

PART 27B MEDIUM DENSITY HOUSING

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, 27 or 27A (as relevant), 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.

27B.1 GENERAL RULES – MEDIUM DENSITY HOUSING

1. The requirements of 27B.2 apply where MEDIUM DENSITY HOUSING is:

- a) Identified on a Structure Plan (Refer Part 54), or
- b) Identified as a “Residential Medium Density Overlay Area” on a Structure Plan (Refer Part 54), or planning maps 105, or
- c) Identified on a “Town Centre Overlay Area” (Refer Structure Plan in Part 54 or Planning Maps 105)
- d) Identified as a “Residential Medium Density Overlay Area” on a Village Overlay Plan (Refer Part 55.5).

AND

2. For the Pokeno Structure Plan:

- a) The general locations of the Neighbourhood Parks and the “Residential Medium Density Overlay Areas” are shown on the Structure Plan Map in Part 54.15.
- b) These locations are indicative and not exact.
- c) The exact locations of these features will be confirmed as follows:
 - i) The location of Neighbourhood Parks as shown on the Structure Plan Map (refer Part 54.15) will be confirmed upon their vesting as RESERVE with Franklin District Council.
 - ii) The location of the “Residential Medium Density Overlay” area will be measured as a 200 metre radius from the edge of the vested RESERVE referred to in i) above.

AND

3. For the Kingseat Structure Plan:

- a) Within 200m of a Neighbourhood Parks (excluding Harbourside Parks), Business Zone of Adaptive Re-use Overlay Area A and B and buildings A57, A58, A59 and A61 (refer to Schedule 8A) identified on the Structure Plan Map (refer Part 54.19A) or Planning Map 105F.
- b) The exact location of Neighbourhood Parks will be confirmed upon their vesting as RESERVE with the Council.
- c) The size and location of Neighbourhood Parks will be in general accordance with Planning Map 105F.

27B.2 RESTRICTED DISCRETIONARY ACTIVITIES – MEDIUM DENSITY HOUSING

- 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 27B.6, and any conditions of consent will only relate to those matters.
- 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 27B.6. 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.

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

1. A MEDIUM DENSITY HOUSING DEVELOPMENT located entirely inside those areas identified in Rule 27B.1 and complying with the standards of Rule 27B.5.
2. The construction of any BUILDING on a SITE within a Structure Plan area, where the SITE existed at the date of notification of the relevant Plan Change (which introduced that Structure Plan) and where a structural element of a Structure Plan is located within that SITE.

Council has restricted the exercise of its discretion to consideration of the potential adverse effects on achievement of any structural elements of a Structure Plan.

Refer 27B.6.1(e) for Assessment Criteria.

27B.3 DISCRETIONARY ACTIVITIES – MEDIUM DENSITY HOUSING
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- 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, Controlled, 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.

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

1. A MEDIUM DENSITY HOUSING DEVELOPMENT, provided for in Rule 27B.2, not complying with a standard in Rule 27B.5.
2. A MEDIUM DENSITY HOUSING DEVELOPMENT located within a Residential or Residential 2 Zone, but located outside the areas identified in Rule 27B.1 and complying with the standards of 27B.5.
3. A MEDIUM DENSITY HOUSING DEVELOPMENT preceding the construction of a NEIGHBOURHOOD CENTRE on a SITE identified for such a centre on an approved subdivision scheme plan.

27B.4 NON-COMPLYING ACTIVITIES – MEDIUM DENSITY HOUSING

- 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.

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

1. Any activity not provided for by Rules 27B.2 or 27B.3 above.
2. MEDIUM DENSITY HOUSING located within any Residential Large Lot Overlay Areas as illustrated on Planning Map Series 105.

27B.5 STANDARDS FOR MEDIUM DENSITY HOUSING

1. For MEDIUM DENSITY HOUSING in the Residential Zone the Standards of Rule 27.6 apply.

OR

2. For MEDIUM DENSITY HOUSING in the Residential 2 Zone the Development and Performance Standards of Rules 27A.5 and 27A.6 apply.

3. Except that the following apply and supersede a relevant standard in either Rule 27.6 (Residential Zone), 27A.5 or 27A.6 (Residential 2 Zone):

a) DENSITY

i) The maximum density of any MEDIUM DENSITY HOUSING DEVELOPMENT shall be no greater than one HOUSEHOLD unit per 300m² of NET AREA.

b) Minimum FRONT YARD

i) Minimum FRONT YARD: 3 metres,

ii) Garages must be set back at least 5 metres from the front boundary.

c) SIDE and REAR YARDS

i) The relevant performance standard applies only to all external boundaries of the parent SITE upon which the DEVELOPMENT is proposed. It is not applicable to proposed future internal boundaries.

d) Maximum HEIGHT

i) The maximum HEIGHT of BUILDINGS shall be 9 metres.

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

e) HEIGHT IN RELATION TO BOUNDARY

i) The relevant performance standard of the Zone applies only to external boundaries of the parent SITE upon which the DEVELOPMENT is proposed. It does not apply to the front boundary with the ROAD. It is not applicable to proposed future internal boundaries.

f) Maximum BUILDING COVERAGE

i) The maximum total BUILDING COVERAGE per SITE shall be 35% of the NET AREA, provided that for MEDIUM DENSITY HOUSING this RULE applies to the parent SITE upon which the DEVELOPMENT is proposed. It is not applicable to proposed sites for the individual houses in the DEVELOPMENT;

g) Minimum Permeable Area

A minimum of 30% of NET AREA shall be retained in a permeable surface. For MEDIUM DENSITY HOUSING this RULE applies to the parent SITE upon which the DEVELOPMENT is proposed. It is not applicable to proposed sites for the individual houses in the DEVELOPMENT.

h) OUTDOOR LIVING COURT

i) Each dwelling shall be provided with an outdoor living court which:

- Is not less than 60m² in area.
- Contains no dimension less than 5 metres.
- Is conveniently accessible from the main living areas.
- At least 60% of the area of the court must be in the northern, eastern or western quadrants of the proposed future site for the dwelling.

i) Minimum net site area

i) The minimum net SITE area for a MEDIUM DENSITY HOUSING DEVELOPMENT is 1500m².

27B.6 ASSESSMENT OF RESTRICTED DISCRETIONARY ACTIVITIES – MEDIUM DENSITY HOUSING

- A. A *Restricted Discretionary* activity listed in Rule 27B.2 will be assessed in terms of the following matters, and conditions of consent will only relate to these matters (or such other matters as the Act provides).
- B. Sufficient information shall be submitted to ensure that these matters can be fully evaluated with respect to the proposal:

1. MEDIUM DENSITY HOUSING in areas identified in Rule 27B.1 which comply with the standards specified 27B.5.

- a) Whether the proposal is in accordance with the MEDIUM DENSITY HOUSING Design Assessment Criteria in Appendix 27B.1.
- b) 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 and utilities.
- c) Whether EARTHWORKS are to be undertaken with the establishment and maintenance of recognised methods and techniques for the retention of sediment on-SITE and the prevention of discharges of sediment off-SITE or into waterbodies.
- d) Whether SITE management methods and techniques will be put in place to ensure that vehicle movements to and from the SITE or location where EARTHWORKS are being undertaken do not result in any material being deposited on a public ROAD creating a hazard or a nuisance to ROAD users.

Note: Recognised methods or techniques, as appropriate in the circumstances are provided in publications by the Regional Councils. Correctly applied, such methods or techniques constitute the best practicable option.

- e) The construction of any BUILDING on a SITE within a Structure Plan Area, where the SITE existed at the date of notification of the relevant Plan Change (which introduced that Structure Plan) and where a structural element of a Structure Plan is located within that SITE.

Whether the design and layout of the proposed BUILDING, access, Earthworks and associated DEVELOPMENT will prejudice the achievement of the structural element of the Structure Plan within that SITE or (where relevant) the connection or co-ordination of the structural element with development on adjoining sites.

- f) Within the Kingseat Structure Plan Area Residential Zone 2 and/or Medium Density Housing Areas, where proposed buildings are in excess of 8 metres, and are within 50m of protected heritage buildings A52, A57, A58 and A59, the extent to which views are retained between the protected heritage buildings A 52, A57, A58 and A59, and to/from the Central Field.

**27B.7 ASSESSMENT OF DISCRETIONARY ACTIVITIES –
MEDIUM DENSITY HOUSING**

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 (RULES 27B.6, 27.8, 27A.8 as relevant);
- 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 the adopted Stormwater Catchment Management Plan and/or an approved stormwater discharge consent), wastewater, water supply and utilities;
- f) Whether any DEVELOPMENT is in accordance with the Design Assessment Criteria in Part 54 (to the extent that these criteria are relevant) and Appendix 27B.1;
- g) Whether any development not located in areas identified in Rule 27B.1 is located adjacent to or across the road from the reserve network and is small in scale (ie. 12 dwellings or less);
- h) Whether any residential DEVELOPMENT (other than above GROUND LEVEL) on land identified on an approved subdivision scheme plan for a NEIGHBOURHOOD CENTRE, will preclude the construction of an appropriately-sized centre, having regard to the ultimate size of the catchment that the centre can service, and the land area required to accommodate the centre;
- i) Whether the DEVELOPMENT is consistent with the objectives and policies of Part 19 of the Plan (to the extent that they are relevant);
- j) Whether the DEVELOPMENT is consistent with the objectives and policies for a Structure Plan Area (refer Part 54);
- k) Any other relevant matter under Section 104 of the Resource Management Act 1991.