

PART 29D RULE 29D – NEIGHBOURHOOD CENTRE

For the avoidance of doubt, and notwithstanding the rules which follow, all activities (or applications for consent for such activities) must also comply with such other provisions as may affect the activity or site and which are specified in Parts 7, 8, 10, 11, 12, 15, 22, 26, 50, 51, 52, 53 and 54 of this Plan. Where the activity involves the use of a SIGN erected on private property, the SIGN shall be consistent with matters set out in Rule 15.4.

29D.1 GENERAL RULES – NEIGHBOURHOOD CENTRES

1. These requirements apply where a NEIGHBOURHOOD CENTRE is identified on a Structure Plan (refer Part 54), on Planning Maps 105, or where a Business Zone is identified as being a specified NEIGHBOURHOOD CENTRE on Planning Maps 105.
2. The location of a NEIGHBOURHOOD CENTRE on a Structure Plan is indicative and not exact (refer 3 below).
3. The exact location of a NEIGHBOURHOOD CENTRE identified on a Structure Plan Map will be confirmed upon the identification of a LOT or LOTS for that purpose on an approved subdivision scheme plan.
4. Upon approval of a LOT or LOTS for a NEIGHBOURHOOD CENTRE, the rules in Part 29D shall apply.

29D.2 PERMITTED ACTIVITIES – NEIGHBOURHOOD CENTRES

The following activities are *Permitted* activities in an area or LOT identified as a NEIGHBOURHOOD CENTRE.

(NOTE: Within the following list, the words in CAPITALS are defined in Rule 50)

1. CONVENIENCE RETAILING ACTIVITIES no greater than 150m² GROSS FLOOR AREA for each tenancy
2. OFFICES no greater than 200m² GROSS FLOOR AREA for each tenancy
3. CAFÉ, RESTAURANT, TAKEAWAY
4. TRAVELLERS' ACCOMMODATION
5. CHILD CARE AND LEARNING CENTRES not exceeding 400m² total GROSS FLOOR AREA
6. HEALTH CENTRES not exceeding 400m² total GROSS FLOOR AREA
7. VETERINARY CENTRES not exceeding 400m² total GROSS FLOOR AREA
8. COMMUNITY FACILITIES not exceeding 400m² total GROSS FLOOR AREA
9. DWELLING HOUSE(S), MEDIUM DENSITY HOUSING, RESIDENTIAL BUILDING(S) or MULTI-UNIT HOUSING located at first floor or above (note this does not preclude entrances, stairs, parking and lobbies at GROUND LEVEL)
10. Minor alterations to BUILDINGS which involve minor cosmetic alterations or repairs and do not significantly change the design, appearance and character of the existing BUILDING.

29D.3 RESTRICTED DISCRETIONARY ACTIVITIES – NEIGHBOURHOOD CENTRES

- i. *Restricted Discretionary* activities require a resource consent, and the consent may be granted or refused. An application must be submitted in the prescribed format (available from the Council).
- ii. Applications will be assessed in terms of the matters set out in Rule 29D.7, and any conditions of consent will only relate to those matters (or other matters as provided by the Act).
- iii. The information submitted with the application must be in terms of Rule 52 but only to the extent needed to enable a thorough assessment in terms of Rule 29D.7. The application must also clearly demonstrate compliance with any stated standards applicable to the activity.
- iv. Except as provided for by Section 94C of the Resource Management Act 1991, applications for Restricted Discretionary Activities will be considered without notification or the need to obtain approval of, or serve notice on, affected persons.
- v. The activities listed below are *Restricted Discretionary* activities in a NEIGHBOURHOOD CENTRE.

(NOTE: Within the list, the words in CAPITALS are defined in Rule 50)

1. BUILDINGS and DEVELOPMENT in a NEIGHBOURHOOD CENTRE complying with Rules 29D.6.1 to 29D.6.8.

29D.4 DISCRETIONARY ACTIVITIES – NEIGHBOURHOOD CENTRES

- i. *Discretionary* activities require a resource consent, and the consent may be granted (conditionally or unconditionally) or refused. An application must be submitted in the prescribed format (available from the Council).
- ii. Applications will be assessed in terms of the matters set out in Rule 53, but the Council will first consider the standards and assessment criteria applicable to *Permitted*, and *Restricted Discretionary* activities in the Zone.
- iii. The information submitted with the application must be in terms of Rule 52.
- iv. The activities listed below are *Discretionary* activities in a NEIGHBOURHOOD CENTRE.
 - 1. Any activity which does not comply with the development or performance standards in Rule 29D.6.
 - 2. DWELLING HOUSE(S), MEDIUM DENSITY HOUSING, RESIDENTIAL BUILDING(S) or MULTI-UNIT HOUSING located at GROUND LEVEL or preceding the construction of a NEIGHBOURHOOD CENTRE on a SITE identified for such a centre on an approved subdivision scheme plan.
 - 3. CHILD CARE AND LEARNING CENTRES, COMMUNITY FACILITIES and HEALTH CENTRES not provided for as permitted activities.

29D.5 NON-COMPLYING ACTIVITIES – NEIGHBOURHOOD CENTRES

- i. *Non-complying* activities require a resource consent, and the consent may be granted or refused. An application must be submitted in the prescribed format (available from the Council).
- ii. Applications will be assessed in terms of the matters set out in Rule 53, and where consent is granted, conditions of consent may be imposed.
- iii. The information submitted with the application must be in terms of Rule 52.
- iv. The activities listed below are *Non-complying* activities in a NEIGHBOURHOOD CENTRE.

(NOTE: Within the list, the words in CAPITALS are defined in Rule 50)

1. Any activity not otherwise provided for by Rules 29D.2, 29D.3 or 29D.4 above.

<p>29D.6 DEVELOPMENT AND PERFORMANCE STANDARDS FOR ALL ACTIVITIES – NEIGHBOURHOOD CENTRES</p>

- i. All activities in a NEIGHBOURHOOD CENTRE shall comply with the standards set out below.
- ii. In order to ascertain compliance, the Council may request such information and plans as may be necessary, including any technical data or expert assessment as is appropriate to the circumstances.

29D.6.1 HEIGHT

1. BUILDING HEIGHT RELATIVE TO BOUNDARIES

Rule 27A.5.4 applies.

2. HEIGHT

The maximum HEIGHT of BUILDINGS shall be 10 metres.

Refer to definitions of "BUILDING" and "HEIGHT", Rule 50.

Explanation

Controls limiting height are intended to reflect the typical characteristics of the areas to which they have been applied.

Buildings and structures that are over the height limit can be perceived as out of scale with their surroundings and can overshadow and visually dominate adjoining properties.

29D.6.2 YARDS

Rule 27A.5.5 applies.

29D.6.3 PARKING SPACES

Rule 29.5.6 applies, except that formed on-street car parks adjoining the SITE can be included as part of the car parking requirements of this rule.

29D.6.4 LOADING SPACES

Rule 29.5.7 applies.

29D.6.5 VEHICLE CROSSINGS AND DRIVEWAYS

Rule 29.5.8 applies.

29D.6.6 STANDARDS FOR RESIDENTIAL BUILDINGS / DWELLING HOUSE

Rule 29.5.13 applies.

29D.6.7 STORMWATER MANAGEMENT – VOLUME CONTROL

Rule 29.5.17 applies.

29D.6.8 NOISE

Rule 29.6.1 applies.

29D.6.9 ODOUR

Rule 29.6.2 applies.

29D.6.10 VIBRATION

Rule 29.6.3 applies.

29D.6.11 LIGHT SPILL AND GLARE

Rule 29.6.4 applies.

29D.6.12 CONTAMINANTS

Rule 29.6.5 applies.

29D.6.13 MAINTAINING AMENITY PLANTINGS

Rule 29.6.6 applies.

29D.6.14 HOURS OF OPERATION FOR LICENSED PREMISES

Rule 29.6.7 applies.

<p>29D.7 ASSESSMENT OF RESTRICTED DISCRETIONARY ACTIVITIES – NEIGHBOURHOOD CENTRES</p>

For BUILDINGS and DEVELOPMENT in NEIGHBOURHOOD CENTRES complying with Rules 29D.6.1 to 29D.6.8, Council has restricted its discretion to consideration of the following matters:

a) Location and Size

Whether the NEIGHBOURHOOD CENTRE is located in general accordance with a Structure Plan (Refer Part 54) or as identified on Planning Maps 105, and is of a size to serve local convenience needs but not undermine the function of a Town Centre as the primary RETAILING ACTIVITIES centre.

b) The Design Assessment Criteria contained in Appendix 29D.1 as relevant:

- i) Whether the proposal is in accordance with the NEIGHBOURHOOD CENTRE Design Assessment Criteria in Appendix 29D.1.
- ii) Whether the DEVELOPMENT can appropriately manage vehicle access, loading, trip generation and car parking.
- iii) Whether the design and layout of the DEVELOPMENT can ensure that activities (including outdoor activities) can adequately avoid, remedy or mitigate adverse effects on ADJOINING PROPERTIES.

c) Servicing

Whether the DEVELOPMENT can be adequately serviced for stormwater (having regard to the recommendations of the adopted Stormwater Catchment Management Plan and/or an approved stormwater discharge consent), wastewater, water supply, water supply for fire fighting purposes and utilities.

d) Earthworks, silt and sediment control.

e) Design of DWELLING HOUSE(S), RESIDENTIAL BUILDINGS, MULTI-UNIT HOUSING and MEDIUM DENSITY HOUSING by reference to the relevant provisions of the MEDIUM DENSITY HOUSING Design Assessment Criteria in Part 27B.

f) The provisions of a relevant Structure Plan (refer Part 54).

29D.8 ASSESSMENT OF DISCRETIONARY ACTIVITIES – NEIGHBOURHOOD CENTRE

Applications for Discretionary Activity Resource Consent will be assessed with regard to the following matters (to the extent that they are relevant):

- a) The assessment criteria for Restricted Discretionary Activities (RULE 29D.7);
- b) The matters identified in Part 53 of the PLAN;
- c) Whether any adverse effects on the environment will be satisfactorily avoided, remedied or mitigated;
- d) Whether the scale and intensity of the DEVELOPMENT and use is such that the adverse effects on the amenity and character of the surrounding area will be minor.
- e) Whether the DEVELOPMENT can be adequately serviced for stormwater (having regard to the recommendations of an adopted Stormwater Catchment Management Plan and/or an approved stormwater discharge consent) (, wastewater, water supply, water supply for fire fighting purposes and utilities.
- f) Whether any residential DEVELOPMENT (other than above GROUND LEVEL) on land identified for a NEIGHBOURHOOD CENTRE, will preclude the construction of an appropriately-sized centre, having regard to the viability of the centre, the ultimate size of the catchment that the centre can service, and the land area required to accommodate the centre.
- g) Any relevant matters in Parts 27A and 29 in respect to a non-compliance with a development or performance standard.
- h) Whether the DEVELOPMENT is consistent with the objectives and policies for a Structure Plan Area (Refer Part 54) and Part 19, particularly objectives and policies of Part 19.5;
- i) Any other relevant matter under Section 104 of the Resource Management Act 1991.