shortest horizontal distance between that part of the building and any site boundary.

This rule shall not apply to:

- (a) chimneys, radio and television aerials, domestic satellite dishes less than 1 metre in diameter;
- (b) the apex of any roof or gable end not exceeding 1m² in area;
- (c) dormers not exceeding 2 metres in width (not more than two per building facing the same boundary);
- (d) those parts of buildings that share a common wall on a site boundary.

Explanation and Reasons

This rule assists in preventing over dominance of neighbouring sites and allows day light into sites. A higher building is permitted near the front of the site so that rear yards used for outdoor recreation are protected more from over dominance than the front of the site which will more often contain buildings.

Rule
12.8.19.11.5

Maximum Impervious Surfaces

Rule
12.8.19.11.5.1

Garden Residential Policy Area not part of a comprehensively designed development

Not more than 50% of the net site area of any site (this is post subdivision and does not include roads or reserves) may be covered in an impervious surface.

Rule
12.8.19.11.5.2

Garden Residential Policy Area part of a comprehensively designed development

Not more than 60% of the net site area of any site (this is post subdivision i.e. does not include roads or reserves) may be covered in an impervious surface.

Explanation and Reasons

This rule assists in limiting the amount of stormwater runoff by limiting impermeable surfaces. In addition, by limiting paved surfaces more open space is available for planting and landscaping. This contributes to the Garden Residential amenity values in Silverdale North.

Rule
12.8.19.11.6

Roof Types

All roofs shall be made of materials other than uncoated galvanised material.



Rule
12.8.19.11.7

Rule
12.8.19.11.7.1

Rule
12.8.19.11.7.2

Rule
12.8.19.11.8

Explanation and Reasons

The run-off from uncoated galvanised roofs has the potential to cause harm to eco-systems within streams and other receiving waters.

Yards

Garden Residential Policy Area not part of a comprehensively designed development

The minimum yards shall be as follows;

For sites of 650m² or greater in area

Front Yards

- (a) Minimum Front Yard: 6metres.

Side Yards

- (a) Minimum Side Yards: One yard of 1 metre and one yard of 3 metres provided that where a yard adjoins a neighbouring house constructed prior to 1 January 2006, that minimum yard shall be 3 metres.

Rear Yards

- (a) Minimum Rear Yard: 6 metres.

Yards To Remain Unobstructed By Buildings

All minimum yards shall remain unobstructed by buildings except as provided for below.

The following can be built in all yards:

- (a) Decks, unroofed terraces, landings, steps or ramps with a maximum height of 0.6 metres provided they do not prevent vehicular access to a required parking space;
- (b) Fascia, gutters, downpipes, and eaves; masonry chimney backs, flues, pipes, domestic fuel tanks, cooling or heating appliances or other services; light fittings, electricity or gas meters, aerials or antennae, pergolas or sun blinds provided they do not encroach into the yard by more than 0.3 metres.

Additional Rules for Garden Residential Policy Area not part of a comprehensively designed development on sites of 450m² or greater but less than 650m² in area



Rule
12.8.19.11.8.1

Maximum Height In Relation To Boundary

No part of any building shall exceed a height equal to 3 metres plus the shortest horizontal distance between that part of the building and any site boundary, except a front boundary and except that on side boundaries within 14 metres of the road frontage the maximum height of a building shall not exceed a height equal to 5 metres plus the horizontal distance between that part of the building and the side boundary.

This rule shall not apply to:

- chimneys, radio and television aerials, domestic satellite dishes less than 1 metre in diameter;
- the apex of any roof or gable end not exceeding 1m² in area;
- dormers not exceeding 2 metres in width (not more than two per building facing the same boundary);
- those parts of buildings that share a common wall on a site boundary

Where a site boundary adjoins a site in the Garden Residential Policy Area with a site size of 650m² or greater that is not part of a comprehensive development then Rule 12.8.19.11.4.1 shall apply to that boundary.

Explanation and Reasons

This rule assists in preventing over dominance of neighbouring sites and allows day light into sites. A higher building is permitted near the front of the site so that rear yards used for outdoor recreation are protected more from over dominance than the front of the site which will more often contain buildings.

Rule
12.8.19.11.8.2

Front Yards

Minimum Front Yards: 3 metres; provided that the siting of the building does not cause vehicles parked on site to protrude over the front boundary of the site.

Notwithstanding the above, the following additional rules also apply.

- (a) Bay windows, steps, verandahs, porches and balconies may protrude into the 3.0 maximum front yard but shall not be closer than 1.5m to the front boundary;
- (b) No fence, wall, or screen located within the front yard shall exceed 0.8m in height;
- (c) Where a garage faces the street, then the front wall (containing the garage door) of the garage shall be set back a minimum of 6m from the front boundary.

Explanation and reasons:

The set back of dwellings from the street influences the streetscape character, residents' privacy and the size of the private outdoor space at the rear. A site can therefore be used more efficiently if the minimum set back from the front street boundary is less than usually required. In the interests of the safety of residents and pedestrians and cyclists using the public street space, front yards should



Rule
12.8.19.11.8.3

ensure that a high degree of mutual surveillance takes place between the street and the dwelling frontages. Front yards therefore should not be screened with a boundary fence or wall in excess of 0.8 metre in height. The provision for the various permitted intrusions into the front yard are intended to encourage variety in street front elevations and opportunities to increase passive surveillance of the street.

Rear Yards/ Open Space

The minimum rear yards dimensions shall be as follows;

- (a) **For lots accessed from street frontages oriented between NW (315°) and NE (45°) of the lot:**

The minimum rear yard depth extending across the entire width of the site shall be sufficient to accommodate a 6m wide by 10m deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated residential unit.

- (b) **For lots accessed from street frontages oriented between SW (225°) and SE (135°) of the lot:**

The minimum rear yard depth extending across the entire width of the site shall be sufficient to accommodate a 6m wide by 6m deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated residential unit.

- (c) **For lots accessed from street frontages oriented between NE (45°) and SE (135°) and NW (315°) and SW (225°) of the lot:**

The minimum rear yard depth extending across the entire width of the site shall be sufficient to accommodate a 4.5m wide by 8m deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated residential unit.

Explanation and reasons

Rear yards are required to provide private open space for residents. It is important that these yards are private and receive adequate daylight. Accordingly different rules apply to sites that have different orientations to the sun.

Rule
12.8.19.11.8.4

Side Yards

Minimum Side Yards – One yard of 1 metre and one yard of 3 metres

Explanation and Reasons

Buildings should be set back in order to provide practical access to the building wall and to the rear of the site.

Rule
12.8.19.11.8.5

Yards to Remain Unobstructed by Buildings

All minimum yards shall remain unobstructed by buildings except as provided for below.



Rule
12.8.19.11.8.6

The following can be built in all yards:

- (a) Decks, unroofed terraces, landings, steps or ramps with a maximum height of 0.6 metres provided they do not prevent vehicular access to a required parking space;
- (b) Fascia, gutters, downpipes, and eaves; masonry chimney backs, flues, pipes, domestic fuel tanks, cooling or heating appliances or other services; light fittings, electricity or gas meters, aerials or antennae, pergolas or sun blinds provided they do not encroach into the yard by more than 0.3 metres.

Building Frontages

The total area of all attached or detached garage doors or the open façade of a carport fronting the street shall not occupy more than 35% of the active building frontage.

The active building frontage is defined as;

The front façade of a dwelling including any attached or detached garage that faces the street but excludes;

- Any vertical faces that are located more than 3 metres to the rear of the garage door;
- Any roof.

Explanation and Reasons

The purpose of this rule is to ensure that the street frontages of houses provide potential for surveillance of the street and are not dominated by garages and car parking.

Rules in Other Chapters of the Plan

Relevant rules in other chapters of the Plan shall also be complied with:

Chapter 5 – Natural Hazards

Chapter 13 – Future Development and Structure Plans

Chapter 16 – General Rules

Chapter 17 – Cultural Heritage

Chapter 18 – Urban Land Modification and Vegetation Protection

Chapter 19 – Utilities

Chapter 20 – Hazardous Substances and Contaminated sites

Chapter 21 – Transportation and Access

Chapter 22 – Financial Contributions and Works

Chapter 23 – Subdivision and Servicing (except that should any rules in Chapter 23 conflict with Rule 12.8.19.17., then Rule 12.8.19.17 shall apply)



Rule 12.8.19.12

12.8.19.12.1

Special Assessment Criteria – Development Concept Plan

When considering any application that requires the provision of a Development Concept Plan the Council will have regard to the guidelines in Appendix 12P and the following criteria:

- (a) Whether the indicated subdivision concept (so far as is can be known at this stage) complies with Rule 12.8.19.17 (subdivision standards);
- (b) Whether the size, location and layout of sites are in accordance with the following table:

Density – site size per household unit.	Percentage of household units in Precinct
150m ² – 449.9m ²	20%
450m ² – 649.9m ²	25-45%
650m ² +	45-65%

- (c) Whether the precinct layout proposed provides for housing densities in appropriate locations as outlined in Appendix 12P. This assessment will include consideration of whether higher density housing areas are spread throughout the precinct, not overly concentrated in a single location, and located adjacent to parks, community facilities or retail areas and whether significant views are retained by the pattern of development and housing types;
- (d) Whether the development concept plan is consistent with the Objectives and Policies of the Special 19 Zone and the Garden Residential Policy Area;
- (e) Whether the sites proposed for comprehensive developments are suitable for such development. Such sites shall have sufficient street frontage (more than 45 metres) to allow dwellings to face the street. Long narrow sites with small street frontages will not be granted consent unless they contain a public street network within the site;
- (f) Whether the street network is well connected;
- (g) Whether the street pattern reflects the existing or proposed topography;
- (h) Whether the landscape concept is appropriate to the urban context and to the creation of neighbourhood identity and Council's Vegetation Strategy for Silverdale North;
- (i) Whether significant natural and heritage features are retained and incorporated into new development;



Rule
12.8.19.12.2

- (j) Whether significant views as identified on the Silverdale North Outline Plan in Appendix 8 to the Planning Maps will be retained by the pattern of development and housing densities;
- (k) Whether non-residential activities are likely to be compatible with the garden residential environment desired in Silverdale North;
- (l) Whether the amount of earthworks required to implement the Development Concept Plan is minimised taking into account the existing landform;
- (m) Whether services are provided in accordance with the Standards for Engineering Design and Construction;
- (n) Whether appropriate low intensity development is to be located within the Physical Limitations Overlay area that retains such physical limitations;
- (o) Whether the management of stormwater flows is consistent with the Silverdale North Catchment Management Plan and ARC Technical Publication 10;
- (p) Whether the Development Concept Plan complies with the Silverdale North Outline Plan in Appendix 8 to the Planning Maps;
- (q) Whether a Precinct Sediment Management Plan (PSMP) has been submitted for approval as part of the DCP. The PSMP should address the management of earthworks over the precinct, and may include techniques to reduce sediment discharge that exceed ARC Technical Publication 90 controls, monitoring of sediment ponds, a technical analysis of the extent of restrictions on winter earthworks necessary, overall management of earthworks and any future controls required for future subdivision and / or small site earthworks in the precinct.

In addition to the criteria in Rule 12.8.19.12.1 the following criteria shall apply to Precincts 9A and 9B.

- (r) Whether the Development Concept plan provides for an appropriate mixture of site sizes including the limitation of any high density development to areas close to the Silverdale Parkway.
- (s) Having regard to whether the visual impact of development will adversely effect the visual amenity values of the area as a backdrop to the Hibiscus Coast gateway, whether the Development Concept Plan provides appropriately for limitations on the location of development within the Weiti Landscape Overlay Area 2 and/or specifies with sufficient detail the proposed design, height, colour, materials, form and scale of the future buildings and associated development.
- (t) Whether the Development Concept Plan provides appropriately for the protection of existing vegetation as shown on the Precinct 9 Plan in Appendix 8 – Figure 4



- (u) Whether the Development Concept Plan provides appropriately for new vegetation as shown on the Precinct 9 Plan in Appendix 9 – Figure 4
- (v) Whether the Development Concept Plan provides appropriately for reserves and a drainage area adjoining the Weiti Stream, as generally shown on the Precinct 9 Plan in Appendix 8 – Figure 4.

Rule 12.8.19.13

Rule
12.8.19.13.1

Rule
12.8.19.13.2

Rule
12.8.19.13.2.1

12.8.19.13.2.2

Controlled Activities

In accordance with section 77B the Council will restrict its control to the matters listed against each specified activity when considering resource consent applications for Controlled Activities. Applications for Controlled Activities under this Rule need not be notified or served and the written approvals of affected parties will not be required.

Accessory buildings for controlled activities

Matters for Control

The Council will restrict its control to the following matters:

- (a) Any Development Concept Plan provided with the application;
- (b) The scale of the accessory building;
- (c) The use of the accessory building;
- (d) The location of the accessory building;
- (e) The design and external appearance of the accessory building.

Assessment Criteria

When assessing an application for this activity the Council will have regard to the guidelines in Appendix 12P, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.12, and the following assessment criteria;

- (a) Whether there is an existing house on or proposed the site or another activity that the proposed building is accessory to;
- (b) Whether the proposed building appears to be of a lesser scale to the main building on the site;
- (c) Whether the proposed building is consistent with the criteria contained in Appendix 12P;
- (d) Whether the proposed building is consistent with the criteria contained in Appendix 12P;



- (e) Whether the main outdoor living areas on the site are not compromised by the proposed building.

Rule 12.8.19.14

Restricted Discretionary Activities

In accordance with sections 77B and 104C of the Act the Council will restrict its discretion to the matters listed against each specified activity when considering resource consents applications for Restricted Discretionary Activities.

Rule 12.8.19.14.1

Non-compliance With Development Controls

Rule 12.8.19.14.1.1

Certain Activities - Restricted Discretionary Activities

- (a) Where the Development Controls in Rule 12.8.19.11 are not met, the following are deemed to be Restricted Discretionary Activities. Restricted Discretionary Activity status applies only where the **circumstances** specified in each Rule are met;
- (b) In all other cases non-compliance with the Development Controls is deemed to be a Non-Complying Activity.

Rule 12.8.19.14.2

Activities not complying with Rule 12.8.19.11.2 Building Coverage

The written approval of affected parties shall be obtained.

Rule 12.8.19.14.2.1

Circumstances

- (a) In all cases.

Rule 12.8.19.14.2.2

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application;
- (b) Scale, siting and design of buildings, and structures;
- (c) Landscaping;
- (d) Drainage and stormwater generation.

12.8.19.14.2.3

Assessment Criteria

When assessing an application for this activity the Council will have regard to the urban design guidelines in Appendix 12P, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.12, and the following assessment criteria;



Rule
12.8.19.14.3

- (a) Whether the additional coverage will adversely affect the residential scale and the Garden Residential character of the site and surrounding area;
- (b) Whether the additional coverage will adversely affect overall residential amenity values in terms of open space provision, vegetation cover and privacy;
- (c) Whether the additional coverage will adversely affect the stormwater drainage system, flooding, overland flow paths and stormwater quality;
- (d) Whether where there is any additional stormwater generated over a complying situation the effects are mitigated so as to be equivalent to a complying situation;
- (e) Whether the building is consistent with the Urban design guidelines in Appendix 12P.

Rule
12.8.19.14.3.1

Activities not complying with Rule 12.8.19.11.3 Maximum Height

The written approval of affected parties shall be obtained.

Circumstances

- (a) Where steep slopes make compliance difficult.

Rule
12.8.19.14.3.2

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application;
- (b) Scale, siting and design of buildings, structures and landscaping;
- (c) The potential effects on adjoining properties.

12.8.19.14.3.3

Assessment Criteria

When assessing an application for this activity the Council will have regard to the guidelines in Appendix 12P, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.12, and the following assessment criteria;

- (a) Whether significant views from public and private places will be adversely affected;
- (b) Whether significant additional open space will be provided around buildings to compensate for the added height;
- (c) Whether the building will have adverse effects on neighbouring sites or buildings in terms of shadow, being overbearing, in terms of neighbourhood scale and in the reduction of views;



Rule
12.8.19.14.4

- (d) Whether the building will have adverse effects on privacy.

Activities not complying with Rule 12.8.19.11.4 Height in Relation to Boundary

The written approval of affected parties shall be obtained.

Rule
12.8.19.14.4.1

Circumstances

- (a) Where steep slopes make compliance difficult; or
- (b) Where the boundary adjoins a public reserve, accessway or similar area of permanent open space.

Rule
12.8.19.14.4.2

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application;
- (b) Scale, siting and design of buildings and structures;
- (c) Landscaping.

12.8.19.14.4.3

Assessment Criteria

When assessing an application for this activity the Council will have regard to the guidelines in Appendix 12P, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.12, and the following assessment criteria;

- (a) Whether the bulk and shape of the building will generally remain in character with the buildings in the neighbourhood;
- (b) Whether the building is consistent with the guidelines in Appendix 12P;
- (c) Whether the level of daylight on adjacent sites will be impaired to more than a minor extent;
- (d) Whether the extent of any overbearing or dominating effects on adjoining properties will not be more than minor;
- (e) Whether the building will have adverse effects on privacy;
- (f) The effect on the usefulness of any reserve or other land.

Rule
12.8.19.14.5

Activities not complying with Rule 12.8.19.11.5 Impervious Surfaces

These applications will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons.



Rule
12.8.19.14.5.1

Circumstances

- (a) Where the total area of impervious surfaces on a site is no more than 60% and this area is able to be mitigated to a 50% equivalent.

Rule
12.8.19.14.5.2

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application;
- (b) The nature and extent of stormwater generated from a site;
- (c) The nature of any mitigating measures.

12.8.19.14.5.3

Assessment Criteria

When assessing an application for this activity the Council will have regard to the urban design guidelines in Appendix 12P, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.12, and the following assessment criteria

- (a) Whether the amount of stormwater produced from the site is similar to a complying situation through the use of mitigation and reduction measures;
- (b) Whether the adverse effects of stormwater generation are avoided, remedied or mitigated.

Rule
12.8.19.14.6

Activities not complying with Rule 12.8.19.11.6 Roof Types

These applications will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons.

Rule
12.8.19.14.6.1

Circumstances

Any

Rule
12.8.19.14.6.2

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application;
- (b) The nature of any roofing material.

12.8.19.14.6.3

Assessment Criteria

When assessing an application for this activity the Council will have regard to the guidelines in Appendix 12P, where a Development Concept Plan is



included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.12, and the following assessment criterion;

- (a) Whether treatment of stormwater is provided on site to remove adverse effects on receiving waters.

Rule
12.8.19.14.7

Activities not complying with Rule 12.8.19.11.7 Yards

The written approval of affected parties shall be obtained.

Rule
12.8.19.14.7.1

Circumstance (1)

- (a) Where a wall of any household unit or accessory building infringes the side yard Rule and is located closer than 100mm to a site boundary; and
- (b) The maximum length of building on any one boundary is 50% of the boundary length or 15metres whichever is the lesser.

Rule
12.8.19.14.7.2

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application;
- (b) The approval of affected site owners;
- (c) Scale siting and design of buildings and structures;
- (d) Landscaping.

12.8.19.14.7.3

Assessment Criteria

When assessing an application for this activity the Council will have regard to the guidelines in Appendix 12P, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.12, and the following assessment criteria;

- (a) Whether the affected site owners have granted their approval to the infringement;
- (b) Whether adjoining sites are adversely affected;
- (c) Whether the building is consistent with the criteria in Appendix 12;
- (d) Whether any encroachment into the yard will adversely affect the safe and efficient operation including maintenance, of any utility or network utility and whether access to such utilities can be maintained at no additional expense than would normally be the case.



Rule
12.8.19.14.7.4

Circumstance (2)

- (a) In all cases except for (1) above.

12.8.19.14.7.5

Matters of Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application
- (b) Scale, siting and design of buildings and structures.
- (c) Landscaping
- (d) Urban design

12.8.19.14.7.6

Assessment Criteria

When assessing an application for this activity the Council will have regard to the guidelines in Appendix 12P, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.12, and the following assessment criteria;

- (a) Whether:
 - (i) The effect of shading on any household unit living area or accessory buildings; or
 - (ii) The loss of or reduction in visual and/ or aural privacy; or
 - (iii) The visual impact; or
 - (iv) Change in the residential character of the area;is appreciably different from a fully complying development.
- (b) Whether the building is consistent with the guidelines in Appendix 12P;
- (c) Whether any encroachment into the yard will adversely affect the safe and efficient operation including maintenance, of any utility or network utility and whether access to such utilities can be maintained at no additional expense than would normally be the case;
- (d) Whether any encroachment into the yard will adversely affect safety and operation of the road including pedestrian safety (such as sight lines).

Rule
12.8.19.14.8

Single Household Units not exceeding 1 unit per 450m² – 650m² of site area, associated construction and/or relocation of buildings and accessory buildings that comply with Rule 12.8.19.11 but do not comply with Rule 12.8.19.11.8

The written approval of affected parties may need to be obtained.



Rule
12.8.19.14.8.1

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application;
- (b) Building form and design;
- (c) Building materials;
- (d) Landscaping and screening;
- (e) Location and design of roading, access, vehicle parking and circulation;
- (f) Scale, siting and design of buildings and structures;
- (g) Outdoor living space;
- (h) Impervious surfaces;
- (i) The location of front entrances, pathways and fences;
- (j) Guidelines in Appendix 12P.

12.8.19.14.8.2

Assessment Criteria

In order to assist the Council to consider these applications the Council may undertake an architectural review by a Council appointed architect(s) at the Council's cost.

When assessing an application for this activity the Council will have regard to the guidelines in Appendix 12P, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.12, and the following assessment criteria;

- (a) The extent to which the proposal is consistent with an approved Development Concept Plan applying to the site.
- (b) Whether the proposal is in general accordance with the guidelines in Appendix 12P.
- (c) Whether the bulk and shape of the building will generally remain in character with the buildings in the neighbourhood and the Garden Residential concept.
- (d) Whether the existing character of the streetscape will be retained or is consistent with the urban design criteria.
- (e) Whether the level of daylight reaching adjacent sites or on site will be sufficient to enable normal household activities to be undertaken without the need to use artificial lighting during daylight hours.



- (f) Whether the extent of any overbearing effects of the building on neighbouring properties will be not more than minor.
- (g) Whether the building design and bulk have any adverse effects on the public enjoyment of public open space including the street.
- (h) Whether building design and bulk have any adverse effects on the provision of landscaping on the site, on neighbouring sites or on the street.
- (i) Whether the 'garden residential characteristics' of the site and neighbourhood are able to be retained including the ability to plant trees and provide outdoor living in sunny areas.
- (j) Whether the location of buildings results in significant shading effects.
- (k) Whether the location of buildings results in significant loss of or reduction in visual and/ or aural privacy.
- (l) Whether the location of buildings results in significant adverse visual impacts.
- (m) Whether the location of buildings or fences results in adverse effects on the safety of people in the street.
- (n) Whether the location of buildings will adversely affect the safe and efficient operation including maintenance, of any utility or network utility and whether access to such utilities can be maintained at no significant additional expense.
- (o) Whether the usefulness and privacy of rear yards for outdoor living are maintained.
- (p) Whether the location of buildings adversely affect practical access to the rear of the site.
- (q) Whether the location of buildings or fences on the site has adverse effects on the garden residential character of the area.
- (r) Whether garage(s) dominate the street frontage.
- (s) Whether there is variety in street front elevations.
- (t) Whether the layout of buildings and garages discourages cars from parking across the footpath or verge.
- (u) Whether the location of existing or proposed buildings precludes informal surveillance.
- (v) Whether adequate provision is made for visitor car parking.
- (w) Whether the proposal is consistent with the guidelines in Appendix 12P.



Rule
12.8.19.14.9

Explanation and Reasons

It is recognised by the Council that compliance with the development rules may not be possible or appropriate in every individual case. These Restricted Discretionary Activities and assessment criteria are intended to allow deviation from the Rules on unusual sites or in unusual circumstances or where the non-compliance is likely to have a low level of adverse effects.

Home Occupations that comply with Chapter 16, Rule 16.8 but do not comply with the limitations on the number of people employed in a home occupation contained in Rules 16.8.1(c) and (d).

The written approval of affected parties shall be obtained.

Rule
12.8.19.14.9.1

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application;
- (b) The scale and character of buildings;
- (c) The effect of the activities on neighbouring properties;
- (d) Car parking and traffic;
- (e) Visual effects;
- (f) The number of people employed in the home occupation.

12.8.19.14.9.2

Assessment Criteria

When assessing an application for this activity the Council will have regard to the guidelines in Appendix 12P, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.12, and the following assessment criteria;

- (a) Whether the scale and character of buildings required for the home occupation are in keeping with a residential environment and the neighbourhood character;
- (b) Whether the activity will have adverse environmental effects on neighbours. Such effects may include noise, odour, vibration, congestion and visual effects;
- (c) Whether the traffic generated by the activity (including car parking) is consistent with a residential environment and the neighbourhood character;
- (d) Whether the street network is capable of accommodating the additional traffic generated by the activity in a safe and efficient manner;
- (e) Whether the activity has adverse visual effects on the residential environment and on the neighbourhood character.



Rule
12.8.19.14.10

Shops with a GFA of less than 100m² and Shops with a GFA greater than 100m² where specifically provided for on a development concept plan that has been granted consent.

Written approval of affected persons may be required for this activity.

Rule
12.8.19.14.10.1

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application;
- (b) The scale and character of buildings (including floorspace);
- (c) The effect of the activities on neighbouring properties;
- (d) Car parking and traffic;
- (e) Visual effects.

12.8.19.14.10.2

Assessment Criteria

When assessing an application for this activity the Council will have regard to the guidelines in Appendix 12P, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.12, and the following assessment criteria;

- (a) Whether the proposal is consistent with an approved Development Concept Plan applying to the site;
- (b) Whether the scale and character of buildings required for the shop are in keeping with a residential environment and the neighbourhood character;
- (c) Whether the activity will have adverse environmental effects on neighbours. Such effects may include noise, odour, vibration, congestion and visual effects;
- (d) Whether the traffic generated by the activity (including car parking) is consistent with a residential environment and the neighbourhood character;
- (e) Whether the street network is capable of accommodating the additional traffic generated by the activity in a safe and efficient manner;
- (f) Whether the activity has adverse visual effects on the residential environment and on the neighbourhood character.

Rule
12.8.19.14.11

Comprehensively Designed Development and associated construction and/or relocation of buildings and accessory buildings which complies with the Development Controls in 12.8.19.11.



Rule
12.8.19.14.11.1

These applications will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons.

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application;
- (b) Building scale, form and design;
- (c) Landscaping and screening;
- (d) Methods and design of water supply, sewage disposal and drainage;
- (e) Traffic movement on site;
- (f) Location and design of roading, access, vehicle parking and circulation;
- (g) Location, scale, siting and design of buildings and structures;
- (h) The location of fences and screening;
- (i) Privacy;
- (j) Guidelines in Appendix 12P.

12.8.19.14.11.2

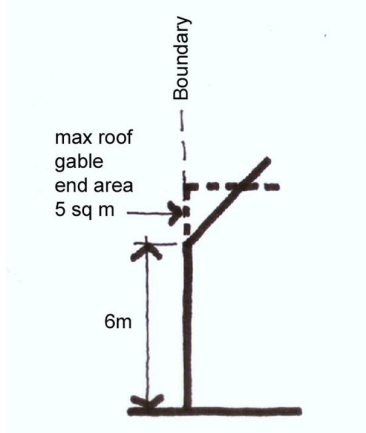
Assessment Criteria

When assessing an application for this activity the Council will have regard to the guidelines in Appendix 12P, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.12, and the following assessment criteria;

The following shall apply to the boundaries between exclusive use areas of dwelling units on the same site. Each application for resource consent shall show on plans submitted with the application such exclusive use areas associated with each dwelling.

Note: The following assessment criteria are made up of two columns. The first column sets out the assessment criteria that the Council will have regard to in assessing the application. The second column sets out optional complying standards. If a proposal complies with the standards it will be deemed to comply with the associated assessment criteria. However a proposal that does not comply with the optional standards may be granted consent if it is assessed to be in accordance with the assessment criteria.



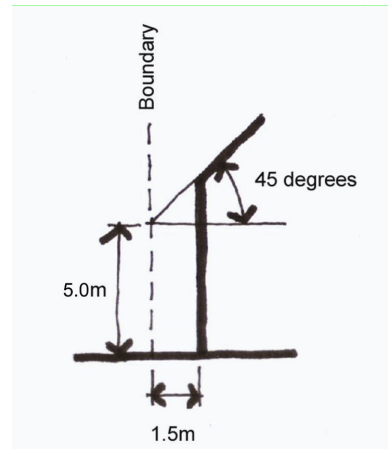
CRITERIA	PREFERRED OPTIONAL COMPLYING STANDARDS AND EXPLANATION
<p>Development Concept Plan</p> <p>(a) The extent to which the proposal is consistent with an approved Development Concept Plan applying to the site.</p>	
<p>Maximum Height in Relation to Boundary</p> <p>(b) Whether the bulk and shape of the building will generally remain in character with the buildings in the neighbourhood and the Garden Residential concept.</p> <p>(c) Whether the existing character of the streetscape will be retained or is consistent with the urban design criteria.</p> <p>(d) Whether the level of daylight reaching adjacent sites or on site will be sufficient to enable normal household activities to be undertaken without the need to use artificial lighting during daylight hours.</p> <p>(e) Whether the extent of any overbearing effects of the building on neighbouring properties will be not more than minor.</p> <p>(f) Whether the building design and bulk have any adverse effects on the public enjoyment of public open space including the street.</p>	<p>Rule 12.8.19.14.11.3.</p> <p>Maximum height of a building on a boundary</p> <p>No part of a building (where the wall is located in or within 100mm of the development site boundary) shall exceed a height equal to 6 metres plus the shortest horizontal distance between that part of the building and the side boundary.</p>  <p>Rule 12.8.19.14.11.4</p> <p>Maximum height of a building not on a boundary</p> <p>No part of a building (where the wall is located more than 100mm from the development site boundary) shall exceed a height equal to 5 metres plus the shortest horizontal distance between that part of the building and the side boundary.</p>



CRITERIA

- (g) Whether building design and bulk have any adverse effects on the provision of landscaping on the site, on neighbouring sites or on the street.
- (h) Whether the 'garden residential characteristics' of the site and neighbourhood are able to be retained including the ability to plant trees and provide outdoor living in sunny areas.

PREFERRED OPTIONAL COMPLYING STANDARDS AND EXPLANATION

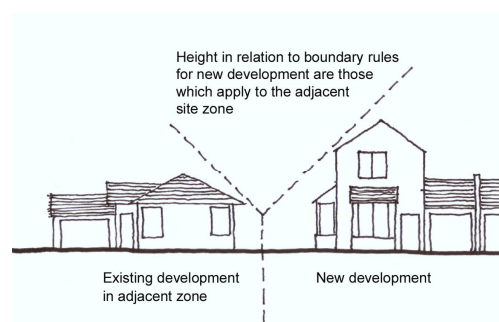


Rules 12.8.19.14.11.3. and 12.8.19.14.11.4 shall also apply to the boundaries between exclusive use areas of dwelling units on the same site. Each application for resource consent shall show on the plans submitted with the application such exclusive use areas associated with each dwelling.

Rule 12.8.19.14.11.5

Interfacing Policy Areas: height in relation to boundary rules where a development site adjoins a different zone

Where a site adjoins another policy area (or a site in the Garden Residential Policy Area that is not subject to an comprehensively designed development), then the height in relation to boundary rule that applies to the adjoining site shall apply to the common boundary.





The Height to Boundary Rules above shall not apply to:



CRITERIA	PREFERRED OPTIONAL COMPLYING STANDARDS AND EXPLANATION
	<p>(a) front boundary;</p> <p>(b) rear or side boundary adjoining a rear or side lane;</p> <p>(c) chimneys, radio and television aerials, domestic satellite dishes less than 1 metre in diameter;</p> <p>(d) the apex of any roof or gable end not exceeding 5m² in area;</p> <p>(e) dormers not exceeding 2 metres in width (not more than two per building facing the same boundary);</p> <p>(f) those parts of buildings that share a common wall on a site boundary or on a boundary between exclusive use areas.</p>
Yards	Rule 12.8.19.14.11.6
(i) Whether the location of buildings results in significant shading effects.	Front Yards
(j) Whether the location of buildings results in significant loss of or reduction in visual and/ or aural privacy.	Minimum Front Yards: 1.5 metres;
(k) Whether the location of buildings results in significant adverse visual impacts.	(a) provided that the siting of the building does not cause vehicles parked on site to protrude over the front boundary of the site.
(l) Whether the location of buildings or fences results in adverse effects on the safety of people in the street;	(b) Notwithstanding the above, the following additional rule also applies.
(m) Whether the location of buildings will adversely affect the safe and efficient operation including maintenance, of any utility or network utility and whether access to such utilities can be maintained at no significant additional	(c) No fence, wall, or screen located within the front yard shall exceed 0.8m high.
	(d) Where a garage faces the street, then the front wall (containing the garage door) of the garage shall be set back a minimum of 6m from the front boundary.



CRITERIA	PREFERRED OPTIONAL COMPLYING STANDARDS AND EXPLANATION
(n) Whether the usefulness and privacy of rear yards for outdoor living are maintained.	(e) Where two double garages are proposed to adjoin one another on the same site or where they are to be less than 3 metres apart, the front walls of the garages shall be offset by a minimum of 1 metre.
(o) Whether the location of buildings adversely affects practical access to the rear of the site.	Examples
(p) Whether the location of fences on the site has adverse effects on the open.	 <p data-bbox="946 954 1441 1066">Garages projected forward of the fronts of the dwellings dominate the front yards and detract from the quality and safety of the streetscape.</p>
(q) Whether garage(s) dominate the street frontage.	 <p data-bbox="946 1290 1441 1379">Garages recessed back behind the fronts of the dwellings enhance the front yards and the quality and safety of the streetscape.</p>
(r) Whether there is variety in the street front elevations	Rule 12.8.19.14.11.7
(s) Whether the layout of buildings and garages discourage cars from parking across the footpath or verge.	Rear Yards
	The minimum rear yards dimensions shall be as follows;
	Rule 12.8.19.14.11.8 For lots accessed from street frontages oriented between NW (315°) and NE (45°) of the lot:
	(a) For lots of 8m or less in width the minimum rear yard depth extending across the entire width of the site shall be sufficient to accommodate a 4.5m wide by 10m deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated residential unit.



CRITERIA

PREFERRED OPTIONAL COMPLYING STANDARDS AND EXPLANATION

- (b) For lots over 8m in width the minimum rear yard depth extending across the entire width of the site shall be sufficient to accommodate a 6m wide by 10m deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated residential unit.

Rule 12.8.19.14.11.9

For lots accessed from street frontages oriented between SW (225°) and SE (135°) of the lot :

- (a) For lots of 8m or less in width the minimum rear yard depth extending across the entire width of the site shall be sufficient to accommodate a 4.5m wide by 6m deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated residential unit.
- (b) For lots over 8m in width the minimum rear yard depth extending across the entire width of the site shall be sufficient to accommodate a 6m wide by 6m deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated residential unit.

Rule 12.8.19.14.11.10

For lots accessed from street frontages oriented between NE (45°) and SE (135°) and NW (315°) and SW (225°) of the lot:

- (a) For lots of 8m or less in width the minimum rear yard depth extending across the entire width of the site shall be sufficient to accommodate a 4.5m wide by 8m deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated residential unit.



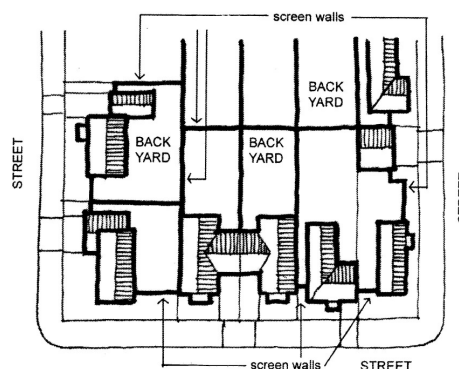
CRITERIA

PREFERRED OPTIONAL COMPLYING STANDARDS AND EXPLANATION

(b) For lots over 8m in width the minimum rear yard depth extending across the entire width of the site shall be sufficient to accommodate a 4.5m wide by 8m deep private open space that is directly adjoining and accessible from the living room or kitchen of the associated residential unit.

Rule 12.8.19.14.11.12

Walls to screen the rear yard and ensure a high quality streetscape



Rear yards shall be screened by a wall or fence or be landscaped. All such walls, fences or landscaping shall extend across the full width of the rear boundary and along each side boundary to a point 1.0m to the rear of the front elevation of the dwelling or garage and then run at 90 degrees between the side of the dwelling or garage to screen the side yard. Where there is no side yard, then the wall shall extend from the rear of the dwelling or garage on one side boundary, along the full length of the rear boundary, and along the second side boundary to join the rear wall of the dwelling or garage. Access gates are permitted within the fences.

Rule 12.8.19.14.11.13

Side Yards

There is no minimum side yard requirement within a comprehensively designed development provided that the minimum side yard requirement for a building not located on or within 100mm of a boundary shall be 1.5m.



CRITERIA	PREFERRED OPTIONAL COMPLYING STANDARDS AND EXPLANATION
	<p>Where a site adjoins another policy area (or a site in the Garden Residential Policy Area that is not subject to a comprehensively designed development), then the side yard rule that applies to the other policy area or site shall apply to both sites.</p> <p>Rule 12.8.19.14.11.14 Yards To Remain Unobstructed By Buildings</p> <p>All yards shall remain unobstructed by buildings except as provided for below.</p> <p>The following can be built in all yards:</p> <ul style="list-style-type: none"> (a) Decks, unroofed terraces, landings, steps or ramps with a maximum height of 0.6 metres provided they do not prevent vehicular access to a required parking space. (b) Fascia, gutters, downpipes, and eaves; masonry chimney backs, flues, pipes, domestic fuel tanks, cooling or heating appliances or other services; light fittings, electricity or gas meters, aerials or antennae, pergolas or sun blinds provided they do not encroach into the yard by more than 0.3 metres.
Active Building Frontages	<p>Rule 12.8.19.14.11.15 Building Frontages</p>
(t) Whether garage(s) dominate the street frontage.	<p>The total area of all attached or detached garages doors or the open façade of a carport fronting the street shall not occupy more than 35% of the active building frontage.</p>
(u) Whether street frontages of houses provide potential for surveillance of the street	<p>The active building frontage is defined as:</p> <p>The front façade of a dwelling including any attached or detached garage that faces the street but excludes:</p>



CRITERIA	PREFERRED OPTIONAL COMPLYING STANDARDS AND EXPLANATION
<p>Privacy and Private Outdoor Space</p>	<ul style="list-style-type: none"> Any vertical faces that are located more than 3m to the rear of the garage door Any roof. <p>Rule 12.8.19.14.11.16</p>
<p>Private Outdoor Space For Ground Floor Residential Units.</p> <p>(v) Whether an adequate area of private open space suitable for use and outlook by the occupants of each dwelling is provided.</p> <p>(w) Whether the arrangement of buildings and spaces on the site is such that suitable spaces for the likely day to day outdoor activities of residents are provided.</p> <p>(x) Whether adequate levels of privacy are maintained within private open space, between adjoining areas of open space and between private open space and other disassociated dwellings.</p> <p>(y) Whether the private open space receives adequate levels of sunlight.</p> <p>(z) Whether the open space is appropriate to the type of housing provided.</p> <p>(aa) Whether the private open space is directly accessible to and part of the associated household unit.</p>	<p>A single area of open space shall be provided for each ground floor residential unit that meets the following standards:</p> <p>(a) The area and minimum dimensions of the open space shall be as specified in Rule (Rear Yard).</p> <p>(b) The open space shall contain a minimum contiguous area of 16m² that shall not be shaded by buildings on the same site between the hours of 10.00am and 2.00pm throughout the year (note this area may move within the private open space). Applications for resource consent shall illustrate compliance with this rule through shade diagrams.</p> <p>(c) The open space shall be directly accessible from a living room, dining room or kitchen of each household unit.</p> <p>(d) The open space shall have a maximum average slope in any direction of 1:12.</p> <p>(e) The open space shall not be obstructed by buildings, parking spaces or vehicle access and manoeuvring areas provided that any part of a building which is 2.2m or more above the open space may protrude a maximum of 1.5m over the open space.</p>



CRITERIA

PREFERRED OPTIONAL COMPLYING STANDARDS AND EXPLANATION

Rule 12.8.19.14.11.17

Private Open Space For Household Units Above Ground Floor Level

Each studio or 1 bedroom apartment or any household unit less than 60m² in area above ground floor level shall be provided with open space that meets the following standards:

Either

An exclusive use balcony;

- (a) with a minimum area of 6m²
- (b) with a minimum depth of 2m
- (c) with a weather tight overhang or cover of at least 1m from the face of the building.
- (d) that is directly accessible from the main living room
- (e) that has privacy screens projecting across the full depth of the balcony where the balconies are less than 2m apart.
- (f) that has privacy screens projecting a minimum of 1m from the face of the building where balconies are located between 2m and 5m apart.

Or;

An exclusive use roof top space;

- (a) with a minimum area of 9m²
- (b) with a minimum depth of 2m
- (c) that is directly accessible from the main living room.
- (d) that is screened from other roof top open space within 8m.

Each 2 or 3 bedroom apartment or any household unit over 60m² in area above ground floor level shall be provided with open space that meets the following standards:



CRITERIA	PREFERRED OPTIONAL COMPLYING STANDARDS AND EXPLANATION
	<p data-bbox="946 338 1018 365">Either</p> <p data-bbox="946 405 1249 432">An exclusive use balcony;</p> <ul style="list-style-type: none"> <li data-bbox="946 465 1358 492">(a) with a minimum area of 10m² <li data-bbox="946 533 1374 560">(b) with a minimum depth of 2.5m <li data-bbox="946 600 1449 689">(c) with a weather tight overhang or cover of at least 1m from the face of the building <li data-bbox="946 730 1449 790">(d) that is directly accessible from the main living room <li data-bbox="946 824 1449 947">(e) that has privacy screens projecting across the full depth of the balcony where the balconies are less than 2m apart <li data-bbox="946 981 1449 1104">(f) that has privacy screens projecting a minimum of 1m from the face of the building where balconies are located between 2m and 5m apart. <p data-bbox="946 1144 986 1171">Or;</p> <p data-bbox="946 1205 1326 1232">An exclusive use roof top space;</p> <ul style="list-style-type: none"> <li data-bbox="946 1265 1358 1292">(a) with a minimum area of 12m² <li data-bbox="946 1332 1374 1359">(b) with a minimum depth of 2.5m <li data-bbox="946 1400 1449 1460">(c) that is directly accessible from the main living room. <li data-bbox="946 1494 1449 1554">(d) that is privacy screened from other roof top open space within 8m. <p data-bbox="946 1621 1246 1648"><i>Explanation and Reasons</i></p> <p data-bbox="946 1653 1449 1877"><i>Exclusive use private outdoor space is considered necessary to ensure a high standard of residential amenity and to support outdoor eating, small scale gardening and minor play opportunities with some sunlight opportunities throughout the year.</i></p>

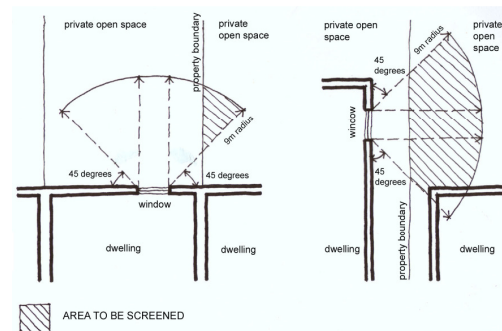


CRITERIA

PREFERRED OPTIONAL COMPLYING STANDARDS AND EXPLANATION

Rule 12.8.19.14.11.18

Protection of overlooking of private open space



Screening of views to adjacent private open space

All windows in ground floor habitable rooms, balconies, terraces or patios shall be located and designed to avoid direct views into those parts of the private open space of another existing or proposed household unit that are below 1.5m in height above ground level and within a horizontal distance of 9m.

To comply with this rule views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio and from a height of 1.6m above floor or deck level.

Direct views for the purpose of this rule shall be defined as being views into more than 50% of the private open space of another household unit. (The purpose of the rule is to prevent overlooking of more than 50% of the private open space of another household unit).

Techniques for preventing overlooking of adjacent private open space from a balcony in a household unit above that private open space and within the same development

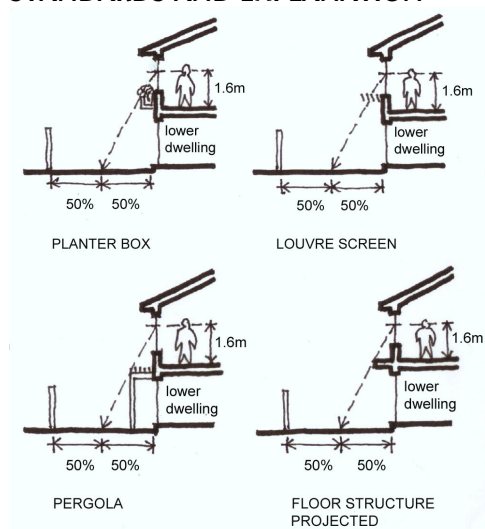


CRITERIA

Visual Privacy - Protection Of Privacy Within Household Units

(bb)Whether good levels of privacy are maintained within household units

PREFERRED OPTIONAL COMPLYING STANDARDS AND EXPLANATION



Rule 12.8.19.14.11.19

The windows of a habitable room of a new household unit that are less than 6m from those of a habitable room of another existing or proposed household unit shall;

- be offset a minimum of 1m (horizontally or vertically) from the outer edge of one window to the outer edge of the other, or
- have sill heights of 1.6m or greater above floor level, or
- have fixed obscure glazing in any part of the window below 1.6m above floor level, or
- be on the ground floor and be separated by a fence that has a height or 1.6m or more above floor level.

Provided that this rule shall not apply to windows facing the same direction or where windows.

Windows on the front or rear ground floor walls of household units shall be no closer than 12m to windows on the rear or front walls of other household units.



CRITERIA	PREFERRED OPTIONAL COMPLYING STANDARDS AND EXPLANATION
<p>Assessment Criteria – Landscape Works</p> <p>(cc) Whether the landscape works form part of a comprehensive design concept which integrates building design and private, communal and public land.</p> <p>(dd) Whether paving materials are non-slip, non-reflective, non-glare producing.</p> <p>(ee) Whether planting is used to;</p> <ul style="list-style-type: none"> (i) establish and maintain a treed environment that is compatible with the neighbourhood and the specific planting character of the street. (ii) visually reduce the bulk of new development and mellow the appearance of new buildings. (iii) help provide summer shade, wind breaks and access to winter sun. (iv) help provide and maintain visual privacy. (v) create an attractive environment 	<p>Windows on the front or rear walls above ground floor level of household units shall be no closer than 16m to windows on the rear or front walls of other household units as these are more visible above fences.</p> <p>Windows of different household units that face each other at angles of greater than 135 degrees shall be no closer than 4m to each other.</p>



CRITERIA	PREFERRED OPTIONAL COMPLYING STANDARDS AND EXPLANATION
(ff) Whether existing mature trees, especially those located near	
(gg) Whether the tree species selected are appropriate to an urban context.	<p data-bbox="948 604 1211 631">Rule 12.8.19.14.11.20</p> <p data-bbox="948 638 1123 665">Building Block</p> <p data-bbox="948 703 1441 797">No building block shall exceed a length equal to 5 household units or 40 metres whichever is the lesser.</p> <p data-bbox="948 835 1441 992">Building blocks containing more than one household unit shall be separated from any other building or the Comprehensive Development site boundary by 10m.</p>
Assessment Criteria – Other	
(hh) Whether adequate provision is made for visitor parking.	
(ii) Whether the proposal is consistent with the guidelines in Appendix 12P.	



Rule
12.8.19.14.12

Alterations and additions to existing educational facilities provided that the buildings comply with the development control rules for the policy area the activity is located within.

Rule
12.8.19.14.12.1

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application;
- (b) Building height, shape and bulk;
- (c) The location of building or land uses in relation to neighbouring sites;
- (d) Traffic issues;
- (e) The likely finished contours of the site and land management techniques;
- (f) Landscaping and screening;
- (g) The overall scale of the activity;
- (h) The guidelines contained in Appendix 12P.

12.8.19.14.12.2

Assessment Criteria

When assessing an application for this activity the Council will have regard to the guidelines in Appendix 12P, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.12, and the following assessment criteria:

- (a) Whether the proposal is consistent with the guidelines within Appendix 12P;
- (b) Whether the scale and character of buildings are in keeping with a residential environment and the neighbourhood character;
- (c) Whether the activity will have adverse environmental effects on neighbours;
- (d) Whether the traffic generated by the activity (including car parking) is consistent with a residential environment and the neighbourhood character;
- (e) Whether the street network is capable of accommodating the additional traffic generated by the activity in a safe and efficient manner;
- (f) Whether the activity has adverse visual effects on the residential environment and on the neighbourhood character;



Rule
12.8.19.14.13

- (g) Whether the overall scale of the activity remains in keeping with a residential environment and the neighbourhood character.

Buildings: The erection, addition to or external alteration to and/or relocation of buildings within the Weiti Landscape Overlay Area 2*

Rule
12.8.19.14.13.1

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application;
- (b) Design and external appearance;
- (c) Site layout;
- (d) Driveway and parking layout;
- (e) Landscape elements;
- (f) Financial contributions.

In order to exercise control over these matters the Council will require applicants to provide;

- Accurate elevations and plans of buildings, a detailed landscape plan (including fencing) and a site layout plan.

12.8.19.14.13.2

Assessment Criteria

When assessing an application for this activity the Council will have regard to the urban design guidelines in Appendix 12P, where a Development Concept Plan is included with the application, the assessment criteria specific to the Development Concept Plan in 12.8.19.12.1 and the following assessment criteria:

- (a) Design and External Appearance

Whether the design, height, colour, materials, form and scale of the proposed building or structure and its visual impact avoids or mitigates any adverse effects on the visual amenity values of the Weiti Landscape Precinct as the backdrop to the Hibiscus Coast gateway. In particular whether the height of the buildings or structures will adversely affect views from the southern part of the KEBP Policy Area and whether obtrusive reflective materials or colours are used.

- (b) Landscape Elements

Whether the site development is landscaped in such a way that avoids or mitigates adverse effects on the visual amenity values of the Weiti Landscape Precinct as the back drop to the Hibiscus Coast gateway. In particular, whether proposed planting will grow to a height that will screen or soften the appearance of the proposed buildings and structures when viewed from the Hibiscus Coast Highway.



Rule 12.8.19.15

Rule
12.8.19.15.1

Whether native bush or other significant vegetation is to be retained.

Whether the site landscaping is in accordance with the provisions of any Development Concept Plan for the site.

Discretionary Activities

General Assessment Criteria - All Discretionary Activities

Without limiting the exercise of its discretion, for all Discretionary Activity resource consent applications in the Garden Residential Policy Area (other than those applications requiring solely a subdivision consent) when assessing an application the Council will have regard to the guidelines in Appendix 12P, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.12, the following assessment criteria, any relevant Discretionary Activity Assessment Criteria in any other chapter of this Plan and the relevant matters set out in section 104 of the Act:

The Council will generally have to be satisfied that a proposal is on balance positive or neutral in respect of the combined relevant criteria before it will grant consent.

Effects on the Natural Environment

- (a) The extent to which the proposal is consistent with an approved Development Concept Plan applying to the site;
- (b) Whether any discharges to land, water or air (including dust, smoke, fumes and odour) or the presence of hazardous substances will result in any significant reduction in the quality of the physical environment or detract from the existing or planned amenity values or the Garden Residential character of the area;
- (c) Whether the public utility and servicing requirements of the proposed activity, including water requirements, the provision for waste and stormwater disposal services existing or planned will place undue pressure on the capacity of utilities and services, and whether the development incorporates works that mitigate any such pressures;
- (d) Whether the modification of significant wildlife habitats is avoided or any modification is mitigated;
- (e) Whether any adverse effects from the removal of vegetation are avoided, remedied or mitigated;
- (f) Whether the Garden Residential character will be adversely affected by the arrangement and layout of buildings, access drives and other development;
- (g) Whether the proposal will be able to avoid, remedy or mitigate any adverse effects of land instability, the presence of swampy land, erosion, or stormwater disposal, or will exacerbate the adverse effects of these (including cumulative effects) on other sites or on receiving waters.



Effects on the Neighbourhood

- (h) Whether the scale, design, layout, external appearance and landscaping of buildings and sites are compatible with or will enhance the Garden Residential character and amenity values expected in the Garden Residential Policy Area;
- (i) Whether in the case of non-residential activities, the character of the activity and its effects are compatible with the garden residential character and amenity values expected in Garden Residential Policy Area;
- (j) Whether non-residential activities break up residential communities and leave residents without close neighbours;
- (k) Whether the activity will have adverse effects on the efficient provision of infrastructure.

Effects on the Neighbouring Sites

- (l) Whether the activity is designed and carried out in a way that avoids or mitigates the adverse effects of noise, vibration, electrical interference, visual intrusion and light overspill onto adjacent sites. Particular consideration will be given to maintaining a quiet night time environment, and to minimising risk to people's health and safety;
- (m) Whether the activity is designed and carried out in a way that preserves the privacy of adjacent residential sites;
- (n) Whether the site has a frontage and access to a formed public road of sufficient width so that the activity can be accessed from the street without causing adverse effects on neighbouring sites;
- (o) Whether the activity generally complies with the Development Controls contained in Rule 12.8.19.3.11 so that the effects of buildings are similar to those of permitted buildings.

Effects on the Transportation Network

- (p) Whether the vehicular traffic generated by the activity, including cars parked on roads, can be accommodated without a loss of safety or efficiency of the road network, and without loss of residential amenity;
- (q) Whether the design of the proposal is such that ease of direct movement, by both pedestrians and vehicles is provided for;
- (r) Where the site is located near intended public transport routes or planned significant community focal points, whether the proposal is likely to have positive implications for the provision of public transport;



- (s) Whether in the case of educational facilities a travel management plan has been provided;
- (t) Whether any development will have adverse effects on the character of Greenways and other roads as an open space element.

Residential Densities

- (u) Whether, for proposals involving residential developments, (in addition to these criteria) the proposal meets the assessment criteria for Restricted Discretionary Activities 12.8.19.14.11 for residential development.

Cumulative Effects

- (v) In addition to the above the Council will consider any cumulative effects as defined in the Act.

Appendix 12P

- (w) Whether the proposal is consistent with the guidelines within Appendix 12P.

Explanation and Reasons

All activities locating in residential areas should be constructed and operated in a way that does not detract from the environmental qualities of residential areas. These criteria are designed to assist the Council in determining how non-residential activities affect residential environments.

Specific Assessment Criteria - Service Stations

Without limiting the exercise of its discretion for all Discretionary Activity resource consent applications for Service Stations in the Residential Zones, the Council will have regard to the criteria in Rule 12.8.19.15.1 and the following assessment criteria, other relevant provisions of the Plan, and the relevant matters set out in section 104 of the Act:

The Council will generally have to be satisfied that a proposal is positive or neutral in respect of all relevant criteria before it will grant consent.

Locational Criteria

- (a) Whether the site is in a location where the activity will not introduce any more than minor adverse effects into an area that has a substantially residential character.

Environmental Criteria

- (b) Whether the operational hours outside the normal business hours have adverse effects on residential activities in the vicinity of the site;
- (c) Whether the design and scale of proposed buildings, including roofline and overall proportions, are suitable having regard to surrounding buildings;
- (d) Whether there are adverse effects on the residential amenities of

Rule
12.8.19.15.2



Rule
12.8.19.15.3

- the local area caused by fixtures for security and advertising purposes such as fences, or light standards and signs or banners;
- (e) Whether there are adequate separation distances or buildings and activities from land zoned residential;
 - (f) Whether there is adequate proposed landscaping and screening of side and rear yards in regard to any need to form a visual screen and physical barrier between the service station and adjoining residentially zoned sites, and to contribute to the maintenance of visual amenity on the frontage of any site;
 - (g) Whether the forecourt area and any buildings are of a human scale and that the site is sufficiently landscaped so that adverse effects on the garden residential character are avoided;
 - (h) Whether signage and corporate branding is modified to fit with the Garden residential character of the garden Residential Policy Area.

Explanation and Reasons

The above criteria are required to ensure that the specific adverse effects of service stations are avoided, remedied or mitigated and the amenity values of residential areas are protected.

Specific Circumstances and Assessment Criterion – Land Use in Advance of Infrastructure (Garden Residential)

- (a) Where the activity or subdivision is to occur in advance of the infrastructure requirements specified in Appendix 12T.1 and is specified as a discretionary activity in the activity table, the following circumstances shall be met in order for the activity to be a discretionary activity.

Circumstances

- (a) The LOS for the key traffic movements remain at Level D or better.
- OR
- (b) The predicted increase in travel time for any key traffic movement is not increased by more than 1 minute over the reference case.

The following framework shall apply to the assessment of the measurements in (a) and (b) above:

- (i) The key traffic movements are:
 1. All movements to or from the State Highway network at the Silverdale Interchange and Wainui Ramps;
 2. All movements to or from the intersection of Silverdale Parkway / Hibiscus Coast Highway / Whangaparaoa Road;
 3. All movements to or from the intersection of Grand Drive and the north-south link (when this is completed and operational);
 4. Travel time along Hibiscus Coast Highway between the



Silverdale Interchange and Whangaparaoa Road.

- (ii) The reference case is the (assumed) full development of all stages enabled prior to the stage relevant to the site;
- (iii) The land use activity mix included for the development stage relevant to the site must be consistent with the objectives and policies of the District Plan, and in particular, objectives and policies in sections 12.8.19.4 and 12.8.19.5;
- (iv) The assessment must be based on full development of the development stage relevant to the site;
- (v) The assessment must be undertaken for an analysis year of no sooner than 2016;
- (vi) The forecasting of traffic flows and travel times should be consistent with the process used in the traffic modelling undertaken at the time the staging in Schedule 12T.1 was developed; and
- (vii) For the purpose of this rule, LOS means Level of Service as defined in AUSTROADS Guide to Traffic Engineering Practise – Part 2 – Roadway Capacity, 1999 (Austroad Incorporated, page 2).

Assessment Criteria

- (a) Whether the development will generate adverse effects on the roading network in the area that are more than minor.

Rule 12.8.19.16

Rule
12.8.19.16.1

Subdivision

Subdivision in the Garden Residential Policy Area

Subdivision in the Residential Policy Areas shall comply with the following:

- (a) All Restricted Discretionary Activities in the Subdivision Table shall be assessed against the criteria in Rule 12.8.19.18.1.
- (b) Any Subdivision not listed in the Subdivision Table is a Non-complying Activity and will be assessed against the relevant matters in section 104 of the Act.
- (c) Except for sites within Precinct 1, all subdivision applications must demonstrate compliance with an approved Development Concept Plan or provide a Development Concept Plan as part of the application in accordance with rule 12.8.19.11.1.
- (d) Subdivision within the Special 19 Zone shall comply with the Silverdale North Outline Plan in Appendix 8 to the Planning Maps.
- (e) Except as provided for by section 94C(2) of the Act, restricted discretionary activities marked will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons.



In the following table:

RD = Restricted Discretionary Activity

NC = Non-complying Activity

ACTIVITY	Garden Residential Policy Area
Creation of new sites that: <ul style="list-style-type: none"> Have a site area of 450m² or greater; and Are consistent with a Development Concept Plan that has been granted consent; and Comply with the relevant Subdivision Standards in Rule 12.8.19.17 	RD
Creation of new sites that: <ul style="list-style-type: none"> Have a site area of 450m² or greater; and Are consistent with a Development Concept Plan that has been granted consent; and Do not comply with the Subdivision Standards in Rule 12.8.19.17 	RD
Creation of new sites that are part of a comprehensively designed development under rule 12.8.19.14.11 : <ul style="list-style-type: none"> On land identified for comprehensive development on a Development Concept Plan that has been granted consent; and That is consistent with a Development Concept Plan that has been granted consent; and Comply with the relevant Subdivision Standards in Rule 12.8.19.17 	RD
Creation of new sites that are part of a comprehensively designed development under rule 12.8.19.14.11: <ul style="list-style-type: none"> On land identified for comprehensive development on a Development Concept Plan that has been granted consent; and That is consistent with a Development Concept Plan that has been granted consent; and Do not comply with the relevant Subdivision Standards in Rule 12.8.19.17 	RD
Creation of new sites that: <ul style="list-style-type: none"> Are located within Precinct 1: Have a site area of 650 m² or greater; and Comply with the relevant Subdivision Standards in Rule 12.8.19.17 	RD
Except within Precinct 1, all subdivision of land not subject to a Development Concept Plan that has been granted consent.	NC
Except within Precinct 1, all subdivision not consistent with a Development Concept Plan that has been granted consent.	NC
Any subdivision of land not provided for as a Restricted Discretionary Activity above.	NC



Rule 12.8.19.17

Rule
12.8.19.17.1

Rule
12.8.19.17.2

Rule
12.8.19.17.3

Subdivision Standards

General

Where subdivision is located within the Garden Residential Policy Area the following rules shall apply.

- (a) The layout of ground floor level units or cross lease flats and their associated exclusive use areas shall comply with the subdivision rules for fee simple subdivisions;
- (b) An application for subdivision consent may be made for all or part of the land contained within a Development Concept Plan;
- (c) In granting consent to any subdivision the Council may impose as a condition of consent, a consent notice stipulating that the site must not be subdivided further.

Total Number of Sites and Site Size

- (a) The total number of sites applied for in any application for subdivision consent shall be in strict accordance with the number included in the relevant consented to Development Concept Plan;
- (b) The sizes of sites shall be in general accordance with the site sizes shown in the relevant consented Development Concept Plan;
- (c) Other than within Precinct 9B, sites in the Physical Limitations Overlay area shall have a minimum site area of 1500m² with an average area of 5000m² within the overlay area unless the geotechnical constraints are removed as shown on a consented Development Concept Plan or it can be demonstrated that a smaller site area and/or average area can be justified in geotechnical terms.
- (d) Within Precinct 9B sites in the Physical Limitations Overlay area shall have a minimum site area of 4000m² within the overlay area unless the geotechnical constraints are removed as shown on a consented Development Concept Plan or it can be demonstrated that a smaller site area and/or average area can be justified in geotechnical terms.

Site Width

The minimum site widths shall be as follows.

- (a) For lots with a site area of greater than 450m² the following shall apply;
 - (i) Lots with side yards facing north of northeast and northwest shall have a minimum width of 14m.
 - (ii) Lots with front yards facing north of northeast and northwest shall have a minimum width of 15m.
- (b) Other lots shall have a minimum width of 8m.



Rule
12.8.19.17.4

Rear Sites

All sites shall have minimum site frontages as follows:

- (a) Minimum frontage and access of 6 metres;
- (b) A minimum 0.5 metre landscape strip shall be provided on each side of a carriageway within a jointly owned accessway or right of way;
- (c) Up to 4 sites or household units may gain frontage over a jointly owned access lot or right of way for the benefit of the sites or a combination of both.

Rule
12.8.19.17.5

Public Street Network

- (a) Street blocks shall have a maximum plan dimension in any direction of 250m and a maximum block perimeter of 800m;
- (b) Where public parks and reserves are provided they shall be bounded by public streets for 75% of their entire perimeter excluding any coastal frontage.

Rule
12.8.19.17.6

Cross Lease, Unit Titles and Company Leases

In all Garden Residential Policy Areas the standards for cross lease, unit titles and company leases shall be:

- (a) The subdivision shall be for a development that complies with this Plan; or a resource consent which has been granted for the development which is the subject of proposed subdivision;
- (b) The subdivision shall be for development that complies with section 46(4) of the Building Act 1991;
- (c) Where the land proposed to be subdivided is occupied by one or more existing buildings that has obtained a resource consent or is a Permitted Activity, any proposed covenant, unit or accessory unit boundary shall be consistent with all relevant development controls of the policy area in the case of a permitted activity or the conditions of any resource consent granted;
- (d) Where any building included in the application for subdivision consent has not been constructed at the time of granting consent, the Council will not approve the survey plan under section 223 of the Act, until the building is completely framed up to and including the roof level, and the Council is satisfied that it has been built in accordance with the Plan or any resource consent granted. The Council may require the height of the building and its position in relation to boundaries of the site to be confirmed by a certificate from a registered surveyor;
- (e) A staged unit title or cross lease subdivision shall have sufficient area for further complying development which shall be free from inundation and slippage and capable of adequate servicing. The Council may require any application to show details of compliance with this Rule.



Rule
12.8.19.17.7

Tree Planting

As a minimum, and as a part of a comprehensive landscaping plan for the road reserves, one tree shall be planted on each side of the road at 15 m intervals.

Rules in Other Chapters of the Plan

Rules in Chapter 23 - Subdivision and Servicing shall also apply.

Rule 12.8.19.18

Restricted Discretionary Activities (Subdivision)

Except as provided for by section 94C(2) of the Act, restricted discretionary activities marked will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons.

Rule
12.8.19.18.1

Residential Subdivision in Garden Residential Policy Area

All subdivision in the Garden Residential Policy Area and that is Part of a Comprehensively Designed Development that complies with Rule 12.8.19.17.

Rule
12.8.19.18.1.1

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application;
- (b) Site, size, shape and orientation;
- (c) Site contour;
- (d) Site access and frontage;
- (e) Reserve provision not shown in a DCP;
- (f) The layout of streets and sites;
- (g) The orientation of sites;
- (h) The relationship of buildings to sites where relevant;
- (i) Servicing and infrastructure including overland flow paths;
- (j) Guidelines in Appendix 12P.

12.8.19.18.1.2

Assessment Criteria

When assessing an application for this activity the Council will have regard to the guidelines in Appendix 12P, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.12, and the following assessment criteria;

- (a) Whether the subdivision is consistent with a Development Concept Plan that has been granted consent;
- (b) Whether the subdivision provides for various site sizes to be spread throughout a neighbourhood. Layouts that provide for significant



- grouping together of like site sizes should be avoided;
- (c) Whether streets in the street network are well connected including linkages of proposed streets to existing streets and future streets;
 - (d) Whether the street pattern is in sympathy with the existing or proposed topography;
 - (e) Whether the street layout pattern is legible, easy to understand and continuous;
 - (f) Whether the number of culs-de-sac is minimised;
 - (g) Whether footpaths and cycle ways are located within the public street space, are safe, and unlikely to compromise the privacy and security of future household units and private open spaces;
 - (h) Whether the number of rear sites is minimised;
 - (i) Whether the number of sites with a northern orientation to the public street is minimised;
 - (j) Whether sites which face towards north to a street have a deeper back yard than those which face south on to a street in order to ensure good solar access to private outdoor space in rear yards;
 - (k) Whether cycle ways are located within the road;
 - (l) Whether where a cycle / pedestrian – only link is unavoidable, or the benefits are significant are:
 - The link is visible from public streets for its entire length.
 - The link does not exceed 20m in length unless bounded by significant public open space.
 - The link is well lit.
 - (m) Whether any existing safe and healthy trees are retained and incorporated into the pattern and alignment of the street network creating a functional safe and attractive street network;
 - (n) Whether street trees are to be planted in the berm between the footpath and the kerb and whether the trees are of a species and that when mature does not obscure informal surveillance of the street from within the residential properties fronting onto the street;
 - (o) Whether tree species are appropriate to urban context and the proposed landscape theme;
 - (p) Whether all bus stops, pedestrian crossings, (if known) sign posts and road intersections will remain clearly visible and are not obscured by street trees or planting;
 - (q) Services should be provided in accordance with Council's



Rule
12.8.19.18.2

Rule
12.8.19.18.2.1

12.8.19.18.2.2

infrastructure concept;

- (r) Whether the proposal is consistent with the criteria in Appendix 12.
- (s) For sites within the Weiti Overlay Area 2 whether the subdivision adequately defines building sites and access drives and ensures that buildings will be located on the defined building sites. Building sites within Precinct 9 B should be located on the lower parts of the western facing slope rather than the highly visible upper slopes. Adverse effects on the existing visual amenity values of the Weiti Landscape Precinct as the backdrop to the Hibiscus Coast gateway resulting from the location of building sites, potential buildings and access drives should avoid or mitigate such effects. The subdivision should provide for adequate protection by way of covenant or similar mechanism to ensure that areas not identified as defined building sites are kept free of buildings

Subdivision not complying with Rule 12.8.19.17.2 Site Size.

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application;
- (b) The ability of a site to accommodate a complying building;
- (c) Site, size, shape and orientation;
- (d) Site contour;
- (e) Site access and frontage;
- (f) Guidelines in Appendix 12P.

Assessment Criteria

When assessing an application for this activity the Council will have regard to the guidelines in Appendix 12P, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.12, the criteria set out in 12.8.19.18.1.2 and the following assessment criteria;

- (a) Whether the geotechnical constraints are removed.
- (b) Whether the site sizes proposed are appropriate given geotechnical constraints remaining.



Rule
12.8.19.18.3

Subdivision not complying with Rule 12.8.19.17.3 Site Width

Rule
12.8.19.18.3.1

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application;
- (b) The ability of a site to accommodate a complying building;
- (c) Site, size, shape and orientation;
- (d) Site contour;
- (e) Site access and frontage;
- (f) Guidelines in Appendix 12P and other relevant criteria.

12.8.19.18.3.2

Assessment Criteria

When assessing an application for this activity the Council will have regard to the guidelines in Appendix 12P, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.12, the criteria set out in 12.8.19.18.1.2 and the following assessment criteria;

- (a) Whether the topography of the land makes compliance with the Rule impracticable. Particular regard will be had to whether earthworks are minimised;
- (b) Whether the street pattern is such that compliance is impracticable (for example where a curve in a street reduces site width on the outside of the curve);
- (c) Whether there are urban design considerations that warrant a reduction in the width on any site.

Rule
12.8.19.18.4

Subdivision not complying with Rule 12.8.19.17.5 Public Street Network

Rule
12.8.19.18.4.1

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application;
- (b) Site access and frontage;
- (c) Reserve provision;
- (d) The layout of streets and sites;
- (e) Guidelines in Appendix 12P.

12.8.19.18.4.2

Assessment Criteria

When assessing an application for this activity the Council will have regard to the guidelines in Appendix 12P, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.12, the criteria set out in 12.8.19.18.1.2 and the following assessment criteria;



Rule
12.8.19.18.5

- (a) Whether the topography of the land makes compliance with the Rule unreasonable or impracticable. Particular regard will be had to whether earthworks are minimised;
- (b) Whether the development/ subdivision is consistent with the Development Concept Plan that has been granted consent;
- (c) Whether the street network is provides high levels of through access for pedestrians, cyclists and motorists;
- (d) Whether reserves are highly visible from the street and appear to be significantly bounded by streets;
- (e) Whether there are any constraints resulting from servicing and infrastructure including overland flow paths;
- (f) Any other relevant criteria in Chapter 23 – Subdivision and Servicing.

Rule
12.8.19.18.5.1

Subdivisions not complying with Rule 12.8.19.17.7 Tree Planting

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application;
- (b) The layout of streets and sites;
- (c) Servicing and infrastructure including overland flow paths;
- (d) Landscape;
- (e) Guidelines in Appendix 12P.

12.8.19.18.5.2

Assessment Criteria

When assessing an application for this activity the Council will have regard to the guidelines in Appendix 12P, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.12, the criteria set out in 12.8.19.18.1.2 and the following assessment criteria;

- (a) Whether the tree planting is consistent with a Development Concept Plan that has been granted consent;
- (b) Whether there are physical constraints or other design constraints that prevent the planting of required trees as required by rule 12.8.19.17.7;
- (c) Whether alternative planting is provided elsewhere;
- (d) Whether a well treed environment is retained in the street;
- (e) Whether a Garden Residential Environment is retained.



12.8.19.19

12.8.19.20

KNOWLEDGE ECONOMY BUSINESS PARK AND KNOWLEDGE ECONOMY MIXED USE CENTRE POLICY AREAS

Description

It is proposed that the **Knowledge Economy Business Park (KEBP) Policy Area** will provide for sustainable business development in a planned environment designed to facilitate employment and growth opportunities for Rodney District.

It is envisaged that the Policy Area will establish a distinctive business environment by providing a high quality campus-like setting for a broad range of clean and knowledge based industries. Activities involving significant air-discharges, extensive storage facilities and large format retailing will not be appropriate and are discouraged.

Located at the western edge of the Silverdale North Special 19 Zone, alongside State Highway 1A, the Policy Area constitutes an important part of the gateway to the Hibiscus Coast. As such, special consideration will be given to the visual effects of development within these areas. Along the immediate boundary of State Highway 1A and along the interface with adjacent residential areas additional landscaping is required.

The Policy Area is anticipated to comprise a range of building sizes and heights in a high quality landscaped environment. Visual screening of car parking areas will be encouraged, and increased building height will be permitted (subject to specified limits) where car parking areas are located within the building envelope.

A **Knowledge Economy Mixed Use Centre (KEMUC) Policy Area** is also proposed.

The purpose of the KEMUC Policy Area will be to facilitate the establishment of a social and interaction focal point based around the provision of a range of commercial services and amenities. Such uses may include professional business and health services (such as accountancy, legal, valuation, doctor and dentist for example) together with a range of small format / service retailing activities (cafes, restaurant, superette, stationery/bookstore, chemist, and delicatessen for example). Residential accommodation above ground floor level in the KEMUC Policy Area will also be permitted.

Activities associated with health and recreation (such as a gymnasium and sports area) will be able to establish within the Policy Areas, complementing the 'lifestyle package' vision for the Special 19 Zone.

Business accommodation in the form of a hotel and conference centre would also be appropriate, and those activities are provided for within the Policy Areas.



Silverdale North is an area of generally complex and potentially difficult topography containing some pockets of significant landscape quality. Given the existing contour, significant land modification will be required to prepare the Policy Areas for business development. However, the topography of the Policy Areas post earthworks will be required to generally reflect the westerly orientation of the existing landform dominated by the Wainui Road ridge and falling towards State Highway 1A.

The Policy Areas are visually prominent when viewed from State Highway 1A. In addition, an area of special visual sensitivity exists immediately north of the Weiti River. The Weiti Landscape Overlay Area 1 adjoins a Garden Residential Policy Area. It forms a backdrop to the Hibiscus Coast Gateway and the ridgeline overlooking the Silverdale War Memorial Park. Whilst it is recognised that these visually sensitive areas will be developed as part of the Policy Areas, additional controls will be required in respect of buildings and landscaping in these areas due to the special visual sensitivity.

Three overlay areas have been imposed which are areas with additional control. These are as follows:

1. Wainui Road Overlay

This overlay area is the area between Wainui Road and 50 metres to west. The purpose of this overlay area is to ensure that all development on sites adjoining Wainui Road present a building frontage that is appropriate to the adjoining residential area across Wainui Road.

2. Gateway Overlay

This overlay is located between the motorway (State Highway 1A) and the main road (Parkway) through the KEBP Policy Area. The intention of this overlay is to ensure that buildings present a good visual appearance to the motorway in the form of a frontage, and that a high level of amenity is retained in order to contribute to the 'gateway' of high amenity.

3. Weiti Landscape Overlay – Area 1

This overlay includes the southern ridge of the KEBP Policy Area just north of the Weiti River and is considered an area of high visual sensitivity given that it adjoins a Garden Residential Policy Area, will form the backdrop to the Hibiscus Coast Gateway and forms the ridgeline overlooking the Silverdale War Memorial Park.

The Policy Areas are an integral part of the "live, work, play and learn" environment envisaged for the Special 19 Zone, and as such provision is to be made for safe, pleasant and legible connections between the Policy Areas and the other land use activities making up the Zone.

The relationship of activities and of sites and buildings to their wider context can affect the coherence and quality of the environment within the Policy Areas. It is therefore considered essential that the Policy Areas be developed in a comprehensive and integrated way. In order to facilitate integrated development, development and subdivision will need to be in accordance with a Development Concept Plan.



12.8.19.21

To achieve a campus-like setting, substantial landscaping will be required in the KEBP Policy Area. Rather than requiring a fixed percentage per site, the rules provide for at least 20% of the subdivision, excluding roads, reserves and stormwater detention ponds, to be landscaped. This requirement is inclusive of the landscaping required in buffer areas discussed above. The layout of the landscaping is to be defined in a Landscape Plan approved at the time of subdivision. Provision is made as a restricted discretionary activity for reduction in the percentage of the subdivision that is to be landscaped where landscaping of reserve areas offsets the landscaping on private land.

Process

To achieve development of the Knowledge Economy Business Park (KEBP) and Knowledge Economy Mixed Use (KEMUC) Policy Areas in a way that is well integrated with development on adjoining sites and in adjacent policy areas, as well as within the applicant's land holding, the Council requires that all applications for resource consents for activities in these Policy Areas that involve earthworks, subdivision or the erection of buildings are required to comply with a Development Concept Plan (DCP) covering at a minimum all the land under the control of the applicant within the Policy Areas.

Where the resource consent application is for the first activity on the land (earthworks, building or subdivision), a DCP is to be included with the application and the adequacy of the DCP will be assessed as part of that resource consent application. The resource consent will be conditioned to require the development of the property to be in general accordance with the DCP provided.

The Council is committed to working with land owners/applicants in a collaborative manner in the development of a DCP prior to lodgement to assist this process.

Where the resource consent application is for a subsequent activity, the application will be required to demonstrate that the activity applied for is in accordance with the DCP applying to the property. Alternatively, the applicant may choose to lodge a new DCP updating the original. Where more than one DCP has been approved for a property, the Council will require compliance with the most recent DCP.

Where the application is for a subdivision consent, future compliance with the DCP will be required by way of a consent notice applied to each lot created by the subdivision, including any balance lot.

Where an application is made for an activity that is listed as a discretionary activity (unrestricted) the Council will consider the extent to which the activity complies with an approved DCP.

Where no DCP has been approved, or no DCP is submitted where required as part of any application, the application will be classified as a non-complying activity.



12.8.19.22

Knowledge Economy Business Park and Knowledge Economy Mixed Use Centre Policy Areas - Activity Rules

12.8.19.22.1

Activities in the Knowledge Economy Business Park and Knowledge Economy Mixed Use Centre Policy Areas

All activities in the KEBP and KEMUC Policy Areas shall comply with the following:

- (a) All Permitted Activities in the Activity Table in Rule 12.8.19.22.2 shall comply with the Development Controls in Rule 12.8.19.23 and any other relevant Rules in the District Plan;
- (b) Development and subdivision within the Special 19 Zone shall comply with the layout shown on the Silverdale North Outline Plan in Appendix 8 to the Planning Maps;
- (c) All Restricted Discretionary Activities in the Activity Table in Rule 12.8.19.22.2 shall comply with Rule 12.8.19.23 Development Controls, except where the activity is Restricted Discretionary because of noncompliance with the Development Controls and Performance Standards, and any other relevant Rules in the Plan;
- (d) All Restricted Discretionary Activities in the Activity Table in Rule 12.8.19.22.2 shall be assessed against those matters over which discretion is retained, set out in Rule 12.8.19.24;
- (e) All Discretionary Activities in the Activity Table in Rule 12.8.19.22.2 will be assessed against the criteria set out in Rule 12.8.19.25 Discretionary Activities: Assessment Criteria, and any other relevant Discretionary Activity Assessment Criteria in any other chapter of this Plan, and the relevant matters set out in section 104 of the Act;
- (f) Except as provided for by section 94C, all restricted discretionary activities marked # in the Activity Table in Rule 12.8.19.22.2 will be considered without public notification or the need to obtain written approval of or serve notice on affected persons;
- (g) All restricted discretionary activities marked * in the Activity Table in Rule 12.8.19.22.2 will be required to comply with an existing Development Concept Plan or with a Development Concept Plan lodged as part of the application;
- (h) All activities must also comply with the Silverdale North Staging provisions in Activity Table 12T.2 in Appendix 12T.

In the following table:

P	=	Permitted Activity
RD	=	Restricted Discretionary Activity
D	=	Discretionary Activity
NC	=	Non-complying Activity
NA	=	Not Applicable

Note: Words in capitals are defined in *Chapter 3 - Definitions*.



12.8.19.22.2

Activity Table

ACTIVITIES	POLICY AREAS	
	Knowledge Economy Business Park	Knowledge Economy Mixed Use Centre
Any Permitted or Restricted Discretionary Activity in this Table that does not comply with the following Development Controls: Rule 12.8.19.23.2 Height Rule 12.8.19.23.3 Height in relation to Boundary Rule 12.8.19.23.4 Yards Rule 12.8.19.23.5 Use of Yards Rule 12.8.19.23.6 Landscaping Rule 12.8.19.23.9 Maximum Impervious Surfaces Rule 12.8.19.23.10 Roof Types Provided that the activity meets the relevant circumstances set out in Rule 12.8.19.24	RD*	RD*
Any activity not listed in the Activity Table	NC	NC
Any activity in Precincts 2, 3, 8B2 and 11 not provided for in Activity Table 12T.2 – Silverdale North Staging provisions where the infrastructure requirements for stage 5 are not met by 1 January 2010 and the circumstances in Rule 12.8.19.25.2 are met. [Amendment 171]	D	NA
Any activity in Precincts 8B2 and 11 not provided for in Activity Table 12T.2 – Silverdale North Staging provisions where the infrastructure requirements for stage 5 and 6 are not met by 1 January 2012 and the circumstances in Rule 12.8.19.25.2 are met. [Amendment 171]	D	NA
Any activity in Precinct 8B2 not provided for in Activity Table 12T.2 – Silverdale North Staging provisions where the infrastructure requirements for Stage 5 are not met by 1 January 2016.	D	NA
The establishment or commencement of any activity, other than the grazing of animals, where no Development Concept Plan has been approved for the land	NC	NC
The ERECTION, addition to or alteration of BUILDINGS and ACCESSORY BUILDINGS	RD#*	RD#*
The demolition or removal of BUILDINGS except those protected by any Rule in this Plan	P	P



ACTIVITIES	POLICY AREAS	
	Knowledge Economy Business Park	Knowledge Economy Mixed Use Centre
CAFES, provided that the GROSS FLOOR AREA of the café is 100 m ² or less	P	NA
Car parking areas ancillary to a Permitted or Restricted Discretionary Activity	RD#*	RD#*
CHILD CARE FACILITY (Note: this is an activity rule only and does not cover buildings associated with this activity)	P	P
COMMERCIAL SERVICES (Note: this is an activity rule only and does not cover buildings associated with this activity)	P	P
Conference Centres (including ancillary restaurants) (Note: this is an activity rule only and does not cover buildings associated with this activity)	P	D
DAIRIES (Note: this is an activity rule only and does not cover buildings associated with this activity)	NC	P
DEPOT not including the outdoor storage of goods or vehicles	D	NC
EDUCATIONAL FACILITIES (Note: this is an activity rule only and does not cover buildings associated with this activity)	P	P
Grazing of animals	P	P
HEALTH AND WELFARE SERVICES (Note: this is an activity rule only and does not cover buildings associated with this activity)	P	P
HOSPITAL	D	NC
HOUSEHOLD UNITS at first floor level and above (Note: this is an activity rule only and does not cover buildings associated with this activity)	NC	P



ACTIVITIES	POLICY AREAS	
	Knowledge Economy Business Park	Knowledge Economy Mixed Use Centre
INDUSTRY which does not involve: (i) discharges to air categories listed in Appendices 9A and 9B; (ii) any discharge to air which requires a resource consent from the Auckland Regional Council; (iii) outdoor storage; (iv) vehicle servicing and vehicle component and accessory fitting which is not ancillary to a permitted activity; and excluding DEPOTS. (Note: this is an activity rule only and does not cover buildings associated with this activity)	P	D
INDUSTRY which does not involve: (i) discharges to air categories listed in Appendices 9A and 9B; (ii) any discharge to air which requires a resource consent from the Auckland Regional Council; (iii) vehicle servicing and vehicle component and accessory fitting which is not ancillary to a permitted activity; but which involves outdoor storage.	D	NC
LIVE / WORK UNITS complying with the Development Standards in Rule 12.8.19.23 (Note: for permitted activities this is an activity rule only and does not cover buildings associated with this activity)	D	P
LIVE / WORK UNITS which do not comply with the Development Standard in Rule 12.8.19.23.11	D	D
OFFICES (Note: this is an activity rule only and does not cover buildings associated with this activity)	P	P
OUTDOOR RECREATION and RESERVES (Note: this is an activity rule only and does not cover buildings associated with this activity)	P	P
RESEARCH INSTITUTES (Note: this is an activity rule only and does not cover buildings associated with this activity)	P	D
RESTAURANTS (Note: this is an activity rule only and does not cover buildings associated with this activity)	NC	P



ACTIVITIES	POLICY AREAS	
	Knowledge Economy Business Park	Knowledge Economy Mixed Use Centre
SHOPS other than: (i) SHOPS for the sale of Builders', Tradesmen's, Engineers', Farmers' and Handymen's Supplies, or Motor Vehicle and Machinery Parts and Tools; (ii) SHOPS with OUTDOOR DISPLAY or storage areas; - provided that the GROSS FLOOR AREA of the SHOP is 250m ² or less (Note: this is an activity rule only and does not cover buildings associated with this activity)	NC	P
SHOPS for the sale of any goods manufactured on the SITE provided that the retail sales area does not exceed 25% of the GROSS FLOOR AREA set aside for manufacturing, or 250m ² , whichever is the lesser (Note: this is an activity rule only and does not cover buildings associated with this activity)	P	P
SHOWROOMS	P	P
Signs	RD#*	RD#*
TAKEAWAY FOOD BAR (Note: this is an activity rule only and does not cover buildings associated with this activity)	D	P
TRANSPORT CENTRE in Precinct 11 only	RD#*	-
VISITOR ACCOMMODATION	D	D
WORKROOMS (including kitchens) provided that each WORKROOM is incidental to a shop of which it forms a part and serves that shop only (Note: this is an activity rule only and does not cover buildings associated with this activity)	P	P
District Wide Activities	Refer to Chapter 16 - General Rules	
EARTHWORKS, VEGETATION REMOVAL and importation of CLEAN FILL including excavation	Refer to Chapter 18 — Urban Land Modification and Vegetation Protection <i>See also Rule 12.8.19.39.2</i>	
Transportation Activities	Refer to Chapter 21 - Transportation and Access	
Use and storage of HAZARDOUS SUBSTANCES	Refer to Chapter 20 - Hazardous Substances and Contaminated Sites	
UTILITIES	Refer to Chapter 19 - Utilities	



Rule 12.8.19.23

Rule
12.8.19.23.1

Development Controls

Development Concept Plan

Subdivision, earthworks, land development and building works shall only take place in accordance with an approved Development Concept Plan (DCP). This includes the development of carparks and, in respect of buildings, the erection of new buildings and accessory buildings, or the relocation or changes to the footprint or height or external additions and alterations to existing buildings and accessory buildings.

Any application for an activity identified in the Activity Table in Rule 12.8.19.22.2 with an * shall either:

- (i) include a Development Concept Plan for the entire site or for the entire area of the relevant Policy Area held in the same ownership as the site subject to the application; or
- (ii) demonstrate that the activity applied for is in accordance with the most recently approved Development Concept Plan applying to the land affected.

Any application that does not comply with (i) or (ii) shall be assessed as a non-complying activity.

For the purposes of the KEBP and KEMUC Policy Areas, Development Concept Plan means in relation to a site, or group of sites, the preparation of a plan or plans with appropriate explanatory notes and reports, to demonstrate the total expected development for that site or group of sites (even if the development is to proceed in stages) so as to identify the potential integration of all parts of the proposal within itself and with adjacent properties. Such plan or plans and explanatory notes and reports will include the following information:

- (a) Existing site boundaries;
- (b) The location and widths of all proposed roads that are shown in the Silverdale North Outline Plan;
- (c) The location and dimensions of public reserves as shown in the Silverdale North Outline Plan;
- (d) The proposed landscape concept for the area covered by the DCP, including identifying the location and nature of any native bush, significant trees or areas of planting;
- (e) The existing and proposed finished contours of the DCP area at 2m intervals and approximate long sections of roads;
- (f) Roading, cycle and pedestrian ways, and integration of these with the equivalent networks on adjacent land and elsewhere in the Special 19 Zone;
- (g) Proposed outline of subdivision layout, including any proposed staging of subdivision;



- (h) Proposed reserve and open space areas including linkages to adjoining land and adjacent Policy Areas;
- (i) Proposals for stormwater disposal, including any stormwater treatment areas and integration with the Integrated Catchment Management Plan for the area.
- (j) The proposed utility layout, including provision for incorporating new technology within the Policy Areas as it becomes available;
- (k) Any proposals to limit or restrict types of activities within any part of the land affected;
- (l) Any proposal to limit building design or scale within any part of the land affected;
- (m) Policies to control the location, scale, design and appearance of signs within the area covered in the DCP, such that signs developed in accordance with these policies will give effect to the objectives and policies for the Special 19 Zone and those for the relevant Policy Area;
- (n) Where the DCP includes all or part of the general area defined on the Outline Plan for the KEMUC Policy Area, show how the KEMUC Policy Area will integrate into the KEBP Policy Area;
- (o) Where applicable, identify how development can occur in the KEMUC Policy Area that achieves the objectives and policies relating to that Policy Area;
- (p) How adjacent land within the KEBP Policy Area could be developed consistent with this DCP such as to achieve integration of development (for example, major road and utility service connections between land parcels and complementary landscape concepts);
- (q) The likely number of Full Time Employees (FTEs) likely to result from development within the DCP area.

Rule
12.8.19.23.2

Height

The maximum height of any building shall be:

- (i) In the KEBP Policy Area 15 metres except that if 35% of the required parking is provided within the envelope of the building the maximum height will be 20 metres;
- (ii) In the KEMUC Policy Area 16 metres provided that no building may exceed four storeys high.

The maximum building height shall be determined using the rolling height method as identified in the definition of HEIGHT in *Chapter 3 – Definitions*.



Rule
12.8.19.23.3

The maximum height of any retaining wall in a front yard shall be 1.5 metres in the KEBP Policy area.

The maximum height of any retaining wall in a rear or side yard shall be 3 metres in the KEBP Policy Area.

Height in Relation to Boundary

In the KEBP Policy Area no part of any building shall exceed a height equal to 3 metres plus the shortest horizontal distance between that part of the building and any boundary with a residential or public open space zone or the Garden Residential or KEMUC Policy Areas.

Explanation and Reasons

This explanation and reasons relate to Rules 12.19.23.2 and 12.19.23.3.

The height for the Policy Areas reflects the desire to encourage large scale (several storey) buildings within the KEBP, with smaller 2-3 storey buildings in the KEMUC Policy area. An incentive to provide parking within the building envelope is included in the rule by means of an increased maximum height if this particular solution is adopted.

The height in relation to boundary Rules complement the height Rules and will help maintain the admission of direct sunlight to adjoining residential and public open space sites and prevent business buildings dominating activities in residential and public open space areas. It applies also on the boundary of the KEMUC so as to prevent buildings in the KEBP overshadowing the core area.

Rule
12.8.19.23.4

Yards

- (a) Front Yards in KEBP Policy Area
5m;
- (b) Side Yards in KEBP Policy Area
Either 3m on each side or 6m on one side;
- (c) Rear Yards in KEBP Policy Area
0m;
- (d) State Highway 1A Landscape Buffer Area
Notwithstanding the side and rear yard requirements above, all sites adjoining State Highway 1A shall provide a yard of 18m along the boundary with State Highway 1A.

Note: This replaces rear or side yards that may otherwise be required on the relevant boundary.
- (e) For sites within the KEBP Policy Area, yards adjoining a residential or open space zone, the Garden Residential or KEMUC Policy Areas, or a stormwater detention pond;
6m



Rule
12.8.19.23.5

- (f) In the KEMUC Policy Area no yards are required, except in respect of sites adjoining a stormwater detention pond, in which case a 6m yard is required.

Use of Yards

- (a) All yards shall be unoccupied and unobstructed by any buildings, parts of buildings, decks, terraces, steps, storage of refuse, except that:
- (i) eaves may overhang any yard by not more than 0.3 metres;
 - (ii) parking, access and manoeuvring areas may occur in those parts of yards not required for landscape planting in Rule 12.8.19.23.6.
- (b) Front yards shall not be used for the storage of materials.

Explanation and Reasons

This explanation and reasons relate to Rules 12.8.19.23.4 and 12.8.19.23.5.

The yard requirement in the KEBP will result in buildings set back from the street and provide the opportunity for landscaping which is consistent with the desire to create a "campus like" environment. However, in the KEMUC, it is envisaged that buildings could have a zero street frontage set-back designed to create a more integrated urban form where buildings adjoin the street.

Rule
12.8.19.23.6

Landscaping

- (a) This rule only applies in the KEBP Policy Area;
- (b) A minimum of 50% of the Front Yard, including a strip adjoining and parallel with the front boundary, except that area required for vehicle and pedestrian ingress and egress, and having a minimum width of 3m shall be landscape-designed and planted in grass, trees or shrubs subject to maintaining sight lines as required by Chapter 21 Transportation and Access;
- (c) That part of a site within the State Highway 1A Landscape Buffer Area that is a strip at least 6m wide as measured from the site boundary adjoining State Highway 1A shall be landscape designed and planted with trees, shrubs and plants that are at least 1m high at planting. Specimen trees are to be planted at a maximum of 10m centres and should exceed a height of 3m at time of planting and should exceed 10m after 10 years. The landscaping shall incorporate mounding of at least 1m high. The minimum height of the mound at each point within the 6m landscaped strip shall be calculated as :

$$((a + b) / 2) + 1$$

a = ground level (metres) at boundary

b = ground level (metres) 6m inside the site measured perpendicular from the boundary at point a is measured



Mounds will not be required where they may interfere with an overland flow path;

- (d) That part of a site within 6m of Wainui Road, except that area required for vehicle and pedestrian ingress and egress, shall be designed and planted in dense landscape planting as described in clause (l) below, subject to maintaining sight lines as required by Chapter 21 Transportation and Access;
- (e) That part of a site within 6m of the Residential Landscape Protection Zone shall be designed and planted in dense landscape planting as described in clause (l) below;
- (f) The landscaping strips required in (d) and (e) above may be reduced to 4m width where the dense landscape planting incorporates mounding of at least 1m height. The minimum height of the mound at each point within the 4m landscaped strip shall be calculated as :

$$((a + b) / 2) + 1$$

a = ground level (metres) at boundary

b = ground level (metres) 4m inside the site measured perpendicular from the boundary at point a is measured;

- (g) A comprehensive Landscape Plan shall be lodged with each application for subdivision consent and will require approval as part of that consent. Such a landscaping plan shall:
 - Show a minimum of 20% of the total site area of all the lots proposed in the subdivision plan, other than lots for roads, esplanade reserves, public utilities and stormwater detention ponds, as set aside for landscaping. The calculation of this 20% may include the landscape areas required in (b), (c), (d), (e) and (f) above. Land set aside for stormwater detention ponds, roads and esplanade reserves may not be included in the 20%. Land containing existing trees or bush which are to be retained may be included within the calculation of the area set aside. Land identified as recreation reserve in an approved DCP may also be included within the calculation of the area set aside;
 - Show a minimum of 10% of the net site area of each site as set aside for landscaping. This may include the landscape areas required in (b), (c), (d) and (e) above;
 - Indicate the form (including density, species, depth and height at maturity) of planting that is proposed to be undertaken on the land set aside for landscaping;
 - Identify those trees and groups of trees that are proposed to be retained within the subdivision;
 - Indicate the form (including density, species, depth and height at maturity) of proposed landscape planting that is intended to be undertaken within the streets and on any reserves contained within the subdivision;



- Indicate the planting proposed to be undertaken around any existing or proposed stormwater detention pond;
 - Identify how the proposals fit within the landscape concept set out in the approved Development Concept Plan for the land, and how they will fit with any existing and likely future landscaping on adjacent land.
- (h) As provided for in Rule 12.8.19.27.1.3, those landscaping proposals that apply to any publicly owned areas, the land surrounding stormwater detention ponds and the landscape planting in the State Highway 1A Landscape Buffer Area shall be implemented as part of the subdivisional process, while those remaining parts of the proposed Landscape Plan that apply to the proposed privately owned lots will be required to be implemented at the time of building development. Consent notices will be attached to the titles of such sites to ensure compliance and the Council may require bonds to ensure compliance and ongoing maintenance to achieve the landscape outcome proposed in the Landscape Plan.
- (i) Where the ground level parking spaces are not enclosed in a building the parking spaces shall be screened from the street frontage by dense landscape planting as described in clause (l) below;
- (j) All land set aside for landscaping shall have a minimum dimension in any direction of 3m;
- (k) No more than 10% of any required landscape area shall be covered with impervious surfaces;
- (l) Dense landscape planting shall be planting so as to achieve an effective visual screen. This shall include specimen trees that should exceed a height of 3m at time of planting and should exceed 10m after 10 years, planted at approximately 3m centres, accompanied by dense planting of shrubs and other plants to achieve an understorey that creates an effective visual barrier 1m high at planting;
- (m) No security or other fence shall be constructed along the outside boundary of or within the landscape planting required in a front yard.

Explanation and Reasons

This explanation and reasons relate to Rule 12.8.19.23.6

Landscaping is required to provide and maintain the amenity values of business areas and in particular to promote the development of buildings within a highly landscaped campus-like environment. A requirement for 20% landscaping over the area is seen as the minimum to achieve that outcome. Provision is made for the 20% requirement to be averaged among lots within a subdivision so as to provide flexibility and to enable the retention of existing areas of trees and bush where appropriate. A minimum dimension of 3m is applied to ensure the land set aside can accommodate large trees.



Front yard planting and screening is required where there is ground level parking fronting the street, to minimize adverse visual effects of the car park. Inappropriately positioned security or other fencing would detract from that provision.

A landscape buffer area is also required alongside State Highway 1A to assist in the creation of a high quality gateway environment. Additional buffer landscaping is required along the frontages facing Wainui Road and the yards adjoining the Residential Landscape Protection Zone to create an effective separation between residential and business activities.

As the KEMUC Policy Area is proposed to be a small area of intense development, no landscaping is required within that area.

Rule
12.8.19.23.7

Protection and Maintenance of Trees

- (a) Any landscape planting required by these rules shall be maintained, and if diseased, or damaged, shall be treated and if dead shall be replaced;
- (b) Any trees required under Rule 12.8.19.23.6 shall be located within a planting protection area around each tree, with a minimum dimension or diameter of 1.5 metres;
- (c) Required landscaping adjacent to a road boundary, access or manoeuvring area, or adjacent to a car parking area shall be provided with wheel stop barriers to prevent damage from vehicles. Such wheel stop barriers shall be located at least 1m from the trunk of any tree.

Explanation and Reasons

Where landscaping is required, to ensure that the long-term purpose of the landscaping is achieved, rules are included to ensure the ongoing maintenance and protection of required planting.

Rule
12.8.19.23.8

Appearance of Sites

- (a) Any storage or service areas (including mechanical, electrical and utility equipment, refuse and recycling activities) not enclosed within a building, shall be fully enclosed or screened from view from public roads or public open space by solid walls not less than 2 metres in height constructed of concrete, brick or stone, or by dense landscape planting as defined in Rule 12.8.19.23.6(i) with a minimum dimension in any direction of 3m;
- (b) Rubbish stored within any building or on any part of a site shall be contained within a purpose made container with a secure cover, which shall be screened by a wall or fence or hedge not less than 2 metres high from any adjoining Residential Zone, Open Space Zone, Reserve or other public place (including roads);
- (c) On the construction or substantial reconstruction of business floor space, a suitable area to be used only for the storage of rubbish shall be provided and thereafter used for that purpose.



Rule
12.8.19.23.9

Explanation and Reasons

The physical appearance of a site can have an adverse visual impact on adjacent residential and open space areas and can adversely impact on the amenity values of such sites. The rules are intended to minimise the adverse visual effects of business activities on adjoining activities by screening along boundaries and areas used for rubbish storage. The rules will also help minimise the effects of noise, dust and litter on adjoining sites.

Maximum Impervious Surfaces

- (a) **Knowledge Economy Business Park Policy Area:**
Not more than 85% of the site may be covered in an impervious surface;
- (b) **Knowledge Economy Mixed Use Centre Policy Area:**
No limit.

Explanation and Reasons

The Integrated Catchment Management Plan for most of the area within this Policy Area provides for a maximum of 85% impervious surfaces per site. Although the KEMUC Policy Area may develop at 100% impervious surfaces, the effect of that over the catchment is sufficiently minor as to not require adjustment to the maximum imposed in the KEBP Policy Area. Although the landscaping requirement imposes 20% landscaped area over the private lots, that will not necessarily be evenly applied. Thus, sites with less than 20% landscaping will be able to utilise the 85% impervious surfaces, while other sites with 20% or more landscaping will not be able to.

Provision is made as a restricted discretionary activity for the maximum impervious surfaces to be increased to up to 90% on any site, but the effects of the increase must be mitigated back to 85% by various measures.

Rule
12.8.19.23.10

Roof types

All roofs shall be made of materials other than uncoated galvanised material.

Explanation and Reasons

The run-off from uncoated galvanized roofs has the potential to cause harm to ecosystems within streams and other receiving waters.

Rule
12.8.19.23.11

Household Units and Live / Work Units

Household units and Live / Work Units shall comply with the following:

- (a) No household unit shall occupy the ground floor level except for an entry lobby or access to parking or the required in (b) below;
- (b) Each household unit or Live / Work Unit shall provide an area of open space comprising either an unenclosed balcony, deck, garden or terrace with a minimum area of 6m² and a minimum dimension of 2 metres.



Where any household unit or live/work unit is proposed that cannot comply with these standards, it shall require consent as an unrestricted discretionary activity.

Explanation and Reasons

All household units, whether separate or part of a live/work unit, are required to provide an area of open space to enable some exterior living. Ground floor usage of sites for household units is limited so as not to reduce the availability of ground floor areas for business activities.

Rules in Other Chapters of the Plan

Relevant rules in other chapters of the Plan shall also be complied with:

Chapter 5 - Natural Hazards

Chapter 13 – Future Development and Structure Plans

Chapter 16 - General Rules

Chapter 17 - Cultural Heritage

Chapter 18 - Urban Land Modification and Vegetation Protection

Chapter 19 – Utilities

Chapter 20 – Hazardous Substances and Contaminated sites

Chapter 21 - Transportation and Access

Chapter 22 - Financial Contributions and Works

Chapter 23 - Subdivision and Servicing

Rule 12.8.19.24

Restricted Discretionary Activities

In accordance with sections 77B(3) and 104C of the Act the Council will restrict its discretion to the matters listed against each specified activity when considering resource consents applications for Restricted Discretionary Activities. Except as provided for by section 94C of the Act, applications for Restricted Discretionary Activities under Rules 12.8.19.24.1 or 12.8.19.24.7 need not be notified nor notice served and the written approvals of affected parties will not be required.

Rule
12.8.19.24.1

The written approval of affected persons need not be obtained.

Rule
12.8.19.24.1.1

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application;
- (b) Design and external appearance;
- (c) Site layout;
- (d) Car park siting and design;
- (e) Traffic generation management and safety;



- (f) Landscape elements;
- (g) Financial Contributions (see Chapter 22);
- (h) Where the site is within the Weiti Landscape Overlay, relationship with neighbouring residential zone.

In order to exercise control over these matters the Council will require applicants to provide:

- accurate elevations and plans of buildings, a detailed landscape plan (including fencing) and a site layout plan
- a perspective of the building from the site frontage
- Where the site is within the Weiti Landscape Overlay:
 - (i) a plan showing the location and nature of any native bush or other significant trees on the site;
 - (ii) a photomontage or perspective sketch showing the proposed building when viewed from the Hibiscus Coast Highway. The viewpoints for the photomontage or perspective shall be agreed with the Manager, Resource Consents, Rodney District Council.
- Where the site is in the Gateway Overlay:
 - (i) a perspective sketch or photomontage showing the proposed building when viewed from State Highway 1A. The viewpoints for the photomontage or sketch shall be agreed with the Manager, Resource Consents, Rodney District Council.
- Where the site is within the Wainui Road Overlay:
 - (i) a photomontage or perspective sketch showing the proposed building when viewed from the adjacent portion of Wainui Road within the Silverdale North Outline Plan. The viewpoints for the photomontage or sketch shall be agreed with the Manager, Resource Consents, Rodney District Council.

12.8.19.24.1.2

Assessment Criteria

When assessing an application for this activity the Council will have regard to the urban design guidelines in Appendix 12P, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plan set out in Rule 12.8.19.24.8, and the following assessment criteria:



(a) **Design and external appearance**

Whether the design and appearance of the proposed building or structure and its visual impact will contribute to a distinctive high quality built environment within the Policy Areas.

Whether the design and external appearance of buildings is consistent with the principles of a Development Concept Plan applying to the site.

In the KEMUC Policy Area, whether the buildings are at a scale appropriate for a people-oriented centre and whether they provide “active edges” to pedestrian pathways (examples of achieving these outcomes would be through the use of frequent doors and windows and small shop frontages, including people intensive activities in the centre and avoiding blank walls to pedestrian pathways), and whether the proposed buildings are consistent with the Development Concept Plan applying to the site.

The use of high quality permanent materials and appropriate colour schemes will contribute towards a high quality urban environment in both the KEBP and KEMUC Policy Areas.

(b) **Site layout**

Whether the site is laid out in such a way as to contribute to the creation of a campus-like environment in the KEBP Policy Area and mitigates any potential adverse visual effects of car parking and storage areas when viewed from any public road or open space. In particular, whether the parking is screened and punctuated by landscaped areas and provides for safe pedestrian movement or whether it is screened by being located within the building envelope. Whether the site layout is in accordance with the Development Concept Plan applying to the Site.

In addition in the KEMUC Policy Area whether the site is laid out to sympathetically accommodate pedestrian movement including the provision of continuous veranda cover.

(c) **Landscape elements**

Whether the site is landscaped in such a way so as to soften and assist with the visual screening of car parking and storage areas, and whether the landscaping maintains or enhances the overall cohesiveness of the urban and landscape form for the Policy Areas.

Whether the proposed landscaping implements the landscaping set out in the Landscape Plan approved at time of subdivision.

Whether the site landscaping is in accordance with the provisions of the relevant Development Concept Plan for the Site.



(d) **Road Network**

Whether the traffic generated will adversely affect the function and the safe and efficient operation of the surrounding road network, particularly at peak traffic times.

Whether the surrounding road network is capable of accommodating the volume of traffic generated, including the cumulative effect of traffic generated by other activities in the Knowledge Economy Business Park or Knowledge Economy Mixed Use Centre Policy Area.

(e) **Additional criteria for buildings within the Weiti Landscape Overlay – Area 1:**

(i) **Design and external appearance**

Whether the design, height, colour, materials form and scale of the proposed building or structure and its visual impact will adversely affect the visual amenity values of the Weiti Landscape Precinct as the backdrop to the Hibiscus Coast gateway and Silverdale War Memorial Park. In particular whether the height of the buildings or structures will adversely affect views of the ridgeline within the southern part of the KEBP Policy Area, and whether obtrusive reflective materials or colours are used.

(ii) **Landscape elements**

Whether the site is laid out in such a way as to mitigate any potential adverse visual effects of car parking and storage areas when viewed from State Highway 1A.

Whether the site development is landscaped in such a way that avoids or minimises adverse effects on the visual amenity values of the Weiti Landscape Precinct as the backdrop to the Hibiscus Coast gateway and Silverdale War Memorial Park. In particular, whether proposed planting will grow to a height that will screen or soften the appearance of the proposed buildings and structures when viewed from the Hibiscus Coast Highway.

Whether native bush or other significant vegetation is to be retained.

Whether the site landscaping is in accordance with the provisions of any Development Concept Plan for the Site.

(iii) **Relationship with neighbouring Garden Residential Policy Area.**

Where sites adjoin a Garden Residential Policy Area, whether the site layout and building design and external appearance will avoid or mitigate potential adverse effects on neighbouring residential sites including the effects of overshadowing, visual dominance and noise. Particular regard will be given to landscaping and screening at the residential interface and the location and orientation of storage areas, access points from the road network, cooling and ventilation equipment, loading docks and similar equipment or facilities. Where it is not practical to screen business activities from adjacent residential areas, consideration will be given to whether the design and external appearance of the building or structure is compatible in terms of scale and form with adjacent residential buildings.



(f) **Additional Criteria for buildings in the Gateway Overlay:**

(i) Design and external appearance

Whether the orientation, design and appearance of the proposed building or structure and its visual impact will detract from the visual amenity values of the KEBP Policy Area when viewed from State Highway 1A. In particular whether the building will present an attractive frontage to, and a good visual amenity when viewed from, State Highway 1A and avoid the use of blank walls.

(ii) Site layout

Whether the site is laid out in such a way as to mitigate any potential adverse visual effects of car parking and storage areas when viewed from State Highway 1A.

(iii) Landscape elements

Whether the site is landscaped in such a way so as to assist with the visual screening of car parking and storage areas, and whether the landscaping maintains or enhances the overall cohesiveness of the urban and landscape form for the site as viewed from State Highway 1A.

(g) **Additional Criteria for buildings in the Wainui Road Overlay:**

(i) Design and external appearance

Whether the design and appearance of the proposed building or structure and its visual impact will adversely affect the visual amenity values of the Wainui Road Overlay as the interface with the predominantly residential area of The Special 19 Zone. In particular whether the building presents an attractive frontage to Wainui Road.

(ii) Site Layout

Whether the site layout will avoid or mitigate potential adverse effects on residential sites on Wainui Road, including the effects of overshadowing and visual dominance. Particular regard will be given to the location and orientation of storage areas, access points from the road network, cooling and ventilation equipment, loading docks and similar equipment or facilities.

(iii) Landscape elements

Whether the site development is landscaped in such a way that avoids or minimises adverse effects on the visual amenity values of the Wainui Road Overlay as the interface with the Garden Residential Policy Area. In particular, whether proposed planting will screen or soften the appearance of the proposed buildings and structures when viewed from Wainui Road.



Rule

12.8.19.24.2

Explanation and Reasons

Achieving the overall objectives for the Special 19 Zone requires giving careful consideration to the design and external appearance of buildings and how they fit into the environment. In addition, three overlays are applied to the KEBP Policy Area so as to ensure that buildings within the Policy Area display a frontage with high visual amenity value to adjacent areas.

Any Permitted or Restricted Discretionary Activity in Activity Table

12.8.19.22.2 that Does Not Comply with Rule 12.8.19.23.2 Height or Rule 12.8.19.23.3 Height in Relation to Boundary

Rule

12.8.19.24.2.1

Circumstances

Any

Rule

12.8.19.24.2.2

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Scale, siting and design of buildings.

12.8.19.24.2.3

Assessment Criteria

When considering an application the Council will have regard to the following criteria:

- (a) Whether the increase in height will have an adverse effect on the access of direct sunlight and daylight to adjoining sites, particularly sites in Residential and Open Space zones or the KEMUC or Garden Residential Policy Areas;
- (b) Whether the proposed height and the scale and design of the buildings will adversely affect the amenity values and visual character of adjacent sites;
- (c) Whether the proposed height and scale of the building will influence the wind environment to an extent that it will adversely affect the comfort of pedestrians at street level or areas of public open space;
- (d) Whether the DCP applying to the site identified an appropriate height limit for this site.

Explanation and Reasons

Increasing the height of buildings beyond the permitted level could have an adverse effect on the admission of direct sunlight and daylight to adjoining sites, on the amenity values of the area and on the visual character of adjacent sites. It could also affect wind movement and create an unpleasant environment at street level. Conditions placed on the design of buildings could avoid, remedy or mitigate such adverse effects.



Rule
12.8.19.24.3

Any Permitted or Restricted Discretionary Activity in Activity Table 12.8.19.22.2 that Does Not Comply with Rule 12.8.19.23.4 Yards and Rule 12.8.19.23.5 Use of Yards

Rule
12.8.19.24.3.1

Circumstances

- Infringement of side and rear yards other than those adjoining a residential or open space zone, the Garden Residential or KEMUC Policy Areas, or a stormwater detention pond, or within the State Highway 1A Landscape Buffer Area, up to 100%;
- Infringement of side and rear yards adjoining a residential or open space zone, the Garden Residential or KEMUC Policy Areas, or a stormwater detention pond, or within the State Highway 1A Landscape Buffer Area, up to 50%;
- Infringement of front yards up to 50%.

Rule
12.8.19.24.3.2

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Scale, siting and design of buildings;
- (b) Location of access and services;
- (c) Provision of landscaping and limitation on impervious surfaces.

12.8.19.24.3.3

Assessment Criteria

When considering an application the Council will have regard to the following criteria:

- (a) Whether the proposed yard reduction, and the scale and design of the buildings and structures, will adversely affect the amenity values and visual character of adjacent sites.
- (b) Whether the proposed yard reduction, and the scale and design of the buildings and structures, will adversely affect the overall amenity values and visual character of the KEBP Policy Area.
- (c) Whether landscaping requirements are able to be met with the yard reduction.
- (d) Whether the reduced yard will have an adverse effect on the access of direct sunlight and daylight to adjoining sites, particularly sites in Residential and Open Space zones and the Garden Residential and KEMUC Policy Areas.
- (e) Whether the reduction will have an adverse effect on site access or providing services to the site.



- (g) Whether the reduction will have any adverse effects on stormwater disposal.

Explanation and Reasons

While side and rear yards are generally appropriate within the KEBP Policy Area, there will be instances where the yard requirements can be waived or reduced to enable better use of sites. However, in doing so, it is necessary to ensure that the overall amenity values of the area are maintained.

Any Permitted or Restricted Discretionary Activity in Activity Table 12.8.19.22.2 that Does Not Comply with Rule 12.8.19.23.6 Landscaping

Circumstances

- A reduction in total landscaping on the site to not less than 75% of the landscaping proposed in the Landscape Plan approved at time of subdivision, other than landscaping required in the State Highway 1A Landscape Buffer Area and adjoining the Residential Landscape Protection Zone, and on sites where at the time of subdivision approval a reduction in the total amount of landscaping shown in the Landscape Plan was approved;
- A reduction in the amount of land shown in a Landscape Plan to be set aside on lots other than roads, reserves and public utilities to not less than 15% of the net site area of those lots;
- A reduction in width of any required landscaping in a front yard to not less than 2 metres in width;
- A reduction in width of required landscaping adjoining the Residential Landscape Protection Zone to not less than 3m.

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) The nature, type, area and dimensions of landscaping provided, including any earthworks proposed as a component of the landscaping.

Assessment Criteria

- (a) Whether the proposed landscaping reduction will adversely affect the overall amenity values and visual character of the KEBP Policy Area;
- (b) Whether the proposed landscaping achieves the same or similar level of amenity values sought by the objectives and policies for the KEBP Policy Area as landscaping complying with the Development Control would;
- (c) Whether the provision of public open space or the provision of landscaping in common with one or more adjoining sites achieves a similar level of landscaping as a complying site;

Rule

12.8.19.24.4

Rule

12.8.19.24.4.1

Rule

12.8.19.24.4.2

12.8.19.24.4.3



- (d) Whether, on the lodgement of a Landscape Plan with a subdivision application, proposed landscaping of public areas (excluding roads), including riparian margins and esplanade areas, is to be provided as part of the subdivision and the amount of landscaping in those areas at least equals the total reduction sought in respect of proposed private lots;
- (e) Whether the proposed reduction in landscaping is offset by other proposals to ensure there is no diminution of amenity values of adjoining residential sites;
- (f) Whether the proposed landscaping is consistent with the approved Development Concept Plan applying to the site.

Explanation and Reasons

As the amount of landscaping required on a site, and the location of that landscaping, will be determined in the Landscape Plan approved at the time of subdivision, there is need for some flexibility subsequently if the development of the site requires variation to the Landscape Plan provisions. However, care needs to be taken in allowing a reduction in landscaping required to ensure that the overall purpose of landscaping in the Policy Area is not undermined. For this reason the maximum reduction is 75% of the landscaping required by the Landscape Plan for the site. When approving a Landscape Plan, the Council can consent to the reduction of landscaping on proposed private lots where an equal or greater amount of landscaping is to be provided on public land (excluding roads).

No provision is made to reduce the width of the State Highway 1A Landscape Buffer Area as that is considered essential to the maintenance of a high visual amenity frontage to the motorway. The landscaping adjoining the Residential Landscape Protection Zone can be reduced provided the amenity values of the adjoining landowners are not adversely affected. A minimum of 2m landscaping in front yards is required to ensure the visual amenity values of streetscapes are not adversely affected.

Rule
12.8.19.24.5

Any Permitted or Restricted Discretionary Activity in Activity Table 12.8.19.22.2 that Does Not Comply with Rule 12.8.19.23.9 Maximum Impervious Surfaces

Rule
12.8.19.24.5.1

Circumstances

Impervious surfaces not exceeding 90% of net site area.

Rule
12.8.19.24.5.2

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) The nature and extent of stormwater generated from a site.

12.8.19.24.5.3

Assessment Criteria

- (a) Whether the amount of stormwater produced from the site is similar to a complying situation through the use of mitigation and reduction measures;



Rule
12.8.19.24.6

- (b) Whether the adverse effects of stormwater generation are avoided, remedied or mitigated.
- (c) The degree to which proposed stormwater mitigation and reduction measures are best practice in terms of long-term maintenance and operational risk and costs;
- (d) Whether the site can provide the landscaping required by the Landscape Plan approved for the site.

Explanation and Reasons

The flexibility provided for is consistent with the provision of the Integrated Catchment Management Plan applying to the Policy Area. However, while an increase in impervious surfaces is primarily an issue in respect of stormwater, it does also affect the ability of a site to meet its landscaping commitments.

Rule
12.8.19.24.6.1

Activities not complying with Rule 12.8.19.23.10 Roof Types

The written approval of affected parties need not be obtained.

Circumstances

Any

Rule
12.8.19.24.6.2

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) The effects of water runoff on the stormwater disposal system and receiving waters.

12.8.19.24.6.3

Assessment Criteria

- (a) Whether treatment of stormwater is provided on site to remove adverse effects on receiving waters.

Rule
12.8.19.24.7

Signs

The written approval of affected persons need not be obtained.

Rule
12.8.19.24.7.1

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application;
- (b) Design and external appearance;
- (c) Traffic Safety.

In order to exercise control over these matters the Council may require applicants to provide:



- accurate elevations and plans of buildings and a site layout plan showing in detail the proposed signs;
- a perspective of the building and any proposed free-standing signs from the site frontage showing all proposed and existing signs;
- Where the site is within the Weiti Landscape Overlay:
 - (i) a photomontage or perspective sketch showing the proposed sign when viewed from the Hibiscus Coast Highway. The viewpoints for the photomontage or perspective shall be agreed with the Manager, Resource Consents, Rodney District Council;
- Where the site is in the Gateway Overlay:
 - (i) a perspective sketch or photomontage showing the proposed sign when viewed from State Highway 1A. The viewpoints for the photomontage or sketch shall be agreed with the Manager, Resource Consents, Rodney District Council;
- Where the site is within the Wainui Road Overlay:
 - (i) a photomontage or perspective sketch showing the proposed sign when viewed from the adjacent portion of Wainui Road within the Silverdale North Outline Plan. The viewpoints for the photomontage or sketch shall be agreed with the Manager, Resource Consents, Rodney District Council.

12.8.19.24.7.2

Assessment Criteria

When assessing an application for this activity the Council will have regard to the urban design guidelines in Appendix 12P, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plan set out in Rule 12.8.19.24.8, and the following assessment criteria:

(a) Design and external appearance

Whether the design and appearance of the proposed sign and its visual impact will contribute to a distinctive high quality built environment within the Policy Areas.

Whether the design and external appearance of the proposed sign is consistent with the sign policies of a Development Concept Plan applying to the site.

(b) Additional criteria for signs within the Weiti Landscape Overlay:

Design and external appearance

Whether the design, height, colour, materials form and scale of the proposed sign and its visual impact will adversely affect the visual amenity values of the Weiti Landscape Precinct as the backdrop to the Hibiscus Coast gateway and Silverdale War Memorial Park. In particular whether obtrusive reflective materials or colours are used.



12.8.19.24.8

(c) Additional Criteria for buildings in the Gateway Overlay:

Design and external appearance

Whether the orientation, design and appearance of the proposed sign and its visual impact will detract from the visual amenity values of the KEBP Policy Area when viewed from State Highway 1A. Signs should not be designed to attract the attention of users of State Highway 1A.

(d) Additional Criteria for buildings in the Wainui Road Overlay:

Design and external appearance

Whether the design and appearance of the proposed sign and its visual impact will adversely affect the visual amenity values of the Wainui Road Overlay as the interface with the predominantly residential area of the Special 19 Zone.

(e) Traffic Safety

Whether the sign is likely to cause adverse effects on traffic safety.

Assessment Criteria for Development Concept Plan

When considering an application that includes a Development Concept Plan the Council will have regard to the following assessment criteria in addition to those specified for the activity applied for and the guidelines in Appendix 12P:

(a) Consistency with Objectives and Policies

Whether the proposed Development Concept Plan is consistent with the Objectives and Policies of the KEBP and Mixed Use Centre Policy Areas and the Special 19 Zone.

(b) Lot layout, size, frontage and orientation

Whether the proposed lot layout reinforces the Objectives and Policies of the KEBP and Mixed Use Centre Policy Areas and the Special 19 Zone by retaining the overall topography, integrating existing vegetation into the layout, retaining features of conservation or heritage interest and achieving efficient access to utility services.

Whether open-space areas in the KEMUC Policy Area are appropriate to encourage their use by people from throughout the KEBP Policy Area and are not overshadowed or south-facing.

Whether the proposed development (including proposed road and pedestrian networks) adequately integrates with other parts of the Special 19 Zone and provides lots that add to the legibility and appearance of roads in the Zone.

Whether the proposed lot sizes will be able to accommodate the necessary on site parking, manoeuvring and loading areas, storage and buildings of an appropriate size for expected activities.



Whether the proposed lot sizes will be adequate to allow for the provision of on-site landscaping as required by the Development Standards.
Whether sites are wide enough to enable vehicles to safely access the site and services to be provided to the site.

Whether the layout of lots and roads gives effect to the Wainui Road Overlay Area, the Gateway Overlay Area or the Weiti Landscape Overlay Area where the DCP includes land within the relevant overlay area.

(c) Overall landscape concept

Whether the overall landscape concept proposed is consistent with the objectives and policies of the Policy Areas and the Special 19 Zone and in particular whether the objective of a campus-like development will be achieved.

Whether the landscape concept contributes to the legibility of the environment including definable points of reference and entry.

(d) The matters set out in Rule 23.8.12.1

(e) The assessment criteria set out in Rule 23.8.12.2

(f) Whether a Precinct Sediment Management Plan (PSMP) has been submitted for approval as part of the DCP. The PSMP should address the management of earthworks over the precinct, and may include techniques to reduce sediment discharge that exceed ARC Technical Publication 90 controls, monitoring of sediment ponds, a technical analysis of the extent of restrictions on winter earthworks necessary, overall management of earthworks and any future controls required for future subdivision and / or small site earthworks in the precinct.

Rule 12.8.19.25

12.8.19.25.1

Discretionary Activities

General Assessment Criteria - All Discretionary Activities

Without limiting the exercise of its discretion, for all Discretionary Activity resource consent applications in the Knowledge Economy Business Park and Knowledge Economy Mixed Use Centre Policy Areas when assessing an application the Council will have regard to the guidelines in Appendix 12P, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.24.8, the following assessment criteria, any relevant Discretionary Activity Assessment Criteria in any other chapter of this Plan and the relevant matters set out in section 104 of the Act:

(a) Whether the activity is consistent with, or integrates into, an approved Development Concept Plan for the land;



- (b) Whether the activity complies with the Development Controls in Rule 12.8.19.24. As a general guide the activity should comply with those controls and standards unless it is not appropriate to do so because of inherent site characteristics, particular site development considerations or unusual environmental factors;
- (c) Whether the location of the activity, taking account of its scale and the nature of its effects, is appropriate for the site it is to be located on;
- (d) Whether the activity will have an adverse effect on the amenity values of adjoining Policy Areas or Zones;
- (e) Whether the site is screened in such a way that the amenity values of adjoining Policy Areas or Zones are not diminished by effects such as the glare from vehicle lights or noise from vehicles stopping and starting;
- (f) Whether the activity will have an adverse effect on the amenity values within the Policy Area in which it is proposed to be located;
- (g) Whether noise or vibration will be generated at levels which will be a health hazard to people within the area or will detract from the amenity values of the area and adjacent Policy Areas or Zones;
- (h) Whether amplified music is to be provided and whether measures such as building design incorporates noise attenuation methods, to ensure that adverse noise effects do not detract from the amenity values both within and outside the relevant Policy Area;
- (i) Whether the proposed hours of operation have the potential to create a nuisance for residential activities from noise and the movement of people entering and leaving the site;
- (j) Whether the activity would have adverse effects on the safety and convenience of pedestrians;
- (k) Whether sufficient on-site parking is provided to meet the needs of the proposed activity;
- (l) Whether the entry and exit points to the site are safe;
- (m) Whether the traffic generated will adversely affect the safe and efficient operation of the adjacent road network;
- (n) Whether the activity will have an adverse effect on water quality;
- (o) Whether the activity will have an adverse effect on significant areas of vegetation or ecosystems;
- (p) Whether the activity will generate dust, smoke, fumes or other discharges to the air which potentially would detract from the amenity values of the area;



- (q) Whether the activity will create odours that are potentially either objectionable or offensive and likely to be detected at any boundary, and which may detract from the amenity values of the area;
- (r) Whether the proposed activity may be adversely affected by the activities occurring in the surrounding area, particularly the effects of noise, odours and air discharges;
- (s) Whether adequate measures, such as buffers, separation distances, screening or building design, are proposed to isolate the activity from adjoining activities;
- (t) Whether, in the case of household units, sufficient private open space is included to provide an acceptable level of amenity to the residents;
- (u) Whether, in the case of household units, the cumulative effects of the household units and any existing residential development in the Policy Area, will compromise the ability of Permitted Activities to operate, by creating an expectation of higher environmental standards than required by the Policy Area provisions;
- (v) See the Discretionary Activity Assessment Criteria in *Chapter 18 - Urban Land Modification and Vegetation Protection*;
- (w) See the Discretionary Activity Assessment Criteria in *Chapter 20 – Hazardous Substances and Contaminated Sites*;
- (x) See the Discretionary Activity Assessment Criteria in *Chapter 21 – Transportation and Access*;

Rule
12.8.19.25.2

Specific Circumstances and Assessment Criterion – Land Use in Advance of Infrastructure (Knowledge Economy)

- (a) Where the activity or subdivision is to occur in advance of the infrastructure requirements specified in Appendix 12T.1 and is specified as a discretionary activity in the activity table, the following circumstances shall be met in order for the activity to be a discretionary activity.

Circumstances

- (a) The LOS for the key traffic movements remain at Level D or better;
- OR
- (b) The predicted increase in travel time for any key traffic movement is not increased by more than 1 minute over the reference case;

The following framework shall apply to the assessment of the measurements in (a) and (b) above: [\[Amendment 171\]](#)



- (i) The key traffic movements are:
 - 1. All movements to or from the State Highway network at the Silverdale Interchange and Wainui Ramps;
 - 2. All movements to or from the intersection of Silverdale Parkway / Hibiscus Coast Highway / Whangaparaoa Road;
 - 3. All movements to or from the intersection of Grand Drive and the north-south link (when this is completed and operational);
 - 4. Travel time along Hibiscus Coast Highway between the Silverdale Interchange and Whangaparaoa Road.
- (ii) The reference case is the (assumed) full development of all stages enabled prior to the stage relevant to the site;
- (iii) The land use activity mix included for the development stage relevant to the site must be consistent with the objectives and policies of the District Plan, and in particular, objectives and policies in sections 12.8.19.4 and 12.8.19.5;
- (iv) The assessment must be based on full development of the development stage relevant to the site;
- (v) The assessment must be undertaken for an analysis year of no sooner than 2016;
- (vi) The forecasting of traffic flows and travel times should be consistent with the process used in the traffic modelling undertaken at the time the staging in Schedule 12T.1 was developed; and
- (vii) For the purpose of this rule, LOS means Level of Service as defined in AUSTROADS Guide to Traffic Engineering Practice – Part 2 – Roadway Capacity, 1999 (Austroad Incorporated, page 2).

Assessment Criteria

- (a) Whether the development will generate adverse effects on the roading network in the area that are more than minor.

Rule 12.8.19.26

Rule
12.8.19.26.1

Subdivision

Activities

Subdivision of land which either:

- (i) is in conformity with a Development Concept Plan lodged with the application for subdivision consent; or



- (ii) is in conformity with an existing consented Development Concept Plan for the land;

is a Restricted Discretionary Activity.

Any Development Concept Plan lodged shall cover at minimum all the land in the same ownership in the Precinct as that to which the application relates.

Rule
12.8.19.26.2

The subdivision of land shall comply with the Subdivision Standards in Rules 12.8.19.27 below and the relevant rules in *Chapter 23 - Subdivision and Servicing*.

Rule
12.8.19.26.3

Any subdivision not complying with one or more of the Subdivision Standards shall be a Restricted Discretionary Activity with respect to those Rules not complied with.

Rule
12.8.19.26.4

Restricted Discretionary Activity subdivisions shall be assessed against those matters over which discretion is retained, and those relevant matters set out in *Chapter 23 - Subdivision and Servicing*.

Rule
12.8.19.26.5

Any subdivision of land where there is no consented Development Concept Plan and which does not include as part of the application a Development Concept Plan, is a Non-complying Activity.

Rule
12.8.19.26.6

Except as provided by section 94C of the Act all restricted discretionary activities for subdivision consent will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons.

Rule
12.8.19.26.7

Subdivision within the Special 19 Zone shall comply with the Silverdale North Outline Plan in Appendix 8 to the Planning Maps.

Rule 12.8.19.27

Subdivision Standards

Rule
12.8.19.27.1

The following rules apply to all subdivision within the KEPB and KEMUC Policy Areas:

Rule
12.8.19.27.1.1

Site Frontage

The minimum widths of site frontage in the KEPB Policy Area are:

Front Sites	Rear Sites
25 metres	9 metres

There shall be no minimum frontage width in the KEMUC Policy Area.

All sites shall comply with the site dimensions shown in an approved Development Concept Plan.



Rule
12.8.19.27.1.2

Shape Factor

Each site shall be of such a shape as to contain a rectangle (which has an area equal to half the area of the site) which has its longer sides no greater than twice the length of its shorter sides.

Explanation and Reasons

It is desirable to ensure that sites are created which are of sufficient dimensions and scale to accommodate most activities' needs, including parking, loading and manoeuvring areas, as well as buildings. The creation of, for example, long narrow sites, can result in parking on streets and reversing onto the road and not allow enough room for landscaping.

Rule
12.8.19.27.1.3

Landscape Plan

- (a) A Landscape Plan under Rule 12.8.19.23.6 shall accompany every application for subdivision consent covering land within the KEBP Policy Area;
- (b) The Council may grant a consent to an application under Rule 12.8.19.24.4 as part of the subdivision consent process;
- (c) Those landscaping proposals shown in the Landscape Plan that apply to any publicly owned areas, the land surrounding stormwater detention ponds and the landscape planting in the State Highway 1A Landscape Buffer Area shall be implemented prior to the issue of a certificate under s.224;
- (d) Those landscaping proposals shown in the Landscape Plan that apply to the proposed privately owned lots will be required to be implemented at the time of building development. Consent notices will be attached to the titles of such sites to ensure compliance;
- (e) The Council may require bonds to ensure compliance and ongoing maintenance to achieve the landscape outcome proposed in the Landscape Plan.

Rules in Other Chapters of the Plan

Rules in Chapter 23 - *Subdivision and Servicing* shall also apply.

Rule 12.8.19.28

Restricted Discretionary Activities (subdivision)

In accordance with sections 77B(3) and 104C of the Act the Council will restrict its discretion to the matters listed against each specified activity when considering resource consents applications for Restricted Discretionary Activities. Except as provided for in section 94C of the Act, applications for Restricted Discretionary Activities need not be notified nor notice served and the written approvals of affected parties will not be required.



Rule
12.8.19.28.1

Subdivision in Knowledge Economy Business Park and Knowledge Economy Mixed Use Centre Policy Areas.

All subdivision in the KEBP Policy Area and the KEMUC Policy Area that either:

- (i) includes a Development Concept Plan for the entire area of the Policy Areas held in the same ownership as the site subject to the application; or
- (ii) demonstrates that the activity applied for is in accordance with the most recently approved Development Concept Plan applying to the land affected.

Rule
12.8.19.28.1.1

Matters for Discretion

The Council will restrict its discretion to the following matters, in addition to the matters set out in Chapter 23 Subdivision and Servicing:

- (a) Any Development Concept Plan provided with the application;
- (b) Site size, shape and orientation;
- (c) Site contour;
- (d) Site access and frontage;
- (e) The layout of streets and sites;
- (f) Servicing and infrastructure including overland flow paths;
- (g) Landscaping;
- (h) Staging.

In order to exercise control over these matters the Council will require applicants to provide:

- appropriate plans showing the proposed staging of the subdivision
- sufficient engineering and other plans to allow the Council to check the consistency of the application against the approved Development Concept Plan.

The Council will require on-going compliance with the Development Concept Plan approved for the land by attaching a consent notice on each lot in the subdivision, including any balance lot.

The Council will require compliance with an approved Landscape Plan that involves the implementation of landscaping at the building consent stage by attaching a consent notice on each lot affected by such a Plan and may require a bond be entered into to ensure ongoing compliance with all or any part of an approved Landscape Plan.



12.8.19.28.1.2

Assessment Criteria

When assessing an application for this activity the Council will have regard to the urban design guidelines in Appendix 12P, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.24.8 where a Development Concept Plan is included with the application, and the following assessment criteria:

- (a) The extent to which the proposal is consistent with an approved and current Development Concept Plan applying to the site;
- (b) The extent to which the site and roading layout integrates with existing and proposed development elsewhere in the Policy Area and in adjacent Policy Areas;
- (c) The extent to which the landscaping proposed in the Landscape Plan meets the objectives and policies of the Zone, and maintains and enhances the amenity values of the business park;
- (d) Whether the proposed staging of the subdivision, servicing, or roads will result in integration of the subdivision with the surrounding infrastructure;
- (e) Where any proposed site in the KEBP Policy Area is less than 3500m², the following assessment criteria additionally apply in respect of that site:
 - Whether the site will, by itself, or in conjunction with adjoining sites, be able to accommodate:
 - (i) the necessary on-site parking;
 - (ii) the necessary manoeuvring areas;
 - (iii) the necessary loading areas;
 - (iv) buildings of an appropriate size for activities provided for in the KEBP Policy Area;
 - without generating adverse effects on adjoining sites or the road network;
 - Whether adequate landscaping sufficient to achieve the amenity values for the KEBP Policy Area sought in the Objectives and Policies can be accommodated on the site.

Rule

12.8.19.28.2

Subdivision Not Complying with Rule 12.8.19.27.1.2 Site Frontage

Rule

12.8.19.28.2.1

Matters for Discretion

The Council has restricted its discretion to the following matters:

- (a) Site Frontage.

12.8.19.28.2.2

Assessment Criteria

When considering an application the Council will have regard to the following criteria:



- (a) Whether the proposed frontage is consistent with the subdivision design in the Concept Development Plan applying to the land;
- (b) Whether the site is wide enough to enable:
 - (i) the landscaping required by the Landscape Plan;
 - (ii) vehicles to safely access the site;
 - (iii) services to be provided to the site;
 - (iv) on-site parking including access and manoeuvring.

Explanation and Reasons

The purpose of this provision is to enable a degree of flexibility in the design of subdivisions, but require a general overall compliance with the Development concept Plan applying to the land.

12.8.19.29

SILVERDALE NORTH COMMERCIAL POLICY AREAS

12.8.19.30

Description

The commercial areas provided for in the Special 19 Zone are as follows:

1. SILVERDALE NORTH MIXED COMMERCIAL POLICY AREA
2. NEIGHBOURHOOD SHOPS POLICY AREA
3. LOCAL SHOPS POLICY AREA.

12.8.19.30.1

SILVERDALE NORTH MIXED COMMERCIAL POLICY AREA

- (North Corner of Wainui Road and Silverdale Street)
The Commercial site on the north eastern corner of Wainui and Silverdale Street completes the extent of commercial land in this direction within the Special 19 Zone and links the existing commercial land in the Silverdale Town Centre with the block of commercial land bounded by Silverdale Parkway, Silverdale Street, Wainui Road and the Hibiscus Coast Highway.

In this area there is some sensitivity to the nearby schools and church/ cemetery and a need for a prominent street façade fronting the street.

- (South of Silverdale North Parkway between Silverdale Street and Hibiscus Coast Highway)

This is proposed to be an area containing a mixture of retail, office and service activities with smaller floor plates than the adjoining "Warehouse Ltd" site.

Development in this area should address the Silverdale Parkway but direct vehicular access to the Parkway by individual activities should be avoided. A high level of amenity should be provided in this area and pedestrian and vehicular access should be provided that links with the "Warehouse Ltd" site.

12.8.19.30.2

NEIGHBOURHOOD SHOPS POLICY AREA



It is anticipated that the Neighbourhood Shops Policy Area, which contains some 1ha of usable area and is located west of Metro Park East, will provide day to day services and goods as well as small scale café or restaurant activities. It is expected that higher density residential development would locate adjacent to the site to provide a defined edge to the centre and a customer base for the shops. The convenience of living close to the centre will be an attraction for more intensive development. In addition, provision is made for intensive residential development within the centre above ground floor level. This creates the opportunity for one or two floors of apartments above business activities.

The site was chosen due to its flat topography and location next to the Metro Park East, which provides a high amount of vehicle traffic as well as providing a suitable setting for cafes etc on the fringe of the park. The park will be a natural focal point where people will gather, and hence generate commercial activity.

The Silverdale North Parkway runs through this Policy Area. It is intended that the buildings be developed to front directly onto the Parkway and to Leigh Road on the south side of the Policy Area. Car parking, other than on-street parking, is not to be located between buildings and the street. The Council will encourage any required car parking to be located on the eastern side of the Parkway rather than the western side.

The design of the buildings on the southern edge of the Policy Area should specifically address the corner location and create an appropriate entrance/gateway to the shopping area.

Buildings of more than one floor are encouraged, and provision is made for the use of upper floors for apartments and offices.

12.8.19.30.3

LOCAL SHOPS POLICY AREA

The Local Shops Policy Area is located west of the Metro Park West at a central point for residents in the neighbourhood. The Policy Area allows a smaller scale development than the Neighbourhood Shops centre, providing for approximately 3-5 shops. To allow for flexibility in location of the centres within residential areas, the Planning Maps show a general area within which an area can be developed as Neighbourhood Shops. The area developed must be within the range of 400m² and 1000m². Land not identified in a Development Concept Plan as Neighbourhood Shops is to be used as Garden Residential land.

12.8.19.31

Process

To achieve development of the Commercial Policy Areas in a way that is integrated well with development on adjoining sites and in adjacent precincts, as well as within the applicant's land holding, the Council requires that all applications for resource consents for activities in these Policy Areas that involve earthworks, subdivision or the erection of buildings are required to comply with a Development Concept Plan (DCP) covering at a minimum all the land of the applicant within the relevant Policy Area.



Where the resource consent application is for the first activity on the land (earthworks, building or subdivision), a DCP is to be included with the application and the adequacy of the DCP will be assessed as part of that resource consent application. The resource consent will be subject to conditions to require the development of the property to be in general accordance with the consented to DCP (unless it is replaced by another DCP).

The Council is committed to working with land owners/applicants in a collaborative manner in the development of a DCP prior to lodgement to assist this process.

Where the resource consent application is for a subsequent activity, the application will be required to demonstrate that the activity applied for is in accordance with the DCP applying to the property. Alternatively, the applicant may choose to lodge a new DCP updating the original. Where more than one DCP has been approved for a property, the Council will require compliance with the most recent DCP.

Where the application is for a subdivision consent, future compliance with the DCP will be required by way of a consent notice applied to each lot including any balance lot.

Where an application is made for an activity that is listed as a discretionary activity (unrestricted) the Council will consider the extent to which the activity complies with an approved DCP.

Where no DCP has been approved, or no DCP is submitted where required as part of any application, the application will be classified as a non-complying activity.

Rule 12.8.19.32

Rule 12.8.19.32.1

Activity Rules

Activities in the Silverdale North Commercial Policy Areas shall comply with the following:

- (a) All Permitted Activities in the Activity Table in Rule 12.8.19.32.2 shall comply with Rule 12.8.19.33 Development Controls and any other relevant Rules in the Plan;
- (b) Development and subdivision within the Special 19 Zone shall comply with the layout shown on the Silverdale North Outline Plan in Appendix 8 to the Planning Maps;
- (c) All Restricted Discretionary Activities in the Activity Table in Rule 12.8.19.32.2 shall comply with Rule 12.8.19.33 Development Controls, except where the activity is Restricted Discretionary because of noncompliance with the relevant Development Control and any other relevant Rules in the Plan;
- (d) All Restricted Discretionary Activities in the Activity Table in Rule 12.8.19.32.2 shall be assessed against those matters over which discretion is retained, set out in Rule 12.8.19.34;



Rule
12.8.19.32.2

- (e) All Discretionary Activities in the Activity Table in Rule 12.8.19.32.2 will be assessed against the criteria set out in Rule 12.8.19.35 Discretionary Activities: Assessment Criteria, and any other relevant Discretionary Activity Assessment Criteria in any other chapter of this Plan, and the relevant matters set out in section 104 of the Act;
- (f) Except as provided for by section 94C, all restricted discretionary activities marked # in the Activity Table in Rule 12.8.19.32.2 will be considered without public notification or the need to obtain written approval of or serve notice on affected persons;
- (g) All restricted discretionary activities marked * in the Activity Table in Rule 12.8.19.32.2 will be required to comply with an existing Development Concept Plan or with a Development Concept Plan lodged as part of the application;
- (h) All activities must also comply with the Silverdale North Staging provisions in Activity Table 12T.2 in Appendix 12T.

Activities in the Silverdale North Mixed Commercial, Neighbourhood Shops, and Local Shops Policy Areas

In the following table:

P = Permitted Activity

RD = Restricted Discretionary Activity

D = Discretionary Activity

NC = Non-complying Activity

NA = Not Applicable

Note: Words in capitals are defined in *Chapter 3 - Definitions*.

ACTIVITIES	POLICY AREAS		
	Silverdale North Mixed Commercial	Neighbourhood Shops	Local Shops
Any activity not listed in the Activity Table.	NC	NC	NC
Any Permitted or Restricted Discretionary Activity in this Table that does not comply with the Development Controls in Rule 12.8.19.33 other than Rules 12.8.19.33.1, 12.8.19.33.6, 12.8.19.33.14, 12.8.19.33.15 and 12.8.19.33.16	RD*	RD*	RD*
Any activity in Precincts 2, 3, 8B2 and 11 not provided for in Activity Table 12T.2 – Silverdale North Staging provisions where the infrastructure requirements for Stage 5 are not met by 1 January 2010 and the circumstances in Rule 12.8.19.35.2 are met.	NA	D	D



ACTIVITIES	POLICY AREAS		
	Silverdale North Mixed Commercial	Neighbourhood Shops	Local Shops
The establishment or commencement of any activity, other than the grazing of animals, where no Development Concept Plan has been approved for the land (that is, does not comply with Rule 12.8.19.33.1)	NC	NC	NC
The establishment or commencement of any activity that does not comply with Rule 12.8.19.33.6 Size of Shops	D	D	D
The establishment or commencement of any activity, other than the grazing of animals, that does not comply with, as relevant, Rules 12.8.19.33.14, 12.8.19.33.15 and 12.8.19.33.16	D	D	D
The establishment or commencement of any activity that does not comply with Rule 12.8.19.33.6 Size of Shops	D	D	D
The ERECTION, addition to or alteration of BUILDINGS and ACCESSORY BUILDINGS	RD#*	RD#*	RD#*
The demolition or removal of BUILDINGS except those protected by any Rule in this Plan	P	P	P
CAFES, provided that the GROSS FLOOR AREA of the café is 100m ² or less	NA	NA	P
Car parking areas ancillary to a Permitted, Restricted Discretionary or Discretionary Activity	RD#*	RD#*	NC
Car parking areas and car parking BUILDINGS other than those ancillary to a Permitted, Restricted Discretionary or Discretionary Activity	D	D	NC
CHILD CARE FACILITIES (Note: this is an activity rule only and does not cover buildings associated with this activity)	P	P	D
COMMERCIAL SERVICES (Note: this is an activity rule only and does not cover buildings associated with this activity)	P	P	P
DAIRIES (Note: this is an activity rule only and does not cover buildings associated with this activity)	P	P	P



ACTIVITIES	POLICY AREAS		
	Silverdale North Mixed Commercial	Neighbourhood Shops	Local Shops
DRIVE-THROUGH ACTIVITIES excluding SERVICE STATIONS	RD#*	NC	NC
EARTHWORKS	RD#*	RD#*	RD#*
EDUCATIONAL FACILITIES (Note: for permitted activities this is an activity rule only and does not cover buildings associated with this activity)	P	NC at ground floor level; P at or above first floor	NC
ENTERTAINMENT FACILITIES	D	D	NC
Free standing front yard signs up to 9m in height and an area of 21.5 m ² , except on the Wainui Road or Hibiscus Coast Highway frontage.	NC	NC	NC
GARDEN CENTRES (Note: for permitted activities this is an activity rule only and does not cover buildings associated with this activity)	D	NC	NC
Grazing of animals	P	P	P
HEALTH AND WELFARE SERVICES (Note: for permitted activities this is an activity rule only and does not cover buildings associated with this activity)	P	P	P
HOUSEHOLD UNITS at or above first floor level, provided that ground floor space is not used for any purposes ancillary to the household unit other than an entry lobby or access to parking. (Note: this is an activity rule only and does not cover buildings associated with this activity)	P	P	P
HOUSEHOLD UNITS (Note: this is an activity rule only and does not cover buildings associated with this activity)	NC	NC	P
OFFICES ancillary to a Permitted, Restricted Discretionary or Discretionary Activity. (Note: this is an activity rule only and does not cover buildings associated with this activity)	P	P	P



ACTIVITIES	POLICY AREAS		
	Silverdale North Mixed Commercial	Neighbourhood Shops	Local Shops
OFFICES which are not ancillary to a Permitted, Restricted Discretionary or Discretionary Activity (Note: for permitted activities this is an activity rule only and does not cover buildings associated with this activity)	P	D	D
OFFICES at or above first floor level which are not ancillary to a Permitted, Restricted Discretionary or Discretionary Activity (Note: for permitted activities this is an activity rule only and does not cover buildings associated with this activity)	P	P	D
OUTDOOR RECREATION on RESERVES (Note: for permitted activities this is an activity rule only and does not cover buildings associated with this activity)	P	P	P
PLACES OF ASSEMBLY	D	D	NC
RESTAURANTS (excluding DRIVE-THROUGH ACTIVITIES) not involving the ERECTION, addition to or external alteration of BUILDINGS and ACCESSORY BUILDINGS	P	RD	D
SERVICE STATIONS (See rule 12.8.19.33.14(g))	RD* in area identified on Silverdale North Outline Plan in Appendix 8 to the Planning Maps, elsewhere NC	NC	NC
SHOPS, except SHOPS for the sale of Builders', Tradesmen's, Engineers', Farmers' and Handymen's Supplies, or Motor Vehicle and Machinery Parts and Tools or SHOPS with OUTDOOR DISPLAY or storage areas, subject to Rule 12.8.19.33.6 Size of Shops. (Note: this is an activity rule only and does not cover buildings associated with this activity)	P	P	P
SHOWROOM and SHOW HOME SITES	D	D	D



ACTIVITIES	POLICY AREAS		
	Silverdale North Mixed Commercial	Neighbourhood Shops	Local Shops
TAKEAWAY FOOD BARS except DRIVE-THROUGH ACTIVITIES (Note: this is an activity rule only and does not cover buildings associated with this activity)	P	P	P
VISITOR ACCOMMODATION (Note: for permitted activities this is an activity rule only and does not cover buildings associated with this activity)	P	D	NC
WORKROOMS (including kitchens) provided that each WORKROOM is incidental to a shop of which it forms a part and serves that shop only (Note: this is an activity rule only and does not cover buildings associated with this activity)	P	P	P
District Wide Activities	Refer to <i>Chapter 16 - General Rules</i>		
Earthworks and Vegetation and Wetland Modification Activities	Refer to <i>Chapter 18 - Urban Land Modification and Vegetation Protection</i>		
Transport Activities	Refer to <i>Chapter 21 - Transportation and Access</i>		
Use and Storage of HAZARDOUS SUBSTANCES	Refer to <i>Chapter 20 – Hazardous Substances and Contaminated Sites</i>		
UTILITIES	Refer to <i>Chapter 19 - Utilities</i>		

Rule 12.8.19.33

Rule

12.8.19.33.1

Development Controls

Development Concept Plan

Subdivision, earthworks, land development and building works shall only take place in accordance with an approved Development Concept Plan. This includes the development of carparks and in respect of buildings, the erection of new buildings and accessory buildings, or the relocation or changes to the footprint or height or external additions and alterations to existing buildings and accessory buildings.

Development and subdivision in the Local Shops Policy Area can satisfy this rule by complying with a Development Concept Plan covering the relevant land that has been approved in conjunction with the surrounding Garden Residential Policy Area.

Any application for an activity identified in the Activity Table in Rule 12.8.19.32.2 with an * shall either:



- (i) include a Development Concept Plan for the entire site or for the entire area of the relevant Policy Area held in the same ownership as the site subject to the application; or
- (ii) demonstrate that the activity applied for is in accordance with the most recently approved Development Concept Plan applying to the land affected.

Any application that does not comply with (i) or (ii) will be assessed as a non-complying activity.

Definitions Applying to Silverdale North Commercial Policy Areas

For the purposes of the Silverdale North Commercial Policy Areas, Development Concept Plan means in relation to a site, or group of sites, the preparation of a plan or plans with appropriate explanatory notes and reports, to demonstrate the total expected development for that site or group of sites (even if the development is to proceed in stages) so as to identify the potential integration of all parts of the proposal within itself and with adjacent properties. Such plan or plans and explanatory notes and reports will include the following information to the extent relevant:

Site Development Information – showing topographic land contours, building platforms and footprints, building subdivision including individual shop and business tenancy sizes where practicable, pedestrian walkways, carparking areas and vehicular circulation, vehicular access points between the site and public roads, landscaping areas, service areas with appropriate screening, and the position of adjacent properties in terms of contributing to an overall urban design and streetscape character including treatment of building frontages appropriate to the objectives and policies for the relevant Policy Area.

Carpark Layout and Accessways – showing the number of carparks to be provided, the layout and vehicular circulation within the site, dimensions of carparks carriageways and accessways, the provision of landscaping and stormwater swales within the carpark, and any artificial lighting within these areas.

Landscape Elements – showing the type of landscaping to be provided in yards, carpark areas, and other landscape areas and any artificial lighting to be used in these areas. A landscape management plan should be included providing an overview of the identification of plant and tree species to be used, the number of plants to be planted and plant spacings, appropriate garden preparation techniques and the on-going management of the landscaping that is proposed.

Pedestrian Areas – showing the position of walkways, linkages to adjacent sites, verandah cover, and also the positions of street furniture such as public seating, rubbish bins, cycle racks, and protective bollards (including the intended design and materials to be used for such street furniture), and any artificial lighting to be used in these areas.



Rule

12.8.19.33.2

Elevations – showing building exterior design features including roofs, facades, verandahs, exterior building materials, colours and finishes, any artificial lighting to exterior walls and features, and how the proposal integrates with adjacent properties in terms of contributing to an overall urban design and streetscape character appropriate to the particular Policy Area.

Street furniture – policies, designs and specifications to demonstrate that proposed street furniture will achieve consistency with the policies, designs and specifications of street furniture proposed in approved DCPs for adjacent sites. Where no DCP has been approved on adjacent sites, the DCP shall demonstrate that the policies, designs and specifications give effect to the objectives and policies for the Special 19 Zone and the relevant Policy Area.

Signage Plan – showing all external signs proposed on buildings and in any freestanding positions, and any artificial lighting proposed for such signs.

Height

The maximum height of any building shall be:

- | | |
|----------------------------------------------------|--------|
| (a) Local Shops Policy Area | 9 m |
| (b) Neighbourhood Shops Policy Area | 10.5 m |
| (c) Silverdale North Mixed Commercial Policy Area, | |
| • other than the delineated service station site | 13 m |
| • Service station site | 9 m |

The maximum height of any retaining wall in the Silverdale North Mixed Commercial Policy Area shall be 1.5 metres.

The maximum height shall be determined using the rolling height method as defined in *Chapter 3 - Definitions*.

Rule

12.8.19.33.3

Height in Relation to Boundary

No part of any building shall exceed a height equal to 3 metres plus the shortest horizontal distance between that part of the building and any site boundary adjoining a Residential, Rural or Open Space Zone or the Garden Residential Policy Area.

Explanation and Reasons

The height of buildings can adversely affect the amenity values of adjoining non business areas by overshadowing and overlooking. The lower height for the Local Shops, Neighbourhood Shops and Silverdale North Commercial Policy Areas reflects the desire to retain a pedestrian related scale to development.

It will help ensure that buildings do not have an overbearing effect which could diminish the amenity values of the retail areas. The height in relation to boundary Rules complement the height Rules and will help maintain the admission of direct sunlight to adjoining non-business sites.

Rule

12.8.19.33.4

Yards



- (a) The following minimum front yards shall apply:

Local Shops Policy Area	Nil
Silverdale North Mixed Commercial Policy Area	5m from the Silverdale North Parkway, 5m from Hibiscus Coast Highway, which shall be landscaped except for land used for ingress and egress;
	Nil from other streets, except where the front of a site or part of a site is occupied by a car park or car parking building in which case the yard shall be a minimum of 2m which shall be landscaped;

Neighbourhood Shops Policy Area Nil;

- (b) Where any site adjoins the 3.0m Garden Residential Policy Area or a Residential, Rural or Open Space Zone or Reserve the following minimum side and rear yards shall apply to that common boundary:

All Policy Areas

Use of Yards

- (a) All yards shall be unoccupied and unobstructed by any buildings, parts of buildings, decks, terraces, steps, storage of refuse, except that:
- (i) eaves may overhang any yard by not more than 0.3 metres;
 - (ii) parking, access and manoeuvring areas may occur in those parts of yards not required for landscape planting in Rule 12.8.19.33.7;
 - (iii) in the Silverdale North Mixed Commercial Policy Area the front yard may be occupied by outdoor components of immediately adjoining activities, provided that this does not allow any exterior display of goods.
- (b) Front yards shall not be used for the storage of materials.

Explanation and Reasons

Yards help to maintain the amenity values of adjoining sites by providing a degree of separation between business activities and other adjoining activities. The general requirement for no front yard in the Policy Areas reflects the desirability of maintaining a building frontage right up to the street boundary. The exception in the Silverdale North Commercial Policy Area requires a setback to maintain the parkway nature of the Silverdale North Parkway. The exception allows this space to be used by activities such as outdoor seating for cafes and restaurants.

Rule
12.8.19.33.5



Rule
12.8.19.33.6

Size of Shops

The gross leasable area of individual ground floor tenancies or units shall be as follows:

- (a) In Silverdale North Mixed Commercial and Neighbourhood Shops Policy Areas:
Maximum of 400m²
- (b) In Local Shops Policy Area:
Maximum of 200m²

Any tenancy or unit that cannot meet this standard requires consent as a discretionary activity. [\[Amendment 171\]](#)

Explanation and reasons

By creating limits on the size of tenancies at ground floor level the Council can control the scale of the shops that establish in each Policy Area. The standard is concerned with the size of shops and similar activities which are most likely to locate at ground floor level as it is the size of the individual shops that determine the effects of the activity. Offices and other activities that are likely to establish above ground are not subject to the rule as the effects they generate are in direct proportion to the size of the space, rather than the number of businesses occupying the space.

The emphasis in the Silverdale North Mixed Commercial and Neighbourhood Shops Policy Areas is on smaller shops and other commercial activities, such as cafes and restaurants, that only require smaller floor-plates. The rule excludes supermarkets from those Policy Areas.

The Local Shops Policy Areas are designed for small local shops. Hence the limit is smaller again than the other Policy Areas.

Rule
12.8.19.33.7

Landscaping in Yards

- (a) Yards, excluding land in a front yard required for vehicle crossings, shall include a 2m strip planted with trees, shrubs and grass;
- (b) No security or other fence shall be constructed along the outside boundary of the landscaping. This clause does not apply in the Neighbourhood Shops Policy Area or Local Shops Policy area where the boundary adjoins the Garden Residential Policy Area.

Rule
12.8.19.33.8

Protection and Maintenance of Trees

- (a) Any landscape planting required by these rules shall be maintained, and if diseased, or damaged, shall be repaired and if dead shall be replaced;
- (b) Any trees required under Rule 12.8.19.33.7 shall be located within a planting protection area around each tree, with a minimum dimension or diameter of 1.5 metres;
- (c) No more than 10% of any required landscape area shall be covered with impervious surfaces;



- (d) Required landscape areas and landscaping adjacent to a road boundary, access or manoeuvring area, or adjacent to a car parking area shall be provided with wheel stop barriers to prevent damage from vehicles. Such wheel stop barriers shall be located at least 1m from the trunk of any tree.

Explanation and Reasons

Landscaping is required to provide and maintain the amenity values of business areas particularly adjoining Residential, Open Space and Rural Zones and adjacent public roads. Front yard planting and screening is required in the Policy Areas where there is ground level parking fronting the street, to minimise the adverse visual effect and the affect on amenity values of the car park. Front yard planting is required to recognise that a higher level of amenity value is sought for these areas compared with the Industrial Zone. Rules are also included to ensure the ongoing maintenance and protection of required planting.

Appearance of Sites

- (a) Any storage or service areas (including mechanical, electrical and utility equipment, refuse and recycling activities) not enclosed within a building, shall be fully enclosed or screened from public view by solid walls not less than 1.8 metres in height constructed of concrete, brick or stone.
- (b) Rubbish stored within any building or on any part of a site shall be contained within a purpose made container with a secure cover, which shall be screened by a wall or fence or hedge not less than 1.8m high from any adjoining Residential Zone, Open Space Zone, Reserve or other public place (including roads).
- (c) On the construction or substantial reconstruction of business floor space, a suitable area to be used only for the storage of rubbish shall be provided and thereafter used for that purpose.

Explanation and Reasons

The physical appearance of a site can have an adverse visual impact on adjacent residential and open space areas and can adversely impact on the amenity values of such sites. The rules are intended to minimise the adverse visual effects of business activities on adjoining activities by screening along boundaries and areas used for rubbish storage. The rules will also help minimise the effects of noise, dust and litter on adjoining sites.

Rule
12.8.19.33.9



Rule

12.8.19.33.10

Household Units

No household unit shall occupy the ground floor level of any building except for an entry lobby or access to parking or as permitted in the Local Shops Policy Area.

Each household unit shall provide an area of open space comprising either an unenclosed balcony, deck, garden or terrace which shall:

- (a) be a minimum area of 6m² and a minimum dimension of 2 metres;
- (b) be provided:
 - (i) in the form of individual balconies and decks directly adjacent to, accessible from, and for the sole use of an individual household unit;
- (c) not be obstructed by buildings, parking spaces, shared vehicle access or manoeuvring areas.

Explanation and Reasons

The Council envisages multi-unit housing located above shops and other commercial activities.

This form of housing often appeals to individuals who do not wish the maintenance responsibilities associated with traditional single family homes and outdoor living areas. The prime amenity values for these individuals is proximity to shops, community services, public transport, and recreational features. For this reason, the Rules require only a minimum amount of outdoor living space, in essence an area equivalent to a large balcony.

At the same time there will be some occupants, including families, who require a greater area of outdoor living space. These outdoor living spaces are to be free of buildings and vehicles since these would diminish the very amenity values these areas are intended to provide.

Rule

12.8.19.33.11

Maximum Impervious Surfaces

- (a) **Silverdale North Mixed Commercial Policy Area:**

Not more than 85% of the relevant Policy Area may be covered in an impervious surface. Each Development Concept Plan should identify how the area being developed will meet this requirement;

- (b) **Neighbourhood Shops Policy Area and Local Shops Policy Area:**

No limit provided landscaping of yards (Rule 12.8.19.33.7) is complied with. Where any reduction in the area of yards required to be landscaped under Rule 12.8.19.33.7 is sought, an equivalent area free of impervious surfaces elsewhere on the site may be required to be set aside.

Rule

12.8.19.33.12

Roof Types

All roofs shall be made of materials other than uncoated galvanized material.



Rule
12.8.19.33.13

Explanation and Reasons

The run-off from uncoated galvanized roofs has the potential to cause harm to eco-systems within streams and other receiving waters.

Special Development Controls for the Silverdale North Mixed Commercial Policy Area

- (a) A minimum of 60% of the area of each site between 5m and 10m from the boundary with Silverdale Parkway or Silverdale Street must be built upon. Where a building is erected within 10m of the road boundary, at least 50% of the lineal length of the building within 10m must be 5m from the road boundary;
- (b) Any portion of the strip of land between 5m and 10m from the boundary with Silverdale Parkway or Silverdale Street which has no buildings erected on it must
 - (i) contain landscaping amounting to 20% of the area of the portion unbuilt upon; or
 - (ii) contain a footpath of a minimum 2m width alongside each building adjoining the unbuilt upon land.
- (c) Where a building is erected within the distance of 5m to 10m from the boundary of the Silverdale North Parkway the facade facing the Parkway is to contain a minimum of 40% glazing on each floor level;
- (d) The front yard along Silverdale Parkway may not be used for car parking;
- (e) Any land with a slope greater than 1 in 3 that is not used for buildings, roadway, accessway or vehicular access is to be landscaped;
- (f) The layout shall comply with the Roding Layout Plan Appendix 12R, including the provision of frontages to internal streets as indicated;
- (g) On any part of the Policy Area that has sole practicable vehicular access from the Hibiscus Coast Highway (State Highway 1) use of the land shall be limited to Service Stations;
- (h) Compliance with (a) and (b) above maybe achieved by delineating complying building footprints in the DCP for the site.

Any activity that cannot comply with these standards requires consent as a Discretionary (unrestricted) Activity.

Rule
12.8.19.33.14

Special Development Controls for the Neighbourhood Shops Policy Area

- (a) Each site shall provide a verandah along the full extent of its frontage. The verandah shall:
 - Be so related to its neighbours as to provide continuous pedestrian cover;
 - Have a minimum height of 3m and a maximum height of 4m above the footpath immediately below; and shall be set no further back than 600mm in plan from the kerbline.



Rule
12.8.19.33.15

- (b) The maximum set back from any street frontage shall be 1m (although a site boundary may be set back so as to allow a single row of on street angle parking). Where any building is set back from the street frontage, the area of the site between the building and the street shall be paved with paving consistent with that on the immediate adjoining footpath;
- (c) On each site 75% of the site frontage at road level shall be devoted to display areas or windows. For the purposes of this rule Automatic Dispensing Facilities shall be considered to be part of the display area.

Any activity that cannot comply with these standards requires consent as a Discretionary (unrestricted) Activity.

Special Development Controls for the Local Shops Policy Area

- (a) Each site shall provide a verandah along the full extent of its frontage. The verandah shall:
 - Be so related to its neighbours as to provide continuous pedestrian cover;
 - Have a minimum height of 3m and a maximum height of 4m above the footpath immediately below; and shall be set no further back than 600mm in plan from the kerbline;
- (b) No public or customer parking is to be located at the rear of the buildings;
- (c) Notwithstanding Chapter 21, Rules 21.9.2.1, 21.9.2.2, 21.10.2 and 21.10.3 relating to the provision of on-site carparking and loading spaces, all activities in the Local Shops Policy Area except household units shall be exempt from the requirement to provide off-street car parking and loading spaces;
- (d) No more than one household unit may be established on each site.

Any activity that cannot comply with these standards requires consent as a Discretionary (unrestricted) Activity.

Rules in other Chapters of the Plan

Relevant rules in other chapters of the Plan shall also be complied with.

Chapter 5 - Natural Hazards

Chapter 9 – Business

Chapter 13 – Future Development and Structure Plans

Chapter 16 – General Rules

Chapter 17 – Cultural Heritage

Chapter 18 – Urban Land Modification and Vegetation Protection

Chapter 19 – Utilities

Chapter 20 – Hazardous Substances and Contaminated Sites

Chapter 21 – Transportation and Access

Chapter 22 – Financial Contributions and Works

Chapter 23 – Subdivision and Servicing



Rule 12.8.19.34

Restricted Discretionary Activities

In accordance with sections 77B (3) and 104C of the Act, the Council will restrict its discretion to the matters listed against each specified activity when considering resource consent applications for Restricted Discretionary Activities.

Except as provided for in section 94C of the Act, applications for Restricted Discretionary Activities under Rule 12.8.19.34.1, Rule 12.8.19.34.3, Rule 12.8.19.34.6 and Rule 12.8.19.34.8 need not be notified and the written approvals of affected parties will not be required.

Rule 12.8.19.34.1

Car parking areas ancillary to a Permitted, Restricted Discretionary or Discretionary Activity

Rule 12.8.19.34.1.1

Matters for Discretion

The Council will limit its control to the following matters:

- (a) Any Development Concept Plan provided with the application;
- (b) Car park scale, siting, design;
- (c) Layout and external appearance;
- (d) Landscape and amenity values;
- (e) Traffic management and safety;
- (f) Street frontage and pedestrian shelter and connections;
- (g) Screening from residential areas;
- (h) Crime prevention through environmental design principles.

12.8.19.34.1.2

Assessment Criteria

When considering the application the Council will have regard to the urban design guidelines in Appendix 12P, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.34.2 where a Development Concept Plan is included with the application, and the following criteria:

- (a) Whether the internal access aisles are safely and conveniently integrated with the surrounding road network, and whether the traffic generated will adversely affect the safe and efficient operation of the surrounding road network;
- (b) Whether sufficient parking is provided to meet the expected number of vehicles using the site;



Rule
12.8.19.34.2

- (c) Whether landscape planting and other design elements are provided to enhance the amenity values of the area and mitigate the adverse visual effects of areas of car parking;
- (d) Whether the car parking area is designed to achieve high levels of safety for pedestrians;
- (e) Whether the siting, layout, design and landscaping of any car parking is of a design and scale able to sustain a pedestrian friendly environment and integrate well with public open space, esplanade reserves, pedestrian spines and traffic circulation and safety. Such a design may include car parking that is punctuated by pedestrian pathways, precincts, trees and landscaping;
- (f) Whether the car parking is integrated with the development which it serves;
- (g) Whether the car parking and access points are located and/or screened in such a way as to minimise glare from vehicle lights and noise from night-time vehicle movements adversely affecting properties within the Garden Residential Policy Area or any adjacent Residential Zone;
- (h) Whether a break in shop frontage or verandah cover will adversely affect either the amenity values of the retail area or pedestrians.

Assessment Criteria for Development Concept Plan

When considering an application that includes a Development Concept Plan the Council will have regard to following assessment criteria in addition to those specified for the activity applied for:

- (a) Whether the subdivision and/or development gives effect to the objectives and policies of the Plan, and in particular those objectives and policies that relate to the Policy Area within which the subdivision and/or development is proposed;
- (b) The extent to which the arrangement of uses, buildings, roads, pedestrian links and car parking areas integrate with the arrangement of existing activities on the land to which the Plan applies and the extent to which the arrangement integrates with existing and proposed activities and development on adjacent land;
- (c) Whether the development is in keeping with good urban design principles including, but not limited to the following:

- (i) **Human Scale**

- This concept relates to the bulk and location and scale of buildings that sympathetically accommodates pedestrian environments. This often includes smaller shop frontages, or several shop frontages to one building, pockets of car parking and the creation of pedestrian orientated main street type frontages.



(ii) Active edges to pedestrian pathways

This could include frequent doors and windows, balconies and awnings, or a variation in the depth and relief of building surfaces perhaps including refined detail articulation. The concept is a move away from large blank, flat walls fronting pedestrian pathways. The edges and views into buildings created could provide interest to passers-by and make the function of buildings apparent, while views out of windows provides a level of informal street surveillance, and contribute to safety.

(iii) Legibility

A legible environment is one in which there is a clear understanding of how a development works as a whole. Any development would include appropriate definable points of reference (for example, significant features, such as a sculpture, monument, clock tower, tree, and gateway entry statement), clear points of entry and a design that is clear in terms where pedestrians and vehicles can safely move through the area and where each of the buildings in the development are located. This will include a clear network of public spaces for gathering, clearly defined pedestrian pathway network and coordinated signage. Emphasis should also be given to the ability to view distant natural or prominent features from within the sites over the roof tops of commercial premises or through view shafts, in order for the sites to be referenced to the landscape.

- (d) Whether any proposed subdivision enables integrated development within the Policy Area and will not hinder the future development and operation of the particular centre;
- (e) Whether the development where appropriate incorporates small scale pedestrian precincts adjacent to pedestrian walkways and shopping areas and provides public rest areas, shade trees and play areas for children;
- (f) Whether the pedestrian network within the development integrates with the pedestrian areas of any adjoining developments and with the overall pedestrian network in the Silverdale North Special 19 Zone;
- (g) Whether the development incorporates pedestrian links that will facilitate pedestrian movement throughout the area, to adjacent car parks and to adjacent and nearby land uses;
- (h) Whether the internal roading network is safely and conveniently integrated with the surrounding road network, and whether the traffic generated will adversely affect the safe and efficient operation of the surrounding road network;
- (i) Whether sufficient parking is provided to meet the expected number of vehicles using the site and whether consideration has been given to car parking under buildings;
- (j) Whether landscape planting and open space is provided to enhance the amenity values of the area and mitigate the effects of buildings;



- (k) Whether the site is screened or the buildings are designed and located in such a way that the amenity values of adjacent Residential or Open Space Areas are not diminished by effects such as the glare from vehicle lights or noise from vehicles stopping and starting;
- (l) Whether the development is integrated with adjacent development in terms of access, both vehicle and pedestrian, and visual effects;
- (m) Whether the siting, layout, design and landscaping of any car parking, at the same level as proposed and existing buildings, is of a design and scale able to sustain a pedestrian friendly environment and integrate well with public open space, esplanade reserves, pedestrian spines and traffic circulation and safety. Such a design may include car parking that is punctuated by pedestrian pathways, precincts, trees and landscaping;
- (n) Whether the scale, siting, design and external appearance of buildings is in keeping with adjacent business development;
- (o) Whether signage and the use of bright corporate colours have been designed and used sensitively to reduce the adverse visual impact of the developments;
- (p) Whether structures such as, lighting, rubbish bins, "street furniture" and signage are designed and located to maintain the visual amenity values and safety of the site;
- (q) Whether the design and location of vehicular access points will provide for safe, and attractive vehicular and pedestrian access to the site consistent with the attractive, safe and efficient operation of the adjoining street network;
- (r) Whether internal vehicle circulation is safe and encourages the separation of goods vehicles from customer vehicle traffic and pedestrian movements;
- (s) Whether proposed earthworks can be managed to adequately avoid or mitigate sediment release to watercourses and off sites during construction;
- (t) Whether service areas have been screened from household units and public areas. Refer to the urban design interpretation in Appendix 12P;
- (u) In the Silverdale North Mixed Commercial Policy Area, whether the layout of roading and access, and the presentation of buildings to streets, is consistent with Appendix 12R;
- (v) In the Silverdale North Mixed Commercial and Areas, whether verandah cover is provided over pedestrian routes;
- (w) Whether a Precinct Sediment Management Plan (PSMP) has been submitted for approval as part of the DCP. The PSMP should address the management of earthworks over the precinct, and may include techniques to reduce sediment discharge that exceed ARC Technical Publication 90 controls, monitoring of sediment ponds, a technical analysis of the extent of restrictions on winter earthworks necessary, overall management of earthworks and any future controls required for future subdivision and / or small site earthworks in the precinct.



<i>Rule</i> 12.8.19.34.3	Earthworks and the Erection, Addition to or Alteration of Buildings and Accessory Buildings listed as a Restricted Discretionary Activity in Activity Table 12.8.19.32.2
<i>Rule</i> 12.8.19.34.3.1	Matters for Discretion The Council will restrict its discretion to the following matters: (a) Any Development Concept Plan provided with the application; (b) Scale, siting, design and external appearance of buildings; (c) Roading and parking layout; (d) Pedestrian connections and facilities; (e) Landscaping; (f) Urban design elements; (g) Fencing; (h) Earthworks; (i) Screening of service areas.
12.8.19.34.3.2	Assessment Criteria When considering the application the Council will have regard to the urban design guidelines in Appendix 12P, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.34.2 where a Development Concept Plan is included with the application, and the following criteria: (a) The extent to which the proposal is consistent with an approved Development Concept Plan applying to the site; (b) The extent to which the proposal integrates with existing and proposed development elsewhere on the same site and on adjoining sites; (c) Whether the external appearance of buildings enhances the amenity values of the area and is consistent with the objectives and policies for the Policy Area; (d) In the Silverdale North Mixed Commercial Policy Area, whether the building provides adequate verandah cover for pedestrians on those frontages used by pedestrians.
<i>Rule</i> 12.8.19.34.4	Any Permitted or Restricted Discretionary Activity in Activity Table 12.8.19.32.2 that Does Not Comply with Rule 12.8.19.33.2 Height or Rule 12.8.19.33.3 Height in Relation to Boundary
<i>Rule</i> 12.8.19.34.4.1	Matters for Discretion The Council will restrict its discretion to the following matters: (a) Scale, siting and design of buildings.



12.8.19.34.4.2

Assessment Criteria

When considering an application the Council will have regard to the following criteria:

- (a) Whether the increase in height will have an adverse effect on the access of direct sunlight and daylight to adjoining sites, particularly sites in residential and open space areas;
- (b) Whether the proposed height and the scale and design of the buildings will adversely affect the amenity values and visual character of adjacent sites;
- (c) Whether the proposed height and scale of the building will influence the wind environment to an extent that it will adversely affect the comfort of pedestrians at street level or areas of public open space;
- (d) Whether the proposed height and scale of the building will have an adverse effect on the human scale of the development;
- (e) Whether the proposed height and scale of the building will be out of character with the centre and surrounding areas.

Explanation and Reasons

Increasing the height of buildings beyond the permitted level could have an adverse effect on the admission of direct sunlight and daylight to adjoining sites, on the amenity values of the area and on the visual character of adjacent sites. It could also affect wind movement and create an unpleasant environment at street level. Conditions placed on the design of buildings could avoid, remedy or mitigate such adverse effects.

Rule

12.8.19.34.5

Any Permitted or Restricted Discretionary Activity in Activity Table 12.8.19.32.2 that Does Not Comply with Rule 12.8.19.33.4 Yards, Rule 12.8.19.33.5 Use of Yards and Rule 12.8.19.33.7 Landscaping in Yards

Rule

12.8.19.34.5.1

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Scale, siting and design of buildings;
- (b) Location of access and services;
- (c) Provision of landscaping and limitation on impervious surfaces.

12.8.19.34.5.2

Assessment Criteria

When considering an application the Council will have regard to the following criteria:

- (a) Whether the proposed yard reduction, and the scale and design of the buildings and structures, will adversely affect the amenity values and visual character of adjacent sites;



- (b) Whether the reduced yard will have an adverse effect on the access of direct sunlight and daylight to adjoining sites, particularly sites in Residential and Open Space areas;
- (c) Whether the reduction will have an adverse effect on site access or providing services to the site;
- (d) Whether the reduction will have any adverse effects on stormwater disposal.

Explanation and Reasons

Reducing the width of a yard from that required could have an adverse effect on the amenity values of adjoining sites, through buildings having a dominating effect and reducing the admission of direct sunlight and daylight to adjoining sites. As there is a requirement that a percentage of the yard be landscaped, any reduction in the yard has the potential to reduce the total landscaping on the site and increase the amount of impermeable surfaces. As well as the potential to reduce amenity values, a reduction in landscaped area and an increase in the percentage of impermeable surfaces could adversely affect stormwater disposal.

Drive-through Activities and Service Stations

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application;
- (b) Scale, siting, design and external appearance of buildings;
- (c) Roading and parking layout, including traffic movement;
- (d) Pedestrian connections;
- (e) Landscaping;
- (f) Urban design elements;
- (g) Location of the ordering and collection points;
- (h) Screening and fencing;
- (i) Earthworks;
- (j) Noise;
- (k) Hours of operation;
- (l) Infrastructure provision.

Assessment Criteria

Rule
12.8.19.34.6

Rule
12.8.19.34.6.1

12.8.19.34.6.2



When considering the application the Council will have regard to the urban design guidelines in Appendix 12P, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.34.2 where a Development Concept Plan is included with the application, and the following criteria:

- (a) The extent to which the proposal is consistent with an approved Development Concept Plan applying to the site;
- (b) The extent to which the proposal integrates with existing and proposed development elsewhere on the same site and on adjoining sites;
- (c) Whether the design and external appearance of buildings enhances the amenity values of the area and is consistent with the objectives and policies of the Policy Area;
- (d) Whether the movement of vehicles will adversely affect the safe and convenient movement of pedestrians, and in particular whether pedestrian access and mobility to and within the retail area will be adversely affected;
- (e) Whether a break in shop frontage or verandah cover will adversely affect either the amenity values of the retail area or pedestrians;
- (f) Whether the traffic generated will adversely affect the safe and efficient operation of the adjoining road network;
- (g) Whether there is sufficient space on-site for queuing, parking and manoeuvring of vehicles;
- (h) Whether entry and exit points to the site and parking areas will have an adverse effect on the amenity values of adjoining sites;
- (i) Whether the ordering and collection points are located away from the Garden Residential Policy Area or Residential Zone boundaries to minimise the adverse effects on amenity values;
- (j) Whether the drive-through facilities incorporate screening to protect land in adjacent residential areas, so that the amenity values of those areas are not diminished by glare from vehicle lights or noise from vehicles stopping and starting;
- (k) Whether the proposed hours of operation have the potential to create a noise nuisance for adjacent residential areas or residences above ground floor within any of the Silverdale North Commercial Policy Areas;
- (l) Whether the proposal provides for the safe movement of pedestrians using the facility as well those passing by;
- (m) Whether the provision of infrastructure is sufficient.



Rule
12.8.19.34.7

Rule
12.8.19.34.7.1

12.8.19.34.7.2

Explanation and Reasons

The vehicle oriented nature of a drive-through facility and the likely late hours of operation means that it could have an adverse effect on the amenity values of retail areas and on traffic safety both pedestrian and vehicle, particularly in pedestrian oriented centres, by creating a break in the frontage and affecting pedestrian passage.

Restaurants (excluding Drive-through Activities)

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Noise;
- (b) Hours of operation.

Assessment Criteria

When considering an application the Council will have regard to the following criteria:

- (a) Whether amplified music is to be provided and whether measures such as building design incorporate noise attenuation methods, to ensure that adverse noise effects do not detract from the amenity values of residential areas;
- (b) Whether the proposed hours of operation have the potential to create a nuisance for residential areas from noise and the movement of people entering and leaving the site.

Explanation and Reasons

Restaurants involve the gathering of groups of people, often at night and in particular, departing the site late at night, which results in noise from the people and vehicles. The activity can also involve the playing of music, often amplified music. Where the activity occurs on sites near residential areas the amenity values of the residential areas can be adversely affected. These effects can be particularly significant where they occur late at night and disrupt the sleep of neighbouring residents. The matters for control will enable the potential effects to be considered and appropriate conditions to be put in place.



Rule 12.8.19.35

12.8.19.35.1

Discretionary Activities

General Assessment Criteria - All Discretionary Activities

Without limiting the exercise of its discretion, for all Discretionary Activity resource consent applications in the Silverdale North Commercial Policy Areas when assessing an application the Council will have regard to the guidelines in Appendix 12P, where a Development Concept Plan is included with the application, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.34.12, the following assessment criteria, any relevant Discretionary Activity Assessment Criteria in any other chapter of this Plan and the relevant matters set out in section 104 of the Act:

- (a) Whether the activity is consistent with, or integrates into, an approved Development Concept Plan for the land;
- (b) Whether the activity complies with the Development Controls in Rule 12.8.19.33. As a general guide the activity should comply with those controls unless it is not appropriate to do so because of inherent site characteristics, particular site development considerations or unusual environmental factors;
- (c) Whether the activity will have an adverse effect on the amenity values of adjacent Garden Residential Policy Area or Residential, Rural or Open Space Zones;
- (d) Whether the site is screened in such a way that the amenity values of adjacent Garden Residential Policy Area or Residential, Rural or Open Space Zones are not diminished by effects such as the glare from vehicle lights or noise from vehicles stopping and starting;
- (e) Whether the activity will have an adverse effect on the amenity values within the business area in which it is proposed to be located;
- (f) Whether noise or vibration will be generated at levels which will be a health hazard to people within the area or will detract from the amenity values of the area and adjacent Garden Residential Policy Area or Residential, Rural or Open Space Zones;
- (g) Whether amplified music is to be provided and whether measures such as building design incorporate noise attenuation methods, to ensure that adverse noise effects do not detract from the amenity values of the Garden Residential Policy Area or Residential or Rural Zones;
- (h) Whether the proposed hours of operation have the potential to create a nuisance for the Garden Residential Policy Area or Residential or Rural Zones from noise and the movement of people entering and leaving the site;
- (i) Whether the activity will expose people to high levels of risk to health or safety;



- (j) Whether the personal safety of the employees and customers of activities in the area may be at risk because of the hazardous or noxious nature of activities occurring on the site, and whether measures are proposed to minimise any potential adverse effects;
- (k) Whether any continuous street frontage or verandah cover would be broken;
- (l) Whether the activity would have adverse effects on the safety and convenience of pedestrians;
- (m) Whether sufficient on-site parking is provided to meet the needs of the proposed activity;
- (n) Whether the entry and exit points to the site are safe;
- (o) Whether the traffic generated will adversely affect the safe and efficient operation of the adjacent road network;
- (p) Whether the activity will have an adverse effect on water quality;
- (q) Whether the activity will have an adverse effect on significant areas of vegetation or ecosystems;
- (r) Whether the activity will generate dust, smoke, fumes or other discharges to the air which potentially would detract from the amenity values of the area;
- (s) Whether the activity will create odours which are potentially either objectionable or offensive and likely to be detected at any boundary, and which may detract from the amenity values of the area, including any residential land;
- (t) Whether the proposed activity may be adversely affected by the activities occurring in the surrounding area, particularly the effects of noise, odours and air discharges;
- (u) Whether adequate measures, such as buffers, separation distances, screening or building design, are proposed to isolate the activity from adjoining activities;
- (v) Whether the proposed activity will compromise the ability of Permitted Activities to operate, by creating an expectation of higher environmental standards than required by the Policy Area;
- (w) Whether, in the case of household units, sufficient private open space is included to provide an acceptable level of amenity to the residents;
- (x) Whether, in the case of household units, the cumulative effects of the household units and any existing residential development in the Policy Area, will compromise the ability of Permitted Activities to operate, by creating an expectation of higher environmental standards than required by the Policy Area;



Rule
12.19.35.2

- (y) Whether the activity will have an adverse effect on any cultural heritage resources on or near the site;
- (z) See the Discretionary Activity Assessment Criteria in Chapter 18 - Urban Land Modification and Vegetation Protection;
- (aa) See the Discretionary Activity Assessment Criteria in Chapter 20 – Hazardous Substances and Contaminated Sites;
- (bb) See the Discretionary Activity Assessment Criteria in Chapter 21 – Transportation and Access.

Specific Circumstances and Assessment Criterion – Land Use in Advance of Infrastructure (Commercial)

- (a) Where the activity or subdivision is to occur in advance of the infrastructure requirements specified in Appendix 12T.1 and is specified as a discretionary activity in the activity table, the following circumstances shall be met in order for the activity to be a discretionary activity.

Circumstances

- (a) The LOS for the key traffic movements remain at Level D or better;

OR

- (b) The predicted increase in travel time for any key traffic movement is not increased by more than 1 minute over the reference case.

The following framework shall apply to the assessment of the measurements in (a) and (b) above:

- (i) The key traffic movements are:
 - 1. All movements to or from the State Highway network at the Silverdale Interchange and Wainui Ramps;
 - 2. All movements to or from the intersection of Silverdale Parkway / Hibiscus Coast Highway / Whangaparaoa Road;
 - 3. All movements to or from the intersection of Grand Drive and the north-south link (when this is completed and operational);
 - 4. Travel time along Hibiscus Coast Highway between the Silverdale Interchange and Whangaparaoa Road.
- (ii) The reference case is the (assumed) full development of all stages enabled prior to the stage relevant to the site;
- (iii) The land use activity mix included for the development stage relevant to the site must be consistent with the objectives and policies of the District Plan, and in particular, objectives and policies in sections 12.8.19.4 and 12.8.19.5;
- (iv) The assessment must be based on full development of the development stage relevant to the site;



- (v) The assessment must be undertaken for an analysis year of no sooner than 2016;
- (vi) The forecasting of traffic flows and travel times should be consistent with the process used in the traffic modelling undertaken at the time the staging in Schedule 12T.1 was developed; and
- (vii) For the purpose of this rule, LOS means Level of Service as defined in AUSTROADS Guide to Traffic Engineering Practice – Part 2 – Roadway Capacity, 1999 (Austroad Incorporated, page 2).

12.8.19.35.2.1

Assessment Criteria

- (a) Whether the development will generate adverse effects on the roading network in the area that are more than minor.

Rule 12.8.19.36

Subdivision

Rule
12.8.19.36.1

Activities

Subdivision of land which either:

- (i) is in conformity with a Development Concept Plan lodged with the application for subdivision consent; or
- (ii) is in conformity with an existing consented Development Concept Plan for the land;

is a Restricted Discretionary Activity.

Any Development Concept Plan lodged shall cover at minimum all the land in the same ownership in the Policy Area as that to which the application relates.

Rule
12.8.19.36.1.1

The subdivision of land shall comply with the Subdivision Standards in Rules 12.8.19.37 below and the relevant rules in *Chapter 23 - Subdivision and Servicing*.

Rule
12.8.19.36.1.2

Any subdivision not complying with the Development Controls shall be a Restricted Discretionary Activity with respect to those Rules.

Rule
12.8.19.36.1.3

Restricted Discretionary Activity subdivisions shall be assessed against those matters over which discretion is retained, and those relevant matters set out in *Chapter 23 - Subdivision and Servicing*.

Rule
12.8.19.36.1.4

Any subdivision of land where there is no consented Development Concept Plan and which does not include as part of the application a Development Concept Plan, is a non-complying Activity.

Rule
12.8.19.36.1.5

Except as provided by section 94C of the Act all restricted discretionary activities will be considered without public notification or the need to obtain the written approval of or serve notice on affected persons.



Rule 12.8.19.37

Rule

12.8.19.37.1

Subdivision Standards

Site Size

The minimum site sizes are as follows:

Silverdale North Mixed Commercial Policy Areas -	2,000m ²
Neighbourhood Shops and Local Shops Policy Areas -	200m ²

Explanation and Reasons

The creation of small sites can restrict the ability to accommodate the desired buildings and required parking, manoeuvring and loading areas on site. This can create adverse effects on the road network by roadside parking causing congestion. It can also have an adverse effect on adjoining sites by making access difficult. Inadequate manoeuvring and loading areas can lead to the need for vehicles to reverse into or out of sites, which also creates congestion and danger on the roading network.

Within the Neighbourhood Shops and Local Shops Policy Areas there is justification in providing the ability to create small sites as those areas are to be of a more human and local scale than the larger commercial areas.

Rule

12.8.19.37.2

Site Frontage

Minimum width of site frontages are as follows:

Silverdale North Mixed Commercial Policy Areas	40 m
Neighbourhood Shops and Local Shops Policy Areas	6 m

Explanation and Reasons

The creation of sites with too narrow a frontage can create access and servicing difficulties. In small centres, the reduced frontages enable development of more pedestrian oriented development.

Rule

12.8.19.37.3

Shape Factor

Each site shall be of such a shape as to contain a rectangle (which has an area equal to half the area of the site) which has its longer sides no greater than twice the length of its shorter sides.

Explanation and Reasons

It is desirable to ensure that sites are created which are of sufficient dimensions and scale to accommodate most activities' needs, including parking, loading and manoeuvring areas, as well as buildings. The creation of, for example, long narrow sites, can result in parking on streets and reversing onto the road.

Rule

12.8.19.37.4

Cross Lease, Unit Titles and Company Leases

In each Policy Area the standards for cross lease, unit titles and company lease shall be:

- (a) The subdivision shall be for buildings or activities that comply with the Rules in this Plan; or



- (b) A resource consent has been granted for the buildings or activities which are the subject of the proposed subdivision;
- (c) All areas to be set aside for the exclusive use of each building or unit must be shown on the survey plan, in addition to any areas to be used for common purposes, including access or parking;
- (d) The subdivision shall be for development that complies with section 46(4) of the Building Act 1991;
- (e) Where an existing building, included in an application for subdivision consent, has obtained a resource consent, or is a permitted activity, any proposed covenant, unit or accessory unit boundary shall be consistent with all relevant development controls of the zone or conditions of any resource consent granted;
- (f) Where any building included in the application for subdivision consent has not been constructed at the time of granting consent, the Council will not approve the survey plan under section 223 of the Act, until the building is completely framed up to and including the roof level in accordance with the Plan or any resource consent granted. The Council may require the height of the building and its position in relation to the boundaries of the site to be confirmed by a certificate from a registered surveyor;
- (g) A staged unit title or cross lease subdivision shall have sufficient area for further complying development which shall be free from inundation and slippage and capable of adequate servicing. The Council may require any application to show compliance with this Rule.

Explanation and Reasons

Where business development is permitted or has been granted consent, the provision of cross lease, unit title or company titles is appropriate. It is important to ensure that exclusive areas and common areas are identified, particularly parking areas.

Rule 12.8.19.38

Restricted Discretionary Activities (subdivision)

In accordance with sections 77B(3) and 104C of the Act the Council will restrict its discretion to the matters listed against each specified activity when considering resource consents applications for Restricted Discretionary Activities.

Except as provided for by section 94C, applications for Restricted Discretionary Activities need not be notified nor notice served and the written approvals of affected parties will not be required.

Subdivision in Silverdale North Commercial Policy Areas

All subdivision in a Silverdale North Commercial Policy Area that either:

- (i) includes a Development Concept Plan for the entire site or for the entire area of the relevant Policy Area held in the same ownership as the site subject to the application; or

Rule
12.8.19.38.1



Rule

12.8.19.38.1.1

- (ii) demonstrates that the activity applied for is in accordance with the most recently approved Development Concept Plan applying to the land affected.

Matters for Discretion

The Council will restrict its discretion to the following matters, in addition to the matters set out in Chapter 23 Subdivision and Servicing:

- (a) Any Development Concept Plan provided with the application;
- (b) Site size, shape and orientation;
- (c) Site contour;
- (d) Site access and frontage;
- (e) The layout of streets and sites;
- (f) The relationship of buildings to sites where relevant;
- (g) Servicing and infrastructure including overland flow paths.

The Council will require on-going compliance with the Development Concept Plan approved for the land by attaching a consent notice to each lot in the subdivision, including any balance lot.

12.8.19.38.1.2

Assessment Criteria

When considering the application the Council will have regard to the urban design guidelines in Appendix 12P, the assessment criteria specific to Development Concept Plans set out in Rule 12.8.19.34.2 where a Development Concept Plan is included with the application, and the following criteria:

- (a) The extent to which the proposal is consistent with an approved Development Concept Plan applying to the site;
- (b) The extent to which the site and roading layout integrates with existing and proposed development elsewhere in the Policy Area and in adjacent Policy Areas.

Rule

12.8.19.38.2

Subdivision Not Complying With Rule 12.8.19.37.1 Minimum Site Size or 12.8.19.37.3 Shape Factor

Rule

12.8.19.38.2.1

Matters for Discretion

The Council has restricted its discretion to the following matters:

- (a) Site size;
- (b) Site shape.

12.8.19.38.2.2

Assessment Criteria

When considering an application the Council will have regard to the following criteria:



- (a) Whether the proposed site size and shape is consistent with the subdivision design in the Concept Development Plan applying to the land;
- (b) Whether the site will be able to accommodate:
 - (i) the necessary on-site parking;
 - (ii) the necessary manoeuvring areas;
 - (iii) the necessary loading areas;
 - (iv) buildings of an appropriate size for the proposed activity as provided for in the policy area; without generating adverse effects on adjoining sites or the road network.

Explanation and Reasons

The purpose of this provision is to enable a degree of flexibility in the design of subdivisions, but require a general overall compliance with the Development concept Plan applying to the land.

Rule
12.8.19.38.3

Subdivision Not Complying with Rule 12.8.19.37.2 Site Frontage

Rule
12.8.19.38.3.1

Matters for Discretion

The Council has restricted its discretion to the following matters:

- (a) Site Frontage.

12.8.19.38.3.2

Assessment Criteria

The Council has restricted its discretion to the following matters:

- (a) Whether the proposed frontage is consistent with the subdivision design in the Concept Development Plan applying to the land.
- (b) Whether the site is wide enough to enable:
 - (i) vehicles to safely access the site;
 - (ii) services to be provided to the site.
 - (iii) practical shop frontages;
 - (iv) the provision of pedestrian access along streets.

Explanation and Reasons

The purpose of this provision is to enable a degree of flexibility in the design of subdivisions, but require a general overall compliance with the Development concept Plan applying to the land.

Rule 12.8.19.39

General rules

The following rules apply throughout the entire area shown on the Silverdale North Outline Plan in Appendix 8 to the Planning maps



Rule
12.8.19.39.1

Views

No person shall erect any building, structure, parapet, chimney, communication device, tank or building services component, ornamental tower or lift tower that exceeds the height limits specified in the development control rules for the relevant Policy Area/ Zone within the areas identified within View Protection Planes shown on the Outline Plan in Appendix 8 to the Planning Maps without a resource consent. Any application for such a consent shall be considered as a non-complying activity.

Rule
12.8.19.39.2

Earthworks

Earthworks will be controlled by the provisions of *Chapter 18 – Urban Land Modification and Vegetation Protection* modified to take into account the particular principles and circumstances of Silverdale North. Based on the Issues, Objectives and Policies of the Special 19 Zone the following additional assessment criteria for will be used by the Council to consider resource applications for and involving earthworks within in the Special 19 Zone.

- Existing landforms should be retained as far as is practicable;
- If land form modification is required then the resulting landform should closely reflect the natural landform. (This means that ridges may be partially lowered and valleys partially filled but the original pattern of folds and creases in the landform should remain);
- All works should comply with the provisions of the Silverdale North Catchment Management Plan.

Note: The Issues, Objectives, Policies, Assessment Criteria and Rules of *Chapter 18 – Urban Land Modification and Vegetation Protection* apply fully to Silverdale North.

Rule
12.8.19.39.3

Road Cross Sections

All new roads shall comply with the diagrams shown in Appendix 12Q.

Rule
12.8.19.39.3.1

Rule
12.8.19.39.4

Southern Roding Connection

The opening of the southern roding connection over the Weiti River to East Coast Road, in advance of PENLINK or the alternative Whangaparaoa Road widening being completed and operational, shall be a prohibited activity.

Rule
12.8.19.39.4.1

Road Connection Wainui Road to Silverdale Parkway

Any vehicular access (including roads) from land within Precinct 9B to Wainui Road shall be a prohibited activity. Any vehicular access (including roads) that link the Silverdale North Parkway to Wainui Road through Precincts 9A and/or 9B shall be a prohibited activity.

Rule
12.8.19.39.5

Rule 12.8.19.40

Restricted Discretionary Activities; Collector Roads that do not comply with cross section details in Appendix 12Q but do comply with overall width.



Rule
12.8.19.40.1

In accordance with sections 77B(3) and 104C of the Act the Council will restrict its discretion to the matters listed when considering resource consents applications for Restricted Discretionary Activities under this rule. Except as provided for by section 94C of the Act, applications need not be notified nor notice served and the written approvals of affected parties will not be required.

Rule
12.8.19.40.2

Collector Roads that do not comply with cross section details in Appendix 12Q but do comply with overall width.

Rule
12.8.19.40.2.1

Matters for Discretion

The Council will restrict its discretion to the following matters:

- (a) Any Development Concept Plan provided with the application;
- (b) The details of road cross sections.

12.8.19.40.2.2

Assessment Criteria

When assessing an application for this activity the Council will have regard to the urban design guidelines in Appendix 12P, where a Development Concept Plan is included with the application, the assessment criteria specific to the Development Concept Plan and the following assessment criteria:

- (a) Whether the road is consistent with the guidelines in Appendix 12P;
- (b) Whether the road cross sections details are consistent with another collector road type that is appropriate to the location;
- (c) Whether the road is able to adequately cater for all expected road, pedestrian and cycle traffic as well as providing for high levels of amenity;
- (d) Whether the road assists in achieving the relevant objectives and policies of the Special 19 Zone;
- (e) Whether the road cross sections details are appropriate to the land uses likely to locate on land adjoining the road;
- (f) Whether the changes in road cross sections details are likely to lead to adverse effects on the environment.