

22**SPECIAL ACTIVITY ZONE RULES****Activities Tables**

Policies 3.4.1, 8.4.1, 8.4.4, 16.4.3

22.1 Subdivision Activities	
Subdivision excluding unit title subdivision	
Subdivision which complies with the standards in rules 22.6 and 22.9 unless specified below	C
Subdivision which does not comply with the standards specified in rule 22.6	D
Subdivision which complies with the standards in rule 22.6 but not rule 22.9	RD
Subdivision around any existing lawfully established dwelling or commercial unit which does not result in the creation of any new undeveloped site that contains no dwelling or commercial unit Note: this form of subdivision does not need to comply with the minimum net site area requirements of rule 22.6, but does need to meet the access standards of rule 22.9	C
Subdivision around any existing lawfully established dwelling or commercial unit which does not result in the creation of any new undeveloped site that contains no dwelling or commercial unit, that does not comply with the access standards of rule 22.9	RD
Subdivision of land for utilities, reserves or conservation purposes	C
Subdivision of a site identified in Schedules 26.8 or 27.7	D
Creation of a lot that does not have formed legal access to a formed legal road, unless the proposal is for a paper road or other access to be formed as a condition of subdivision approval in accordance with the Code of Practice for Civil Engineering Works	NC
Subdivision which creates building platforms within 32m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps *(refer to the definition of <i>transmission line</i>)	RD
Updates of existing company lease and cross lease, and all unit title subdivision	
Subdivision which is a unit title subdivision or an alteration to a company lease, unit title or cross lease title to include a building extension or alteration or accessory building on the site (excluding an additional dwelling) that has been lawfully established in terms of the Building Act 2004	C
Any subdivision not provided for in this table	D

Key	P	Permitted activity which complies with standards for permitted activities specified in the Plan
	C	Controlled activity which complies with standards for controlled activities specified in the Plan
	RD	Restricted discretionary activity
	D	Discretionary activity
	NC	Non complying activity

**Special Activity Zone
(except for the St Patrick's Estate Area)**

22.2 Land Use Activities	
Activities relating to the institutional functions of the Rimutaka Prison	P
Activities relating to the military functions of the Trentham Military Camp	P
Activities relating to educational functions on the site of the New Zealand International Campus (former Central Institute of Technology)	P
Visitor accommodation, tourist facilities, active and passive recreation, restaurants and licensed premises on the site on Lot 1, Lot 6 and Pt Lot 8 DP 28647	P
Activities relating to the Police Dog Training Facility	P
Railway museum and ancillary facilities	P
Active and passive recreation and ancillary activities and buildings	P
Removal of a building from a site	P
Establishment of a relocated building from another site	C
Buildings or structures within 12m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps *(refer to the definition of <i>transmission line</i>)	NC
Buildings or structures within 12-32m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps *(refer to the definition of <i>transmission line</i>)	RD
Activities which do not comply with the permitted and controlled activity standards, unless otherwise specified	D
Activities listed as permitted or controlled which do not comply with the access standards in 22.9	RD
Gang fortifications	Prohibited
Activities which are not listed in this table unless otherwise covered in the City-wide provisions of the Plan	NC

Special Activity Zone (St Patrick's Estate Area only)			
22.3	Land Use Activities	Managed Development Area*	St Patrick's College Area*
	Car parks (not including buildings)	C	C
	Commercial development, excluding retailing	C	C
	Business and professional offices	C	C
	Educational facilities, early childhood centres	C	P
	Residential and visitor accommodation	C	P
	Passive recreation	P	P
	Active recreation and places of entertainment	C	C
	Medical facilities	C	NC
	Places of assembly (including community facilities), and conference centres	C	C
	Garden centres	C	C
	Retailing excluding garden centres	NC	NC
	Removal of a building from a site	P	P
	Establishment of a relocated building from another site	C	C
	Gang fortifications	Prohibited	Prohibited
	Activities which do not comply with the permitted or controlled activity standards or which are not listed in this table unless otherwise covered in the City-wide provisions of the Plan	NC	NC
* Identified on the Planning Maps			

22.4 City-wide provisions

Each activity including subdivision in the Special Activity Zone shall comply with the relevant permitted activity standards in the City-wide provisions of the Plan as listed below.

Chapter	City-wide provisions
8A	General Rules
23	Earthworks
24	Esplanade Reserves and Strips
25	Reserves and Leisure Facilities Contributions
26	Heritage Features
27	Notable Trees
27A	Urban Tree Groups and Removal of Indigenous Vegetation
28	Southern Hills Overlay Area and Protected Ridgelines
29	Water Bodies
30	Utilities
30A	Renewable Energy Generation
31	Car Parking
32	Noise and Vibration
33	Flooding and Fault Band Hazards
34	Hazardous Substances and Contaminated Land

22.5 Controlled activities – restrictions on notification

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application for a controlled activity is precluded from public notification under section 95A and, subject to section 95B(3), is precluded from limited notification under section 95B(2) of the Act.

**Zone-wide provisions
(including St. Patrick's Estate Area)**

Standards for Permitted and Controlled Activities

22.6 Minimum requirements for subdivision

Policies 3.4.1, 8.4.3

	Minimum net site area	Shape factor
All areas	1000m ²	25m
Exemptions		
These standards shall not apply to any lot for utility, reserve or conservation purposes.		

22.7 Subdivision which complies with the standards in rule 22.6 and 22.9, and subdivision of land for utilities, reserves or conservation purposes

*Policies 8.4.3,
9.4.3, 16.4.3*

Council may impose conditions over the following matters:

- Design, appearance and layout of the subdivision.
- Landscaping.
- Provision of and effects on network utilities and/or services.
- Standard, construction and layout of vehicular access.
- Earthworks.
- Provision of esplanade reserves and strips.
- Protection of any special amenity feature.
- Financial contributions.
- The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.
Note: Rule 22.18 covers subdivision within the Electricity Transmission Corridor.
- The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site.

22.8 Subdivision which is a company lease, cross lease or unit title subdivision.

Policies 8.4.3, 9.4.3

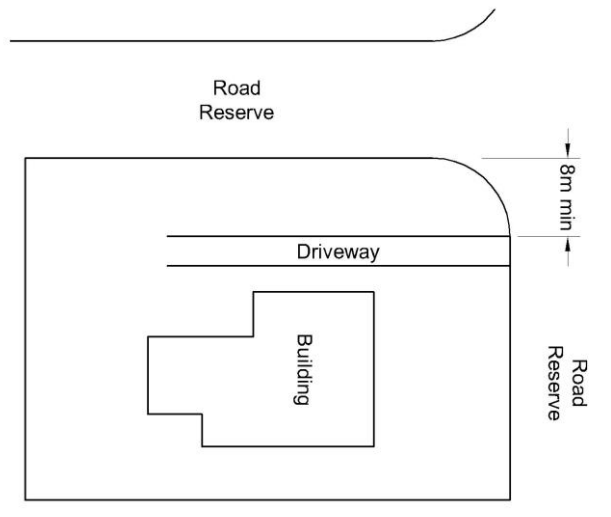
In addition to the matters outlined in rule 22.7, Council may impose conditions over the following matters:

- Allocation of accessory units to principal units and covenant areas to leased areas to ensure compliance with car park provisions and to ensure practical physical access to units.
- Allocation of areas.

22.9 Access standards for subdivision and land use activities

Policy 9.4.3

- All accessways and manoeuvring areas shall be formed and surfaced in accordance with the Code of Practice for Civil Engineering Works. Exemption – the requirement for accessways serving sites solely occupied by unstaffed utilities shall be that the accessway shall be surfaced with permanent all weather surfacing for a minimum length of 5m from the edge of the road carriageway seal.
- All sites shall have practical vehicle access to car parking and loading spaces, in accordance with the Code of Practice for Civil Engineering Works. This requirement does not apply to sites solely occupied by unstaffed utilities, provided that vehicles associated with utilities shall not obstruct the footpath or create a traffic hazard on the road.
- Adequate vehicular access shall be made available to the rear of every new building in accordance with the Code of Practice for Civil Engineering Works.
- Vehicular access to a corner lot shall be located no closer than 8m from the street corner. Where a site is located on an intersection of a primary or secondary arterial traffic route (as identified in Chapter 37) the siting of the vehicular access shall be located as far as practicable from the corner of the street. The 8 metre setback shall be measured from where the two front boundaries of the site (refer to the definition of a corner lot) join, or in accordance with the diagram below.



- Where a corner lot is located at an intersection of a national, primary or secondary arterial traffic route, as identified in Chapter 37, no building, fence or other structure is to be erected and no vegetation allowed to grow so as to obstruct a traffic sight line.
- At the intersection of a road or rail level crossing, no building, fence or other obstructions which block sight lines for trains shall be erected, placed or grown in the hatched area marked in Diagram A in Chapter 38.
- Subdivision and land use activities with direct access to a State Highway shall comply with the access and visibility standards set out in Diagrams B to E in Chapter 38.

22.10 Sunlight access

Policies 4.4.4, 8.4.2, 8.4.3

All buildings on sites adjoining, or separated by a road from a site in the Residential or Open Space Zone, shall comply with the height control planes defined in rule 18.16 along the adjoining boundary or the boundary or boundaries separated by a road.

22.11 Artificial light

Policies 8.4.2, 15.4.1

- Light emissions from a site shall not exceed a measurement of 8 lux (lumens per m²) measured in both the horizontal and vertical planes, 1.5m above the ground at the site boundary.
- Light emissions from a site shall not spill directly onto roads.
- Light emissions shall be measured by an instrument that meets NZSS CP22 (1962) requirements and amendments.

22.12 Dust

Policies 8.4.2, 15.4.2

Activities shall not create a dust nuisance. A dust nuisance may occur if:

- There is visible evidence of suspended solids in the air beyond the site boundary.

- There is visible evidence of suspended solids, traceable from a dust source, settling on the ground, building or structure on a neighbouring property or on water.

22.13 Screening

*Policies 8.4.3,
15.4.1*

Outdoor storage areas shall be screened by a close-boarded fence, a solid wall or dense planting of vegetation. The screening shall be no less than 1.8m in height.

22.14 Relocated Buildings

Council may impose conditions on:

- a) Reinstatement works to the condition and appearance of the building relating to:
 - Works to the exterior fabric of the building to repair, replace or renovate damaged, defective or substandard elements;
 - Painting and/or cleaning of the exterior fabric of the building if necessary;
 - Cladding or other means of enclosing open subfloor areas below the building;
 - Alterations required to ensure that the reinstated exterior of any relocated building is not likely to detract from the amenity values of the surrounding area.
- b) The timeframe for the work to be completed;
- c) Landscaping, screening and boundary treatment;
- d) Execution of a performance bond to provide security for exterior reinstatement works required as a condition of resource consent.
- e) Provision of and effects on utilities and/or services.
- f) Standard, construction and layout of vehicular access.

Notes in respect of d):

- A bond is not mandatory. It will only be required when Council considers it necessary in view of the scale and/or nature of exterior reinstatement works required. The requirement for a bond and its value will be determined in the context of the building assessment report submitted at resource consent stage.
- The bond shall be executed at the time application is made for a building consent, and security shall be in the form of either money or a guarantee by an institution approved by Council as guarantor.
- The bond shall be cancelled upon completion of exterior reinstatement works required in the conditions of the resource consent. The verification method for completion of these works shall be the issuing of a full or interim Code Compliance Certificate as defined in the Building Act. In the event that conditions relating to exterior reinstatement works are not complied with, the bond may be used in whole or in part to complete the works.

Restricted Discretionary Activities

22.15

Subdivision which creates building platforms within 32m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps

*Policies 16.4.1,
16.4.7*

In addition to the matters listed in rule 22.7, Council will restrict its discretion to, and may impose conditions on:

- The extent to which the subdivision design manages potential conflicts with existing lines by locating roads and reserves under the route of the line.
- The extent to which maintenance and inspections of transmission lines are affected including access.
- The extent to which potential adverse effects including risk or injury, property damage and visual impact are mitigated through the location of building platforms and landscaping.
- The outcome of any consultation with the affected utility operator.
- Separation distances between trees and conductors and the location and mature size of trees planted near the transmission lines.
- Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34:2001).
- Measures necessary to avoid, remedy or mitigate the potential adverse effects of earthworks, dust generation and construction activities, including provision of appropriate separation distances, managing the risks to structural integrity, and safety risks associated with the use of mobile machinery.

Restriction on notification

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on Transpower New Zealand Limited as the only affected party under section 95B.

22.16 Buildings or structures within 12-32m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps

Policy 16.4.7

Council will restrict its discretion to, and may impose conditions on:

- a) Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34:2001).
- b) The location, height, scale, orientation and use of buildings and structures to ensure the following are addressed:
 - The risk to the structural integrity of the transmission line.
 - The effects on the ability of the transmission line owner to operate, maintain and upgrade the transmission network.
 - The risk of electrical hazards affecting public or individual safety, and risk of property damage.
 - The extent of earthworks required, and use of mobile machinery near the transmission line which may put the line at risk.
 - Minimising the visual effects of the transmission line.
 - The outcome of any consultation with the affected utility operator.

Restriction on notification

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on Transpower New Zealand Limited as the only affected party under section 95B.

22.17 Subdivision and land use activities which do not comply with the access standards in 22.9

Policy 16.4.6

Council will restrict its discretion to, and may impose conditions on:

- The extent to which the activity will adversely affect traffic and pedestrian safety.

- The extent to which the activity will adversely affect the efficient functioning of the roading network.

For subdivision, Council's discretion is also restricted to the matters listed in rule 22.7.

**Zone-wide provisions
(outside St. Patrick's Estate Area only)**

Permitted and Controlled Activities

22.18 Site coverage

Policy 8.4.3 The coverage by buildings on a site shall not exceed 40% of the net site area.

22.19 Setbacks from boundaries

Policy 8.4.3 The setback distance for buildings shall not be less than:

Boundary	Minimum setback
Front boundary	6m
Side and rear boundaries	3m
Boundaries directly adjoining a Residential Zone	3m + 0.5m for every 1m the building is over 5m in height

22.20 Building height

Policy 8.4.3 The maximum height of any building shall not exceed 15m.

22.21 Landscaping

Policies 8.4.3,
8.4.5

All sites shall be landscaped according to the following:

- If a building is required to be set back from the road boundary, the set back area between the boundary and the building shall be landscaped, provided that where it is used for access or parking purposes, then a landscape strip with a minimum width of 0.6m shall be provided within the site along the road boundary.
- If parking or accessways are provided between the road boundary and the building, a landscape strip with a minimum width of 0.6m shall be provided within the site along the road boundary.
- Where a site adjoins a non-Open Space Zone (excluding road boundaries), a landscape buffer with a minimum width of 0.6m shall be provided between the zone boundary and the buildings.
- Car park areas for more than 25 vehicles shall be landscaped.

Provisions for the St Patrick's Estate Area only

Permitted Activities

In addition to compliance with the zone-wide provisions and the City-wide rules, all permitted activities within the St Patrick's Estate Area shall also comply with the following standards.

22.22 Bulk and location requirements

Policies 8.4.3, 8.4.4

	Managed Development Area*	St Patrick's College Area*
Setbacks:		
Front boundary - Fergusson Drive	10m	10m
Any other front boundary	5m	5m
Side boundary	5m	10m
Rear boundary	10m	10m
Maximum site coverage	40%	10%
Maximum building height	8m	8m
*Identified on Planning Maps		

22.23**Screening**

*Policies 8.4.3,
8.4.5*

Outdoor storage areas shall be screened by a close-boarded fence, a solid wall or dense planting of vegetation. The screening shall be no less than 1.8m in height.

22.24**Landscaping**

*Policies 8.4.3,
8.4.5*

- Front boundary setback areas along Fergusson Drive and County Lane shall be landscaped into a partial screen through earth shaping and permanent plantings of trees and shrubs.
- If parking or accessways are provided between the road boundary and the building, a landscape strip with a minimum width of 0.6m shall be provided within the St Patrick's Estate site along the road boundary.

22.25**Building restriction**

*Policies 14.4.1,
14.4.2*

No building, structure or earthworks shall be located or undertaken within 200m of the southern bank of the Hutt River and to the north of the Mawaihakona Stream.

Controlled Activities**22.26**

Council may impose conditions over the following matters:

*Policies 8.4.2,
8.4.3, 16.4.3*

- Bulk, location and design of the buildings.
- Design and layout of car parks, loading, manoeuvring, pedestrian links and access.
- Provision of and effects on utilities and/or services.
- Landscaping.
- Flood mitigation measures.
- Screening.
- Financial contributions.
- The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.

Note: Rule 22.18 covers subdivision within the Electricity Transmission Corridor

- The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site.

Matters for Consideration

- 22.27** Matters that may be relevant in the consideration of any resource consent other than for a restricted discretionary activity may include the following:

Subdivision

- The requirements of section 106 of the Act.
- Whether the proposed allotments are capable of accommodating a range of activities in compliance with zone standards.
- Whether the subdivision compromises future subdivision potential of the land.
- The cumulative effect on existing infrastructure as a result of the proposed subdivision.
- The extent of compliance with the Council's Code of Practice for Civil Engineering Works.
- The design and layout of the subdivision where any lot may affect the safe and effective operation and maintenance of, and access to, regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.
- Note: Rule 22.18 covers subdivision within the Electricity Transmission Corridor.
- The design and layout of the subdivision where any lot may affect the safe and effective operation and maintenance of, and access to, consented or existing renewable energy generation activities located on or in proximity to the site.
- The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities on or in proximity to the site.
- Account must be taken of the future development potential of adjoining or adjacent land.
- Account must be taken of any potential reverse sensitivity effects on regionally significant network utilities (excluding the National Grid).

Access

- Accessibility for public transport, cyclists and pedestrians.
- Compliance with the Code of Practice for Civil Engineering Works.
- Whether the topography, size or shape of the site or the location of any natural or built feature(s) on the site or other requirements such as easements, rights-of-way or restrictive covenants impose constraints that make compliance impracticable.
- Whether the activities proposed will not generate a demand for servicing facilities.
- Whether suitable alternative provision for servicing can be made.
- Whether the nature of adjacent roads is such that the entry, exit and manoeuvring of vehicles can be conducted safely.

Traffic generation

- Whether activities which generate significant traffic flows have satisfactory access arrangements.
- Impacts on public safety.

Site layout
<ul style="list-style-type: none"> • The arrangement of buildings, car parks and vehicle movements on site. • The extent of landscaping and screening particularly where sites adjoin Residential or Open Space Zones. • Whether the topography of the site has been taken into account. • Whether a better standard of development can be achieved by varying the design.
Bulk and location of buildings
<ul style="list-style-type: none"> • Whether the buildings will cause a loss of privacy, interfere with sunlight access or create shadows on dwellings on adjoining allotments. • Whether the building location, design, appearance and scale will detrimentally affect the character of the surrounding area.
Sunlight access
<ul style="list-style-type: none"> • Whether the building will adversely interfere with sunlight access or create adverse shading on adjoining sites. • Whether the topography of the site or the location of any built features on the site or other requirements, such as easements, impose constraints that make compliance impracticable.
Nuisance
<ul style="list-style-type: none"> • The potential impacts of noise, dust, glare, vibration, fumes, smoke, odour, other discharges or pollutants or the excavation or deposition of earth.
Infrastructure
<ul style="list-style-type: none"> • The capacity of the infrastructure.
Cumulative effects
<ul style="list-style-type: none"> • Whether cumulative effects such as pollution, any risk to public safety and nuisances have been assessed to avoid, remedy or mitigate adverse effects.
Additional matters for the St Patrick's Estate Area
<ul style="list-style-type: none"> • Whether flooding effects have been adequately addressed. • Whether the proposal maintains a landscaped gateway to the City, a low density, open development and contains screening from residential areas and Fergusson Drive. • Whether the landscaping will maintain and enhance the amenity of the area. • Whether pedestrian linkages to the Hutt River walkway and Silverstream Railway Station are provided.