

**Chapter 12****ASSESSMENT CRITERIA  
(Residential Environments)****12.1 INTRODUCTION**

Some non-complying activity, discretionary activity, and restricted discretionary rules refer to assessment criteria to assist the Council in considering resource consent applications. The Council will have regard to the Assessment Criteria outlined below for the residential environments when considering an application under Sections 104 and 105 of the Act.

**12.2 GENERAL**

The following criteria will be used by the Council in considering a resource consent application for a Non-Complying Activity, Discretionary Activity, or a Restricted Discretionary Activity for non-compliance with one or more conditions in the relevant activity table and/or condition table.

- a) Any unusual circumstances including, but not limited to, those listed below:
  - i) Inherent site considerations: including unusual size, shape, topography, substratum, vegetation or flood susceptibility;
  - ii) Particular site development characteristics: including the location of existing buildings or their internal layout, achievement of architectural harmony, compliance with engineering or bylaw standards, enhancement of private open space, achievement of a better relationship between the site and the road, building renovation or restoration of demonstrable merit, the design and arrangement to facilitate access for the disabled, or legal impediments;
  - iii) Unusual environmental circumstances: including adverse topography, unusual use or location of buildings on adjacent sites, improved amenity for neighbouring sites, the presence of effective on-site screening.
  - iv) Proximity to the Rural Environment.
  - v) In the absence of adequate private open space, whether the maintenance and enhancement of public reserves or amenity treatment appropriate with the level of impact of the development is required.
- a) Where the site is located within the Te Awa Development area the extent to which the relevant Te Awa Structure Plan Design Outcomes can be met (in Appendix 29A-F of the District Plan)

**12.3 ASSESSMENT CRITERIA FOR PARTICULAR LAND USES****1. Non-Residential Activities (Other than those in 12.3.2).**

The Council will have regard to the relevant objectives and Policies of this Plan and in addition will consider:

*Scale and Intensity*

- a) Whether the land use will contribute to the efficient use and/or development of natural and physical resources within the City and whether any alternative sites, locations or zones have been considered.

- b) Whether the land use provides any positive effects to the neighbourhood and wider community, including the extent to which the land use may enhance the amenity values of the area.
- c) Whether the impact of the scale and intensity of the use is compatible with surrounding land uses.
- d) Whether the land use will alter the character of the residential area.
- e) Whether there are any effects of a low probability, but high potential impact.
- f) Whether the establishment and operation of the land use would adversely affect the amenity of the residential area, or result in significant positive or negative (or both) social or economic impacts.
- g) Whether the establishment and operation of the land use would adversely effect the efficient use and/or development of natural and physical resources of any other zone or result in significant positive or negative (or both) social or economic impacts.
- h) Whether the land use's hours of operation would adversely affect the amenity, health, safety and wellbeing of surrounding land uses and residents.
- i) Whether the volume of traffic likely to be attracted to the site is likely to cause an effect on the neighbouring people and environment including the road network and traffic safety and efficiency.

#### *Design and External Appearance*

- j) Whether the design of buildings, structures and carparking areas maintains residential streetscape qualities, including whether paved areas associated with parking dominate the streetscape.
- k) Whether parking and storage areas are adequately screened from adjacent sites or public places and roads by fencing and/or landscaping.
- l) Where the site is located within a Character Zone or an Advocacy Area, whether the proposal is consistent with and will not detract from the character of the area, as described in Chapter 4 of this Plan.

#### *Site Layout*

- m) Whether buildings and structures, including parking and storage areas, are sited in a way or adequately screened to minimise any adverse effects on the visual and aural amenity of adjacent land uses, public places and roads.

#### *Carparking and Access*

- n) Whether the land use will avoid on-road congestion, including vehicle parking, as a result of the ingress and egress of vehicles to and from the site.
- o) Whether adequate sight distances are available for vehicular and pedestrian safety.

The Council will pay particular attention to the adequacy of accessways when the facility is located on a rear site, as well as to the location of entry and exit points to the site, and their relationship with existing intersections, site constraints and adjacent land uses. The Council will require adverse effects to be avoided,

remedied or mitigated by controlling access to the road or site, by redesign of the access or roadway, or by traffic signals and the like. Sites adjacent to local roads may be unsuitable for some land uses.

#### *Noise Mitigation Measures*

- p) Whether noise arising from the land use, including the congregation of people and movement and parking of vehicles, will have an adverse effect on the amenity of the surrounding residential area, residents, and people attending other non-residential facilities.

The Council will require noise mitigation measures to be undertaken to protect the aural amenity of adjacent land uses and residential areas.

#### *Infrastructure*

- q) Whether the land use can avoid, remedy or mitigate any adverse effects that it may have on infrastructural services.

Where the existing infrastructure cannot sustain new development, the proposal must provide a satisfactory alternative or level of mitigation. This may be in the form of financial contributions.

#### *Air Traffic Safety*

- r) Whether the proposed land use will have an adverse actual or potential effect on the safety, efficiency and operations, (including landings and take-offs) of the Hawke's Bay Airport.

#### *Odour and Dust Mitigation*

- s) Whether the activity will create dust or odour effects that will adversely impact on the amenity of the surrounding land uses.

#### *Cumulative Effect*

- t) Whether the proposed land use will have an adverse cumulative effect on the surrounding area.

In assessing the appropriateness of allowing a land use to be located in an area, or an increase in the scale and intensity of a land use, consideration will be given to the presence of land uses already located in the area and on the site, and their effect on the surrounding residential environment. Of particular concern is the cumulative adverse effect of locating a land use on a site adjacent to or already accommodating land uses that may currently generate traffic, noise and other adverse effects not in keeping with the surrounding residential area.

## **2. Residential Care Facilities, Retirement Complexes, Travellers' Accommodation, Day Care Centres, Education Facilities, Places of Assembly.**

The Council will have regard to the relevant objectives and Policies of this Plan and in addition will consider:

#### *Intensity of Land use*

- a) Whether the site is a suitable size for the type and number of persons being catered or cared for.
- b) Whether the volume of traffic likely to be attracted to the site is likely to cause an adverse effect on the neighbouring people and environment including the road network and traffic safety and efficiency.

#### *Design and External Appearance*

- c) Whether the design of buildings, structures and carparking areas maintains residential streetscape qualities, including whether paved areas associated with parking dominate the streetscape.
- d) Whether parking and storage areas are adequately screened from adjacent sites, public places and roads by fencing and/or landscaping.
- e) Where the site is located within a Character Zone or an Advocacy Area, whether the proposal is consistent with and will not detract from the special character of the area, as described in Chapter 4 of this Plan.

#### *Site Layout*

- f) Whether buildings and structures including outdoor entertainment, recreation and play areas are sited in a way that minimises any adverse effects on the visual and aural privacy of adjacent land uses, public places and roads.

#### *Carparking and Access*

- g) Whether provision is made for the safe and efficient delivery and pickup of those attending the facility, especially children.
- h) Whether the proposal will avoid on-road congestion, including vehicle parking, as a result of the ingress and egress of vehicles to and from the site.
- i) Whether adequate sight distances are available for vehicular and pedestrian safety.

The Council will pay particular attention to the adequacy of accessways when the facility is located on a rear site, as well as to the location of entry and exit points to the site, and their relationship with existing intersections, site constraints and adjacent dwelling units. The Council will require adverse effects to be avoided, remedied or mitigated by controlling access to the road or site, by redesign of the access or roadway, or by traffic signals and the like. Sites adjacent to local roads may be unsuitable for some land uses.

#### *Noise Mitigation Measures*

- j) Whether noise arising from the land use, including the congregation of people or movement and parking of vehicles, will have an adverse effect on the amenity of the surrounding residential area, residents and people attending other non-residential facilities.

The Council will require noise mitigation measures to be undertaken to protect the aural amenity of adjacent land uses and residential areas.

#### *Infrastructure*

- k) Whether the land use can avoid, remedy or mitigate any adverse effects it may

have on infrastructural services.

Where the existing infrastructure cannot sustain new development, the proposal must provide a satisfactory alternative or level of mitigation. This may be in the form of financial contributions.

#### *Air Traffic Safety*

- l) Whether the proposed land use will have an adverse actual or potential effect on safety, efficiency and operations, (including landings and take-offs) of the Hawke's Bay Airport.

#### *Cumulative Effect*

- m) Whether the proposed land use will have an adverse cumulative effect on the surrounding area.

In assessing the appropriateness of allowing a land use to be located in an area, or an increase in the scale and intensity of a land use, consideration will be given to the presence of land uses already located in the area and on the site, and their effect on the surrounding residential environment. Of particular concern is the cumulative adverse effect of locating a land use on a site adjacent to or already accommodating land uses that may currently generate traffic, noise and other adverse effects not in keeping with the surrounding residential area.

### **3. Multi-Unit Developments**

The Council will have regard to the relevant objectives and Policies of this Plan and in addition will consider:

#### *Design and External Appearance*

- a) Whether the proposed buildings have regard to the aesthetic qualities of the surrounding built form, particularly where the surrounding area is identified as a character zone or an advocacy area on the planning maps.
- b) Whether the bulk, or unrelieved or repetitive nature of building form will detract from the visual amenity of the residential neighbourhood.
- c) Whether the internal dimensions of apartments provide an adequate level of living space and amenity for their intended use.

As a guide apartment sizes in terms of their gross floor area should as a bare minimum be no less than:

Studio 35m<sup>2</sup>  
1 bedroom 45m<sup>2</sup>  
2 bedroom 70m<sup>2</sup>  
3 bedroom 90m<sup>2</sup>

In any one residential apartment building containing in excess of 10 residential units, the combined number of one bedroom units and studios shall generally not exceed 50% of the total number of apartments within the building.

- d) Whether the appearance of dwellings at the road frontage, and in particular entrances and/or the provision of screening; maintains an acceptable level of privacy for adjacent neighbours.

- e) Whether garages, garage doors or carparking on the site dominate the appearance of a dwelling when viewed from the road. In general, they should be sited behind dwellings, recessed behind the front building line or integrated in the building design in a way that does not dominate the road frontage.
- f) Whether carparking is safe and convenient while still maintaining an acceptable aesthetic quality as viewed from the road, in particular whether hard-paved areas associated with parking and garaging dominates the streetscape.

#### *Site Layout*

- g) Whether the siting of buildings and structures, including carparking areas and private open space maintains an acceptable level of visual (both indoor and outdoor private spaces) and aural privacy for adjacent land uses, public places and roads.

#### *Open Space*

- h) Whether the private open space is appropriately screened from the open space areas of any other dwelling unit, and from any adjacent properties' open space areas.

In the absence of adequate private open space whether the maintenance and enhancement of public reserves or amenity treatment appropriate with the level of impact of the development is required.

#### *Landscape Elements*

- i) Whether the landscape design makes a positive contribution to the streetscape, for example by the planting of trees and other vegetation in the front yard.

#### *Carparking and Access*

- j) Whether the proposal will avoid on-road congestion, including vehicle parking, as a result of the ingress and egress of vehicles to and from the site.
- k) Whether adequate sight distances are available for vehicular and pedestrian safety.
- l) Whether the roading network in the vicinity of the multi unit development is able to support the additional traffic movements and demand for on street parking generated by the proposal without significantly degrading the level of service experienced on the roading network.

The Council will pay particular attention to the location of entry and exit points to the site, and their relationship with existing intersections, site constraints and adjacent dwelling units. The Council will require adverse effects to be avoided, remedied or mitigated by controlling access to the road or site, by redesign of the access or roadway, or by traffic signals and the like. Sites adjacent to local roads may in some instances be unsuitable for multi unit development.

This issue is most pronounced within the Napier Hill Character Zone where the steep topography, narrow road reserves and physical constraints on Napier Hill present little opportunity to upgrade the existing road network to accommodate any material increases in traffic and on-street carparking demands, particularly in those areas where the roading network already operates above its intended levels of service.

*Infrastructure*

- m) Whether the land use can avoid, remedy or mitigate any adverse effects that it may have on infrastructural services.

Where the existing infrastructure cannot sustain new development, the proposal must provide a satisfactory alternative or level of mitigation. This may be in the form of financial contributions.

*Air Traffic Safety*

- n) Whether the proposed land use will have an adverse actual or potential effect on safety, efficiency and operations, (including landings and take-offs) of the Hawke's Bay Airport.

*Cumulative Effect*

- o) Whether the proposed land use will have an adverse cumulative effect on the surrounding area.

In assessing the appropriateness of allowing a land use to be located in an area, or an increase in the scale and intensity of a land use, consideration will be given to the presence of land uses already located in the area and on the site, and their effect on the surrounding residential environment. Of particular concern is the cumulative adverse effect of locating a land use on a site adjacent to or already accommodating land uses that may currently generate traffic, noise and other adverse effects not in keeping with the surrounding residential area.

*Scale and Intensity*

- p) Whether the proposal will contribute to the efficient use and/or development of natural and physical resources within the City.
- q) Whether the proposal provides any positive effects to the neighbourhood and wider community, including the extent to which the land use may enhance the amenity values of the area.
- r) Whether the impact of the scale and intensity of the use is compatible with surrounding land uses.
- s) Whether the proposal will adversely alter the character of the residential area, including as defined in section 4.9 of the District Plan.

NOTE: The Council may take expert advice in the application of these criteria as a peer review of information lodged with the resource consent application. The cost of such advice will be recovered in accordance with Section 36(1)(b) of the Act.

**4. Noise Sensitive Activities within the Port Inner Noise Boundary**

The Council will have regard to the relevant objectives and Policies of this Plan and in addition will consider:

*Site Design and Layout*

- a) Whether the design, siting and layout (including outdoor living space) of buildings

and structures takes into account the effect of port noise arising from the Port Industrial Zone.

#### *Noise Mitigation Measures*

- b) Whether adequate sound insulation is 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) Whether an acoustic design report has been provided to the Council demonstrating door design sound level of 45 dBA  $L_{dn}$  has been achieved in all habitable spaces. This report must also contain a certificate by its author that the means given therein will be adequate to ensure compliance with the noise limits specified above.

#### *Reverse Sensitivities*

- d) Whether any other methods to reduce the potential for reverse sensitivity effects on the Port of Napier, other than the required insulation, have been incorporated into the design of the proposal.
- e) Whether in the circumstances, (including the number of people to be accommodated), the nature, size and scale of the development is such that it is likely to lead to potential conflict with, and adverse effects on port activities.

### **5. Subdivisions for the purpose of boundary adjustments, or subdivisions that create separate titles for existing dwellings (not including supplementary units)**

The Council will have regard to the relevant objectives and Policies of this Plan and in addition will consider:

#### *Site Design and Layout*

- a) Whether adequate open space and boundary setbacks can be provided to ensure adverse effects on amenity, privacy, residential character, and outdoor living space are avoided.

#### *Servicing*

- a) Whether separate connections to public services, particularly water, can be provided to each lot.