

Chapter 7**NORTHERN RESIDENTIAL ZONE****INTRODUCTION**

This chapter contains rules managing land uses in the Northern Residential Zone. The boundaries of this zone are shown on the planning maps.

All rules apply throughout the Northern Residential Zone unless otherwise stated.

7.1 Summary of Northern Residential Zone Rules

The following is a quick reference guide that summarises the Northern Residential Zone Activity Table and Condition Table. It is intended to be a guide only and must not be used in place of the Northern Residential Zone Activity Table and Condition Table elsewhere in this Chapter.

Rule Number and Description		Classification	Page Number
Rule 7.2	Residential activities.	Permitted	3
Rule 7.3	Home occupations.	Permitted	3
Rule 7.4	A supplementary unit.	Permitted	3
Rule 7.5	Residential care facilities.	Permitted	4
Rule 7.6	Day care centres.	Permitted	4
Rule 7.7	Travellers' accommodation.	Permitted	4
Rule 7.8	Education facilities.	Permitted	5
Rule 7.9	Air traffic safety activities.	Permitted	5
Rule 7.10	Scheduled sites.	Permitted	5
Rule 7.11	Land development (including subdivision, but excluding Multi Unit Development for Commercial and Industrial Activities).	Controlled	5
Rule 7.12	Relocation of a building from another site.	Controlled	5
Rule 7.13	A new noise sensitive activity or the addition of a habitable space to an existing noise sensitive activity within the Port Inner Noise Boundary.	Controlled	6
Rule 7.14	Any new building or structure within the Airport Height Control Designation.	Controlled	7
Rule 7.15	Travellers Accommodation on Meeanee Quay	Controlled	7
Rule 7.16	Any subdivision, use or development of land referred to in Rule 7.2 to 7.15 that does not comply with all the relevant conditions, unless stated by a rule elsewhere in this Chapter.	Restricted Discretionary	8
Rule 7.17.1(a)	A supplementary unit that does not comply with all the relevant conditions.	Discretionary	8
Rule 7.17.1(b)	Retirement complexes.	Discretionary	8
Rule 7.17.1(c)	Any non-residential activity not specifically provided for elsewhere in this Chapter.	Discretionary	8

Rule 7.17.1(d)	Use of explosives, other than for temporary military training purposes.	Discretionary	8
Rule 7.17.1(e)	The establishment of any noise sensitive activity within the Airport Noise Boundary as shown on Planning Map G5 or Appendix 27	Discretionary	8
Rule 7.17.1(f)	Any business of prostitution	Discretionary	8
Rule 7.18.1(a)	Any new building or structure, other than network utility operations and coastal protection works within the coastal hazard area shown on the planning maps.	Prohibited	9
Rule 7.18.1(b)	Any new building or structure that exceeds the airport height control designation as shown in Appendix 7.	Prohibited	9

NORTHERN RESIDENTIAL ZONE – ACTIVITY TABLE

PERMITTED ACTIVITIES	Matters the Council will restrict its discretion to for restricted discretionary activities.
<p>7.2 Residential Activities</p> <p>1. Any residential activity is a permitted activity provided that:</p> <p>a) It complies in all respects with the relevant conditions in the Northern Residential Zone activity table and condition table.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 7.16.</p>
<p>7.3 Home Occupations</p> <p>1. A home occupation is a permitted activity provided that:</p> <p>a) Not more than one full time equivalent job is created for a person(s) residing outside the dwelling unit.</p> <p>b) At all times, the home occupation must remain incidental and secondary to the use of the dwelling unit for residential purposes.</p> <p>c) The area of the home occupation must not exceed 30% of the gross floor area of the dwelling unit.</p> <p>d) Any outdoor storage associated with the home occupation must be screened from view of any adjacent sites and public places.</p> <p>e) Where the home occupation is located in the required garage, alternative parking spaces must be available on site for two vehicles. One of these sites shall have the dimensions of a notional garage. The notional garage must comply with all the relevant access and manoeuvring conditions in Chapter 61 (Transport) of this Plan.</p> <p>f) Retailing of goods must not occur from the site except for items produced on the site or fruit, vegetables or other natural products grown on the property.</p> <p>g) Vehicle movements generated by the home occupation must not exceed a daily average of 20 and must not attract pedestrian or vehicular traffic between 2200 hours and 0700 hours the following day.</p> <p>NOTE: A Vehicle movement means the arrival and departure of the vehicle from the site</p> <p>h) Objectionable odours must not be produced that can be detected beyond the site boundary.</p> <p>i) The home occupation must comply in all respects with the relevant conditions in the Northern Residential Zone activity table and condition table.</p> <p>2. Any home occupation used for the purposes of a business of prostitution that does not comply with all of the relevant conditions is a discretionary activity. (Refer Rule 7.16)</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 7.16 including the following:</p> <ul style="list-style-type: none"> - The effects on the residential character of the neighbourhood. - The effects on public health and safety. - The effects on amenity values. - The effects on traffic and pedestrian safety. - The type, frequency, and timing of traffic.
<p>7.4 Supplementary Units</p> <p>1. A supplementary unit is a permitted activity provided that:</p> <p>a) The unit must consist of a single bedroomed dwelling unit.</p> <p>b) No more than one supplementary unit may be located on the same site as one other dwelling unit.</p> <p>c) The gross floor area of the unit must not exceed 80m²,</p>	<p>Note: A supplementary unit that does not comply in all respects with the relevant conditions is a discretionary activity. Refer to Rule 7.17.</p>

<p>including a notional garage.</p> <p>d) The unit need not comply with the open space and density conditions.</p> <p>e) The unit complies in all other respects with the relevant conditions in the Northern Residential Zone activity table and condition table.</p>	
<p>7.5 Residential Care Facilities</p> <p>1. A residential care facility is a permitted activity provided that:</p> <p>a) The facility must not cater for more than 10 residents, excluding staff.</p> <p>b) Any outdoor storage associated with the residential care facility must be screened from view of any adjacent sites and public places.</p> <p>c) The facility is not located within the Flight Path Overlay.</p> <p>d) The facility complies in all respects with the relevant conditions in the Northern Residential Zone activity table and condition table.</p> <p>NOTE: For the purposes of this rule, residential care facilities do not include retirement complexes (see Rule 7.17.1(b) in the Northern Residential Zone activity table).</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 7.16.</p>
<p>7.6 Day Care Centres</p> <p>1. A day care centre is a permitted activity provided that:</p> <p>a) The centre must not cater for more than 10 people, excluding staff.</p> <p>b) Any outdoor storage associated with the day care centre must be screened from view of any adjacent sites and public places.</p> <p>c) The centre is not located within the Flight Path Overlay.</p> <p>d) The centre complies in all respects with the relevant conditions in the Northern Residential Zone activity table and condition table.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 7.16.</p>
<p>7.7 Travellers' Accommodation</p> <p>1. Travellers' accommodation is a permitted activity provided that:</p> <p>a) The travellers' accommodation must not cater for more than 5 guests, excluding staff and/or family.</p> <p>b) Any outdoor storage associated with the travellers' accommodation must be screened from view of any adjacent sites and public places.</p> <p>c) The travellers' accommodation is not located within the Flight Path Overlay.</p> <p>d) The accommodation complies in all respects with the relevant conditions in the Northern Residential Zone activity table and condition table.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 7.16.</p>
<p>7.8 Education Facilities</p> <p>1. Education facilities are a permitted activity provided that:</p> <p>a) The facility must not cater for more than 10 students.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 7.16.</p>

<p>b) Any outdoor storage associated with the education facility must be screened from view of any adjacent sites and public places.</p> <p>c) The facility is not located within the Flight Path Overlay.</p> <p>d) The facility complies in all respects with the relevant conditions in the Northern Residential Zone activity table and condition table.</p>	
<p>7.9 Air Traffic Safety Activities</p> <p>1. Any land use within the Flight Path Overlay necessary for air traffic safety purposes is a permitted activity provided that:</p> <p>a) It complies in all respects with the relevant conditions in the Northern Residential Zone condition table.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 7.16.</p>
<p>7.10 Scheduled Sites</p> <p>1. Any land use on a scheduled site is a permitted activity provided that:</p> <p>a) It complies in all respects with the rules in Chapter 55 (Scheduled Sites).</p>	<p>The Council will restrict its discretion to the matters referred to in Chapter 55 (Scheduled Sites) of this Plan.</p>
<p>CONTROLLED ACTIVITIES</p>	<p>Matters the Council will restrict its discretion to for restricted discretionary activities.</p>
<p>7.11 Land Development (including Subdivision, but excluding Multi Unit Development for Commercial and Industrial Activities)</p> <p>1. Land development, including subdivision but excluding multi unit development for Commercial and Industrial Activities is a controlled activity provided that:</p> <p>a) It complies in all respects with the standards and terms specified in Chapter 66 of this Plan.</p> <p>b) It complies in all respects with the relevant standards and terms in the Northern Residential Zone Activity Table and Condition Table.</p> <p>c) It is assessed according to the matters in Chapter 66 over which the Council has reserved its control.</p> <p>2. The written approval of affected persons will not be necessary in respect of land development (including subdivision) that fully complies with the conditions, and the application need not be notified.</p>	<p>The Council will exercise its discretion over the matters referred to in Rule 7.16, including the assessment criteria specified in Chapter 66 (Volume II) of this Plan.</p>
<p>7.12 Relocation of Buildings</p> <p>1. Relocation of a building from another site, other than within the coastal hazard area identified on the planning maps, is a controlled activity provided that:</p> <p>a) The relocation of a building complies in all respects with the relevant conditions in the Northern Residential Zone activity table and condition table.</p> <p>b) A written assessment must be submitted with each application which must:</p> <p>i) Include a statement from a building certifier or registered engineer that the building is structurally sound.</p> <p>ii) State the condition of the building and the reinstatement works needed to bring the building up to an external visual appearance that is compatible with other buildings in the</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 7.16, including the following:</p> <ul style="list-style-type: none"> - The structural integrity of the building. - The imposition of a performance bond. - The timing of reinstatement works. - The effects on the built character of the surrounding area. - The effects on amenity values. - The effects on infrastructural services.

<p>vicinity.</p> <ul style="list-style-type: none"> iii) State the proposed timetable to complete external reinstatement of the building within 12 months from the date of consent. iv) Provide clear photographs of the building in its current state. v) Provide such plans and elevations of the building as are necessary to illustrate the new site location and likely external design and appearance of the building as a result of reinstatement work. <p>The Council shall exercise its control over the following:</p> <ul style="list-style-type: none"> a) The design, materials and timetable of the proposed reinstatement works. b) The imposition of any financial contributions in accordance with Chapter 65 (Financial Contributions) of this Plan. c) The imposition of a performance bond to complete the reinstatement of the building. <p>2. The written approval of affected persons will not be necessary in respect of relocated buildings that comply with the standards and terms, and the application need not be notified.</p>	
<p>7.13 A new noise sensitive activity or the addition of a habitable space to an existing noise sensitive activity within the Port Inner Noise Boundary.</p> <ul style="list-style-type: none"> 1. A new noise sensitive activity or the addition of a habitable space to an existing noise sensitive activity within the Port Inner Noise Boundary is a controlled activity provided that: <ul style="list-style-type: none"> a) The new noise sensitive activity or the addition of a habitable space to an existing noise sensitive activity must comply in all respects with the relevant conditions in the Northern Residential Zone activity table and condition table. b) All new habitable spaces within buildings used for the noise sensitive activity must be adequately insulated from noise arising from the land uses within the Port Industrial Zone. c) Adequate sound insulation must be achieved by constructing the building to achieve a spatial average indoor design sound level of 45 dBA L_{dn} in all new habitable spaces. The indoor design level must be achieved with all windows and doors open unless adequate alternative ventilation means is provided, used and maintained in operating order. d) An acoustic design report must be provided to the Council prior to any building consent being granted, or where no building consent is required, prior to the commencement of the use. The acoustic design report must be prepared by a person qualified and experienced in acoustics. The report is to indicate the means by which the noise limits specified in this rule will be complied with and is to contain a certificate by its author that the means given therein will be adequate to ensure compliance with the noise limits specified in this rule. <p>The Council shall exercise its control over the following:</p> <ul style="list-style-type: none"> e) The design, siting and layout of the noise sensitive activity or additions. f) The acoustic insulation necessary to ensure an acceptable 	<p>The Council will restrict its discretion to the matters referred to in Rule 7.16, including the following:</p> <ul style="list-style-type: none"> - The extent to which the noise sensitive activity (or additions) will result in an increased likelihood of reverse sensitivity effects.

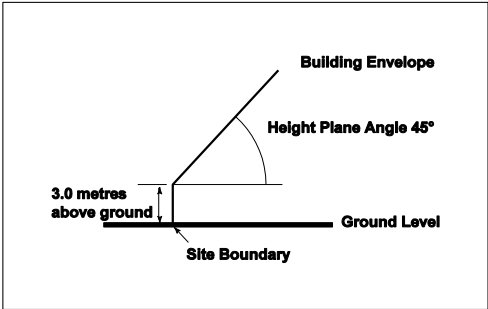
<p>indoor sound level.</p> <p>2. Except as provided for in Section 94C of the Resource Management Act, applications will not be publicly notified in respect a new noise sensitive activity or the addition of a habitable space to an existing noise sensitive activity that fully comply with the standards and terms, and notice of applications need not be served.</p>	
<p>7.14 Buildings and Structures within the Airport Height Control Designation</p> <p>1. The erection, placement or construction of a building or structure within the Airport Height Control Designation is a controlled activity provided that:</p> <ul style="list-style-type: none"> a) It does not exceed the height control restrictions as shown in Appendix 7F Building Height Restrictions-The Esplanade. b) Any application for a building consent must be accompanied by a registered surveyor’s Certificate verifying that the building plans comply with the height restrictions shown in Appendix 7F Building Height Restrictions-The Esplanade. c) It complies in all respects with the relevant conditions in the Northern Residential Zone activity table and condition table. <p>The Council shall exercise its control over the following:</p> <ul style="list-style-type: none"> d) Verification of building or structure height by a registered surveyor following completion of building work. <p>2. The written approval of affected persons will not be necessary in respect of buildings and structures within the Airport Height Control Designation that fully comply with the conditions, and the application need not be notified.</p>	<p>Note: Any building or structure exceeding the height control restrictions shown in Appendix 7 is a prohibited activity. Refer to Rule 7.21(c).</p>
<p>7.15 Travellers’ Accommodation on Meeanee Quay</p> <p>1. New travellers’ accommodation with facilities catering for more than 5 guests (excluding staff) and any ancillary licensed or unlicensed restaurant on the same site fronting Meeanee Quay is a controlled activity provided that:</p> <ul style="list-style-type: none"> a) The following yard conditions are complied with: <ul style="list-style-type: none"> i) Any part of a building must not be erected closer than 6 metres to the road boundary. ii) Any part of a building must not be erected closer than 3 metres to any side or rear boundary. b) A landscaped area with a minimum width of 2 metres must be provided adjacent to the road boundary. 7 c) The site must be screened to at least 1.8 metres in height along all side and rear boundaries except within the front yard unless written agreement to the contrary is reached with any affected party. d) The travellers’ accommodation must comply in all other respects with the relevant conditions specified elsewhere in the Northern Residential Zone activity table and condition table. <p>The Council shall exercise its control over the following:</p> <ul style="list-style-type: none"> e) The hours of operation of the licensed or unlicensed restaurant. f) The design and location of vehicle crossings and access. 	<p>The Council will restrict its discretion to the matters referred to in Rule 7.16.</p>

<p>g) The cumulative effects of these land uses.</p> <p>2. The written approval of affected persons will not be necessary in respect of travellers' accommodation on Meeanee Quay that fully comply with the conditions, and the application need not be notified.</p>	
<p>RESTRICTED DISCRETIONARY ACTIVITIES</p>	<p>Matters the Council will restrict its discretion to for restricted discretionary activities.</p>
<p>7.16 Land Uses Not Complying With Conditions</p> <p>1. Any subdivision, use or development of land referred to in Rules 7.2 to 7.15 that does not comply with all of the relevant conditions in the Northern Residential Zone activity table and condition table is a restricted discretionary activity, unless stated by a rule elsewhere in this Chapter.</p>	<p>The Council will have regard to the relevant objectives and policies of the Plan and will restrict its discretion to:</p> <ul style="list-style-type: none"> - The matters identified in the second column of the Northern Residential Zone activity table and condition table. - The cumulative effect of non-compliance with more than one condition. - In respect of a controlled activity failing to comply with all of the relevant conditions, those matters the Council had reserved its control over. - The matters set out in Chapter 1.6.5. - The assessment criteria in Chapter 12 of this Plan where applicable.
<p>DISCRETIONARY ACTIVITIES</p>	
<p>7.17 Discretionary Activities</p> <p>1. The following land uses are discretionary activities. A resource consent application must be made and consent may be declined or granted with or without conditions. The Council will have regard to the objectives and policies of this Plan and the assessment criteria in Chapter 12. The Council's discretion is unrestricted.</p> <p>a) A supplementary unit that does not comply with all the relevant conditions.</p> <p>b) Retirement complexes.</p> <p>c) Any non-residential activity not stated by a rule elsewhere in this Chapter.</p> <p>d) Use of explosives, other than for temporary military training purposes.</p> <p>e) The establishment of any noise sensitive activity within the Airport Noise Boundary as shown on Planning Map G5 or Appendix 27</p> <p>f) Any business of prostitution (including those that do not comply with all of the relevant conditions as a Home Occupation</p>	
<p>PROHIBITED ACTIVITIES</p>	
<p>7.18 Prohibited Activities</p> <p>1. The following land uses are a prohibited activity for which no resource consent shall be granted:</p> <p>a) Any new building or structure, other than network utility operations and coastal protection works, within the coastal</p>	

<p>hazard area as shown on the planning maps.</p> <p>b) Any new building or structure that exceeds the airport height control designation as shown in Appendix 7.</p>	
---	--

NORTHERN RESIDENTIAL ZONE – CONDITION TABLE

CONDITIONS FOR PERMITTED ACTIVITIES AND CONTROLLED ACTIVITIES	Matters the Council will restrict its discretion to for restricted discretionary activities.
<p>7.19 Density</p> <p>1. There is no density requirement; subject to compliance with the other conditions for all land uses elsewhere in the Northern Residential Zone activity table and condition table.</p> <p>2. A “concept plan” must be submitted to the Council which shows how a single dwelling unit or multi-unit development is able to fully comply with the conditions for permitted activities if the density is greater than one unit per 250m² of net site area.</p>	
<p>7.20 Yards</p> <p>1. The following yard conditions shall apply to all land uses:</p> <p>a) Front Yards</p> <p>i) Any part of a building must not be erected closer than 3 metres to the road boundary, except that:</p> <ul style="list-style-type: none"> • Eaves, fascias, gutters, down pipes, chimneys and flues may encroach on the front yard by a distance of up to 1 metre measured horizontally. • Any part of a garage/carport must not be erected closer than 5m to the road boundary, so as to provide a vehicle standing bay. (Refer to Rule 61.16) <p>b) Other Yards</p> <p>i) Any part of a building (including eaves and guttering) must not be erected closer than 1 metre to a side or rear site boundary.</p> <ul style="list-style-type: none"> • Provided that where this is the only condition infringement and the written approval of the adjacent landowner(s) is provided at building consent stage, a resource consent application will not be necessary. <p>ii) Any part of a building, fence or permanently fixed structure must not be erected close than 6 metres from the top of the bank of any watercourse or open drain.</p>	<p>Matters:</p> <ul style="list-style-type: none"> - The existing streetscape and protection from road frontage domination. - The outlook and privacy of adjacent and adjacent properties. - The effects of shading of adjacent properties. - The effects on amenity values of the neighbourhood. - The effects on the maintenance and enhancement of watercourses and open drains.
<p>7.21 Height</p> <p>1. The following maximum height conditions shall apply to all land uses, other than aerials, lines and support structures:</p> <p>a) Any part of a building or structure must not exceed 8 metres in height, except that:</p> <p>i) On a front site or corner site, any part of a building or structure may be erected up to the Streetscape Height determined in accordance with Appendix 8 of this Plan.</p> <p>b) Any part of a building or structure must not exceed the Airport Height Control Designation in Appendix 7, except where located in a Surface Penetration Area identified in Appendix 7(a) or 7(b), where the maximum height shall be 8 metres unless the building or structure is located west of the Main Residential Elevation Line (shown in Appendix 3), where the maximum height shall not exceed 10 metres.</p> <p>c) Where there is conflict between any of the height control lines or limits, the lowest height must prevail.</p>	<p>Matters:</p> <ul style="list-style-type: none"> - The scale and bulk of the building in relation to the site. - The built characteristic of the neighbourhood. - The extent to which the effects of the height can be mitigated by setbacks, planting, design or topography of the site. - The effects on landscape values. - The effects of shading. - The effects on amenity values.

<p>d) Where the Airport Height Control Designation prevails in accordance with Rule 7.21.1(c):</p> <p>i) Any application for a building consent must be accompanied by a registered surveyor's certificate verifying that the building plans do not exceed the Airport Height Control Designation in Appendix 7F Building Height Restrictions – The Esplanade.</p> <p>ii) Prior to a person requesting a Certificate of Compliance, a registered surveyor's certificate must be supplied, verifying compliance with the Airport Height Control Designation in Appendix 7 F Building Height Restrictions – The Esplanade.</p> <p>e) Height must be measured using the rolling height method.</p>	
<p>7.22 Height in Relation to Boundary</p> <p>1. The following height in relation to boundary conditions shall apply to all land uses:</p> <p>a) Any part of a building or structure must not project beyond a building envelope constructed by drawing planes along all parts of all site boundaries. The planes must commence 3.0 metres above ground level at the site boundary and must be inclined to the horizontal at an angle of 45 degrees.</p> <p>b) Provided that:</p> <p>i) In relation to multi-unit development, the building envelope must be constructed by drawing planes along all parts of all building site boundaries and must commence at the building site boundary.</p> <p>ii) The height in relation to boundary control does not apply to the length of common wall between two or more attached buildings.</p> <p>iii) Where the site abuts an entrance strip or access lot, the furthest boundary of the entrance strip or access lot may be deemed to be the site boundary for the purpose of applying the height in relation to boundary control.</p> <p>iv) No account must be taken of aerials, lines, support structures, solar heating devices, air conditioning units and similar structures housing electronic or mechanical equipment or chimneys, no more than 1 metre wide in any horizontal direction and less than 2.5 metres in height beyond the building envelope.</p>	<p>Matters:</p> <ul style="list-style-type: none"> - The availability of daylight to adjacent properties. - The effects on the privacy of adjacent properties and occupiers. - The effects on amenity values. 
<p>7.23 Site Coverage</p> <p>1. The following site coverage conditions shall apply to all land uses:</p> <p>a) Site coverage (measured from gross building area) must not exceed 50% of the net site area.</p> <p>b) Provided that where there is no garage or carport on site, the gross building area must include a notional garage of 18.5m² for each dwelling unit on the site.</p>	<p>Matters:</p> <ul style="list-style-type: none"> - The availability of useable open space on site. - The scale and bulk of the building in relation to the site. - The existing built density of the neighbourhood. - The effect on the open space appearance of the neighbourhood. - The control of stormwater runoff.
<p>7.24 Landscaped Area</p> <p>1. The following landscaped area conditions shall apply to all land uses:</p> <p>a) All sites must have a landscaped area not less than 20% of the net site area.</p>	<p>Matters:</p> <ul style="list-style-type: none"> - The effect on the open space appearance of the neighbourhood. - The control of stormwater runoff. - The effects on amenity values.

<p>7.25 Open Space</p> <p>1. The following open space conditions shall apply to all residential activities:</p> <p>a) Each dwelling unit must have an amount of open space on the building site of not less than 50% of the gross floor area of all buildings on the site, except that a minimum of 50m² per dwelling unit must be provided.</p> <p>b) Where there is no garage or carport proposed or existing on the site, the gross floor area must include a notional garage of 18.5m² for each dwelling unit on the site.</p> <p>c) The maximum amount of open space required to be provided on a building site is 100m² per dwelling unit.</p> <p>d) Provided that:</p> <p>i) Open space may comprise of more than one area.</p> <p>ii) Open space may take the form of a deck or terrace but must be unobstructed by buildings (other than cantilevered decks), parking spaces, or vehicle manoeuvring areas.</p> <p>iii) Open space must be directly accessible from the unit to which it relates.</p> <p>iv) The open space must:</p> <ul style="list-style-type: none"> • Include at least one area capable of containing a 6 metre diameter circle; • Have a minimum dimension of 3 metres measured at right angles to the perimeter of the area. 	<p>Matters:</p> <ul style="list-style-type: none"> - The effects on privacy and amenity of the occupants on-site. - The effect on the open space appearance of the neighbourhood. <div data-bbox="986 353 1532 705" style="border: 1px solid black; padding: 5px;"> <p style="text-align: center;">For example:</p> <p style="text-align: center;">In this example, site coverage = 180m² (including garage) therefore minimum open space required = 90m² (180x0.5)</p> </div>										
<p>7.26 Noise</p> <p>1. The following noise conditions shall apply to all land uses (including noise from fixed plants such as air conditioning units and other similar devices), other than those exempted in Rule 57.9:</p> <p>a) The following noise limits must not be exceeded at any point beyond the site boundary, except where expressly provided for elsewhere in this Plan:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Control Hours</td> <td style="width: 50%;">Noise Level</td> </tr> <tr> <td>0700 to 1900 hours</td> <td>50 dB L_{Aeq} (15 min)</td> </tr> <tr> <td>1900 to 2200 hours</td> <td>45 dB L_{Aeq} (15 min)</td> </tr> <tr> <td>2200 to 0700 hours the following day</td> <td>40 dB L_{Aeq} (15 min)</td> </tr> <tr> <td>2200 to 0700 hours the following day</td> <td>70 dB L_{AFmax}</td> </tr> </table> <p>b) All land uses must comply in all respects with the relevant conditions in Chapter 57 (Noise) of this Plan.</p> <p>c) It will be a condition of subdivision of land (as defined in the Act) that a consent notice issued under Section 221 of the Act must be entered into before the issue of a Section 224 Certificate, with such a consent notice to be registered on the Certificate(s) of Title of the relevant lot(s). The consent notice is required to ensure that compliance with the acoustic insulation requirements in 2(a) above are achieved</p> <p>2. The following acoustic insulation conditions shall apply to all new noise sensitive activities and the addition of a habitable space to an existing noise sensitive activity within the Port Noise Boundary (excluding the Port Inner Noise Boundary):</p> <p>a) All new habitable spaces within buildings used for the noise sensitive activity must be adequately insulated from noise arising</p>	Control Hours	Noise Level	0700 to 1900 hours	50 dB L _{Aeq} (15 min)	1900 to 2200 hours	45 dB L _{Aeq} (15 min)	2200 to 0700 hours the following day	40 dB L _{Aeq} (15 min)	2200 to 0700 hours the following day	70 dB L _{AFmax}	<p>Matters:</p> <ul style="list-style-type: none"> - The sound level likely to be generated. - The nature and frequency of the noise including any special audible characteristics. - The compatibility within the neighbourhood. - The effects of noise on amenity values. - The length of time for which specified noise levels is exceeded, especially at night. - The likely adverse effects on-site and beyond the site. - The mitigation measures to reduce noise generation.
Control Hours	Noise Level										
0700 to 1900 hours	50 dB L _{Aeq} (15 min)										
1900 to 2200 hours	45 dB L _{Aeq} (15 min)										
2200 to 0700 hours the following day	40 dB L _{Aeq} (15 min)										
2200 to 0700 hours the following day	70 dB L _{AFmax}										

from the land uses within the Port Industrial Zone.

- b) Adequate sound insulation must be achieved by constructing the building to achieve a spatial average indoor design sound level of 45 dBA L_{dn} in all new habitable spaces. The indoor design level must be achieved with all windows and doors open unless adequate alternative ventilation means is provided, used and maintained in operating order.
- c) In order to achieve this standard either:
- (i) An acoustic design report must be provided to the Council prior to any building consent being granted, or where no building consent is required, prior to the commencement of the use. The acoustic design report must be prepared by a person qualified and experienced in acoustics. The report is to indicate the means by which the noise limits specified in this rule will be complied with and is to contain a certificate by its author that the means given therein will be adequate to ensure compliance with the noise limits specified in this rule; or
- (ii) Compliance with the requirements in the following table will be deemed to achieve the required insulation standard specified in this rule. A report must be provided to the Council prior to any building consent being granted demonstrating compliance with the requirements listed in the following table and will form part of the building consent application. The report must be prepared by the person responsible for undertaking the building work.

Building Element	Requirement
Wall	<ol style="list-style-type: none"> 20mm timber weather boards exterior cladding. Internal lining two layers of 10mm thick gypsum plasterboard. Minimum 75mm thick fibreglass or polyester or wool insulation in wall cavity. Brick veneer. Internal lining 1 layer of 10mm thick gypsum plasterboard.
Window	<ol style="list-style-type: none"> Up to 20% of wall area 7mm laminated glazing (1mm interlayer). Up to 50% of wall area 11mm laminated glazing (1mm interlayer).
Roof	<ol style="list-style-type: none"> Pitched roof greater than 20°: steel cladding of 0.5mm or greater or tiles. Ceiling lining of two layers of minimum 10mm thick gypsum plasterboard. Minimum 75mm thick fibreglass or polyester or wool insulation of 14kg/m³ in ceiling cavity. Skillion roof: steel cladding of 0.5mm or greater. Ceiling lining of two layers of minimum 13mm thick gypsum plasterboard. Minimum 75mm thick fibreglass or polyester or wool insulation of 14kg/m³ in ceiling cavity.
Floor	<ol style="list-style-type: none"> On grade slab. Two layers of 20mm thick particle board.

- d) Prior to any person requesting a Certificate of Compliance, an acoustic design certificate prepared by a person qualified and experienced in acoustics must be supplied, verifying compliance with the rule in (b) above.

<p>e) It will be a condition of subdivision of land (as defined in the Act) that a consent notice issued under Section 221 of the Act must be entered into before the issue of a Section 224 Certificate, with such a consent notice to be registered on the Certificate(s) of Title of the relevant lot(s). The consent notice is required to ensure that compliance with the acoustic insulation requirements in 2(b) above are achieved.</p> <p>3. The following acoustic insulation conditions shall apply to all new noise sensitive activities within the Airport Noise Boundary:</p> <p>a) Where any new noise sensitive activity is established within the airport noise boundary as shown on the planning maps:</p> <p>i) All habitable spaces within the building must be adequately insulated from noise arising from aircraft operations associated with the Hawke's Bay Airport.</p> <p>ii) Adequate sound insulation must be achieved by constructing any building to achieve a spatial average indoor design sound level of 40 dBA L_{eq} in any room used for sleeping and 45 dBA L_{eq} in all other habitable spaces. The indoor design level must be achieved with windows and doors open unless adequate alternative ventilation means is provided, used and maintained in operating order.</p> <p>iii) The owner must produce to the Council an acoustic design report prior to the commencement of the use. The acoustic design report must be prepared by a person qualified and experienced in acoustics. The report is to indicate the means by which the noise limits specified in this rule will be complied with and is to contain a certificate by its author that the means given therein will be adequate to ensure compliance with the noise limits specified in this rule.</p> <p>b) Prior to any person requesting a Certificate of Compliance, an acoustic design certificate prepared by a person qualified and experienced in acoustics must be supplied, verifying compliance with the rule in 3(a) above.</p> <p>c) It will be a condition of subdivision of land (as defined in the Act) that a consent notice issued under Section 221 of the Act must be entered into before the issue of a Section 224 Certificate, with such a consent notice to be registered on the Certificate(s) of Title of the relevant lot(s). The consent notice is required to ensure that compliance with the acoustic insulation requirements in 3(a) above are achieved</p>	
<p>7.27 Light Spill</p> <p>1. The following light spill conditions shall apply to all land uses other than for the purposes of illuminating a road:</p> <p>a) Between the hours of 2200 and 0700 the following day, any outdoor lighting must not cause an added illuminance in excess of 10 lux, measured horizontally or vertically as an average (at any window of a habitable space within a building located on any other site).</p> <p>b) The outdoor lighting must be so selected, located aimed, adjusted, screened and maintained to ensure that glare resulting from the lighting does not cause significant adverse effects on the occupants of residential activities, road users or aircraft..</p> <p>c) NOTE: Where the measurement of any added illuminance cannot be made because any person refuses to turn off outdoor lighting, measurements may be made in locations which the Council considers is of a similar nature which are not affected by such outdoor lighting. Those measurements may be used to determine the added illuminance, if any, of the subject lighting.</p>	<p>Matters:</p> <ul style="list-style-type: none"> - The orientation, strength, intensity, colour and frequency of any light. - The effects on traffic safety. - The effects on pedestrian safety. - The effects on amenity values. - The effects on the health, safety and wellbeing of people.

<p>Measurement should be made in clear sky conditions, or should take into account the effect of weather conditions on illuminance.</p>	
<p>7.28 Vibration</p> <p>1. The following vibration conditions shall apply to all land uses:</p> <p>a) Land uses must not generate a vibration that causes an unreasonable adverse effect on any adjacent land use.</p>	<p>Matters:</p> <ul style="list-style-type: none"> - The effect on public health and safety. - The effects on the structural integrity of adjacent buildings and facilities. - The effect on amenity values of the residential area.
<p>7.29 Fencing</p> <p>1. The following fencing conditions shall apply to all land uses:</p> <p>a) Any fence erected within front, side and rear yards must not exceed 2 metres in height.</p>	<p>Matters:</p> <ul style="list-style-type: none"> - The effects of shading. - The effects on amenity values. - The effects on public health and safety.
<p>7.30 Aerials, Lines and Support Structures</p> <p>1. The following conditions shall apply to all aerials, lines and support structures other than for the purposes of a network utility operation:</p> <p>a) Aerials, lines or support structures must not exceed 12 metres in height.</p> <p>b) Aerials, lines or support structures, and trees must not exceed the Airport Height Control Designation in Appendix 7, except where located in a Surface Penetration Area, where the maximum height shall not exceed 12 metres.</p> <p>c) Where there is conflict between any of the height control lines or limits, the lowest height must prevail.</p> <p>d) Where the Airport height controls prevail in accordance with Rule 5.26.1(c):</p> <p>i) Any application for a building consent must be accompanied by a registered surveyor's certificate verifying that the building plans do not exceed the Airport Height Control Designation in Appendix 7.</p> <p>ii) Prior to a person requesting a Certificate of Compliance, a registered surveyor's certificate must be supplied, verifying compliance with the Airport Height Control Designation in Appendix 7.</p> <p>e) Dish antenna must not exceed 1.2 metres in diameter.</p> <p>f) Where an aerial, line or support structure exceeds 7 metres in height above the point of its attachment or base support, it must also comply with the following conditions:</p> <p>i) The distance from the centre to the furthest element tip must not exceed 7.5 metres in a horizontal direction.</p> <p>ii) There must be not more than one such structure on the site.</p> <p>g) The aerial, line and/or support structure must comply with the conditions relating to yards and height in relation to boundary specified elsewhere in the Northern Residential Zone condition table.</p>	<p>Matters:</p> <ul style="list-style-type: none"> - The effects on amenity values. - The scale in relation to adjacent buildings. - The bulk and form of the aerial, line and/or supporting structures. - The effects of shading. - The extent to which heritage or cultural values are adversely affected. - The cumulative effect of additional aerials, lines and/or supporting structures. - The prominence of the site taking into account significant public views and any significant landscapes. - The effects on public health and safety. - The effects on air traffic safety.
<p>7.31 Earthworks</p> <p>1. The relevant provisions of Chapter 52A (Earthworks) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 52A (Earthworks) of this Plan.</p>

<p>7.32 Heritage</p> <p>1. The relevant provisions of Chapter 56 (Heritage) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 56 (Heritage) of this Plan.</p>
<p>7.33 Signs</p> <p>1. The relevant provisions of Chapter 58 (Signs) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 58 (Signs) of this Plan.</p>
<p>7.34 Trees</p> <p>1. The relevant provisions of Chapter 60 (Trees) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 60 (Trees) of this Plan.</p>
<p>7.35 Transport</p> <p>1. The relevant provisions of Chapter 61 (Transport) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 61 (Transport) of this Plan.</p>
<p>7.36 Natural Hazards</p> <p>1. The relevant provisions of Chapter 62 (Natural Hazards) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 62 (Natural Hazards) of this Plan.</p>
<p>7.37 Activities on the Surface of Water</p> <p>1. The relevant provisions of Chapter 62A (Activities on the Surface of Water) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 62A (Activities on the Surface of Water) of this Plan.</p>
<p>7.38 Hazardous Substances</p> <p>1. The relevant provisions of Chapter 63 (Hazardous Substances) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 63 (Hazardous Substances) of this Plan.</p>
<p>7.39 Contaminated Sites</p> <p>1. The relevant provisions of Chapter 64 (Contaminated Sites) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 64 (Contaminated Sites) of this Plan.</p>
<p>7.40 Financial Contributions</p> <p>1. The relevant provisions of Chapter 65 (Financial Contributions) of this Plan must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 65 (Financial Contributions) of this Plan.</p>
<p>7.41 Code of Practice for Subdivision and Land Development</p> <p>1. The relevant provisions of Chapter 66 (Code of Practice for Subdivision and Land Development) must be complied with.</p>	<p>Matters:</p> <p>Refer to Chapter 66 (Code of Practice for Subdivision and Land Development) of this Plan.</p>