

## 5.1 OVERVIEW

The commercial area of Carterton is centred in the northern end of the urban area extending along the High Street frontage between Nobel Street and Victoria/Wakelin Streets. Retail activities are concentrated between Belvedere Road and Pembroke Street. Adjoining the retail policy area to the west and extending along Belvedere Road are areas of mixed light industrial and commercial activities. To the east along Holloway Road is the centre of civic activities. Several service stations (which also sell convenience goods) are located south of the retail policy area and surrounded by residential activities.

Commercial activities are also developing associated with restoration plans for the railway station and tourist promotion schemes based on railway excursions.

Buildings have a mixed style and character which reflects their age and commercial functions. Building heights are generally one to two storeys and density is moderate to high. Shading of buildings and spaces within the commercial area occurs. Advertising signs are commonplace.

Background noise levels during business hours are relatively high reflecting the level of business activity and traffic movement.

Commercial activities require access for delivery vehicles, loading space, and storage space for goods and materials delivered and wastes generated. In a number of areas the size and location of buildings prevents the provision of parking and/or loading vehicles on site.

A number of central block properties as well as those with frontage on High Street are accessed by service lanes. These have been developed to provide rear access and in particular for the loading and unloading of goods. There is kerbside and other parking space available in Carterton to serve the current built commercial environment.

The main shopping area of Carterton lies within the commercial area. This retail area is concentrated along High Street from Pembroke Street to just north of Belvedere Road. This is an area with high levels of vehicle, cycle, and pedestrian movement. Vehicle speeds are low.

Council adopted in principle, and is now implementing the design proposals put forward in the 1984 Traffic study. This concept involves the repetition of

widened footpaths and landscaping at all strategic corners along High Street. Several garden plots are already installed. These measures enhance the amenity of the retail policy area and resolve potential conflicts between shoppers and highway traffic.

The retail policy area is characterised by high density development with a continuous retail frontage, pedestrian cover and no front or side yards. Maximum retail use is made of most sites with limited onsite parking. Many retailers rely on kerbside parking or off street public carparks for customers. Traditional residential development with a single dwelling on a separate section is limited in the area. Some residential units are associated with commercial activities and there has also been some multi-unit residential development. This mix of uses contributes to a positive business environment.

## 5.2 ISSUES

- **Maintain and enhance the accessibility and existing amenity and character of the urban commercial area in Carterton District.**

The accessibility and amenity of the commercial areas of Carterton provide a positive environment for trade and the provision of services. Commercial activities are relatively high traffic generators and sites are characterised by variability in the location of structures on site, development of hard surfaces to provide adequate onsite provision for storage and commercial traffic (access, loading and manoeuvring), and high visibility of advertising. Commercial structures are frequently of a larger scale in terms of both height and bulk, than development in the surrounding residential area. These characteristics are highly valued by traders and service providers as well as consumers in the Carterton Community.

- **Mitigate effects of commercial activities on residential amenity within and adjacent to the commercial area.**

Some residential development within the commercial area contributes to the vitality of the area and public safety (during non-business hours). Residential development in the commercial area also provides another lifestyle choice in Carterton District. However the community are concerned that a minimum standard of residential amenity is maintained through performance conditions with respect to the residential zone boundary and for residential activities established within the urban commercial zone.

- **Amenity of the retail policy area**

The retail policy area is characterised by high density retail development. There is a visual and physical continuity of the retail area with the majority of the built environment comprising shops built along the boundary of the footpath, with large display windows and a pedestrian entrance and substantial areas of continuous pedestrian cover provided by the shop verandas over the footpath. The area has been further enhanced for pedestrian use with the addition of street furniture and planting. Any gaps in the shop frontages or pedestrian veranda cover have an adverse effect on this pedestrian oriented retail area.

### 5.3 OBJECTIVE

5.3.1 **The scale, accessibility and built character of the urban commercial area is maintained and the amenity values which constitute this character are not adversely affected.**

5.3.2 **To avoid, remedy or mitigate the effects of commercial development on residential amenity within and adjacent to the urban commercial zone.**

5.3.3 **The intense and highly visible retail character of the retail policy area within the urban commercial area is maintained, such that the amenity values which constitute this character are not adversely affected.**

### 5.4 POLICIES

5.4.1 **Activities locating and/or operating in the urban commercial areas should display a commercial appearance which maintains and enhances the existing character and accessibility of the commercial area through**

- **the location of structures on site**
- **the use of any front yard space**
- **provision for traffic volumes associated with commercial activities**

- **creation of hard surfaces appropriate to commercial activities**
- **use and scale of on-site advertising**

*Explanation*

*The urban commercial area has been established in recognition of the existing qualities and characteristics of commercial areas in the district. The community value the flexibility provided within the urban commercial zones which provides for larger scale development and higher than average traffic volumes and commercial vehicle traffic, less landscaped area and a higher proportion of hard surfaces on commercial sites, and highly visible advertising. These characteristics predominate in the urban commercial area and are to be maintained and enhanced through the district plan provisions.*

- 5.4.2 Non commercial development within the urban commercial area will generally be expected to comply with commercial development standards. However to achieve the benefits of a mixed use area and still provide a basic standard of the amenity for residential uses there will be specific setback provisions for commercial activities in relation to the residential zone boundary and residential activities within the commercial area.**

*Explanation*

*It is expected that residents within the residential zone immediately adjoining the urban commercial zone; and non-commercial users within the urban commercial area; will generally accept a commercial amenity. However setback standards will be applied to provide a basic standard of amenity for residential development within and adjacent to the urban commercial zone.*

- 5.4.3 Activities locating and/or operating in the retail policy area should maintain and enhance the intense and highly visible retail character and pedestrian orientation of this area.**

*Explanation*

*Gaps in the continuous retail shop frontages; development which is not oriented to passing pedestrian traffic (e.g. without display windows onto and direct pedestrian access from the footpath); and/or development which does not provide continuous pedestrian cover; would adversely impact on the amenity of this area. Activities which are not consistent with the objective and policy of the retail policy area are more appropriately located elsewhere in the urban commercial zone*



**5.5 METHODS****5.5.1 District Plan**

- (a) Zoning to identify the geographical extent of the urban commercial environment. There is one overall urban commercial zone which establishes minimum standards to protect the general amenity of the urban commercial environment.
- (b) To identify those activities which are permitted subject to compliance with conditions contained in the Plan.
- (c) Where an activity is identified as permitted but does not meet the relevant performance standards, or is not identified as permitted, the activity will be dealt with through the resource consent process.

**Reasons**

In order to provide adequate certainty for the community, landowners and developers the urban commercial environment has been defined. Rules are necessary to manage the potential adverse effects of urban commercial activities. A common set of rules applies to all urban commercial land using performance conditions and standards to avoid, remedy or mitigate nuisance and hazards for neighbouring residents and activities.

**5.5.2 Annual Plan**

- (a) The Council will continue to maintain and develop public infrastructure services, recovering costs from users as appropriate over time.
- (b) The Council will continue to implement the recommendations of the report prepared by its traffic consultants to enhance and maintain the viability of the retail core.

**Reasons**

The Council is operator and a major developer of most public infrastructure services. Council places a high level of importance on sustaining the viability of

the commercial centre of the Carterton District.

### 5.5.3 Financial Contributions

- (a) Financial contributions may be sought for land, works or services as a condition of a resource consent to remedy and/or mitigate any adverse effect. (Refer Chapter 8, Financial Contributions.)

#### Reasons

It may be possible to remedy or mitigate the adverse effects of particular activities through a contribution of land, works or services for the public good. In Council's opinion this may achieve a net public benefit overall, which outweigh adverse effects.

### 5.5.4 Other Statutory Documents

- (a) The Wellington Regional Council will monitor and administer discharges to air. The Carterton District Council will ensure that matters of discharge to air are considered and referred to the Regional Council for action as necessary when assessing proposals.

#### Reasons

The Wellington Regional Council is responsible for discharge of contaminants to air.

Note: Resource consents may be required from the Wellington Regional Council for any activities involving soil disturbance.

## 5.6 ANTICIPATED ENVIRONMENTAL RESULTS

The implementation of the policies and methods of the commercial section is expected to result in the following outcomes:

- (a) A consolidated commercial area of mixed uses which is attractive and accessible to the business community and to customers.
- (b) A retail area which provides an attractive shopping environment and is

safe and convenient for both pedestrians and motorists.

- (c) Adequate protection of the amenity of the adjacent residential zone.

## 5.7 DISTRICT RULES

**(Check whether the requirements of Part B, District Provisions apply to the proposed activity).**

### 5.7.1 PERMITTED ACTIVITIES

The following activities are permitted provided they comply with all conditions and the payment of any financial contributions and are not identified as controlled or discretionary activities.

- (a) Retail and wholesale trade in goods and services
- (b) Administrative, commercial, and professional services
- (c) Manufacturing and workshop activities
- (d) Residential activities
- (e) Marae and marae-based facilities and activities
- (f) Educational & Community activities and facilities
- (g) Community amenity facilities
- (h) Recreation Facilities
- (i) Entertainment facilities
- (j) Visitor accommodation
- (k) Parking
- (l) Buildings and activities accessory to the above permitted activities
- (m) Construction, substantial reconstruction, alteration or addition to

buildings for commercial purposes.

- (n) Service Stations *except in the retail policy area* as identified on the plan maps.

- (o) Temporary Activities
- (p) Subdivision:
  - of different floors or levels of a building, or different parts of a floor or level of a building.
  - of land for the purpose of:
    - containing a utility structure or special public purpose
    - making a boundary adjustment that will not create additional building lots.

*Explanation:*

*The types of activities identified above are minor in effect.*

<b>5.7.2 Conditions For Permitted Activities:</b>
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**5.7.2.1 Setback:**

- (a) Residential activities in relation to site boundary

3 metre rear setback

1.5 metres both sides setback except;

No residential building or structure shall be constructed within 3 metres of an existing building on an adjoining site.

- (b) Commercial activities in relation to urban residential zone boundary
  - 1.5 metre side yard
  - 3 metre rear yard

**5.7.2.2 Location:**

- (a) Service stations

Service station buildings shall not be sited within 8m of a dwelling or residential unit within the commercial area and retail policy area or the boundary of any site zoned for residential purposes.

(b) Residential and Manufacturing Activities

Within the retail policy area residential and manufacturing activities shall not be located within 10 metres of the ground floor site frontage.

(c) Fences, walls and screens;

(i) within the retail policy area may not be constructed along the front boundary but otherwise may be constructed within yards or on the boundary provided that they do not obstruct or prevent vehicular and pedestrian access as required by this Plan.

(ii) must not exceed 1.8 metres in height where they adjoin a dwelling or the residential zone boundary.

**5.7.2.3 Height:**

(a) Maximum 12 metres

Note: The following structures are excluded from the calculation of height -

- chimneys, flues and minor decorative features
- telecommunication antennas (provided they do not exceed the diameters specified in 16.6.2.2(e))
- flag poles
- televisions and radio antennas
- solar heating devices
- gable end roof (by no more than one third of the gable height)

**5.7.2.4 Height Plane:**

Any building adjoining the urban residential zone boundary must be contained within the space defined by a recession plane measured along the urban residential zone boundary commencing at 2.5m above the existing ground level and inclined at an angle of 45 degrees (an angle of one horizontal to one vertical).

#### 5.7.2.5 Pedestrian Verandas:

Within the retail policy area shown on the planning maps every building shall on its erection, reconstruction or alteration be provided with a veranda or verandas on its street frontage or frontages. To be designed in relation to its neighbours so as to provide continuous cover for pedestrians and to maintain the appearance of a continuity of retail shop frontage in the shopping area. All verandas shall have a minimum clearance of 2.9 metres above the finished level of the footpath.

#### 5.7.2.6 Retail Continuity:

Within the retail policy area all new development shall provide on the High Street frontage the following –

- a shop window (large display window) of minimum 3m<sup>2</sup> glazed area for every 7.5 metres frontage
- pedestrian access to the interior of the building.

#### 5.7.2.7 Front Yard

- (a) All front yard space shall be developed with appropriate landscape treatment in consultation with Council.
- (b) Front yard space shall not be used for parking in the retail policy area. Elsewhere in the commercial area front yard space shall not be used for parking except where it can be shown that there is no practical alternative to providing for on-site parking.
- (c) Council may require that appropriate landscape treatment be effected within a specified period and may require the deposit of a bond of appropriate amount to provide for such work. **[Refer Chapter 8, Financial Contributions]**

#### 5.7.2.8 Odour:

No activity shall give rise to objectionable odours able to be detected at the boundary of any adjoining property. For the purpose of this condition an objectionable odour is defined as that which can be detected and is defined as objectionable in terms of the FIDOL factors - frequency, intensity, duration, offensiveness and location - by one or more observers; including at least one Council Officer.

#### **5.7.2.9 Lighting and Glare:**

Light emissions measured from any site shall not exceed a measurement of 8 lux (lumens per square metre) measured at 1.5 metres above ground level at the site boundary.

All external lighting shall be directed or shaded so as to avoid any glare nuisance for nearby residential properties and roads.

#### **5.7.2.10 Site Layout for Service Stations:**

(a) Equipment for dispensing fuel:

Equipment for dispensing fuel shall be sited in accordance with Ministry of Transport Traffic Engineering Information Bulletin No.1, "Standards for Service Stations 1983". Such equipment normally shall be a minimum of 4.5m from any road boundary, provided that 3 metres can be agreed to if a low wall or planter box is built along the road boundary, to ensure that vehicle access and egress is confined to specific locations along the frontage;

(b) Fuel Storage Tanks:

The location of underground liquid fuel storage tanks and fuel points shall be arranged so that tankers unloading fuel shall be parked entirely on the site;

(c) Storage of Petroleum Products (**Refer Chapter 11, Hazardous Substances and Waste Management**)

#### **5.7.2.11 Advertising and Signs:**

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- (a) Any permanent sign shall be permitted provided it is located on the site on which the advertised activity occurs and that -
- (i) No sign shall exceed  $4\text{m}^2$  in area (all faces)
  - (ii) No sign shall exceed the height of the highest building on the site plus 20%,
  - (iii) No illuminated sign shall have a face area greater than  $2\text{m}^2$
  - (iv) No sign may be erected in such a manner that it creates a hazard to vehicle or pedestrian traffic.
  - (v) Signs shall not be located on any public road or other public place.
  - (vi) Signs for controlling, directing, or managing traffic (including road names) provided they are erected by the appropriate authority or its authorised agent.
  - (vii) In addition the following Service Station Signs are permitted;
    - one free standing station sign up to 7.5m in height and  $6.5\text{m}^2$  in area (all faces),
    - one "price board" and one "service board" each up to 3m in height,
    - any illuminated sign up to  $2\text{m}^2$  in area,
  - (viii) Signs shall;
    - Not reduce the visibility of any official traffic sign or signal;
    - Not be illuminated unless the premises are open for business.
- (b) Any temporary sign shall be permitted provided that;
- (i) No sign may be erected in such a manner that it creates a hazard to vehicle or pedestrian traffic.
  - (ii) Signs must be stationary and not incorporate any flashing illumination.
  - (iii) Signs shall not be located on any public road or other place.

- (iv) Any sign advertising forthcoming cultural, religious or sporting events or other events for similar purposes provided that the sign shall not be displayed for not more than 21 days before and shall be removed within 7 days after the date of the event.
- (v) Any sign not exceeding 3m<sup>2</sup> in face area for General or Local Body Elections providing that any sign shall not be displayed for more than 2 months before and shall be removed within 7 days after the close of the election.
- (vi) Any temporary sign (those advertising one off events) and their fixtures including signs advertising the sale of real estate provided they are removed within 48 hours of the activity, to which the sign relates, ceasing.
- (vii) Signs shall;
  - Not reduce the visibility of any official traffic sign or signal;
  - Not be illuminated unless the premises are open for business.

These requirements are complementary to, and not in substitution for, any Bylaw the Council administers in respect of signs. Where the provisions of this Plan are inconsistent with the provisions of any Bylaw, the provisions of this Plan shall prevail.

**5.7.2.12 Noise:**

- (a) All noise levels shall be measured in accordance with NZS 6801: "Measurement of Sound - Methods of Measuring Noise" 1991 and, assessed in accordance with NZS 6802: "Assessment of Environmental Sound" Assessment of Noise in the Environment: 1991", or in accordance with any subsequent New Zealand Standards that concern the measurement and assessment of noise in the environment.
- (b) Where NZS 6802:1991 does not include the type of noise in question, the appropriate standard or regulation, the scope of which includes that type of noise, shall be used.

- (c) No activity except temporary activities may generate noise which exceeds the following limits measured at the site boundary of any existing residential site or residentially zoned site -
- |                               |                 |
|-------------------------------|-----------------|
| 55 dB(A) L10                  | 7am - 7pm daily |
| 45 dB(A) L10 and 75 dBA L Max | 7pm - 7am       |

Note: Vehicles driven on a road are excluded from the permitted activity conditions for noise.

#### **5.7.2.13 Construction Noise**

Noise for construction and demolition activities shall not exceed the recommended upper limits for construction noise as set out in New Zealand Standard 6803P 'The Measurement and Assessment of Noise from Construction Maintenance and Demolition Work.

#### **5.7.2.14 Water Supply and Waste Disposal:**

Provision shall be made for water supply and waste disposal within Chapter 9, Subdivision and Development.

#### **5.7.2.15 Surfacewater Disposal:**

Provision shall be made for the collection, treatment and disposal of surfacewater runoff in accordance with Chapter 9, Subdivision and Development.

#### **5.7.2.16 Vehicle Access:**

All activities shall be provided with practicable vehicles access from a public road in accordance with Appendix 15A in Chapter 15, Transport.

#### **5.7.2.17 Vehicle Parking, Manoeuvring and Loading:**

Each activity shall be provided with vehicle parking, manoeuvring and loading areas as specified in Appendix 15A in Chapter 15, Transport.

Where any activity is changed or any building erected or altered, provision for vehicle parking, manoeuvring and loading shall be sufficient to serve the

changed operations or activities undertaken on the site except that;

- any permitted activity which establishes within an existing building which due to site limitations cannot comply with the conditions outlined above and provided there are no additions to the gross floor area of the building shall be exempt from the vehicle parking, manoeuvring and loading conditions outlined in Chapter 15, Transport.

#### **5.7.2.18 Outdoor Storage and Parking**

Any outdoor storage areas or group of four or more parking spaces which adjoin or face the residential zone, or are visible from a public road shall be screened including by landscape planting so as not to be visible from these areas.

#### **5.7.2.19 Safety and Visibility at Road and Rail Intersections:**

No activity shall erect any structure, or deposit any materials, or plant any tree that would obscure the sight distances from any road to rail crossing as shown in Figure 15.5 in Chapter 15, Transport.

Where any vehicle access crosses a rail level crossing, it shall be formed at the same level as the level crossing for 20 metres either side of the level crossing.

#### **5.7.2.20 Earthworks:**

Any activity may alter the existing ground level by up to 2.5 metres measured vertically.

No earthworks shall be undertaken within 5 meters of any body of surface water.

No earthworks shall be undertaken on any heritage or natural areas.

#### **5.7.2.21 Natural Hazards:**

Provision shall be made for dealing with the natural hazards in accordance with Chapter 10, Natural Hazards.

**5.7.2.22 Hazardous Substances:**

Provision shall be made to deal with the hazardous substances in accordance with Chapter 11, Hazardous Substances and Waste Management.

*Explanation:*

*The plan provisions aim to recognise the amenity and density of the commercial area and retail policy area. The conditions aim to maintain and enhance the characteristics of the area.*

<b>5.7.3 Conditions Relating to Permitted Temporary Activities:</b>
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**5.7.3.1 No permanent structures may be constructed.**

**5.7.3.2 Except where specified, temporary activities shall comply with relevant permitted activity conditions.**

**5.7.3.3 Duration of the activity to be limited as follows:**

- **Activities ancillary to building and construction limited to the duration of the project or for a period not exceeding 12 months whichever is the lesser;**
- **Temporary Military Activities to a period not exceeding 31 days.**

*Explanation*

*Specific provisions have been included for the temporary use of land or structures as there are many activities of a temporary nature which occur throughout the district at different times for different purposes. The community accepts a slightly wider margin of tolerance of the effects of temporary activities due to their infrequent occurrence, short duration or necessity of the function. However some limitations are required beyond which consent may be required to assess and mitigate any adverse effects.*

<b>5.7.4 CONTROLLED ACTIVITIES</b>
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- (a) Multi-unit residential except in the Retail Policy Area
- (b) Relocation/Reconstruction of Buildings

- (c) Subdivision except:
- where it fronts the State Highway; or
  - is referred to in Part B, District Plan Provisions.

<b>5.7.5 Standards and Terms and Controlled Matters</b>
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**5.7.5.1 Multi-unit residential except in the Retail Policy Area.**

- (a) The permitted activity conditions which apply to multi-unit development are as follows -
- setback
  - location
  - height
  - screening
  - noise
  - site coverage
  - vehicle access
  - vehicle parking, manoeuvring and loading
  - natural hazards
  - hazardous substances

(Refer to Chapter 8, Financial Contributions for the payment of any financial contributions.

**Council will exercise control over the following:**

- (a) Vehicle Access:

Adequate provision shall be made for vehicle access to each residential unit. A driveway may be shared between up to four dwelling units or dwelling houses. The minimum width of any driveway shall be 4 metres

(Note: The provisions for access and parking as set out in Chapter 15, Transport to apply to multi-unit development.)

(b) Outdoor living courts:

An outdoor living court of an area of not less than 25m<sup>2</sup> per unit and a minimum width of 5 metres shall be provided adjacent to each unit for the exclusive use of the occupants.

Outdoor living courts to be unobstructed by vehicle accessways and parking spaces.

In the case of any one or more units situated above ground floor level a balcony shall be provided for each unit for the exclusive use of the unit's occupants.

*Explanation:*

*In order to protect the amenity of the commercial area consideration needs to be given to the effects of multi-unit residential activities on adjoining activities.*

**5.7.5.2 Relocation/Reconstruction of Buildings**

**Standards and Terms**

- (a) The performance standards with respect to permitted activities also apply to relocated/reconstructed buildings

**Council will exercise control over the following:**

**External design and appearance:**

- (a) The current appearance, condition and design of the building, and any proposed changes to be made to the building which will result in a building which is compatible with the visual amenity of the proposed location.

[Applicants may be required as a condition of the resource consent to provide a report to Council to the effect that the construction and appearance of the building to be relocated is such that it may be reasonably expected that (with upgrading if necessary) to meet the above requirements.]

In addition, applicants may be required to deposit a sum of money with the Council or enter into a bond guaranteed by a bank. The amount to be such as to meet the estimated costs to upgrade the building plus 10%, within a specified period up to 12 months from the date of the issue of the building permit. [The period to be determined by the Council having regard to the circumstances of each case.]

**(Refer Chapter 8, Financial Contributions)**

*Explanation:*

*To protect and enhance the visual amenity of the commercial areas the external design and appearance of relocated and reconstructed buildings will be considered as part of an application.*

**5.7.5.3 Subdivision except;**

- **where it fronts the State Highway; or**
- **is referred to in Part B, District Plan Provisions.**

**Standards and Terms:**

(a) The permitted activity conditions which apply to subdivision are as follows:

- earthwork and foundation development
- approval required before commencement of work
- connection to existing streets and services
- easements for access or services
- maintenance
- damage to existing streets, services and property
- certificates on plan
- testing
- bonds for uncompleted works
- provision for road access and future road pattern in the urban area
- road names and road signs
- easements

**(Refer to Chapter 9, Subdivision and Development for the payment of financial contributions).**

- (b) Minimum Frontage:

Within the Retail Policy Area: 7.5m

**Council will exercise control over the following:**

- (a) Building Platform:

Whether the lot can provide a site suitable for building development. Sites shall be identified on the application plan and Council may require confirmation of the suitability by a registered engineer.

- (b) Location of boundary lines:

Boundary lines should ensure that all buildings can comply with the height, setback and location requirements under this Plan except where an existing building does not comply with the standards under this Plan.

- (c) Provision of Services:

- (i) All sites should be provided with a connection to the urban water supply.
- (ii) All sites should be provided with a connection to the urban sewage system.
- (iii) Adequate provision is to be made for stormwater so that any adverse effect on people, property and the natural environment is mitigated.
- (iv) Underground reticulation of electric power and telephone should be provided to all sites.
- (v) Adequate provision to be made for street lighting to all new roads or roads upgraded as part of the subdivision approval.

- (d) Design and Development Standards:
- (i) All subdivisions shall generally comply with the standards of design and development which are not less than those contained in NZS 4404, "Code of Practice for Urban Land Subdivision: 1981".
- (e) Landscape:
- (i) Landscaping shall be carried out as appropriate to reduce the adverse effects caused by alterations to the natural landform and removal of vegetation.
  - (ii) Following earthworks, road berms and new lots are to be topsoiled and road berms sown in grass and planted.
  - (iii) Public open space is to be formed, topsoiled, landscaped and planted to a level commensurate with its purpose and ease of maintenance.
- (f) Pedestrian and bicycle access.

In any proposed subdivision the Council may require land to be set aside to provide access ways to facilitate the movement of pedestrians and to provide for movement of bicycles (but not including powered cycles) from any part of the subdivision to any other part, or to any road, park or public place.

*Explanation:*

*The rules are designed to avoid, remedy or mitigate the adverse effects of subdivision by considering effects on a case by case basis.*

<b>5.7.6 DISCRETIONARY ACTIVITIES</b>
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- (a) Any activity not referred to in this zone as permitted or controlled and not referred to in Part B, District Provisions.
- (b) Any subdivision not meeting the conditions for controlled activities and not referred to in Part B, District Provisions.

- (c) Any development or change of use of contaminated site.
- (d) The removal, relocation or deposition of earth not meeting permitted activity conditions.

<b>5.7.7 Council may have regard to the following matters:</b>
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**5.7.7.1 Any activity not referred to in this zone as permitted or controlled and not referred to in Part B, District Provisions.**

- (a) Yards and Location:
  - Loss of privacy and sunlight.
  - Creation of shadows on any dwelling or outdoor living court.
  - Effect on the retail policy area amenity.
- (b) Site layout:
  - Location of parking, access and loading areas.
  - Layout of buildings particularly with regard to access.
  - Parking and vehicle movements on site.
  - Screening.
  - Useability of outdoor living courts.
- (c) Nuisance:
  - Noise.
  - Hours of operation and servicing.
  - Lighting and glare.
  - Odours.
- (d) Traffic generation:
  - Impact on street parking.
  - Impact upon the safety and efficiency of the adjoining road network.
- (e) Cumulative Effects:
  - Adverse change in the commercial amenity of the area.
  - Community health and safety.

(f) Natural Landscape:

Planting to reduce visual impact.

(g) District Wide Provisions:

Where the proposal overlaps with district wide provisions the assessment criteria for those particular sections shall also apply.

**5.7.7.2 Any subdivision not meeting the conditions for controlled activities and not referred to in Part B, District Provisions.**

(a) The requirements of section 106 of the Resource Management Act.

(b) Provisions for access to all lots and the effects of access on the safety and efficiency of the frontage road on pedestrians.

(c) The provision of sewage and stormwater disposal which will not adversely affect public health and the environment.

(d) The provision and availability of adequate and potable water supply.

(e) Whether the adverse effects of the proposed subdivision can be remedied in terms of natural hazard areas.

(f) Whether the adverse effects on natural features or areas can be avoided.

*Explanation:*

*The effects of subdivision within more sensitive environments will be considered as a discretionary activity in order to deal with the scale of the effects on a case by case basis. In addition the effects of closer density will be assessed in order to control the potential visual impact. The effects on the safety and operation of the State Highway can be avoided, remedied or mitigated through the appropriate siting of both access points and signage.*

Where subdivision may create adverse effects on the commercial environment consideration will be given on a case by case basis.



**5.7.7.3 Any redevelopment or change of use of contaminated site.**

- (a) Nature and degree of contamination;
- (b) The proposed approach to decontaminating a site;
- (c) Management or mitigation measures to avoid any significant adverse effects on public health and safety and the environment.

*Explanation:*

*At this stage work is being undertaken through the Wellington Regional Council to identify any contaminated sites. It is appropriate that there where a contaminated site is identified that offsite risks are determined, any likely adverse effects on future activities are avoided and the importance of site clean up is acknowledged. The Council will liase with the Wellington Regional Council to determine those sites which are contaminated and when the information is available the sites will be identified in the Plan.*

**5.7.7.4 The removal, relocation or deposition of earth not meeting permitted activity condition**

- (a) Alteration and disturbance of ground in particular effects on visual amenity, waterbodies and vegetation or natural or heritage features'

*Explanation:*

*Where the removal or relocation of earth is on a large scale it is important that the effects are avoided, remedied or mitigated through the resource consent process.*