### Aotea Supermarket ZONE RULES AND STANDARDS

#### D8.1 Aotea Supermarket Zone Rules

The status of activities in the Aotea Supermarket Zone is shown in tabular form as follows:

<table>
<thead>
<tr>
<th>Rule Number</th>
<th>Activity</th>
<th>Status</th>
<th>Standards</th>
<th>Matters of Control and Assessment Criteria</th>
<th>Notification</th>
</tr>
</thead>
<tbody>
<tr>
<td>D8.1.1(i)</td>
<td>Operation of supermarkets.</td>
<td>Permitted</td>
<td>D8.2.1</td>
<td></td>
<td>Not applicable.</td>
</tr>
<tr>
<td>D8.1.2(i)</td>
<td>Construction of a building used for a supermarket in general accordance with the Structure Plan, including subdivision, to enable such activity</td>
<td>Controlled</td>
<td>D8.2.1 D8.2.2</td>
<td></td>
<td>Non-notified.</td>
</tr>
<tr>
<td>D8.1.2(ii)</td>
<td>Alterations and additions to a building.</td>
<td>Controlled</td>
<td>D8.2.1 D8.2.2</td>
<td>D8.3</td>
<td>Non-notified.</td>
</tr>
<tr>
<td>D8.1.2(iii)</td>
<td>Formation of Eskdale Road and its connection to Whitford Brown Avenue.</td>
<td>Controlled</td>
<td>D8.2.2</td>
<td>D8.3</td>
<td>Non-notified.</td>
</tr>
<tr>
<td>D8.1.3</td>
<td>Any permitted or controlled activity that that does not comply with an Activity Standard in D8.2 or is not generally in accordance with the Structure Plan except for supermarkets that exceed 3,160m² gross floor area.</td>
<td>Restricted Discretionary</td>
<td>The exercise of discretion is restricted to the following matters: a) Effects on the environment of not complying with the relevant permitted or controlled activity standards; and imposition of financial contributions in accordance with part E of this plan; b) the assessment criteria in Rule D8.3</td>
<td>Notification decision required.</td>
<td></td>
</tr>
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<td>Rule Number</td>
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<tr>
<td>D8.1.4(i)</td>
<td>All activities which are ancillary to a supermarket but which are not permitted, controlled, restricted discretionary or non-complying and are not specified in D8.1.5.</td>
<td>Discretionary</td>
<td></td>
<td></td>
<td>Notification decision required.</td>
</tr>
<tr>
<td>D8.1.4(ii)</td>
<td>Supermarkets that exceed 3,160m² gross floor area.</td>
<td>Discretionary</td>
<td></td>
<td></td>
<td>Notification decision required.</td>
</tr>
<tr>
<td>D8.1.5</td>
<td>All activities that are not a permitted, controlled, restricted discretionary or a discretionary activity. Activities which emit an objectionable odour. Offensive trades.</td>
<td>Non-complying</td>
<td></td>
<td></td>
<td>Notification decision required.</td>
</tr>
</tbody>
</table>
D8.1.1 Permitted activities

Any one or more of the following are permitted activities where these comply with Permitted Activity Standards in Rule D8.2.1:

(i.) The operation of supermarkets.

D8.1.2 Controlled activities

Any one or more of the following are controlled activities where these are in general accordance with the structure plan and the controlled activity standards for bulk and location in Rule D8.2.2:

(i.) The construction of any building to be used as a supermarket with a maximum gross floor area of 3,160 square meters and any associated car-parking, landscaping and signage.

(ii.) External alterations or additions to any building used as a supermarket.

The matters over which the Council reserves control for the purpose of assessment related to (i) and (ii) above are:

(a) Design and external appearance.

(b) Active street frontages.

(c) Building wall and façade treatment.

(d) Site layout and setbacks from boundaries.

(e) Pedestrian amenity, safety and access.

(f) Vehicle access, manoeuvring, parking, loading, and associated landscape treatment.

(g) Noise.

(h) Lighting.

(i) The extent, type, nature and maintenance of landscaping and screening.

(j) Signage, including free standing signs.

(k) The imposition of financial contributions in accordance with Part E of this plan.

(l) Earthworks and stormwater detention and treatment.

(m) The requirement for an accidental discovery protocol related to historic heritage.

(n) The scope and preparation of a cultural impact assessment.

(o) Hours of operation.
(p) Construction effects.

(q) The imposition of monitoring and review conditions to address significant consequent effects on the road network.

(iii.) The formation of Eskdale Road and its connection to Whitford Brown Avenue.

The matters over which the Council reserves control for the purpose of assessment are:

(a) the provision of sufficient land – including within the supermarket site – to ensure safety and an appropriate level of service for all road users (motor vehicles, pedestrians and cyclists);

(b) the nature of the intersection;

(c) the route of the road;

(d) earthworks;

(e) on site stormwater treatment; and

(f) the imposition of financial contributions in accordance with Part E of this plan.

Non-Notification

Applications for any Controlled Activity will be considered without notification or the need to obtain approval from affected persons.

D8.1.3 Restricted discretionary activities

Any one or more of the following are restricted discretionary activities:

(i.) Any permitted or controlled activity that does not comply with an activity standard in Section D8.2. except for supermarkets that exceed a gross floor area of 3,160m².

(ii.) Any permitted or controlled activity that is not generally in accordance with the Structure Plan except for supermarkets that exceed the GFA a gross floor area of 3,160m².

The Council restricts the exercise of its discretion to the following matters:

(a) the effects of not complying with any permitted or controlled activity standard; and

(b) the imposition of financial contributions in accordance with part E of this plan;

(c) the assessment criteria in Rule D8.3.
D8.1.4 Discretionary activities

Any one or more of the following are discretionary activities:

(i.) All activities which are ancillary to a supermarket but which are not permitted, controlled, or restricted discretionary.

(ii.) Supermarkets that exceed a gross floor area of 3,160m².

D8.1.5 Non-complying activities

Any one or more of the following are non-complying activities:

(i.) All activities that are not a permitted, controlled, restricted discretionary or a discretionary activity.

(ii.) Activities which emit an objectionable odour.

(iii.) Offensive trades.

D8.2 Aotea Supermarket Zone Standards

D8.2.1 Permitted activity standards

D8.2.1.1 Noise

(a) Activities conducted on the site shall be undertaken so that the following noise limits are not exceeded at any point within any boundary of a Suburban or Public Open Space Zone site;

Daytime [7am to 10pm] \( L_{Aeq [15 min]} \) 55dB

Night time [10pm to 7am] \( L_{Aeq [15 min]} \) 45dB

Night time [10pm to 7am] \( L_{AFmax} \) 75dB

Noise shall be measured in accordance with NZS 6801:2008 Acoustics – Measurement of Environmental Sounds and assessed in accordance with NZS6802:2008 Acoustics – Environmental Noise. \( L_{Aeq} \) means energy average.

(b) All construction activities shall be managed and controlled to ensure noise emission levels do not exceed the limits set out in NZS6803:1999 ‘Acoustics – Construction Noise’ when measured and assessed in accordance with that Standard.

(c) Any application made for building consent for any building housing non-residential activities on the site shall be accompanied by an Acoustic Design Certificate prepared by a suitably qualified and experienced acoustic consultant and submitted to the Council. This acoustic design certificate shall certify that the activity-related noise sources proposed
incorporate sufficient mitigation and have been appropriately designed, laid out, constructed, and screened to ensure compliance with the permitted noise standard for the zone.

D8.2.1.2 Construction of Eskdale Road

Eskdale Road, from its intersection with Whitford Brown Avenue to at least the entry to Lot 2 (a subdivision of Lot 11 DP 81969) shall be formed in accordance with the Porirua City Council Code of Land Development and Subdivision Engineering prior to commencement of operation of any supermarket within the Aotea Supermarket Zone.

D8.2.2 Controlled activity standards

D8.2.2.1 Bulk and Location

(i) Height
   (a) The maximum height of any building or part of a building on a site shall be 12m, with the exception of rooftop plant platforms.

   (b) The maximum height limit of any building or part of a building on a site shall be 10.5m within the first 10m of the front boundary (including the 5m setback).

(ii) Height Recession Plane
   (a) All buildings must be within a building envelope of 3m height and a vertical angle of 45° into the site, measured at right angles from any point along the boundary of the site with the Suburban Zone.

       For avoidance of doubt, this standard does not apply to any part of the boundary of the site with legal road.

(iii) Site Coverage
   (a) The maximum site coverage shall be 45% of the net site area.

(iv) Yards
   (a) Front yards – 5m

   (b) Other yards – 1.5m

(v) Active Street Frontage
   (a) All buildings with a façade to Whitford Brown Avenue shall be provided with a minimum of 35% glazing along the wall that fronts to this street.

   (b) All buildings with a façade to Whitford Brown Avenue shall provide the main pedestrian access point to the building out to this street.

(vi) Canopies and Verandas
   (a) All buildings with a façade to Whitford Brown Avenue shall be provided with a canopy over the main pedestrian access point to the building that is a minimum of 3 metres wide.
D8.2.2.2 Transport, Parking and Loading

(i) Car Parks
(a) The number of car parks for a supermarket of 3,160m$^2$ gross floor area shall be no less than 145.
(b) Supermarkets of lesser gross floor area shall provide car parks at the same proportionate rate.
(c) All car parks are to be located within the site.
(d) All car parks shall comply with the technical standards in Part H of this plan.

Note: Where the assessment of the number of car parks results in a fractional space the fraction shall be rounded to the nearest whole number.

(ii) Transport, loading and access
(a) All loading and unloading of goods shall take place within the site, with access from Eskdale Road.
(b) The loading dock area is to be of sufficient size to handle the manoeuvring of a B-train type truck within the site in compliance with NZTA guidelines: RTS 18 New Zealand On Road Tracking Curves for Heavy Vehicles 2007
(c) A transport management plan shall be provided that shall address the matters referred to in assessment criterion D8.3(e)(viii)-(x).

(iii) Road access to the Aotea Supermarket Zone
(a) Roads and access to the Aotea Supermarket Zone shall be formed in accordance with the Porirua City Council Code of Land Development and Subdivision Engineering prior to commencement of operation of any supermarket within the Aotea Supermarket Zone.
(b) The type and design of intersection between Eskdale Road and Whitford Brown Avenue shall reflect its status as the intersection of a Major Urban Arterial Road and a Principal Street and shall be consistent with implementation of the Porirua City Council Transportation Strategy 2012, especially with regard to safety and levels of service.
(c) The design standard for Eskdale Road shall be as a Principal Street, and shall be designed for peak flow as if Eskdale Road was linked through to the Papakowhai portion of Eskdale Road. Formation of the road shall meet the Council's Code of Land Development and Subdivision Engineering including with respect to property access.
D8.2.2.3 Outdoor Amenity

(i) Screening
Any outdoor storage area or rubbish collection area visible from other sites or roads shall be screened from view by landscape planting and / or a closed boarded fence or solid fence a minimum height of 1.8 metres.

(ii) Signs
(a) A single free standing sign with no more than two sides that is located on either the Whitford Brown Avenue or Eskdale Road frontage of the Aotea Supermarket Zone shall have a maximum height of 8m, and a maximum sign face area of 20m² on each side of the sign. For the purpose of this rule, the sign face area excludes the sign's supporting frame, but includes any part of the sign occupied by words or other symbols and graphics.

(b) Signs shall not move and, if illuminated, shall not flash. Illuminated signs are subject to the controlled activity lighting standard.

(c) Signs on each façade of the building that are contained totally within the profile of the building with a maximum area of 30m² and a maximum length of 15m for each façade.

(iii) Landscaping
(a) All street frontages except points of access shall incorporate landscape planting to a minimum depth of 5m in accordance with the structure plan.

(b) Other yards to a depth of 1.5m shall incorporate landscape planting except where retaining walls are to be erected in accordance with the structure plan.

(iv) Lighting
(a) All external lighting shall be shaded or directed away from adjoining sites or roads, and shall be less than 8 lux spill measured at a height of 1.5 metres above the ground at the boundary of the site.

D8.2.2.4 Subdivision
All subdivision within the Aotea Supermarket Zone shall be a Controlled Activity where the subdivision:

(a) is either integrated with a resource consent for supermarket buildings or follows the completion of buildings; and

(b) ensures the location of the boundaries of all lots complies with the permitted and controlled activity standards.

(c) has a design and layout which maintains the safe and effective operation and maintenance of and access to regionally significant network utilities located on or in proximity to the site; and
(d) has regard to the outcome of consultation with the owner or operator of regionally significant network utilities located on or in proximity to the site.

**D8.3 Assessment Criteria: Controlled & Restricted Discretionary Activities**

When assessing an application for Controlled or Restricted Discretionary activity resource consents for the construction, or erection or relocation of any building for a supermarket, or external alterations or additions to any building used as a supermarket and any associated car-parking, landscaping and signage, the Council shall have regard to the following assessment criteria:

(a) **Structure Plan**

(i) The extent to which the proposal is generally in accordance with the Structure Plan.

(b) **Design and external appearance**

(i) The extent to which the building is visually attractive and interesting.

(ii) The extent to which the building is reasonably harmonious and compatible with other land uses in the neighbourhood, in particular through the use of subdued colours and materials sympathetic to the surrounding character of the neighbourhood.

(iii) The extent to which active frontage with Whitford Brown Avenue is being provided.

(iv) The manner in which blank walls and façades are being treated.

(v) The extent to which the signage has effects on residential amenity and traffic safety.

(vi) The extent to which a positive contribution is made to neighbourhood amenity.

(c) **Site layout and setbacks from boundaries**

(i) The extent to which the yard requirements provide appropriate setbacks to maintain the amenity outcomes for the zone.

(ii) The extent to which the site layout appropriately provides for stormwater detention and/or treatment.

(d) **Pedestrian amenity, access and safety**

(i) Whether the development, including associated roading changes, will enhance safety for pedestrians and cyclists.

(ii) Whether pedestrian routes to the buildings are direct, convenient, legible, attractive and safe.

(iii) Whether level pedestrian access is provided at the main entrances to the buildings.
(iv) Whether the design approach for the buildings promotes an integrated pedestrian network that seamlessly joins the existing framework of pedestrian routes.

(v) Whether the design approach for the buildings incorporates a high standard of pedestrian provision including canopies, generous pavement widths and street furniture.

(vi) Whether the practice of integration of pedestrian movement and landscaping gives the opportunity to appropriately consider Crime Prevention Through Environment Design (CPTED) principles to ensure a safe environment is created.

(vii) Whether the noise disturbance is acceptable for amenity and public health reasons.

(viii) Whether the provision of artificial lighting has been carefully considered to ensure safety for pedestrians after dark.

(e) Roading, Vehicle access and parking

(i) Whether the vehicle access to the site provides for safe and convenient access of vehicles in a manner that maintains the efficient operation of the adjoining road network.

(ii) Whether the vehicle access to the site has been suitably designed to minimise disruption of pedestrian movement and safety.

(iii) Whether the location and design of the car parking area provides for a convenient, safe and efficient circulation pattern.

(iv) Whether the level of on site carparking is adequate including for taxis.

(v) Whether the loading area is of adequate size and purpose to avoid disturbance to traffic and amenity.

(vi) The extent of wheelchair and cycle access.

(vii) The extent of integration with public transport in terms of access, safety and efficiency.

(viii) Whether access to the site by service and delivery vehicles minimises the use of non-arterial routes.

(ix) Whether the management of access to the site by service and delivery vehicles maximises the use of off-peak traffic and pedestrian periods, while minimising the potential for disruption to nearby residential properties.

(x) Whether there is sufficient onsite parking for staff, and/or management measures that will avoid or minimise the risk of them using street-side parking on local roads.
(f) Lighting, glare and privacy

(i) Whether the design of light fittings and light poles (including placement, direction, height and shielding) minimises light spill and glare to the surrounding area as far as practicable.

(ii) Whether the design of the parking area and associated landscaping minimises the risk of headlights being directed onto houses opposite the site, or compromising the safety of pedestrians, cyclists and road users in general.

(iii) Whether the materials and surface treatments used on roofs and walls (including glazing) will, as far as practicable, minimise the risk of glare affecting the surrounding area.

(iv) The degree to which the supermarket lighting can be regulated to reduce light output outside of opening hours in a way that minimises adverse effects on neighbouring residential properties.

(v) Whether appropriate design treatment has been undertaken on the Whitford Brown Avenue frontage of the building to prevent overlooking onto neighbouring residential properties.

(g) The extent, type and nature of landscaping and screening

(i) Whether specimen trees are included in the landscape proposal that are capable of achieving a minimum height of 8 metres or more at maturity and a planting grade of PB150 or larger.

(ii) Whether the landscape proposal is designed to create visual interest and contribute to the visual amenity of the surrounding suburban area.

(iii) Whether the landscape proposal relates appropriately to and is designed to further enhance the existing streetscape and landscape character of the surrounding area.

(iv) Whether the landscape proposal will soften the visual impact of structures and minimise conflicts of scale.

(v) Whether the landscape proposal provides for an appropriate level of visual screening of parking areas, service and loading areas and outdoor storage areas.

(vi) Whether opportunities have been taken to introduce high quality surface materials and street furniture where practicable.

(vii) Whether a landscape design including planting that is required as a matter for control will appropriately give effect to matters covered by other assessment criteria.

(h) The maintenance of landscaping and plantings.
Whether the landscape design and planting proposal adequately provides for the maintenance of landscape elements and plantings.

(i) **The design and construction of Eskdale Road**

Whether the design and construction of Eskdale Road in order to provide access to the Aotea Supermarket Zone, provides for:

(i) An appropriate level of service and intersection performance.

(ii) Consideration of the safety of vehicle traffic, pedestrians and cyclists.

(iii) Suitable servicing of existing residential properties that have access to Eskdale Road.

(iv) An appropriate standard of functional and design relationship to the adjoining Conclusion Walkway reserve.

(v) Growth potential.

(vi) Consideration of traffic management measures for the surrounding road network.

(j) **Signs**

(i) Whether the sign is in scale with the building development.

(ii) Whether larger signs are detrimental to the visual character of nearby residential or open space areas.

(iii) Whether signs detract from the architecture of the building to which they are attached.

(iv) Whether additional signs will result in clutter.

(v) Whether in respect of the freestanding signs they are compatible with the landscaping plan for the site.

(vi) Whether the location, size, number, illumination or movement of a sign or signs will compromise traffic or pedestrian safety.

(k) **Noise**

(i) Whether construction activities will be managed and controlled to ensure that noise emission levels do not exceed the limits in the applicable New Zealand Standard.

(ii) Whether an Acoustic Design Certificate has been prepared, to certify that activity related to noise sources associated with the proposed supermarket incorporate sufficient mitigation and have been appropriately designed, laid out, constructed, and screened, to ensure compliance with the permitted activity noise standard.
(iii) Whether noise management procedures (such as an operations management plan) are proposed as a means of minimising noise generation at source.

(iv) Whether proposed hours of operation are appropriate in relation to effects on residential amenity.
The Structure Plan for the Aotea Supermarket Zone is displayed below