

Chapter 26**WEST QUAY WATERFRONT ZONE****Introduction**

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

All rules apply throughout the West Quay Waterfront Zone unless otherwise stated.

26.1 Summary of West Quay Waterfront Zone Rules

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

Rule Number and Description		Classification	Page Number
Rule 26.2	Any land use not stated by a rule as a controlled activity, a restricted discretionary activity, a discretionary activity, or a prohibited activity elsewhere in this Plan and it must comply with all the relevant conditions.	Permitted	3
Rule 26.3	Industrial activities.	Permitted	3
Rule 26.4	Commercial activities.	Permitted	3
Rule 26.5	Residential activities.	Permitted	4
Rule 26.6	Home occupations.	Permitted	4
Rule 26.7	A supplementary unit.	Permitted	4
Rule 26.8	Residential care facilities.	Permitted	5
Rule 26.9	Day care centres.	Permitted	5
Rule 26.10	Travellers' accommodation.	Permitted	5
Rule 26.11	Education facilities.	Permitted	6
Rule 26.12	Scheduled sites.	Permitted	6
Rule 26.13	Land development (including subdivision and Multi Unit Development).	Controlled	6
Rule 26.14	Licensed premises.	Controlled	6
Rule 26.15	Any subdivision, use or development of land referred to in Rules 26.2 to 26.14 that does not comply with all the relevant conditions, unless stated by a rule elsewhere in this Chapter.	Restricted Discretionary	7
Rule 26.16(a)	Alteration or demolition of any building (includes relocation of a building).	Discretionary	7
Rule 26.16(b)	Places of assembly.	Discretionary	7
Rule 26.16(c)	Health care centres with three or more health care providers.	Discretionary	7
Rule 26.16(d)	A supplementary unit that does not comply with all of the relevant conditions.	Discretionary	7
Rule 26.16(e)	Any business of prostitution.	Discretionary	7
Rule 26.16(f)	Service stations and transport depots.	Discretionary	7
Rule 26.16(g)	Camping grounds.	Discretionary	7

Rule 26.16(h)	Use of explosives, other than for temporary military training purposes.	Discretionary	7
Rule 26.16(i)	Tyre storage activities that do not comply with all the relevant conditions.	Discretionary	7
Rule 26.16(j)	Any multi-unit development which does not comply with any of the District Plan standards and terms including the provisions of the Code of Practice for Subdivision and Land Development, other than driveway widths.	Discretionary	7

WEST QUAY WATERFRONT ZONE – ACTIVITY TABLE

PERMITTED ACTIVITIES	Matters the Council will restrict its discretion to for restricted discretionary activities.
<p>26.2 Land Uses Generally</p> <p>1. Any land use is a permitted activity provided that:</p> <ol style="list-style-type: none"> a) It must comply in all respects with the relevant conditions in the West Quay Waterfront Zone activity table and condition table. b) It is not stated by a rule elsewhere in this Plan as a controlled activity, a restricted discretionary activity, a discretionary activity or a prohibited activity. 	<p>The Council will restrict its discretion to the matters referred to in Rule 26.15.</p>
<p>26.3 Industrial Activities</p> <p>1. Unless otherwise provided for, any industrial activity is a permitted activity provided that:</p> <ol style="list-style-type: none"> a) It must comply in all respects with the relevant conditions in the West Quay Waterfront Zone activity table and condition table. b) It is not stated by a rule elsewhere in this Plan as a controlled activity, a restricted discretionary activity, a discretionary activity or a prohibited activity. <p>2. Any storage of tyres is a permitted activity provided that:</p> <ol style="list-style-type: none"> a) The activity is ancillary to another activity on the site b) The tyres must be stored in a single storage area that is either inside a building or at least 10m from the front boundary of the site c) The storage area must not exceed 10m² and must not have a dimension of more than 4m d) Tyres must not be stored above a height of 2m e) Outdoor storage areas must be fully screened from all public spaces and adjoining sites f) The storage area must be locked at all times when the premise is not in use. 	<p>The Council will restrict its discretion to the matters referred to in Rule 26.15.</p> <p>NOTE: Any storage of tyres activity that does not comply with all of the relevant conditions is a discretionary activity (see Rule 26.16).</p>
<p>26.4 Commercial Activities</p> <p>1. Any commercial activity is a permitted activity provided that:</p> <ol style="list-style-type: none"> a) It must be confined to the sites in the block bounded by Customs Quay, and Lever Street, Bridge Street and West Quay, except that travellers' accommodation and office accommodation are permitted throughout the zone. b) That any area used for retailing and or office accommodation must not exceed 100m² per certificate of title, or where titles are tied under Section 37 of the Building Act 1991, the retailing area must not exceed 100m². c) That vehicle parking must be provided in accordance with Chapter 61 of this Plan and shall be located to the rear of the site. d) It must comply in all respects with the relevant conditions in the 	<p>The Council will restrict its discretion to the matters referred to in Rule 26.15, including the following:</p> <ul style="list-style-type: none"> - The effects on traffic and pedestrian safety. - The effects on amenity values. - The effects on the character of the area. - The efficient provision of carparking areas. - The need for traffic control, including signs, signals, and traffic islands. - The effects on the heritage values of the Inner City art deco resource.

<p>West Quay Waterfront Zone activity table and condition table.</p> <p>e) It is not stated by a rule elsewhere in this Plan as a controlled activity, a restricted discretionary activity, a discretionary activity or a prohibited activity.</p>	
<p>26.5 Residential Activities</p> <p>1. Any residential activity is a permitted activity provided that:</p> <p>a) It must comply in all respects with the relevant conditions in the West Quay Waterfront Zone activity table and condition table.</p> <p>b) It is not stated by a rule elsewhere in this Plan as a controlled activity, a restricted discretionary activity, a discretionary activity or a prohibited activity.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 26.15, including the following:</p> <ul style="list-style-type: none"> - The effects on the character of the area. - The effects on public health and safety. - The effects on amenity values. - The effects on traffic safety. - The type, frequency and timing of traffic.
<p>26.6 Home Occupation</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 external storage associated with the home occupation must be screened from view of any adjacent sites and public open places.</p> <p>e) Where the home occupation is located in the required garage, an alternative notional garage for the vehicle and an additional vehicle parking space must be provided for elsewhere on the site. The notional garage must comply with all the relevant access and manoeuvring conditions in Chapter 61 (Transport) of this Plan.</p> <p>f) No retailing of goods will occur from the site except for items produced on the site or fruit, vegetables or other natural products grown on the property and must be limited to 20% of the gross floor area of buildings on the site.</p> <p>g) Vehicle movements generated by the home occupation must not exceed a daily average of 20 vehicle trips to the site and must not attract pedestrian or vehicular traffic between 2200 hours and 0700 hours the following day.</p> <p>h) No objectionable odours must be produced that are able to be detected beyond the site boundary.</p> <p>i) Any sign or combination of signs must not exceed 0.3m² in total area.</p> <p>j) The home occupation complies in all respects with the relevant conditions in the West Quay Waterfront Zone activity table and condition table.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 26.15, including the following:</p> <ul style="list-style-type: none"> - The effects on the character of the area. - The effects on public health and safety. - The effects on amenity values. - The effects on traffic safety. - The type, frequency and timing of traffic.
<p>26.7 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>NOTE: A supplementary unit that does not comply in all respects with the relevant conditions is a discretionary activity. Refer to Rule 26.16.1(d).</p>

<ul style="list-style-type: none"> b) No more than one supplementary unit may be located on the same site as one other dwelling unit. c) The gross floor area of the unit must not exceed 80m² including a notional garage. d) The unit need not comply with the open space and density conditions. e) The unit must comply in all other respects with the relevant conditions in the West Quay Waterfront Zone Activity Table and Condition Table. 	
<p>26.8 Residential Care Facilities</p> <p>1. A residential care facility is a permitted activity provided that:</p> <ul style="list-style-type: none"> a) The facility must not cater for in excess of 10 residents, excluding staff. b) Any outdoor storage associated with the residential care facility must be screened from view of any adjacent sites and public open places. c) Any sign or combination of signs must not exceed 0.3m² in total area. d) The facility complies in all respects with the relevant conditions in the West Quay Waterfront Zone activity table and condition table. 	<p>The Council will restrict its discretion to the matters referred to in Rule 26.15.</p>
<p>26.9 Day Care Centres</p> <p>1. A day care centre is a permitted activity provided that:</p> <ul style="list-style-type: none"> a) The centre must not cater for in excess of 10 students, excluding staff. b) Any sign or combination of signs must not exceed 0.3m² in total area. c) Any outdoor storage associated with the day care centre must be screened from view of any adjacent sites and public open spaces. d) One day care centre loading space must be provided on the site. e) The centre complies in all respects with the relevant conditions in the West Quay Waterfront Zone activity table and condition table. 	<p>The Council will restrict its discretion to the matters referred to in Rule 26.15.</p>
<p>26.10 Travellers' Accommodation</p> <p>1. Travellers' accommodation is a permitted activity provided that:</p> <ul style="list-style-type: none"> a) The travellers' accommodation must not cater for in excess of 5 guests, excluding staff and/or family. b) Any outdoor storage area associated with the traveller's accommodation must be screened from view of any adjacent sites and public open places. c) The accommodation complies in all respects with the relevant conditions in the West Quay Waterfront Zone activity table and condition table. 	<p>The Council will restrict its discretion to the matters referred to in Rule 26.15.</p>

<p>26.11 Education Facilities</p> <p>1. Education facilities are a permitted activity provided that:</p> <ul style="list-style-type: none"> a) The facility must not cater for in excess of 10 students. b) Any sign or combination of signs must not exceed 0.3m² in total area. c) Any outdoor storage associated with the education facility must be screened from view of any adjacent sites and public open places. d) The facility must comply in all respects with the relevant conditions in the West Quay Waterfront Zone activity table and condition table 	<p>The Council will restrict its discretion to the matters referred to in Rule 26.15.</p>
<p>26.12 Scheduled Sites</p> <p>1. Any scheduled land use on a scheduled site is a permitted activity provided that:</p> <ul style="list-style-type: none"> a) It must comply in all respects with the rules in Chapter 55 (Scheduled Sites). 	<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>26.13 Land Development (Including Subdivision and Multi Unit Development)</p> <p>1. Land development, including subdivision is a controlled activity provided that:</p> <ul style="list-style-type: none"> a) It must comply in all respects with the standards and terms specified in Chapter 66 of this Plan. b) it must comply in all respects with the standards and terms in the West Quay Waterfront Zone Activity Table and Condition Table. c) It is assessed according to the matters in Chapter 66 over which the Council has reserved its control. <p>2. The written approval of affected persons will not be necessary in respect of land development (including subdivision) that fully complies with the standards and terms, and the application need not be notified.</p>	<p>The Council will exercise its discretion over the assessment criteria specified in Chapter 66 (Code of Practice for Subdivision and Land Development) of this Plan.</p>
<p>26.14 Licensed Premises</p> <p>1. A licensed premises is a controlled activity provided that:</p> <ul style="list-style-type: none"> a) They comply in all respects with the relevant conditions stated elsewhere in the West Quay Waterfront Zone activity table and condition table. <p>The Council shall exercise its control over the following:</p> <ul style="list-style-type: none"> b) The hours of operation. <p>2. The written approval of affected persons will not be necessary in respect of licensed premises that fully comply with the standards and terms and the application need not be notified.</p>	<p>The Council will restrict its discretion to the matters referred to in Rule 26.15.</p>

RESTRICTED DISCRETIONARY ACTIVITIES	Matters the Council will restrict its discretion to for restricted discretionary activities.
<p>26.15 Land Uses Not Complying With Conditions</p> <p>1. Any subdivision, use or development of land referred to in Rules 26.2 to 26.14 that does not comply with all of the relevant conditions in the West Quay Waterfront 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 West Quay Waterfront Zone activity table and/or 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 31 of this Plan where applicable.
DISCRETIONARY ACTIVITIES	
<p>26.16 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 31. The Council's discretion is unrestricted.</p> <ul style="list-style-type: none"> a) Alteration or demolition of any building (including relocation of a building). b) Places of assembly. c) Health care centres with three or more health care providers. d) A supplementary unit that does not comply in all respects with all the relevant conditions in the West Quay Waterfront Zone activity table and condition table. e) Any business of prostitution (including those that do not comply with all of the relevant conditions as a Home Occupation). f) Service stations and/or transport depots. g) Camping grounds. h) Use of explosives, other than for temporary military training purposes. i) Any tyre storage activity that does not comply in all respects with the relevant conditions. j) Any multi-unit development which does not comply with any of the District Plan standards and terms including the provisions of the Code of Practice for Subdivision and Land Development, other than driveway widths. 	
PROHIBITED ACTIVITIES	
<p>26.17 Prohibited Activities</p> <p>1. There are no land uses that are a prohibited activity within the West Quay Waterfront Zone.</p>	

WEST QUAY WATERFRONT ZONE – CONDITION TABLE

CONDITIONS FOR PERMITTED ACTIVITIES AND CONTROLLED ACTIVITIES	Matters the Council will restrict its discretion to for restricted discretionary activities.
<p>26.18 Yards</p> <p>1. The following yard conditions shall apply to all land uses:</p> <ol style="list-style-type: none"> a) Zero lot lines must be provided for all sites throughout the zone with the exception of the site boundaries adjoining Tn Sec 767. b) Any part of a building (including eaves and guttering) must not be erected closer than 3 metres within the zone boundary adjoining Tn Sec 767. c) A 2 metre yard must be provided on either side of the boundary between Lots 1 and 2 DP 23010 that abut between the Nissho Roberts and New Zealand Shipping Company buildings on West Quay. <p>Explanation This will provide important pedestrian access to possible carparking areas and will maintain the significant facades of the Nissho Roberts and New Zealand Shipping Company buildings.</p>	<p>Matters:</p> <ul style="list-style-type: none"> - The effects on heritage values of buildings. - The effects on the interface between buildings and the road. - The effects on pedestrian and vehicle access. - The effects on the clear separation of old and new developments. <div data-bbox="991 499 1544 801" style="border: 1px solid black; padding: 5px;"> <p style="text-align: center;">YARD REQUIREMENT</p> <p>The diagram illustrates the yard requirements between different land parcels. On the left, 'Pt Tn Sec 601' is shown with a '3.0 metre' yard from the 'Zone Boundary' to the 'West Quay Waterfront'. To the right, 'Tn Sec 767' is shown with a '15.0 metre' yard from the 'Zone Boundary' to 'Lot 1 DP 10276'. The ground level is labeled 'WEST QUAY'.</p> </div>
<p>26.19 Height</p> <p>1. The following maximum height conditions shall apply to all land uses, other than aerials, lines and support structures:</p> <ol style="list-style-type: none"> a) The height of buildings must correspond with the building outline shown in Appendix 11 for each of the blocks Custom Quay to Lever Street and Lever Street to the South. b) For sites within the zone where buildings are not in existence as at 11th November 2000, the height of new buildings must be RL 24.10 level datum. c) Any part of a building, structure or tree must not exceed the Airport Height Control Designation in Appendix 7. d) Where there is conflict between any of the height control lines or limits above, the lowest height must prevail. e) Where the Airport Height Control Designation prevails in accordance with Rule 26.19.1(d): <ol style="list-style-type: none"> 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. 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) Height must be measured using the rolling height method. 	<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 effects of shading. - The effects on amenity values.
<p>26.20 Outdoor Storage</p> <p>1. The following outdoor storage conditions shall apply to all land uses:</p> <ol style="list-style-type: none"> a) Outdoor storage areas or stockpiles: <ol style="list-style-type: none"> i) Must be screened from the view of any adjacent residential zone or public open place by tree plantings or a fence or 	<p>Matters:</p> <ul style="list-style-type: none"> - The effects on the shading of adjacent sites. - The effects on the visual amenity of the area. - The effects on people's health and safety. - The effects on surface and groundwater quality. - The effects on soil contamination.

<p>hedge at least 1.8 metres high.</p> <p>ii) Must not provide a food source for birds or vermin.</p> <p>iii) Must be located on sealed and drained areas if they consist of decomposable material likely to generate contaminated leachate.</p>																	
<p>26.21 Refuse Storage</p> <p>1. The following refuse storage conditions shall apply to all industrial and commercial activities:</p> <p>a) A refuse storage area must be provided that is adequate to store the average volume of trade waste produced on-site over a one week period.</p> <p>b) The refuse storage area must be screened from any adjacent residential activity or public open place by a fence or hedge at least 1.8 metres high.</p> <p>c) The refuse storage area must not provide a food source for birds or vermin.</p>	<p>Matters:</p> <ul style="list-style-type: none"> - The effects on the visual amenity of the area. - The effects on people's health and safety 																
<p>26.22 Noise</p> <p>1. The following noise conditions shall apply to all land uses, 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:</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>On any day at all hours</td> <td>60 dB L_{Aeq} (15 min)</td> </tr> <tr> <td>On any day at all hours</td> <td>85 dB L_{AFmax}</td> </tr> </table> <p>b) Provided that, at any point within any Residential Environment, the following noise limits must not be exceeded:</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>55 dB L_{Aeq} (15 min)</td> </tr> <tr> <td>1900 to 2200 hours</td> <td>50 dB L_{Aeq} (15 min)</td> </tr> <tr> <td>2200 to 0700 hours the following day</td> <td>45 dB L_{Aeq} (15 min)</td> </tr> <tr> <td>2200 to 0700 hours the following day</td> <td>75 dB L_{AFmax}</td> </tr> </table> <p>c) All land uses must comply in all respects with the relevant conditions in Chapter 57 (Noise) of this Plan.</p> <p>d) The following minimum External Sound Insulation Level standards shall apply to all habitable rooms within any noise sensitive activity (including the addition or alteration of a habitable room which exceeds 10% of the existing gross floor area):</p> <p>(i) The habitable room within the noise sensitive activity shall achieve a minimum External Sound Insulation Level of the building envelope of $D_{tr,2m,nTw} + C_{tr} > 30$ dB for outside walls of any habitable rooms.</p> <p>(ii) Where it is necessary to have windows closed to achieve the acoustic design requirements, an alternative ventilation system shall be provided. Any such ventilation system shall be designed to satisfy the requirements of the Building Code and achieve a level of no more than NC30 in any habitable room.</p> <p>(iii) An acoustic design report must be provided to the</p>	Control Hours	Noise Level	On any day at all hours	60 dB L _{Aeq} (15 min)	On any day at all hours	85 dB L _{AFmax}	Control Hours	Noise Level	0700 to 1900 hours	55 dB L _{Aeq} (15 min)	1900 to 2200 hours	50 dB L _{Aeq} (15 min)	2200 to 0700 hours the following day	45 dB L _{Aeq} (15 min)	2200 to 0700 hours the following day	75 dB L _{AFmax}	<p>Matters:</p> <ul style="list-style-type: none"> - The maximum noise 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																
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<p>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 acoustic design requirements specified in this rule.</p> <p>iv) 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 standards in (c) above.</p>	
<p>26.23 Light Spill</p> <p>1. The following light spill condition 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 15 lux, measured horizontally or vertically as an average (at a height of 1.5 metres above ground level) at any point beyond the site boundary.</p> <p>b) 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 in a building used for a residential activity).</p> <p>c) 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>d) The outdoor lighting must be so selected, located aimed, adjusted, screened and maintained to ensure that glare resulting from the lighting does not cause a significant level of discomfort to any occupants of residential activities, or a significant traffic hazard to aircraft or vehicles on any road.</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 positive effects on pedestrian safety. - The effects on amenity values.
<p>26.24 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 effects on public health. - The effects on the structural integrity of adjacent buildings and facilities. - The effects on amenity values of the area.
<p>26.25 Odour and Dust</p> <p>Note: The discharge of contaminants (including odour and dust) onto or into air or water is regulated by the Hawke's Bay Regional Resource Management Plan and may require resource consent approval. Contact the Hawke's Bay Regional Council for advice.</p>	
<p>26.26 Stormwater Runoff</p> <p>Note: The discharge of stormwater to land and/or water is regulated by the Hawke's Bay Regional Resource Management Plan and may require resource consent. Contact the Hawke's Bay Regional Council for advice. The discharge of stormwater into the public stormwater network is regulated by the Stormwater Bylaw 2012.</p>	

<p>26.27 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> <ul style="list-style-type: none"> a) Aerials, lines and/or support structures must not exceed the Airport Height Control Designation in Appendix 7. b) Where there is conflict between any of the height control lines or limits above, the lowest height must prevail. c) Where the Airport Height Control Designation prevails in accordance with Rule 26.27.1(c): <ul style="list-style-type: none"> 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. 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. d) Where there is conflict between any of the height control lines or limits in (a) and (b) above, the lowest height must prevail. e) Dish antenna must not exceed 5 metres in diameter. 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: <ul style="list-style-type: none"> i) The distance from the centre to the furthest element tip must not exceed 7.5 metres in a horizontal direction. ii) There must be no more than one such structure on the site. g) The aerial, line and/or support structure must comply with the conditions relating to yards and height in relation to boundary in the West Quay Waterfront Zone condition table. 	<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 affected. - The cumulative effect of additional aerials, lines and/or support 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>26.28 High Volume Water Using Activities</p> <p>NOTE: The maximum rate of wastewater discharge to the Napier City Council wastewater reticulation system is controlled by the Napier City Council Trade Waste Bylaw.</p> <p>There are limitations on the capacity of the wastewater system in some parts of the City which may require restrictions on the rate of discharge.</p> <p>Discussion with the Works Asset Department is recommended.</p>	
<p>26.29 Roof Surfaces</p> <p>1. The following condition shall apply to all new roofs.</p> <ul style="list-style-type: none"> a) All new roof surfaces shall be constructed from inert materials or painted with non-metal based paint and thereafter maintained in good order. <p>NOTE: Stormwater may only be discharged to a Council reticulated network in compliance with the Napier City Stormwater Bylaw 2012.</p> <p>All on-site stormwater discharges are regulated by the Hawke's Bay Regional Resource Management Plan and may require resource consent approval. Contact the Hawke's Bay Regional Council for advice.</p>	<p>Matters:</p> <ul style="list-style-type: none"> - The effects on public health and safety. - The effect on stormwater discharges associated with the industrial and commercial land use. - The mitigation measures to avoid contamination from stormwater runoff. <p>The effect on the ecology and aquatic life of the Ahuriri Estuary.</p>

<p>26.30 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>26.31 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>26.32 Signs</p> <p>1. The following signs conditions apply to all land uses:</p> <p>a) Signs must comply with rules in Chapter 58 (Signs).</p> <p>b) Any sign attached to, and protrudes from, the building facade over any road frontage must not exceed 0.3m² in total area.</p>	<p>Matters:</p> <p>Refer to Chapter 58 (Signs) of this Plan.</p>
<p>26.33 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>26.34 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>26.35 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>26.36 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>26.37 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>26.38 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>26.39 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>26.40 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) of this Plan 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>