

## Rule 4.6 Community Facilities Zone

### Rule Statement

This zone provides for the development and operation of a range of activities that support the social and economic wellbeing of local communities and which can also contribute to the amenity of neighbourhoods. The intensity of activities associated with community activities can generate significant impacts on the locality. Control is exercised to ensure that the effects of their development and operation are mitigated and such facilities are integrated into their local community

### Expected Outcome

A range of community facilities accommodated, which are well integrated with the scale, character and amenity of their localities.

### 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](#).

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 4.6.4 - 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 Section 5.3 Community Facilities.

#### 4.6.1 Activities

##### a) Permitted Activities

The following activities are Permitted Activities provided they comply with the standards in [Rule 4.6.2](#) and the relevant standards in [Rule 4.6.3](#):

- Community Centres
- Education and Training Facilities
- Health Care Services
- Hospitals

- Marae
- Residential Centres
- Managed Care Facilities
- Rest Homes
- Informal Recreation and Ancillary Buildings
- General Recreation
- Ancillary Retail Activity
- Accessory Buildings
- Residential Accommodation for persons required to live on the premises
- Relocated Buildings.

**b) Controlled Activities**

The following activities are **Controlled Activities** provided they comply with the standards in [Rule 4.6.2](#) and the relevant standards in [Rule 4.6.3](#) and will be controlled in respect of the matters identified:

- Any Permitted Activity being a Controlled Activity in accordance with Rule 4.6.4 a)
  - site layout, building size and configuration, vehicular provision, on-site open space, landscaping
- Any Light Industry, Warehouse, Transport Depot, Outdoor Storage Area or Administrative Offices but only on Lot 8 DP 14655 (WEL Depot 44-48 Peachgrove Road)
  - with respect to building design and configuration, site layout, landscaping, vehicular access.

**c) Discretionary Activities**

The following activities are Discretionary Activities:

- The ancillary sale of liquor in association with any community facility
- Fire Stations
- Any activity specified as a permitted, controlled or discretionary activity in the Residential Zone, and not provided for in [Rule 4.6.1 a\)](#), subject to compliance with the standards, terms and conditions specified under [Rule 4.1](#) Residential Zone.

**d) Non-Complying Activities**

The following activities are Non-Complying Activities:

- Any activity not provided for.

## 4.6.2 General Standards

The following general standards apply to all Permitted and Controlled Activities.

### a) Development Intensity

- i) Minimum site area:
  - 4000m<sup>2</sup> for a Permitted Activity
  - 1000m<sup>2</sup> for a Controlled Activity.
- ii) Minimum site frontage:
  - 50m for a Permitted Activity
  - 20m for a Controlled Activity.
- iii) Maximum site coverage:
  - 40%.

### b) Height

- i) Maximum Building Height:
  - 10m where the net site area is 4000m<sup>2</sup> or less
  - 12m where the net site area exceeds 4000m<sup>2</sup>
  - 15m where the net site area exceeds 1 ha.
- ii) Height Control Plane - No part of any building shall penetrate a plane rising at an angle of 45° at an elevation of 3m measured at any point on the site boundary.

### c) Building Setback

- i) Minimum setback from front boundary:
  - 8m for a Permitted Activity
  - 5m for a Controlled Activity.
- ii) Minimum setback from any other boundary:
  - 5m for a Permitted Activity
  - 3m for a Controlled Activity
  - 5m for a Controlled Activity where the height of the building exceeds 10m.

### d) Service and Outdoor Areas

- i) Any building shall be provided with a service area as follows:
  - the service area shall be not less than 10m<sup>2</sup> or 1% of the gross floor area of the building whichever is the greater and with a minimum dimension of 2.5m
  - any service area shall be maintained with an all-weather dust free surface.
- ii) A minimum of 10% of the net site area shall be set aside as outdoor recreation and amenity space.

**e) Hours of Operation**

- i) The hours of operation for any community facility (excluding residential activities) shall be:
- 0700hr to 2230 hr - Sunday to Thursday
  - 0700hr to 2400 hr - Friday and Saturday.
  - These hours of operation may be exceeded for any 24 hour period up to 5 days per calendar year.

**f) Noise**

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

**g) Parking, Loading and Access**

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

**h) Planting and Screening**

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

**i) Lighting and Glare**

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

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

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

**k) Building Restrictions along Roads**

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

**4.6.3 Specific Standards**

The following standards apply to the activities specified below:

**a) WEL Depot**

The following additional standards shall apply to Lot 8 DP 14655.

- i) For all boundaries of the site:
- the minimum setback shall be 5m
  - the full width of the required 5m setbacks shall be planted in accordance with [Rule 5.3](#)
  - screening shall be provided in accordance with [Rule 5.3](#).

- ii) The hours of operation of any light industrial activity, transport depot or outdoor storage area shall be:
  - 0700hr to 2100 hr - Monday to Saturday
  - 1000hr to 1700 hr - Sunday.
- iii) Vehicular Access shall be:
  - confined to a single point of ingress and egress to Peachgrove Road
  - sited in close proximity to the southern boundary of the site
  - designed to a standard equivalent to that of a road intersection.

**b) Ancillary Retail Activity**

- i) Not more than one ancillary retail activity shall be allowed on a site.
- ii) The maximum floor area of any ancillary retail activity shall be 50m<sup>2</sup> gross leasable area.

**c) Residential Centres and Residential Accommodation**

- i) Separation Distances and Privacy
  - 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.
  - 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 meters or less, or any right of way, private way or access lot (See Figure 4.1.4).
  - Where buildings are attached, no setback is required between those buildings.
  - Separation distances may be reduced where:
    - windows are at an angle of 60° or greater to the boundary; or
    - window sill height from the finished upper-floor level is 1.7m; or
    - written consent from the owners and occupiers of the adjoining property is obtained.
- ii) Outdoor Living Area
  - 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.
  - Each Residential Unit shall be provided with an outdoor living area with a minimum area and dimensions as follows:

Activities	Minimum area (per unit)	Minimum dimensions
Detached Dwellings, Relocated Dwellings and Comprehensive Residential Development	40m <sup>2</sup>	Capable of containing a 6m diameter circle
Ancillary Flats	12m <sup>2</sup>	2.5m width
Apartment Buildings	12m <sup>2</sup>	2.5m width

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

Activity	4-10 units	11-20 units	21+ units
Detached Dwellings, Relocated Dwellings and Comprehensive Residential Development	60m <sup>2</sup> per unit	40m <sup>2</sup> per unit	25m <sup>2</sup> per unit
Apartment Buildings	12m <sup>2</sup> per unit	12m <sup>2</sup> per unit	12m <sup>2</sup> per unit

- Where any Residential Accommodation does not constitute a Residential Unit (e.g. student/staff hostels and halls of residence) a Communal Outdoor Living Area for each building shall be provided:
  - at a rate of 12m<sup>2</sup> per area of exclusive occupancy
  - with a minimum dimension of not less than 4m

The outdoor living area shall be:

- capable of containing a circle of not less than 8m in diameter
  - readily accessible to the buildings.
- The maximum density for Residential Centres, Managed Care Facilities and Rest Homes shall be one person per 50m<sup>2</sup> of net site area.

**d) 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.

**4.6.4 Failure to meet standards**

- a) Permitted Activities which do not comply with the Permitted Activity standards for Development Intensity in Rule 4.6.2 a) and Building Setback in Rule 4.6.2 c) are **Controlled Activities** subject to Rule 4.6.1 b) and to the other standards in Rule 4.6.2.
- b) Activities which do not comply with one or two standards in Rule 4.6.2 except those for permitted activities in clauses a) and c) are **Restricted Discretionary Activities** with discretion restricted to the subject matter of the standard that can not be met.
- c) Activities which do not comply with three or more standards in Rule 4.6.2 except those for permitted activities in clauses a) and c) are **Discretionary Activities**.
- d) Activities which do not comply with the standards in Rule 4.6.3 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.

**4.6.5 Performance Outcomes - Controlled Activities**

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

**a) Size, Design and Configuration of Buildings**

- i) The scale and intensity of any development on a community facility site should consistent with the amenity values of the locality.
- ii) Buildings, especially where they are in close proximity to adjacent residential development, should be domestic in scale and character, and without long, unbroken building facades.
- iii) Buildings located close to the street frontage should be compatible with adjoining developments in terms of scale and character, particularly on smaller sites.
- iv) Buildings associated with the WEL Depot should be designed and located to minimise any adverse effects, including noise, dust, fumes, glare and loss of privacy on adjoining activities.

**b) Site Layout and Landscaping**

- i) Buildings should be set back from boundaries to ensure that they do not detract from adjoining residential properties and allow for planting to help mitigate any impacts arising from the facility.

- ii) Provision of open space and planting should be used to help mitigate the impacts of community facilities on the neighbourhood environment.
- iii) Open space should be maintained to enhance visual amenities and to help offset the impact of intensive and large-scale development.
- iv) Regard will be had to any relevant performance assessment in Rule 5.3.
- v) On the WEL Depot, the required setback should not be used for storage or parking and no side and rear setback should be used for building access.
- vi) The residential amenity values of the properties adjoining the WEL Depot should be protected in respect to the provision of storage and parking areas and the screening and landscaping of the site boundaries.

**c) Vehicular Provision**

- i) Parking areas and other provision for vehicles should be sited to minimise their impact on neighbours and on visual amenity values of the neighbourhood including residential streetscapes.
- ii) Vehicular access to community facilities likely to generate significant traffic movements should be sited and designed to minimise impacts on amenity values in local residential streets while minimising conflicts with traffic on arterial roads.

#### **4.6.6 Assessment Criteria - Restricted Discretionary and Discretionary Activities**

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

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.
- 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 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 impacts on the amenity values of the surrounding residential neighbourhood can be minimised and any compromising of the open space character of the locality can be avoided.

**b) Specific Criteria**

- i) Whether the effects of overheight buildings on daylight, sunlight and visual impact, with respect to adjoining residential properties, can be minimised.
- ii) Whether parking demand can be met on-site and overspill parking in surrounding streets kept to a minimum except in special cases.
- iii) Whether the impacts of traffic on surrounding residential streets and on the efficient operation of adjacent arterial streets can be minimised.
- iv) Whether the nature of the activity is such that an extension to the hours of operation of any community facility would give rise to any disturbance to the surrounding residential area.
- v) Whether the site is of a sufficient size that large scale community facilities, particularly those which are not domestic in character, can be accommodated in a manner which limits impacts on neighbouring amenity values.
- vi) The extent to which the visual impacts of substantial buildings can be reduced by open space and landscape buffers including screening and large trees.

**c) Ancillary Liquor Licenses**

- i) The extent to which the location and design of the premises limits nuisances such as noise and odour in respect of the surrounding area.
- ii) Whether there is adequate provision for screening or buffer areas with respect to the premises.
- iii) Whether there will be additional traffic generation or parking demand associated with the activity.
- iv) The extent to which potential impacts from the behaviour of patrons leaving the premises can be managed.
- v) The extent to which the scale of the activity and the hours of operation are consistent with the character of the locality.

**d) Residential Development**

- i) The extent to which residential and associated development impacts on the amenity values of the locality.
- ii) Whether any residential or related activity or associated subdivision, would compromise opportunities for the provision of community facilities.
- iii) Regard will be had to the provisions of [Rule 4.1](#).