

## Rule 4.11 Future Urban Zone

### Rule Statement

The Future Urban Zone applies to the majority of rural land within the city. The purpose of the zone is to protect land which is intended for future city growth from inappropriate subdivision, use and development to ensure an efficient and logical pattern of future urban development is not compromised. At the same time, the zone seeks to accommodate a range of rural activities in an environmentally acceptable manner. The provisions are designed to manage the transition from rural to urban to ensure compatibility with existing rural amenity values and potential urban development.

### Expected Outcome

Farming and other rural activities are continued provided that the opportunities for future urban development are not compromised by inappropriate subdivision and incompatible uses and development, while the existing rural and future urban environment is enhanced and adequately protected from adverse effects.

### Means of Compliance

The following rules shall be read in conjunction with all other rules in the plan and in particular:

- The activity status and standards for this zone may be modified in accordance with the rules in [Rule Section 2.0](#) where the land is within an Overlay.
- The rules for city-wide activities in [Rule Section 3.0](#) apply in parallel to these rules.
- Any activity involving the subdivision and development of land shall be subject to the rules in [Rule Section 6.0](#).
- Any structure plan set out in Rule Section 9.0.

The activity status of a Permitted or Controlled Activity may be altered from the activity list below where the activity cannot meet one or more of the standards specified in this rule or the city-wide standards in [Rule Section 5.0](#). For clarification of activity status see [Rule 4.11.4 - Failure to Meet Standards](#).

Regard must be had to all Objectives and Policies which may be relevant to any proposed activity subject to this Rule. This includes, but shall not be limited to, Policy Sections 4.1 Future Urban and 4.4 Subdivision and Development of Land.

#### 4.11.1 Activities

##### a) Permitted Activities

The following are Permitted Activities provided they comply with the standards in [Rules 4.11.2](#) and the relevant standards in [Rule 4.11.3](#), [except within Stage 1 of the Peacocke Growth Cell where lots are less than 1250m<sup>2</sup> the following are Permitted Activities provided they comply with the standards in Rule 4.11.2A and the relevant standards in Rule 4.11.3A. \(Var.14\)](#)

- Any Farming Activity except Factory Farming
- Detached Dwellings
- Ancillary Flats
- Home Occupations
- Accessory Buildings
- Informal Recreation and Ancillary Buildings
- Places of Assembly, Restaurants, Licensed Premises, Recreation Grounds but only on Lot 1 DPS 12490 (the Glenview Club 217 Peacocke Road) (*in accordance with [Rule 4.11.3 d](#)*.)

#### b) Controlled Activities

The following are Controlled Activities provided they comply with the standards in [Rules 4.11.2](#) and the relevant standards in [Rule 4.11.3](#), except within Stage 1 of the Peacocke Growth Cell where lots are less than 1250m<sup>2</sup> the following are Controlled Activities provided they comply with the standards in [Rule 4.11.2A](#) and the relevant standards in [Rule 4.11.3A](#), (Var. 14) and will be controlled in respect of the matters identified.

- Produce Stalls
  - with respect to site layout, vehicular provision.
- Relocated Buildings
  - with respect to the reinstatement of the building.
- Comprehensive Residential Development within Stage 1 of the Peacocke Growth Cell
  - With respect to site layout, building orientation and design; parking, loading and access; planting, stormwater control and earthworks.

#### c) Discretionary Activities

The following are Discretionary Activities.

- Factory Farming
- Rural Industry
- Forestry
- Community Centres
- Places of Assembly
- Marae
- Residential Centres
- Education and Training Facilities
- General Recreation
- Any activity specified as Permitted, Controlled or Discretionary in [Rule 4.1](#) Residential Zone and not otherwise provided for but subject to [Rule 6.3.3](#).

- Any activity specified as Permitted, Controlled or Restricted Discretionary or Discretionary in Rule 4.5.1 Industrial Zone but subject to Rule 6.3.3 and only on land identified as Industrial Area on the Rotokauri Structure Plan (Rule 9.0)<sup>1</sup>

**d) Non-Complying Activities**

The following are Non-Complying Activities.

- Any other activity not provided for.

#### 4.11.2 General Standards

The following general standards apply to all Permitted and Controlled Activities except for Permitted and Controlled Activities within Stage 1 of the Peacocke Growth Cell where lots are less than 1250m<sup>2</sup> then the general standards in Rule 4.11.2A will apply. (Var. 14).

**a) Development Intensity**

i) Maximum Site Coverage

- 8% up to a maximum of 1200m<sup>2</sup> gross floor area where the net site area is greater than 5000m<sup>2</sup>.
- 25% up to a maximum of 500m<sup>2</sup> gross floor area where the net site area is 5000m<sup>2</sup> or less.

**b) Building Height**

i) Maximum Building Height: - 10m.

- ii) Height Control Plane: - No part of a building shall penetrate a Height Control Plane rising at an angle of 45° commencing at an elevation of 3m above the boundary provided that where in accordance with the Height Control Plane in Figure 4.1 — 2a and 4.1 — 2b, such a plane rises in a direction between northwest (315°) and northeast (45°), the angle shall be 28°.

**c) Building Setback**

i) Minimum Setback

- 10m from any boundary where any building involves the housing of farm animals or the operation of agricultural machinery.
- 5m from the front boundary.
- 5m from any other boundary but reduced to 1.5m for any detached dwelling, ancillary flat and associated accessory buildings.

**d) Effluent Disposal**

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<sup>1</sup> ENV-2009-AKL-000042

- i) Areas for the on-site disposal of sewage and the disposal of other farm effluent shall not be located within the Environmental Protection Overlay.
- ii) Facilities for the treatment and disposal of effluent other than from a complying domestic septic tank shall be sited at least 25m away from any residential building.
- iii) Facilities for the treatment and disposal of sewage and other farm effluent shall be sited not closer than 25m from any natural or artificial water course or any lake.

**ADVISORY NOTE:**

*For any activity, the on-site disposal of sewage and the disposal of other farm effluent is subject to the provisions of the Regional Plan.*

**e) Noise**

Activities shall comply with [Rule 5.1](#).

**f) Parking, Loading, and Access**

Activities shall comply with [Rule 5.2](#).

**g) Planting and Screening**

Activities shall comply with [Rule 5.3](#).

**h) Lighting and Glare**

Activities shall comply with [Rule 5.4](#).

**i) Smoke, Fumes, Dust and Odour**

Activities shall comply with [Rule 5.5](#).

**j) Building Restrictions along Roads**

Activities shall comply with [Rule 5.6](#).

#### **4.11.2A General Standards – Stage 1 Peacocke Growth Cell where lots are less than 1250m<sup>2</sup>**

The following general standards apply to all Permitted and Controlled Activities within Stage 1 of the Peacocke Growth Cell where lots are less than 1250m<sup>2</sup>.

**a) Interface Standards**

- i) All dwellings facing onto a public space (including publicly accessible roads) shall have a primary entrance and at least one principal room on each floor with a clear-glazed window facing the public space.
- ii) All accessory buildings, including carports and garages, shall be located at least one meter behind the building line established by the dwelling unless the building is an integral part of the design and construction of the dwelling in which case it shall be recessed at least 0.5m behind the building line established by the dwelling.

- iii) No part of any accessory building, including a car port or garage, will be located within 5m of the front boundary to the road.
- iv) Front and side boundary fences or walls, located forward of the building line established by the dwelling shall not exceed 1.2m in height.
- v) The amount of hard surfacing, located forward of the building line established by the dwelling, shall not exceed 50% of this area.
- vi) Front yard landscaping and planting should enable visibility between the dwelling and public space.

**b) Density**

The minimum area of land required in respect of each residential unit shall be as follows:

<b>Activity</b>	
Detached Dwellings	400m <sup>2</sup>
Detached dwellings with an ancillary flat	600m <sup>2</sup>
Comprehensive Residential Development	250m <sup>2</sup> per unit (net site area)
Apartment buildings	Discretionary

The maximum area of land permitted in respect of each residential unit within a Comprehensive Residential Development shall be 400m<sup>2</sup>(net site area).

**c) Site Coverage**

The maximum amount of the site which can be covered by buildings (including Accessory Buildings) is as follows:

- 40% of net site area

**d) Building Height**

The maximum height of buildings:

- Maximum height of buildings 10m

**e) Height in Relation to Boundary**

No part of any building shall protrude through a height control plane rising at an angle of 28° between northwest (315°) and northeast (45°) and an angle of 45° in all other directions and commencing at an elevation of 3m above ground level at any boundary (See Figure 4.1-2a and b)

Except that:

- Where there are two or more dwellings on the same site, the height control plane shall be measured at a line midway between the two dwellings rising at an angle of 45° and commencing at a height of 3m above ground level at the midway line.
- Where a boundary adjoins a road or access, the 45° vertical angle commencing at a height of 3m above the boundary shall apply to the affected boundary.

**f) Setback from Road Boundary**

- i) Buildings shall be set back from the road boundary as follows (see Figure 4.1-3):
- ii) Frontage to local and collector roads            3m
- iii) Frontage to arterial roads                            5m

**g) Other Setbacks**

- i) Minimum building setback from side and rear boundaries (See Figure 4.1-3) shall be 1.5m.
- ii) Setbacks may be reduced where:
  - buildings on adjoining sites are attached, no setback is required along that part of the boundary covered by such a wall; or
  - the written consent of the owners and occupiers adjoining the relevant setback or setbacks is obtained

**h) Separation Distances and Privacy**

- i) Where two or more buildings, excluding accessory buildings, are located on the one site, no eave of a building shall be located closer than 3m from the eave of another building.
- ii) A balcony or window of a habitable room at upper-floor level shall be set back 5m from any boundary, excluding the road boundary or adjoining an accessway, any entrance strip with a width of 6 metres or less, or any right of way, private way or access lot (See Figure 4.1-4)
- iii) Where buildings are attached, no setback is required between those buildings
- iv) Separation distances may be reduced where:
  - Windows are at an angle of 60° or greater to the boundary (see Figure 4.1-5); or
  - Window sill height from the finished upper-floor level is 1.7m; or
  - Opaque or obscure glazing is provided; or
  - Written consent from the owners and occupiers of the adjoining property is obtained

**i) Outdoor Living Area**

- i) Each residential unit shall be provided with an outdoor living area which:
  - Shall be for the exclusive use of the residential unit
  - Shall be readily accessible from a living area of a unit
  - Shall be free of driveways, manoeuvring areas, parking spaces, accessory buildings and service areas.
- ii) Each residential unit shall be provided with an outdoor living area with a minimum area and dimensions as follows:

<b>Activities</b>	<b>Minimum area (per unit)</b>	<b>Minimum dimensions</b>
<u>Detached dwellings, Relocated</u>	<u>60m<sup>2</sup></u>	<u>Capable of containing a</u>

<u>dwellings and Comprehensive residential development</u>		<u>6m diameter circle</u>
<u>Ancillary Flats</u>	<u>12m<sup>2</sup></u>	<u>2.5m width</u>

iii) Where there are four or more residential units on a site, the outdoor living space may be combined to provide a communal outdoor living area. The communal area:

- Shall be accessible to all units
- Shall have a minimum dimension of not less than 4m
- Shall be capable of containing a circle of not less than 8m in diameter

iv) The Communal Outdoor Living Area shall have a minimum area which shall be equal to the required area of outdoor living areas as follows: (eg 4 x 60m<sup>2</sup> = 240m<sup>2</sup>)

<b>Activity</b>	<b>4-10 units</b>	<b>11-20 units</b>	<b>21+ units</b>
<u>Detached dwellings and Relocated dwellings and Comprehensive Residential Development</u>	<u>60m<sup>2</sup> per unit</u>	<u>40m<sup>2</sup> per unit</u>	<u>25m<sup>2</sup> per unit</u>

**j) Service Areas**

i) Each residential unit shall be provided with a service area with a minimum area and dimensions as follows:

<b>Activity</b>	<b>Minimum area (per unit)</b>	<b>Minimum Dimension</b>
<u>Detached dwellings and Comprehensive residential development</u>	<u>20m<sup>2</sup></u>	<u>3m</u>
<u>Ancillary flats</u>	<u>10m<sup>2</sup></u>	<u>2.5m</u>

**k) Noise**

Activities shall comply with Rule 5.1

**l) Parking, Loading and Access**

Activities shall comply with Rule 5.2.

**m) Planting and Screening**

Activities shall comply with Rule 5.3.

**n) Lighting and Glare**

Activities shall comply with Rule 5.4.

**o) Smoke, Fumes, Dust and Odour**

Activities shall comply with Rule 5.5

**p) Building Restrictions along Roads**

Activities shall comply with Rule 5.6 (Var. 14)

### 4.11.3 Specific Standards

The following standards apply to the activities specified below except within Stage 1 of the Peacocke Growth Cell where lots are less than 1250m<sup>2</sup> then the Specific Standards in 4.11.3A will only apply. (Var. 14)

#### a) Restriction on Buildings

- i) One Detached dwelling may be established on a site.
- ii) One Ancillary flat may be established on a site.
- iii) The maximum floor area of any Ancillary flat shall be 60m<sup>2</sup> gross floor area.
- iv) The total area of accessory buildings on a site where the net site area is 2ha or less, shall not exceed 100m<sup>2</sup> gross floor area and the maximum height of such buildings shall not exceed 5m.
- v) The siting of any detached dwelling, ancillary flat or accessory building shall comply with any requirements specified as part of any subdivision consent in accordance with Rule 6.3.3 so as not to compromise subsequent urban development.

#### b) Produce Stalls

- i) Produce stalls shall not exceed 16m<sup>2</sup> gross floor area.
- ii) Only goods produced on the site may be retailed.
- iii) Produce stalls may not be established on any site having vehicular access to a major arterial road.

#### c) Home Occupations

Any home occupation shall comply with the standards specified in Rule 4.1.

#### d) The Glenview Club

For any activity on Lot 1 DPS 12490, no additional buildings or extensions to existing buildings are permitted.

#### e) Relocated Buildings

External reinstatement of any relocated building shall be carried out and completed within six months of the date of placement of the relocated building on its new site.

### **4.11.3A Specific Standards – Stage 1 for the Peacocke Growth Cell where lots are less than 1250m<sup>2</sup>.**

The following standards apply to the activities specified below within the Stage 1 of the Peacocke Growth Cell where lots are less than 1250m<sup>2</sup>:

**a) Restriction on Buildings**

- i) One Detached dwelling may be established on a site.
- ii) The maximum floor area of any Ancillary flat shall be 60m<sup>2</sup> gross floor area.
- iii) All detached dwellings shall provided an appropriate on site stormwater management solutions.
- iv) All galvanized and zinc/aluminum roofing and fencing products are to be painted.

**b) Staging of development**

Development within Stage 1 of the Peacocke Growth Cell will be staged as follows

Stage 1a) and Stage 1b) and will be required to meet the following:

**i) Stage 1a)**

- Number of dwellings shall be limited to 500.

**ii) Stage 1b)**

The development of stage 1b) shall not commence prior to:

- 80% of dwellings within Stage 1a) being occupied, and
- A solution being implemented to mitigate the adverse effects that the combined traffic volumes within Stage 1a) and 1b) will have on the Dixon Road and State Highway 3 intersection, to the satisfaction of Council.

**c) Produce Stall**

- i) Produce stalls shall not exceed 16m<sup>2</sup> gross floor area.
- ii) Only goods produced on the site may be retailed.
- iii) Produce stalls may not be established on any site having vehicular access to a major arterial road.

**c) Comprehensive Residential Development**

- i) Minimum site size shall be 2000m<sup>2</sup>
- ii) Shall provided an appropriate on site stormwater solutions
- iii) Rule 4.11.2A e), g) and h) shall only apply at external boundaries of the site.

**d) Ancillary Flat**

- i) There shall be no more than one ancillary flat on a site
- ii) Maximum gross floor area shall be 60m<sup>2</sup>
- iii) The outdoor living area for an ancillary flat shall not be included as part of the outdoor living area for the principal residential building on site
- iv) Shall provided an appropriate on site stormwater management solution

e) **Relocated Buildings**

- i) External reinstatement of any relocated building shall be carried out and completed within six months of the date of placement of the relocated building on its new site

f) **Home Occupations**

- i) The gross floor area of the principal or accessory building used for a home occupation shall not exceed 30% of the total gross floor area
- ii) At least one person, including the principal operator of the home occupation, shall reside on the site
- iii) Activities shall not be operated so as to attract pedestrian or vehicular traffic between the hours of 2200hr and 0700hr the following day
- iv) Nuisances, including smoke, noise, dust, vibration, glare or other noxiousness or danger shall not result from the activity
- v) No exterior indication of the activity, including the display or storage of materials, shall be visible from outside the site, except for permitted signage.
- vi) Retailing from the site shall be limited to goods produced or substantially produced on the site (Var. 14)

#### 4.11.4 Failure to Meet Standards

- a) Activities which do not comply with one or two of the standards in Rule 4.11.2 except Rule 4.11.2 d), are **Restricted Discretionary Activities** with discretion restricted to the subject matter of the standard that can not be met.
- b) Activities which do not comply with the standard in Rule 4.11.3 d) are **Restricted Discretionary Activities** with discretion restricted to the extent and siting of new buildings and additions.
- c) Activities which do not comply with any three or more standards in Rule 4.11.2 are **Discretionary Activities**.
- d) Activities which do not comply with any standard in Rule 4.11.2 d) or in Rule 4.11.3 except Rule 4.11.3 d) are **Discretionary Activities**.
- e) Activities within Stage 1 of the Peacocke Growth Cell where lots are less than 1250m<sup>2</sup> which do not comply with one or two standards in Rule 4.11.2A or 4.11.3A are **Restricted Discretionary Activities** with discretion restricted to the subject matter of the standard that cannot be met. (Var. 14)
- f) Activities within Stage 1 of the Peacocke Growth Cell where lots are less than 1250m<sup>2</sup> which do not comply with three or more standards in Rule 4.11.2A or 4.11.3A are **Discretionary Activities**.

## Performance Assessment

In determining any resource consent, Council shall have regard to the expected outcome for this rule, to any related objectives and policies, and to the following.

#### 4.11.5 Performance Outcomes - Controlled Activities

In assessing a resource consent for a Controlled Activity (except in Stage 1 of the Peacocke Growth Cell where lots are less than 1250m<sup>2</sup>), Council can impose conditions on the following matters.

For Controlled Activities within Stage 1 of the Peacocke Growth Cell where lots are less than 1250m<sup>2</sup> then Rule 4.11.5A will apply. In assessing any resource consents for a Controlled Activity within Stage 1 of the Peacocke Growth Cell where lots are less than 1250m<sup>2</sup>, Council can impose conditions on matters set out in Rule 4.11.5A. only. (Var. 14)

##### a) Site Layout

- i) Buildings and access should be sited so as to avoid any unnecessary alteration to landform or removal of vegetation with respect to land in the Environmental Protection Overlay.
- ii) Buildings, particularly those accessory to farming should be sufficiently distanced and orientated away from boundaries and residential buildings to minimise any adverse effect that vehicle movement, noise, effluent disposal and other objectionable elements arising from the building and associated activities may have on the environment and existing rural and potential urban amenity values.
- iii) Buildings should be sited to avoid prejudicing the subsequent implementation of any proposals shown on the relevant structure plan for the area.
- iv) Regard will be had to Rule 6.3.4 in the placement and arrangement of buildings on a site in relation to future urban development.

##### b) Vehicular Provision

- i) Access to and from sites should be located and designed to avoid or mitigate any adverse effects on traffic safety and efficiency with particular regard to the actual traffic speed, traffic volumes and anticipated intensity of use of the access point.
- ii) Vehicular entrances should be located and designed to minimise adverse effects on traffic flows and safety taking into account the number of traffic movements likely to be generated by the activity.
- iii) Where heavy vehicles normally visit the site then adequate provision should be made for on site manoeuvring.
- iv) Produce stalls should be sufficiently set back from front boundaries to allow room for access, manoeuvring and parking on the front of the property.
- v) Parking areas should be located so as to be readily visible to drivers and conveniently accessible to minimise disruption of traffic flows.

##### c) Relocated Buildings

The reinstated exterior of any relocated building shall be such that it is not likely to detract from the amenity of the existing or future residential neighbourhood.

Consent applications for relocation of buildings as a controlled activity in the future urban zone shall be processed without public notification and without the need for consent of potentially affected persons or service of notice of the application on those persons.

#### **4.11.5A Performance Outcomes – Controlled Activities within Stage 1 of the Peacocke Growth Cell where lots are less than 1250m<sup>2</sup>**

In assessing a resource consent for a Controlled Activity, Council can impose conditions on the following matters.

##### **a) Site Layout, Building Orientation and Design**

- i) Buildings and access should be sited so as to avoid any unnecessary alteration to landform or removal of vegetation with respect to land in the Environmental Protection Overlay.
- ii) Buildings, particularly those accessory to farming should be sufficiently distanced and orientated away from boundaries and residential buildings to minimise any adverse effect that vehicle movement, noise, effluent disposal and other objectionable elements arising from the building and associated activities may have on the environment and existing rural and potential urban amenity values.
- iii) Buildings should be sited to avoid prejudicing the subsequent implementation of any proposals shown on the relevant structure plan for the area.
- iv) Regard will be had to Rule 6.3.4 in the placement and arrangement of buildings on a site in relation to future urban development.
- v) Developments should be of a compatible scale, form and design to surrounding residential developments.
- vi) The development should be designed to minimise any adverse effects on adjoining residential activities, especially visual privacy, access to sunlight and daylight.
- vii) Residential developments should create a high standard of amenity and privacy for residents through the design and location of outdoor living areas on the site or communal outdoor living areas.
- viii) Buildings and activities should be designed and located to minimise any adverse effects, including noise, dust, fumes and glare.
- ix) Parking and outdoor storage areas associated with any non-residential activity should be screened to protect the residential amenity of the locality.
- x) The site should be of an adequate size and frontage to accommodate the activity, off-street parking and planting.
- xi) The location and design of outdoor activity areas (such as children's playgrounds) should mitigate adverse effects (eg. noise, disturbance and privacy) for neighbouring residential properties.
- xii) Buildings adjacent to public space should be designed to create definition and enclosure in terms of height and setback

- xiii) Buildings and fences adjacent to public open space should contribute to the safety of public space users by enabling passive surveillance of the street and public space.
- xiv) Carports and garages on sites adjacent to public open space should be located to minimise their visual prominence in relation to the main dwelling when viewed from a public space.
- xv) Where the clustering of buildings within a comprehensive residential development is proposed, the extent and location of open space elsewhere within the site should adequately ensure that the amenity and appearance of the site contributes to the overall amenity and quality of the residential environment.
- xvi) Comprehensive residential developments should achieve connectivity and permeability of roads, pedestrian access ways, cycleways, public reserves and green corridors.
- xvii) Comprehensive residential developments should provide for a variety of housing styles and forms in terms of footprint, design and height.

**b) Planting**

- i) The site should provide for gardens and tree planting around the buildings and retain on-site mature vegetation

**c) Parking, Loading and Access**

- i) Vehicular traffic generated by any activity should be accommodated without loss of amenity, safety or causing traffic congestion.
- ii) Entrance and exit points and drop off zones shall be designed and located to allow safe and efficient movement on to and off the road.
- iii) The location and design of parking, loading spaces and driveways are to be located to protect the aural and visual amenity of adjoining sites
- iv) Parking provided within a comprehensive residential development should be associated with individual units or located in communal parking areas provided that they are conveniently accessible to the occupants of the units

**d) Hours of Operation**

- i) The activity should not affect the amenity of neighbouring residents, especially the ability to sleep at night.
- ii) Vehicle and pedestrian movements to and from the site should be compatible with the amenity of the surrounding residential area

**e) Reinstatement of Relocated Buildings**

- i) The reinstated exterior of any relocated building shall be such that it is not likely to detract from the amenity of the residential neighbourhood
- ii) Consent applications for relocation of buildings as a controlled activity in Stage 1 of the Peacocke Growth Cell shall be processed without public notification and without the need for consent of potentially affected persons or service of notice of the application on those persons.

**f) Noise**

- i) The scale of the activity, in particular the number of people on site should be controlled to ensure that noise levels do not effect residential neighbours.
- ii) The extent to which the proximity of outdoor living areas and the main living areas on adjoining properties will result in noise levels which are unreasonable in the residential environment.

(Var. 14)

**4.11.6 Assessment Criteria - Restricted Discretionary and Discretionary Activities**

Restricted Discretionary Activities (except those in Stage 1 of the Peacocke Growth Cell where lots are less than 1250m<sup>2</sup>) will be assessed only in respect of the subject matter of the standard with which the activity was unable to comply.

Discretionary Activities (except those in Stage 1 of the Peacocke Growth Cell where lots are less than 1250m<sup>2</sup>) will be assessed against, but not limited to, the assessment criteria below.

Restricted Discretionary within Stage 1 of the Peacocke Growth Cell where lots are less than 1250m<sup>2</sup> will be assessed only in respect of the subject matter of the standard with which the activity was unable to comply in Rule 4.11.6A.

Discretionary Activities within Stage 1 of the Peacocke Growth Cell where lots are less than 1250m<sup>2</sup>, will be assessed against, but not limited to, the assessment criteria in Rule 4.11.6A

**a) General Criteria**

- i) Regard shall be had to any relevant performance assessment for a Controlled Activity and for general rules.
- ii) The extent to which other relevant standards are complied with.
- iii) The extent to which the activity may have adverse effects on the environment, including water discharges, air pollution, noise and other emissions.
- iv) Whether any adverse effects or cumulative effects will occur from the activity or non-compliance and whether they can be avoided or mitigated.
- v) Whether the site, given its size, shape, frontage, topography and existing development, can adequately accommodate the activity, plus off-street parking, landscaping and other requirements.
- vi) The extent to which developments and activities could prejudice or foreclose options for future urban development and in particular with the proposals shown on the relevant Structure Plan for the area.

**b) Specific Criteria**

- i) Whether activities could give rise to reverse sensitivity issues such as noise, odour and risks in relation to farming and other rural activities.
  - ii) The capacity of the site and adjacent roads to safely accommodate the vehicle traffic likely to be generated by the proposal.
  - iii) Whether the roading network giving access to the rural area is adequate to accommodate the increased traffic arising from any cumulative intensification of development having regard to the safety and amenity of adjoining urban areas.
  - iv) Whether the siting of treatment plants, ponds and effluent disposal systems for wastes will mitigate any adverse effects on surrounding properties and on water quality, taking into account prevailing and seasonal weather conditions, topography, type of treatment and quantity of effluent.
  - v) The extent to which areas used for the disposal of effluent are separated from any natural water body or open drainage system.
  - vi) The extent to which provision for effluent and stormwater disposal avoids adverse effects on water quality as it relates to ground water; the Waikato River; the ecology of Lake Rotokauri; Horseshoe Lake and their catchment areas; and gully ecosystems and minimises any risk of landslip and/or erosion.
  - vii) Where a significant concentration of people and/or the consumption of liquor is involved, whether any adverse effects on surrounding properties are minimised taking into account the nature and location of the premises, the hours of operation, and the nature of the activity .
- c) Factory Farming**
- i) The extent to which adverse effects of noise, smell, vermin and other potential health hazards associated with factory farming are avoided or mitigated by management practices, site layout (placement and orientation), design of buildings, screening and landscaping.
  - ii) Whether the potential for buildings, feedlots and other areas associated with factory farms including areas for the treatment and/or disposal of wastes to detract from the amenities of adjoining properties is minimised.
- d) Forestry**
- i) The extent to which adverse effects of forestry in respect of shading, road visibility, roading capacity and standards, fire hazards, erosion, and harvesting effects on natural watercourses and other features are avoided, remedied or mitigated.
  - ii) Whether, adequate measures are to be used to prevent erosion and protect water flow and quality of any body of water during harvesting.
  - iii) The extent of likely impacts on roading through transportation of harvested timber and the adequacy of any rehabilitation programme for the harvested area.
  - iv) Whether the activity will have any detrimental impact on the operation of Hamilton Airport.

**e) Residential Development**

- i) The extent to which any residential and associated development can be provided with roading and infrastructural services of an urban standard.
- ii) Whether any residential and associated development compromises proposals shown on the relevant Structure Plan for the area.
- iii) The impact of any residential and associated development on the efficient and economic provision and use of infrastructural facilities for the entire city.
- iv) Regard will be had to Rule 6.9.2b) with respect to out of sequence urban development.
- v) The extent to which any residential and associated development could give rise to reverse sensitivity issues in relation to existing rural, industrial or other urban activities.

**f) Rotokauri Industrial Development<sup>2</sup>**

- i) Regard will be had to Rule 6.9.2 b) with respect to out of sequence urban development.
- ii) Whether the development would compromise or restrict proposals shown on the Rotokauri Structure Plan, including the developability of the Stage 1 area.
- iii) The extent to which the development makes provision for roading and infrastructure services of an urban standard.
- iv) The extent to which the development makes provision for any proposals shown on the Rotokauri Structure Plan.
- v) The extent to which a Traffic Assessment demonstrates that the activity would not adversely affect the safe and efficient functioning, particularly in the peak hours, of the local and arterial roading network, including the state highway.
- vi) The availability and adequacy of interim access arrangements pending the completion of the planned Structure Plan roading network.

**g) Stage 2 Rotokauri Suburban Centre<sup>3</sup>**

- i) The extent to which the development complies with the assessment criteria set out in Rule 4.2A.6 and 4.2A.7

**4.11.6A Assessment Criteria – Restricted Discretionary and Discretionary Activities within Stage 1 of the Peacocke Growth Cell where lots are less than 1250m<sup>2</sup>**

Restricted Discretionary Activities will be assessed in respect of the specific subject matter identified or the standard with which the activity was unable to comply.

<sup>2</sup> ENV-2009-AKL-000042

<sup>3</sup> ENV-2009-AKL-000045

Discretionary Activities will be assessed against, but not limited to, the assessment criteria below.

**a) General Criteria**

- i) Regard shall be had to any relevant Performance Assessment for a Controlled Activity and for general rules (Rule 4.11.5A).
- ii) The extent to which the development is compatible with the size of the site.
- iii) The extent to which site size would have any adverse effects on neighbouring properties, having regard to the intended character of the area.
- iv) The extent to which a reasonable degree of amenity is achieved on the site being developed.
- v) The extent to which the amenity and appearance of an existing building would be compromised by the proposed development.
- vi) The extent to which a development could have an adverse effect on the consistency and amenity of the area and or the presence of mature vegetation.
- vii) The extent to which the use of specific roofing and fencing materials could have an adverse effect on the ecology of the gully system and streams associated within the Peacocke Growth Cell.
- viii) The relationship between the scale of any buildings on the site and existing residential development.
- ix) The impact of the development on the scale, character and open space of the surrounding development.
- x) The extent to which the proposal would result in the loss of sunlight and daylight to adjoining sites.
- xi) Any adverse effects on adjoining sites of the proximity of buildings, windows, balcony in terms of reduced privacy.
- xii) The effects on heritage items, protected significant trees or sites of archaeological, historic and cultural significance on the site.
- xiii) The extent to which proposed parking or outdoor storage area will detract from the pleasantness and attractiveness of the site when viewed from an adjoining site.
- xiv) The ability to remedy or mitigate any adverse effects of the activity by the layout or design of the site or buildings, or by the provision of planting or screening.
- xv) The extent to which vehicular traffic generated by any activity can be accommodated without a loss of safety or efficiency of the road network or without loss of residential amenity.

- xvi) The adequacy of car parking on the site and its location in relation to the neighbouring residential activities.
- xvii) The ability of the activity to mitigate noise, dust, glare, vibration, fumes, smoke, odours or other discharges or pollutants.
- xviii) Any positive impacts to the neighbourhood or the wider community, including the extent to which the activity might enhance the amenity of the area.
- xix) Any cumulative effects from the activity, whether on its own or in combination with other activities in the area.
- xx) The extent to which the intensity of occupancy of the site has an adverse effect on the character and amenity of the residential environment.
- xxi) The extent to which the proposal is consistent with the provisions of the Structure Plan.
- xxii) The extent to which the development achieves a high degree of visual and physical connectivity with public space.
- xxiii) The extent to which surveillance of the street and public space is enabled.
- xxiv) The ability of vehicles to enter and exit the site safely.
- xxv) The extent to which the building avoids blank façades.
- xxvi) Whether the dwelling contributes to creating enclosure and definition to a public space through the use of height and setbacks.

**b) Dairies**

- i) Whether the building is designed to complement the residential character of the area, with particular regard to streetscape and views from adjoining neighbours and maintaining residential amenity.
- ii) Whether the location of car parking and service areas will ensure safe operation of the road network and avoid disturbance to adjoining residential properties.
- iii) Whether the cumulative effects of the dairy together with other non-residential activities would result in a change to the residential character of the neighbourhood.
- iv) The number, location and intensity of any signage provided and whether this is complementary to a residential environment.
- v) Whether the site can adequately accommodate the dairy, any associated residential activity, parking, planting, service areas and signage whilst ensuring that the building will not dominate the street scene.

**c) Residential Centres**

With regards to Residential Centres they will be assessed against, but not limited to, the assessment criteria setout in **Rule 4.1.6 e)**

**d) Managed Care Facilities**

With regards to Managed Care Facilities they will be assessed against, but not limited to, the assessment criteria setout in **Rule 4.1.6 f)**

**e) Staging of development**

- i) Whether for any development in Stage 1a) and 1b) of the Peacocke Growth Cell that exceeds the 500 dwelling limit, it can be demonstrated that the development can address infrastructure issues by constructing new or upgrading existing infrastructure or contributing to the costs of the construction/upgrading of the required infrastructure
- ii) The extent to which any development within Stage 1a) or 1b) has taken into account the provisions set out in Rule6.2

**f) Storm water management**

- i) The extent to which the on site stormwater solutions for any development retains the pre-development catchment characteristics for ground soakage and run-off. (Var. 14)