



12.8.21

SPECIAL 21 (SILVERDALE NORTH LARGE FORMAT RETAILING) ZONE

12.8.21.1

Zone Issues, Objectives, Policies and Description

12.8.21.1.1

Issues

Issue

12.8.21.1.1.1

Additional retail capacity needs to be able to locate in the Hibiscus Coast.

With the development of the Silverdale North area there is a need for increased commercial activity at Silverdale. There have also been a number of trends which influence business in Rodney including major changes in retailing formats e.g. "large format" retailing.

Issue

12.8.21.1.1.2

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 amenity values of commercial centres within Silverdale North should be of a high quality and these areas generally should have the following characteristics:

- (a) be community focal points and social centres;
- (b) provide shopping, household and personal professional services, bars and restaurants;
- (c) include pedestrian focused areas and typically involve "human scale" development with pedestrian comfort, convenience and safety being paramount concerns;
- (d) include shopping precincts with buildings built to the footpath with glazed display window frontages, overhead verandahs, and quality footpaths and lighting;
- (e) create minimal conflict with traffic, a sense of safety and security provided by the built form and the intensity of use, low noise and odour level;

The community places considerable importance on the amenity values possessed by 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.



Issue
12.8.21.1.1.3

Buildings have the 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.

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.

Issues from the following chapters are also relevant:

- Chapter 5 – Natural Hazards
- Chapter 6 – Highly Valued Natural Resources
- 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



12.8.21.1.2

Objective

12.8.21.1.2.1

Objectives

To enable comprehensively planned large format retailing premises to be located adjacent to the Silverdale Town Centre so that such facilities are accessible within the District to meet the needs of its resident community.

(This objective relates to Issue 12.8.21.1.1.1)

Objective

12.8.21.1.2.2

To ensure large format retailing, associated developments and other activities locating in the zone develop in a way that contributes to a high level of visual amenity in the urban landscape.

(This objective relates to Issues 12.8.21.1.1.2, 12.8.21.1.1.3)

Objective

12.8.21.1.2.3

To ensure large format retailing design, associated developments and other activities locating within the zone contribute to civic amenity within the development.

(This objective relates to Issue 12.8.21.1.1.2)

Objective

12.8.21.1.2.4

To develop, maintain and enhance the amenity values of the pedestrian areas and carparking associated with large format retailing.

(This objective relates to Issues 12.8.21.1.1.3)

Objective

12.8.21.1.2.5

To ensure that potential adverse effects on the environment from traffic generation and parking demand are avoided, remedied or mitigated.

(This objective relates to Issues 12.8.21.1.1.3)

Objective

12.8.21.1.2.6

To ensure that the development within the zoned area is designed to provide for complementary connections to activities on adjoining sites and the existing Silverdale Town Centre.

(This objective relates to Issues 12.8.21.1.1.2, 12.8.21.1.1.3)

Objectives from the following chapters are also relevant:

- Chapter 5 – Natural Hazards
- Chapter 6 – Highly Valued Natural Resources
- 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



12.8.21.1.3

Policy

12.8.21.1.3.1

Policies

Large format retailing and associated 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 12.8.21.1.2.2, 12.8.21.1.2.3, 12.8.21.1.2.4)

Policy

12.8.21.1.3.2

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

(This policy seeks to achieve Objectives 12.8.21.1.2.2, 12.8.21.1.2.4)

Policy

12.8.21.1.3.3

The architectural design of the building 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 12.8.21.1.2.2, 12.8.21.1.2.3)

Policy

12.8.21.1.3.4

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

(This policy seeks to achieve Objectives 12.8.21.1.2.2, 12.8.21.1.2.3)

Policy

12.8.21.1.3.5

Development should provide pedestrian connections with Silverdale Street at or near the Silverdale Street – Wainui Road intersection to provide a pedestrian-friendly interaction with and connection to and visual, physical and functional continuation of the established part of Silverdale Street.

(This policy seeks to achieve Objectives 12.8.21.1.2.4, 12.8.21.1.2.5, 12.8.21.1.2.6)

Policy

12.8.21.1.3.6

The siting, layout and materials of any carparking areas should be of a design and scale that includes safe, convenient and attractive provision for pedestrians.

(This policy seeks to achieve Objective 12.8.21.1.2.5)

Policy

12.8.21.1.3.7

Development should include landscaping of a high visual quality that contributes to a quality urban environment noting that:

- (a) the impact of buildings and roof forms along the Hibiscus Coast Highway should be buffered by dense landscaping that contributes to the ‘gateway’ theme for the Hibiscus Coast, and
- (b) landscaping should be used to mitigate the visual impact of car parking within and beyond the site, and



- (c) the visual amenity values and views of the entrance to the development should make a positive contribution to the streetscape.

(This policy seeks to achieve Objective 12.8.21.1.2.2)

Policy
12.8.21.1.3.8

The impact of large car parking areas on visual amenity values should be mitigated by careful use of planting, materials and design, and the provision of an integrated network of pedestrian routes and refuges.

(This policy seeks to achieve Objective 12.8.21.1.2.4)

Policy
12.8.21.1.3.9

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 12.8.21.1.2.2, 12.8.21.1.2.3)

Note: Policies from the following chapters are also relevant:

- Chapter 5 – Natural Hazards
- Chapter 6 – Highly Valued Natural Resources
- 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

Explanation and Reasons

This explanation and reasons relate to Policies 12.8.21.1.3.1 to 12.8.21.1.3.9.

Buildings for large format retail activity can by their very scale and nature have significant impacts on the environment in terms of their visual impact, impact on pedestrian movement and traffic impact. These policies aim to address these issues and to ensure that the site is developed in way that minimises the visual impact of the buildings given the highly visible nature of the site. The policies also aim to ensure that the development integrates with the existing Silverdale commercial area by ensuring pedestrian connections and appealing pedestrian frontages are provided at the Wainui Road Silverdale-Street intersection

12.8.21.1.4

Description

This zone is designed to provide mainly for retail activities which require large floor areas, and substantial car parking which is conveniently located for the customer.

Development within the zone is to occur in accordance with the underlying urban design principles described in the Concept Plan set out in Appendix 12S. The development should occur in a way that provides strong pedestrian connections with the old Silverdale Town Centre via the Silverdale Street-Wainui Road intersection. It should also occur in a way that contributes to a high visual quality recognising the high visibility of the site to residential areas to the north west.



Accordingly, earthworks and new buildings are controlled activities where they are in accordance with the concept plan. The controlled activity status is considered appropriate in this case because of the inclusion of the detailed concept plan which gives a level of certainty to the expected outcomes. Where they are not in full accordance with the concept plan, but are in general accordance with the concept plan, they are restricted discretionary activities. Where a proposal is not in accordance with the concept plan at all then the activity is non-complying.

These levels of control are exercised to ensure that landform, contours and buildings are designed in such a way that they create an integrated development that includes an attractive efficient and safe layout for parking, access, vehicle circulation and pedestrian movement. It is intended that the landform and architectural design, scale, bulk, form, proportions, colour and materials of the buildings contribute to achieving an environment of high visual quality.

The development of the site depends on the construction of the Silverdale Street extension and that part of the Silverdale Parkway from the Silverdale Street extension to the Hibiscus Coast Highway opposite Whangaparaoa Road as shown in Appendix 12S. This is to ensure that safe and efficient access to the site and the adjoining road network is in place before trading begins. Therefore, the development shall not trade until access is provided to the zone via the Silverdale Parkway and the Silverdale Street extension.

Rule 12.8.21.2

Rule
12.8.21.2.1

Rule
12.8.21.2.2

Activity Rules

Activities in the Special 21 (Silverdale North Large Format Retailing) Zone shall comply with the following:

- (a) All Permitted, Controlled Activities and Restricted Discretionary Activities in the Activity Table in Rule 12.8.21.2.2 shall comply with Rule 12.8.21.3 Development Controls and Performance Standards and Rule 12.8.21.4 Special Development Controls, and any other relevant Rules in the Plan.
- (b) All Controlled Activities will be assessed against the criteria set out in Rule 12.8.21.5.
- (c) All Restricted Discretionary Activities will be assessed against the criteria set out in Rule 12.8.21.6.

Activity Table

In the following table:

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

Note: Words in Capitals are defined in Chapter 3 - Definitions



ACTIVITY	ACTIVITY STATUS
Any activity not listed in this Activity Table	NC
SHOPS, except shops with outdoor display or outdoor storage areas, with a minimum GROSS LEASABLE AREA of 200m ² , provided that the minimum average GROSS LEASABLE AREA for shops within the whole development shall be 400m ² and provided that there are no more than 10 shops with a GROSS LEASABLE AREA of between 200m ² and 400m ² . <i>(See note at end of table)</i>	P
BUILDINGS AND USES ACCESSORY to any Permitted Activity except as listed as Controlled Activities	P
Cinemas	NC
GARDEN CENTRES	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.	P
OFFICES ancillary to a Permitted Activity	P
RESTAURANTS	P
TAKEAWAY FOOD BAR	P
WORKROOMS, (including kitchens), provided that each workroom is incidental to a shop of which it forms a part, and serves that shop only.	P
Any EARTHWORKS and development, including the ERECTION of any new BUILDING or external alteration or additions to existing BUILDINGS or individual element of a development, in accordance with the Concept Plan in Appendix 12S, for any activity that is a Permitted Activity in the zone.	C



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.	C
Any EARTHWORKS and development, including the ERECTION of any new BUILDING or external alteration or additions to existing BUILDINGS or individual element of a development, in general (but not full) accordance with the Concept Plan in Appendix 12S, for any activity that is a Permitted Activity in the zone.	RD
BUILDING development not including the western wing with frontage to Silverdale Street-Wainui Road intersection.	RD
EARTHWORKS and the ERECTION of any new BUILDING, or external alteration or additions to existing BUILDINGS, not in general accordance with the Concept Plan in Appendix 12S, for any activity that is a Permitted Activity in the zone.	NC
District Wide Activities.	See Chapter 16 – General Rules (See Rule 12.8.21.4.4. below)
EARTHWORKS and Vegetation and WETLAND MODIFICATION Activities.	See Chapter 18 – Urban Land Modification and Vegetation Protection
Transport Activities.	See Chapter 21 – Transportation and Access
Use and Storage of HAZARDOUS SUBSTANCES.	See Chapter 20 – Hazardous Substances and Contaminated Sites
UTILITIES.	See Chapter 19 – Utilities

NOTE:

(In determining the minimum average gross leasable area, the floor area of any store with a floor area greater than 6000m² shall not be included in the calculation. Only one store with a minimum floorsize of 6,000m² may have internal tenancies of a combined total floor area of up to 600m². The total floor area of any such internal tenancies shall be treated as part of the floor area of the main store.) (See Chapter 3 – Definitions for definition of Gross Leasable Area)



Rule 12.8.21.3

Development Controls and Performance Standards

The following rules relate to all permitted, controlled activities and restricted discretionary activities.

Rule
12.8.21.3.1

Height

The maximum height of any building shall not exceed 12.5m.

Rule
12.8.21.3.2

Yards

The minimum front yards shall be:

- (i) Hibiscus Coast Highway – 5m which shall be landscaped in accordance with the Concept Plan in Appendix 12S.
- (ii) Other frontages – Nil 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 in accordance with the Concept Plan in Appendix 12S.

Rule
12.8.21.3.3

Use of Yards

- (a) All yards shall be unoccupied and unobstructed by any buildings, parts of buildings, decks, terraces, steps or 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 12.8.21.3.2 or in the Concept Plan in Appendix 12S.
- (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.

Rule
12.8.21.3.4

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.

Rule
12.8.21.3.5

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 12.8.21.3.4 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 and Open Space Zones and adjacent public roads. Front yard planting and screening is required where there is ground level parking fronting the street, to minimise the adverse visual effect and the effect on amenity values of the car park. Rules are also included to ensure the ongoing maintenance and protection of required planting.

Rule
12.8.21.3.6

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
12.8.21.3.7

Maximum Site Coverage

The maximum site coverage of all buildings other than vehicle parking buildings shall be 50%.

Rule
12.8.21.3.8

Maximum Impervious Surfaces

Not more than 85% of the site may be covered in an impervious surface. The Applicant should identify how the area being developed will meet this requirement.

Explanation and Reasons

This explanation and reasons relates to Rules 12.8.21.3.7 and 12.8.21.3.8.



Rule
12.8.21.3.9

The maximum site coverage is to ensure that the site is not dominated by buildings. The impervious surfaces rule is to reduce stormwater runoff.

Roof Types

All roofs shall be made of materials other than galvanised material or uncoated zinc-alum.

Explanation and Reasons

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

Rule
12.8.21.3.10

Household Units

(a) Each household unit without a ground floor level shall provide an area of open space comprising either an unenclosed balcony, deck, garden or terrace which shall:

- (i) be a minimum area of 6m² and a minimum dimension of 2 metres;
- (ii) be provided;

- in the form of individual balconies and decks directly adjacent to, accessible from, and for the sole use of an individual household unit; or,
- in the form of one or more shared outdoor living spaces with a minimum area of 24m² and a minimum dimension of 5 metres directly adjacent to, accessible from, and overlooked by a majority of the household units served; or,
- any combination of (i) and (ii) which provides the required total area of outdoor living spaces on a site.

- (iii) 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 are 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 12.8.21.4

Rule
12.8.21.4.1

Rule
12.8.21.4.2

Special Development Controls

Controlled Activities

- (a) A development (or stage of development) will be in accordance with the Concept Plan set out in Appendix 12S where the following are provided as set out in the Concept Plan shown in Appendix 12S:
- (i) site layout
 - (ii) building platforms
 - (iii) site access
 - (iv) parking location
 - (v) pedestrian routes
 - (vi) public areas
 - (vii) landscape areas

Where those features are not provided as set out in the Concept Plan, the individual elements not in accordance will be assessed as a Restricted Discretionary Activity.

- (b) No premises in the zone shall trade until that part of the Silverdale Parkway, from the Silverdale Street extension to the Hibiscus Coast Highway, and the Silverdale Street extension are operational.
- (c) The first stage of building development shall include the western wing with frontage to the Silverdale Street-Wainui Road intersection.
- (d) The first stage of building development shall include all landscaping along road frontages.
- (e) Any proposal not complying with Rule (b) or (d) above, shall be a Non-complying Activity.
- (f) A development (or stage of development) will be in accordance with the Concept Plan set out in Appendix 12S.

Restricted Discretionary Activities

- (a) Building development not including the western wing with frontage to Silverdale Street-Wainui Road intersection, shall form and landscape pedestrian access from the buildings constructed, to the Silverdale Street-Wainui Road intersection.
- (b) Any proposal that does not provide the pedestrian access required in (a), shall be a Non-complying Activity.
- (c) Any feature or element of the development not provided as shown on the Concept Plan in Appendix 12S shall be a Restricted Discretionary Activity.

Explanation and Reasons

The development of the site depends on the construction of the Silverdale Street extension and that part of the Silverdale Parkway from the Silverdale Street extension to the Hibiscus Coast Highway opposite Whangaparaoa Road as shown in Appendix 12S. This is to ensure that safe and efficient access to the site and the adjoining road network is in place before trading begins. Therefore, the development shall not trade until access is provided to the zone via the Silverdale Parkway and the Silverdale Street extension.



The development should occur in a way that provides strong pedestrian connections with the old Silverdale Town Centre via the Silverdale Street-Wainui Road intersection. This is why the first stages of the development are required to include the western wing with frontage to Silverdale Street-Wainui Road frontage or at least provide landscaping and pedestrian access to the intersection from any buildings constructed.

12.8.21.4.3

Rule

12.8.21.4.3.1

Financial Contributions

General Rules: Financial Contributions

Note: Terms in bold are defined for the purpose of these rules in Rule 12.8.21.4.3.6

- (1) All financial contributions, works and services for subdivision and/or development within the area identified in the Plan in Appendix 12S, referred to as the “**Development Area**”, shall be calculated in accordance with the requirements set out in Rules (2) to (16). All financial contribution amounts set out in or required by these rules are exclusive of GST.
- (2) All development within the “**Development Area**”, unless otherwise specified, shall be exempt from the financial contributions requirements of Section 14A of the Rodney District Plan, provided that where development occurs within the “**Development Area**” in excess of 25,250 square metres of “**gross business area**” or is in a different form to that indicated in the Plan in Appendix 12S or occurs in a manner not provided for by these rules, the provisions of Chapter 22 - Financial Contributions of the District Plan shall apply. Financial contributions shall be payable on any subdivision in the “**Development Area**” in accordance with Chapter 22 - Financial Contributions of the Rodney District Plan.
- (3) No financial contributions shall be payable within the “**Development Area**” for Community Facilities, Neighbourhood Reserves or Sportsfields.
- (4) Where resource consent is granted for development within the “**Development Area**” the financial contributions, calculated under Rules (9) – (16), may be taken:
 - in full, on the basis of a maximum “**gross business area**” (GBA) of 25,250 square metres permitted to be developed pursuant to these rules: OR
 - progressively, (other than for Stormwater – See Rule 12.8.21.4.3.5 (16)) on the basis of the “**gross business area**” to be developed in square metres, pursuant to any resource consent issued for part of the development up to a maximum of 25,250 square metres.
- (5) Financial contributions shall be payable (other than for Stormwater – See Rule 12.8.21.4.3.5 (16)), as a condition of resource consent and prior to the activity commencing. For the purposes of this rule, the issue of a building consent shall be deemed to be the commencement of the activity.



- (6) All money contributions payable for the “**Development Area**” shall, until such time as they have been paid, be subject to adjustment by applying to them any change in the “**Producer Price Index – Construction**”, from a date one year after the issue of the first resource consent issued for development of the “**Development Area**” and the most recent anniversary of the granting of that resource consent, prior to the payment of the contribution.
- (7) In the event that payment of any financial contribution occurs later than five years after the date of granting of the first resource consent issued for development of the “**Development Area**”, the contribution calculated under Rules (9) – (16) shall be amended by the Council to be the contribution payable under the applicable financial contribution rules in the District Plan at the time for the particular infrastructure type and for the catchment area in which the resource consent falls.
- (8) All inputs used in the calculation of financial contributions are exclusive of Goods and Services Tax (GST) and all financial contributions are subject to GST in terms of the Goods and Services Tax Act 1985.

Rule
12.8.21.4.3.2

Financial Contributions for Roothing

- (9) A financial contribution for Roothing shall be paid for any development in the “**Development Area**” in accordance with Table 1.

Table 1: Financial Contributions – Roothing

	GBA(m2)	Household Unit Equivalent Factor	Household Unit Equivalent (HUE)	Financial Contribution per HUE created	Total
Contribution payable on development of maximum “ gross business area ”.	25,250m ²	0.0020	50.5	\$2,814	\$142,107
Contribution payable per square metre of development in the case of any resource consent issued for part of the development up to a maximum “ gross business area ” of 25,250 square metres.	1m ²	0.0020	0.0020	\$2,814	\$5.6/m ²

- (10) The Council shall deduct an amount of \$2,814 from the financial contribution payable on the first resource consent granted in the “**Development Area**”, this being the amount deemed to have been paid previously for a Roothing contribution on the creation of the site on which the development is occurring.

Rule
12.8.21.4.3.3

Financial Contributions for Water Supply

- (11) A financial contribution for Water Supply shall be paid for any development in the “**Development Area**” in accordance with Table 2.



Table 2: Financial Contributions – Water Supply

	GBA(m2)	Household Unit Equivalent Factor	Household Unit Equivalent (HUE)	Financial Contribution per HUE created	Total
Contribution payable on development of maximum "gross business area".	25,250m ²	0.0016	40.4	\$2,201	\$88,920
Contribution payable per square metre of development in the case of any resource consent issued for part of the development up to a maximum "gross business area" of 25,250 square metres.	1m ²	0.0016	0.0016	\$2,201	\$3.52/m ²

(12) The Council shall deduct an amount of \$2,201 from the financial contribution payable on the first resource consent granted in the "Development Area", this being the amount deemed to have been paid previously for a Water Supply contribution on the creation of the site on which the development is occurring.

Rule
12.8.21.4.3.4

Financial Contributions for Sewerage

(13) A financial contribution for Sewerage shall be paid for any development in the "Development Area" in accordance with Table 3.

Table 3: Financial Contributions – Sewerage

	GBA(m2)	Household Unit Equivalent Factor	Household Unit Equivalent (HUE)	Financial Contribution per HUE created	Total
Contribution payable on development of maximum "gross business area".	25,250m ²	0.0016	40.4	\$3,338	\$134,855
Contribution payable per square metre of development in the case of any resource consent issued for part of the development up to a maximum "gross business area" of 25,250 square metres.	1m ²	0.0016	0.0016	\$3,338	\$5.34/m ²

(14) The Council shall deduct an amount of \$3,338 from the financial contribution payable on the first resource consent granted in the "Development Area", this being the amount deemed to have been paid previously for a Sewerage contribution on the creation of the site on which the development is occurring.



Rule
12.8.21.4.3.5

Financial Contributions for Stormwater

(15) A financial contribution for Stormwater shall be paid for development of the “**Development Area**” in accordance with the following formula:

$$\text{Financial contribution} = \frac{\text{“Total cost of pond”} \times \text{“Development Area sub-catchment volume”}}{\text{“Total pond volume”}}$$

(16) A financial contribution for Stormwater shall be paid in full for development of the “**Development Area**” at the time of issuing the first resource consent for the development.

Rule
12.8.21.4.3.6

Financial Contribution Definitions

The Definitions listed below apply for the purposes of the rules in Rule 12.8.21.4.3 relating to Financial Contributions.

Gross business area -

means the sum of the gross floor area of a building measured from the outer faces of the exterior walls plus the area of such parts of the site used solely or principally for the storage, sale, display or servicing of goods on the site but shall not include:

- (a) any floor or site area used entirely for electrical or mechanical equipment or other areas required for utilities servicing the activity;
- (b) uncovered steps, balconies, terraces or porches where not more than 50% of the perimeter is enclosed;
- (c) permanently designated vehicle parking, manoeuvring, loading and landscaping areas, the conversion of which to another use would require resource consent.

Household unit equivalent -

means the relative effect of a development on a service type, compared with the effect of one household unit on that service type and measured as a multiple of one household unit. The “**household unit equivalent**” of an activity is calculated by multiplying the “**gross business area**” in the “**Development Area**” by the applicable factors in Tables A of the definition of “**household unit equivalent factor**”.

Household unit equivalent factor –

means a factor in Table A by which the “**gross business area**” of a development is multiplied in order to determine the likely effect of that development relative to the effect of one household unit of residential development on that service type.



TABLE A

Service Type	"Household unit equivalent factor"
Roading	0.0020 per m ² of "gross business area" on the "Development Area"
Water Supply	0.0016 per m ² of "gross business area" on the "Development Area"
Sewerage	0.0016 per m ² of "gross business area" on the "Development Area"

Producer Price Index – Construction -

means the Statistics New Zealand Producer Price Index – Construction (PPIQ.SNE) or its successor.

Total cost of pond -

means the total cost of the stormwater pond that will be installed to fully service stormwater from the "Development Area" comprising:

- land costs – including both the area of the pond surface and land areas required to form stable batters, embankments, retaining walls and as required for landscaping purposes;
- pond construction costs including the necessary pipe work infrastructure, including pipe work necessary to provide connection from contributing sub-catchments;
- retaining wall costs;
- landscaping and planting costs;
- consultants fees; and
- ARC and RDC consents costs.

Development Area -

means the area identified in the Plan in Appendix 12S.

Development Area sub-catchment volume -

means the water quality volume (QV) plus the extended detention volume (EDT), as calculated using the method set out in ARC TP10, generated by the "Development Area".

Total pond volume -

means the water quality volume (QV) plus the extended detention volume (EDT), as calculated using the method set out in ARC TP10, generated by all sub-catchments (including the "Development Area" sub-catchment), connected to the stormwater pond that has to be installed to fully service those catchments.



Rule
12.8.21.4.4

Rules in Other Chapters of the Plan

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

Chapter 16 – General Rules **except** that:

- Rule 16.11.1 shall not apply where development is in accordance with the Concept Plan set out in Appendix 12S;
- Rule 16.9. shall apply as if this Zone was a Retail Service Zone;
- Rule 16.16 – Signs, shall apply as if this zone was a Business Zone **except** as specified in these rules.

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 23 – Subdivision and Servicing

12.8.21.5

Controlled Activities: Matters for Control and Assessment Criteria

Rule
12.8.21.5.1

Matters for Control

In accordance with section 77B the Council will restrict its control to the following matters when considering resource consent applications for Controlled Activities:

- (i) Urban design elements including, scale, and architectural design, including bulk, form, proportions, colour, and materials, the visual and spatial relationship and interface of buildings with Silverdale Street, Wainui Road and the Hibiscus Coast Highway, legibility, and the relationship of buildings to each other.
- (ii) Street interface, parking layout and pavement design and materials.
- (iii) Pedestrian connections and facilities.
- (iv) Landform and landscaping.
- (v) Earthworks
- (vi) Signs

12.8.21.5.2

Assessment Criteria

In order to exercise its control the Council will require applicants to provide the following:

- Accurate perspective images of views from Leigh Road, the Silverdale Street-Wainui Road intersection, the Hibiscus Coast Highway from the north and south and Manuel Road describing the three dimensional modelling of all structures and associated colours and materials and detailing. The viewpoints for the perspectives shall be agreed with the Manager, Resource Consents and the Senior Advisor Urban Design Rodney District Council.
- Drawings of architectural characteristics and details.
- Drawings of building entry spaces.
- Artists perspectives should accurately reflect the detailed plans.



- An urban design assessment by a suitably qualified professional particularly taking into account the assessment criteria below.
- A landscape plan by a suitably qualified professional particularly taking into account the assessment criteria below.

Council encourages applicants to liaise with Council in the early stages of design, prior to the above being commissioned, so that proposals can be worked through in a collaborative manner.

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

Earthworks and Landform

- (i) Whether the site earthworks and site development occur in a way that results in a site contour and landform that allows the development on the site to “fit” both aesthetically and functionally into the landscape and integrate with the adjoining road network.
- (ii) Whether the “wings” of smaller scaled building forms present active edges to the car park.
- (iii) Whether the western and northern ends of the “wings” of the buildings are created to enable highly attractive and “active edge” activities such as café/restaurant facilities and provide a pedestrian friendly interaction, and in the case of the western wing, with connection to and visual, physical and functional continuation of the older part of Silverdale Street.

Building Design

- (iv) Whether building design, form, materials and structure demonstrate good urban design principles and architectural merit and create a positive contribution to the identity and amenity values of the area including, but not limited to:
 - Human Scale
Whether the bulk, location and scale of buildings sympathetically accommodates pedestrian environments and whether buildings consist of a variety of architectural methods, materials and details to assist in breaking down the scale of the development to that suitable for a pedestrian
 - Pedestrian pathways
Whether foot paths fronting the buildings are of sufficient width to provide safe and convenient access and opportunities for amenity features such as seating, planting or lighting.
 - Whether building frontages to pedestrian pathways provide variety and relief. The edges and views into buildings created should provide interest to passers-by and make the function of buildings apparent.
 - Legibility
Whether the development includes definable points of reference (for example, significant features, such as the plaza and gateway entry statement)



- (v) Whether signage and the use of bright corporate colours have been designed and used sensitively to reduce the adverse visual impact of the developments.
- (vi) Whether there is adequate provision at convenient locations of structures such as, signs, lighting, rubbish bins, “street furniture” and that they are designed and located to maintain the visual amenity values and safety of the site.
- (vii) Whether signs on the Wainui Road or Hibiscus Coast Highway frontages are located and designed to minimize any adverse visual impact on the “gateway theme” for the Hibiscus Coast Highway and do not dominate the frontage or adversely affect the landscaping addressed in (xi) below.

Access and Street Interface

- (viii) Whether quality planting is established and attractive retaining and landform contours are provided to define the edge of Silverdale Street and provide visual amenity values from the street and contain the car park area, including pedestrian access from the carpark down to Silverdale Street.

Parking and Pedestrian Movement and Areas

- (ix) Whether internal vehicle circulation is safe and encourages the separation of goods vehicles from customer vehicle traffic and pedestrian movements.
- (x) Whether the siting, layout, materials and landscaping of any carparking, pedestrian and access areas (plazas) is of a design, durability and scale that provides safe, convenient and attractive provision for pedestrians and integrates well with open space, including safe clearly defined and signposted pedestrian connections and traffic circulation. Such a design may include carparking that is punctuated by pedestrian pathways, precincts, sculptural elements, trees and landscaping to break up or soften the appearance of the carparking area.

Landscaping

- (xi) Whether the site is designed and landscaped in such a way that the amenity values of neighbouring sites are not diminished by effects such as glare from vehicle lights or noise from vehicles stopping or starting.
- (xii) Whether the development includes landscaping that creates an urban environment of a high visual quality including whether the buildings and roof forms along the Hibiscus Coast Highway are buffered by dense landscaping that contributes to the ‘gateway’ theme for the Hibiscus Coast. Species such as pohutukawa, fan palms, nikau and hibiscus hedging, including a proportion of mature specimens sized at PB 95 or larger should be used and planted in a patterned avenue manner that allows for an appropriate depth, canopy width and potential tree height of 8 metres.



12.8.21.6

Restricted Discretionary Activities – Matters for Discretion and Assessment Criteria

Pursuant to sections 94D of the Act applications for Restricted Discretionary Activities under this rule do not need to be notified and notice of such applications does not need to be served.

Rule

12.8.21.6.1

Matters for Discretion

In accordance with sections 77B and 104C of the Act the Council will restrict its discretion to the following matters when considering resource consent applications for Restricted Discretionary Activities.

- (i) Urban design elements including site layout, scale, building siting, and architectural design, including bulk, form, proportions, colour, and materials, the visual and spatial relationship and interface of buildings with Silverdale Street, Wainui Road and the Hibiscus Coast Highway, legibility, and the relationship of buildings to each other.
- (ii) Access, street interface, parking layout and pavement design and materials.
- (iii) Pedestrian connections and facilities.
- (iv) Landform and landscaping.
- (v) Earthworks.
- (vi) Signs.

12.8.21.6.2

Assessment Criteria

In order to exercise its discretion the Council will require applicants to provide the following:

- Accurate perspective images of views from Leigh Road, the Silverdale Street-Wainui Road intersection, the Hibiscus Coast Highway from the north and south and Manuel Road describing the three dimensional modelling of all structures and associated colours and materials and detailing. The viewpoints for the perspectives shall be agreed with the Manager, Resource Consents and the Senior Advisor Urban Design Rodney District Council.
- Drawings of architectural characteristics and details.
- Drawings of building entry spaces.
- Artists perspectives should accurately reflect the detailed plans.
- An urban design assessment by a suitably qualified professional particularly taking into account the assessment criteria below.
- A landscape plan by a suitably qualified professional particularly taking into account the assessment criteria below.

Council encourages applicants to liaise with Council in the early stages of design, prior to the above being commissioned, so that proposals can be worked through in a collaborative manner.

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



Site Layout, Earthworks and Landform

- (i) Whether the proposal is in general accordance with underlying design principles described in the Concept Plan set out in Appendix 12S.
- (ii) Whether the site earthworks and site development occurs in a way that results in a site contour and landform that allows the development on the site to “fit” both aesthetically and functionally into the landscape and integrate with the adjoining road network.
- (iii) Whether the buildings are tucked as far as possible back against the southern and south-eastern boundaries of the site to provide protection from the wind and to not ‘overshadow’ or ‘dominate’ the north-western boundary and outlook of the site immediately to the west.
- (iv) Whether a harmonious and visually balanced three part composition of built forms is created which establishes the largest building as the ‘centre piece’ of the development flanked on either side with ‘wings’ of smaller scaled building forms presenting active edges to the car park.
- (v) Whether the southern and northern ends of the ‘wings’ of the buildings are created to enable highly attractive and ‘active edge’ activities such as café/restaurant facilities.
- (vi) Whether a public plaza is established at the western (Silverdale Town Centre) end of the site which is generous in scale, sunny and sheltered from the wind to provide for pedestrian and visual amenity values.
- (vii) Whether the development provides strong pedestrian connections at the Silverdale Street- Wainui Road intersection to provide a pedestrian friendly interaction with connection to and visual, physical and functional continuation of the older part of Silverdale Street.

Building Design

- (viii) Whether building design, form, materials and structure demonstrate good urban design principles and architectural merit and create a positive contribution to the identity and amenity values of the area including but not limited to:
 - Human Scale
Whether the bulk, location and scale of buildings sympathetically accommodates pedestrian environments and whether buildings consist of a variety of architectural methods, materials and details to assist in breaking down the scale of the development to that suitable for a pedestrian.
 - Pedestrian pathways.
Whether footpaths fronting the buildings are of sufficient width to provide safe and convenient access and opportunities for amenity features such as seating, planting or lighting.
Whether building frontages to pedestrian pathways provide variety and relief. The edges and views into buildings created should provide interest to passers-by and make the function of buildings apparent.



- Legibility.
Whether the development includes definable points of reference (for example, significant features, such as the plaza and gateway entry statement)

- (ix) Whether signage and the use of bright corporate colours have been designed and used sensitively to reduce the adverse visual impact of the developments.
- (x) Whether there is adequate provision at convenient locations of structures such as signs, lighting, rubbish bins, "street furniture" and that they are designed and located to maintain the visual amenity values and safety of the site.
- (xi) Whether signs on the Wainui Road or Hibiscus Coast Highway frontages are located and designed to minimize any adverse visual impact on the "gateway theme" for the Hibiscus Coast Highway and do not dominate the frontage or adversely affect the landscaping addressed in (xvii) below.

Access and Street Interface

- (xii) Whether quality planting is established and attractive retaining and landform contours are provided to define the edge of Silverdale Street and provide visual amenity values from the street and contain the car park area, including pedestrian access from the carpark down to Silverdale Street.
- (xiii) 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.

Parking and Pedestrian Movement and Areas

- (xiv) Whether internal vehicle circulation is safe and encourages the separation of goods vehicles from customer vehicle traffic and pedestrian movements.
- (xv) Whether the siting, layout, materials and landscaping of any carparking, pedestrian and access areas (plazas) is of a design, durability and scale that provides safe, convenient and attractive provision for pedestrians and integrates well with open space, including safe clearly defined and signposted pedestrian connections and traffic circulation. Such a design may include carparking that is punctuated by pedestrian pathways, precincts, sculptural elements, trees and landscaping to break up or soften the appearance of the carparking area.



Landscaping

- (xvi) Whether the site is designed and landscaped in such a way that the amenity values of neighbouring sites are not diminished by effects such as glare from vehicle lights or noise from vehicles stopping or starting.
- (xvii) Whether the development includes landscaping that creates an urban environment of a high visual quality including whether the buildings and roof forms along the Hibiscus Coast Highway are buffered by dense landscaping that contributes to the “gateway” theme for the Hibiscus Coast. Species such as pohutukawa, fan palms, nikau and hibiscus hedging, including a proportion of mature specimens at PB 95 or larger should be used and planted in a patterned avenue manner that allows for an appropriate depth, canopy width and potential tree height of 8 metres.