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## Section 7: Aquatic Park Zone

### 7.1 Introduction

The Aquatic Park development is situated between Stranges Road, Boundary Road and the Ashburton River (Hakaterere), approximately 6 kilometres south of State Highway 1 at Tinwald and 10 kilometres from the centre of Ashburton (Kapuka) town.

An area of the Aquatic Park Zone (APZ) was made operative in the District Plan on 8 October 2001. The APZ established specific provision for the development and ongoing use of an artificial lake and recreational park development, later named Lake Hood.

Lake Hood was the outcome of over a decade of community planning in recognition of the need for Ashburton District to have a nearby recreational water resource. The Ashburton Aquatic Park Charitable Trust (AAPCT) was established as a specific governing body to achieve the funding for and development of the Park. The AAPCT's task was to raise the capital and community support required to create Lake Hood.

Currently, Lake Hood is a significant community asset close to Ashburton (Kapuka), comprising:

- an approximately 85 hectare expanse of water, for a wide range of recreational uses;
- an eight lane international standard rowing course;
- an international standard water skiing course;
- a large recreational park surrounding the lake, with parking areas, picnic areas and boat ramps;
- a small commercial hub, including a restaurant and conference facility; and
- a series of canals with an integrated residential subdivision complete with private jetties and allowing for up to 150 residential units.

The Aquatic Park Zone is very well used by the local community. Lake Hood has become a recreational destination for the community, with a wide range of water-based pursuits undertaken, including water skiing, sailing, rowing, leisure power craft, kayaking, jet skiing, triathlons, swimming and fishing.

In addition to the high use of the lake itself, the park surrounding the lake is well used for land-based recreational activities, such as walking, picnicking and viewing friends and family involved with water-based pursuits. The Lake House, located in the commercial hub of the Aquatic Park, is a lakefront facility for dining, special events, and meetings.

The Lake Hood Aquatic Park is a popular and attractive place to live and a recreational destination of high demand. In order to meet the increased recreational and residential demand in the District and elsewhere in Canterbury the AAPCT plans an extension of the Aquatic Park Zone, on land to the immediate north of the existing lake extending northwards to Boundary Road.

The site of the extended Aquatic Park development is a former flood plain of the Ashburton (Hakaterere) River. It has been actively farmed as Riversdale Farm. The property has been used for mixed farming and the vegetation is generally what might be expected in association with that activity. At present most of the land is used for cropping with pine shelterbelts throughout the property. Some wetland areas have been fenced and contain patches of flax, sedges, raupo, rushes and cabbage trees. Alongside the river there is a band of willows, blackberry, gorse, brambles and some flax and cabbage trees. There are also some willows, elderberry and cabbage trees scattered across the property. However, past investigations indicate that there is no vegetation which has nature conservation significance for the District.

The soils on the site have been described as Selwyn soil types. They occur in the complex pattern often found on river flats. This arises because of the irregularity of their deposition on the site as a result of the action of the river over the last 3,000 years. Basically the soils are found in lenses rather than in continuous layers. The depth of the soils is generally shallow without the depth of loess found on the higher terraces.

On the western boundary there is a river terrace some 4-5 metres high which separates the flood plain area from the more productive soils. The land generally falls away from this terrace in a south-easterly direction towards the Ashburton (Hakaterere) River.

Carters Creek, Bayliss Stream and the Ashburton (Hakaterere) River (via an intake canal) flow into the existing lake. Carters Creek originates to the north of Tinwald flowing in a more or less southerly direction through Tinwald and agricultural land before entering the existing lake at the north-western corner. Bayliss Stream spring originates in the pastoral area immediately to the north of the existing Lake Hood entering the lake near the middle of the northern shore.

Riversdale Homestead and associated buildings are listed heritage buildings. High voltage transmission lines run through the northern part of the site, generally from southwest to northeast.

The Aquatic Park Zone is physically well contained:

- the southern border of the existing Lake Hood development provides a physical buffer between the zone and rural land to the south of Lake Hood;
- the Ashburton (Hakaterere) River and riparian margin borders the zone to the east, providing a physical buffer between the site and rural land to the east of the river;
- Boundary Road borders the zone to the north; and
- Stranges Road borders the zone to the west.

The extension to the Aquatic Park Zone provides an increased area of lake, creating a total lake area of 180 hectares. This extended area of lake increases recreational capacity and reduces recreational conflict on the water. Open space parks, picnic areas, car parking areas, landscaping and walkways surround the new area of lake and integrate with the existing parkland.

The extension to the residential area provides for a greater diversity of living opportunities. The main residential feature is the canal-based houses to ensure that the existing Huntingdon Park amenity continues to be the central residential identity. A Higher-density residential area is located

around the small commercial hub to provide a village feel, with apartments and some commercial activity. Rural-Residential life-style blocks provide a rural estate character on arrival and allow a transition in density between the surrounding rural landscape and Huntingdon Park. Provision is made for 350 new residential units, in addition to the 150 units already provided for within the existing Aquatic Park Zone. The majority of these new units are canal-based properties, consistent with the main residential amenity of Huntingdon Park.

The small commercial area remains relatively unchanged as a result of the extension project. The existing Lake House remains a focal building. The commercial area will continue to provide for those commercial facilities which are needed to service both the recreational and residential areas. Examples of these facilities include: a few shops, a service station or fuel supply station, a cafe, restaurant or tavern, and possibly visitor accommodation.

The Lake Hood Extension Project is a long-term community development. There are significant District benefits of the development. The supply of a gravel resource generated through the lake creation will provide an assured source of aggregate for the District's infrastructure and development for many years to come. The extended Aquatic Park Zone will provide for the Ashburton community and visitors to the District to enjoy a range of recreational activities in close proximity to Ashburton (Kapuka). In addition, a range of living opportunities will be provided close to Ashburton (Kapuka), including canal-based houses and Rural-Residential lifestyle blocks. These are significant benefits to the District and as a consequence the District Plan seeks to enable the Lake Hood Extension Project by way of a specific Aquatic Park Zone.

## 7.2 Issues

### 7.2.1 Natural Hazards

The entire site is subject to a risk of flooding to varying degrees. The area closest to the Ashburton (Hakaterere) River is more vulnerable but other parts of the zone are vulnerable to flooding at an estimated 2.5% chance in any one year (a 40 year flood). (The stopbanks above this site are estimated to provide protection against a 30-40 year return period flood).

As a result the following points are considered relevant:

- The lake design caters for a 480m<sup>3</sup>/s flood. In particular, the flood spillway is designed to discharge the flows created by such an event. Overspill will occur when the floodwaters reach 59.9m above mean sea level but levels will rise to 61m in the 480m<sup>3</sup>/s flood.
- The areas set aside for residential and commercial development are generally above the estimated lake flood levels. The small areas below these levels will be filled to ensure that all buildings are above a level of 61.5m above mean sea level.
- No residential units will be constructed within the area of Flooding – High Risk, as denoted on the District Plan maps.
- The resource consents already obtained from the Canterbury Regional Council for the construction of the existing lake specify the measures to be taken to protect adjoining land downstream of the lake in the event of flooding.

### 7.2.2 Conservation Values

The District Plan identifies the Ashburton (Hakaterere) River as an Area of Significant Nature Conservation Value. The main feature of significance is the braided character of the river bed which provides a habitat for a large number of bird species. The development of the Aquatic Park will not have any adverse effect upon these values.

The extension of the Aquatic Park Zone provides the opportunity to increase conservation and biodiversity values through the establishment of wetland areas, ecological corridors, riparian margins and the lake itself.

The threatened Canterbury mudfish has been recorded in the lake outlet ponds. There is a need to ensure that appropriate mitigation measures are implemented to minimise adverse effects on the remaining population.

### 7.2.3 Heritage Values

Riversdale Farm Homestead and its associated farm buildings are scheduled as heritage items in Appendix 12-1. These buildings are registered with the New Zealand Historic Places Trust as a Category II site. The Lake Hood Extension Project recognises and protects these heritage features through integrated design.

### 7.2.4 Protection of Surrounding Areas

The site of the extended lake does not include any areas of highly productive and/or versatile soils. Part of the site at the north-western corner contains soils identified as being Class III. This area will be predominantly developed for Rural-Residential activities, which is considered an appropriate land use for these soils.

### 7.2.5 Size and Spread of Development

The extent of the development is determined by the Aquatic Park Zone Outline Development Plan. The physical barriers of Stranges and Boundary Roads, the Ashburton (Hakaterere) River and the existing Lake Hood development provide a buffer to development beyond the site. The high-voltage transmission lines provide a corridor of constraint within the site and the infrastructure has to be protected from adverse effects of activities and development. Equally, activities and development should be protected from the adverse effects of the infrastructure.

### 7.2.6 Neighbouring Activities

Additional measures designed to avoid any conflict between activities on the site and those on neighbouring properties include:

- development controls relating to matters such as noise;
- a Lake Creation Management Plan controlling the excavation, gravel processing and filling of the lake;
- an Aquatic Park Management Plan, controlling the use of the lake and park land.

These measures are provided for in the Aquatic Park Zone rules.

### 7.2.7 Servicing

All necessary utility services will be provided to the proposed development. Water will be provided by means of on-site wells and a piped pressure system installed to Council standard. Sewage reticulation will be provided and effluent will be piped to the Council's treatment and disposal plant. Electric power and telephone services will be installed. Stormwater will be filtered before being discharged to ground or into the lake.

### 7.2.8 Access

Access to the existing development is provided by a long entrance off Stranges Road. This entrance is formed and sealed and vested as road. An additional and main entrance road for the Lake Hood Extension Project will extend from Stranges Road south of the existing high-voltage transmission lines, passing by Riversdale Homestead before leading to the centre of the Aquatic Park.

The primary connection between Lake Hood and Ashburton (Kapuka) is via Stranges Road and Grahams Road. Grahams Road is classified as a Principal Road and is intended to provide a through traffic function, or arterial function, for travel within the District. Grahams Road leads onto Grahams Street which connects to State Highway 1 (SH1) at Tinwald, some six kilometres to the north.

### 7.2.9 Amenity Values

The development has a high standard of amenity values. The lake and its associated recreation areas are the main features of the site. There is potential for substantial plantings of trees and shrubs and significant open grassed areas along the shores of the lake. These areas have the potential to provide extensive spaces for picnicking and watching the activities on the surface of the water. They also provide an opportunity for the public to have access to the majority of the lake shore.

The canal-based residential area will provide a standard of amenity similar to that found in the suburban areas of Ashburton (Kapuka). The development standards applicable to those areas are therefore considered to be appropriate to this proposed area.

The Rural-Residential area will provide a standard of amenity similar to that found in the Rural-Residential areas of the District. The development standards applicable to those areas are therefore considered to be appropriate to this proposed area.

The associated commercial area will be similar to, but smaller than, the local commercial areas of Ashburton (Kapuka). The development standards applicable to those areas are therefore considered to be appropriate to this commercial area.

## 7.3 Zone Description

The Aquatic Park Zone is located between Stranges Road, Boundary Road and the Ashburton (Hakaterere) River some seven kilometres south of Ashburton (Kapuka). The zone is centred on the development of an artificial lake that provides opportunities for a wide range of water based recreation activities including an international rowing course, water skiing, boating, sailing, fishing and swimming. The areas around the lake shore also cater for associated recreational activities and buildings including club rooms, camping areas, car parks, walkways and passive open spaces. The

Aquatic Park Zone is a major recreational asset for the District which incorporates a community based around an environment of open space and visitor based amenities.

The zone also provides for a range of residential activities including permanent and holiday homes. In addition there is space for some commercial development such as shops, a restaurant and facilities for the servicing of boats and other craft using the lake. The need for a full range of utility services is also recognised. The zone will provide a high quality recreation area supported by residential development and associated commercial activity.

## 7.4 Objective and Policies

### Objective 7.1: Provision for the Aquatic Park Zone

Provision for an Aquatic Park Zone including:

- the creation of a lake for water related recreational activities;
- the immediate environs of the lake for associated activities; and
- the creation of associated residential and commercial areas

in such a way as avoids, remedies or mitigates adverse effects on the surrounding environment.

#### Policy 7.1A

To enable the comprehensive development and ongoing operation of an Aquatic Park on a site between Stranges Road, Boundary Road and the Ashburton (Hakatere) River, including excavation, sorting, storage and removal of gravel associated with creation of a lake and aquatic park, and associated recreational, residential and commercial activities.

#### Policy 7.1B

To ensure that any significant adverse effects on the surrounding rural environment including:

- dust and noise generated by the development of the Aquatic Park;
- noise generated by activities in the Park;
- visual effects; and
- trespass onto adjoining properties;

are avoided, remedied or mitigated.

#### Policy 7.1C

To enable the creation of an artificial lake with an area of some 180 hectares to be used for water based recreational activities in accordance with the Outline Development Plan attached in Appendix 7-1.

**Policy 7.1D**

To enable land based recreational activities to be undertaken around the margin of the lake, in a manner which does not adversely affect the water based recreational activities and the other activities permitted in the surrounding rural and residential environment.

**Policy 7.1E**

To ensure that any development around the shores of the lake does not adversely affect the amenity values of the lake and its shoreline.

**Policy 7.1F**

To enable the development of a Residential Area adjoining the lake in accordance with the Outline Development Plan attached in Appendix 7-1.

**Policy 7.1G**

To enable the development of a Rural-Residential Area at the northern part of the site in accordance with the Outline Development Plan attached in Appendix 7-1.

**Policy 7.1H**

To enable the development of a small Commercial Area, to service the residential and recreational activities, in accordance with the Outline Development Plan attached in Appendix 7-1.

**Policy 7.1I**

To ensure that any activities or development near the transmission corridor do not adversely affect and are not adversely affected by, the safe and efficient operation of the high-voltage transmission lines.

**Policy 7.1J**

To ensure that all necessary services are provided to the development.

**Policy 7.1K**

To ensure that in areas identified on the Planning Maps as being of flood risk, residential units are designed and sited, or mitigation measures are provided so as to minimise their likelihood of damage and danger as a result of flooding.

**Policy 7.1L**

To ensure that subdivision in the Aquatic Park Zone provides for a structure plan detailing an internal layout that achieves comprehensive, connected and coordinated development, and makes provision for accessible cycle and pedestrian movement within the zone linking rural-residential development and residential development to the recreation lake and commercial area; and other external road and river corridor connections.

### Explanation and Reasons

The concept of an Aquatic Park Zone is well-established in the District Plan. The original Aquatic Park Zone was made operative on 8 October 2001 and established specific provision for the development and ongoing use of Lake Hood. The Ashburton Aquatic Park Charitable Trust (AAPCT), in consultation with Council and the community, has created a significant recreational and community asset close to Ashburton (Kapuka) for the benefit of the District.

Lake Hood has become a recreational destination for the community, with a wide range of water-based pursuits undertaken, including water skiing, sailing, rowing, leisure power craft, kayaking, jet skiing, triathlons, swimming and fishing. In addition to the high use of the lake itself, the park surrounding the lake is well used for land-based recreational activities, such as walking, picnicking and viewing friends and family involved with water-based pursuits.

The Lake Hood Aquatic Park is a popular and attractive place to live and a recreational destination of high demand. In order to meet the increased recreational and residential demand the AAPCT is extending the Aquatic Park, on land to the immediate north of the existing lake northwards to Boundary Road.

The Council is satisfied that the best means of implementing the land use aspects of the proposal is by the specific recognition of the development in the District Plan. It is the view of both the Council and the AAPCT that this method will give the Council the best means of controlling the long term nature of the development. Continued reliance on resource consents for the long term development of the lake and its environs was not considered to be an efficient means because of the rather inflexible nature of such consents.

### 7.5 Anticipated Environmental Results

- A public Aquatic Park comprising recreational, residential and commercial activities, which incorporates a community based around an environment of open space and visitor based amenities.
- A lake creation process that ensures avoidance of adverse effects on the surrounding environment.
- An artificial lake providing for a wide range of water based recreational activities.
- A pleasant living and recreational environment.
- Utility services which meet the standards set by the Council and other servicing organisations.
- Efficient access to all properties without interference with the safe and efficient functioning of existing roads.
- Avoidance of loss of life or property damage from natural hazards.
- Avoidance of adverse effects on the surrounding rural environment.
- Avoidance of adverse effects on and of the existing high-voltage transmission lines.

## 7.6 Methods of Implementation

### Through the District Plan

- Through the provision of a defined Aquatic Park Zone with Recreational, Residential, Rural-Residential and Commercial Areas, an Outline Development Plan and rules to control the use, development and subdivision of land in those sub-zones.
- Through the development of a Lake Creation Management Plan to manage the construction of the Aquatic Park. In addition to managing construction activities, the Lake Creation Management Plan shall outline flood protection measures, including the location, design and maintenance of any swales and bunds used to manage flood risk.

### Outside the District Plan

- Through the establishment of a Trust to control and manage the use of the lake and its environs on behalf of the community.
- Through the development of an Aquatic Park Management Plan to provide for the ongoing management of the lake and its environs.

## 7.7 Reasons for Rules

Identified areas within the Aquatic Park zone and associated rules, including development standards, are considered to be the most effective method of controlling the development of the Aquatic Park. The establishment of a Trust and the development of an Aquatic Park Management Plan for the lake and its environs are considered to be the best means of managing the ongoing use of the lake and its environs. The Aquatic Park Management Plan prepared by the Trust provides for the detailed matters which are necessary for the proper control of the lake, its water and the recreational activities which may use the facilities. These controls are not provided as part of the rules in the District Plan.

### 7.7.1 Residential Density and Building Coverage

This rule seeks to control the density of residential development and to ensure an appropriate balance of open space to built form on sites, consistent with the potential needs and expectations of occupiers and local amenity values.

These two standards are closely related to one another, and are major determinants of the character of the residential areas of the District. The size of residential sections and the amount of each section that is retained as open space or available for tree and garden plantings are key factors in determining the visual amenity, spaciousness, levels of privacy, access to sunlight and daylight, and pleasantness of residential areas.

Maintenance of the existing general scale and character of the residential area also requires site density and open space levels for new development which are consistent with the prevailing character. A low residential density and building coverage in the majority of the Residential Zone reflects the predominant character and scale of the existing residential area. The degree to which

open space or an open appearance of a site is important depends both on the likely use of the property and the community expectations for property within its local environment.

### **7.7.2 Height of Buildings and Recession Lines**

To achieve a scale of development which is consistent with the desired character for the area and to ensure that building development does not unduly deprive neighbouring properties of sunlight it is important to control the height and location of buildings. Also this provides an indirect means of affording some degree of privacy to property occupiers and some retention of opportunities for outlook and views.

These two standards are closely related to one another in controlling the height and bulk of buildings. Building height is a major determinant of the scale and character of the residential areas. Both standards are key factors in determining the visual amenity, dominance of buildings, access to sunlight and daylight, levels of privacy, and spaciousness of the residential area.

The maximum height of buildings has been set at a level which is in keeping with the existing or anticipated general scale and character of the residential areas within the zone. The height and sunlight standards are intended to retain outlooks not dominated by buildings, good access to sunlight and daylight and levels of privacy through not being overlooked, consistent with suburban living. The limits are intended to allow flexibility of design while providing for the maintenance of the general character of an area.

People value sunlight for health, warmth and planting. To ensure sunlight is not blocked by buildings on adjacent sites it is necessary to require those buildings to fall within an angle which permits sunlight to penetrate onto the site. The standard is based on obtaining sun even in mid-winter at midday. The angle of the recession line is the critical factor determining the potential sunlight admission while the starting point or height of the recession line influences how close a building can be erected to the site boundary. The aim in setting recession line standards is to achieve balance in ensuring reasonable amenity protection while acknowledging reasonable property rights. The key to such provision is acknowledgment that tighter controls are necessary for southern boundaries relative to northern ones. The need to avoid shading effects is greatest in the winter when the sun is at its lowest trajectories.

### **7.7.3 Setback from Streets**

The setback of buildings from road boundaries is an important determinant of the visual character of residential areas. The degree of setback provided affects the visual impact of buildings from across the street, the opportunities for tree and garden planting visible from the street, the location and visual impact of parking areas and the outlook of people on adjoining sites.

A moderate setback has been required in the Residential area, in order to maintain the pleasantness and openness of sites as viewed from the streets and neighbouring properties; and to enable opportunities for tree and garden plantings; but also to enable efficient and practical use of sites.

#### **7.7.4 Setback from Neighbours**

The purpose of this rule is to provide space around buildings for the purposes of ensuring adequate sunlight admission to buildings on the site, and a degree of visual and aural privacy and protection from noise from neighbouring properties.

A standard separation distance of buildings from adjoining neighbours' boundaries has been required, to reduce the visual dominance of buildings on the outlook of adjoining sites; to enable accessibility along all sides of the site and to daylight; and to provide a degree of privacy consistent with suburban living.

The setback enables efficient and practical use of the remainder of the site, whilst mitigating adverse effects of buildings on adjoining sites. Accessory buildings are permitted within the setback, in order to allow more flexible use of this space. However, the length of such accessory buildings is limited to avoid dominance of adjoining sites by the proximity of a lengthy building. The height of the accessory buildings will also be limited by the recession line standards. Limited intrusions into the setback are also permitted, as a result of functional and decorative features which would not adversely affect neighbouring properties.

Additional setbacks have been required for buildings housing animals because of their increased potential to interfere with the enjoyment of a residential property as a result of odour or noise.

#### **7.7.5 Setback from High-voltage Transmission Lines**

The high-voltage transmission lines form a major asset and act as a constraint to development in part of this site. The rules intend to protect this asset from activities that could impact on the ongoing function of the lines. Likewise the rules seek to protect activities in the surrounding area from reverse sensitivity type concerns from the ongoing use and upkeep of the lines.

#### **7.7.6 Outdoor Living Space**

The trend towards higher density residential development has sometimes been at the cost of useful open space around residential units. This standard ensures open space is always available for the occupants of residential units. A minimum area and shape of outdoor living space has been required for residential units to ensure that an area of each site is set aside which is sufficient to meet the outdoor living needs of current and future residents of the site and to meet needs for access to sunlight and fresh air. The requirement for the outdoor living space to be designed to receive sunlight in mid-winter and be readily accessible from living areas is intended to ensure that each area set-aside for outdoor living is pleasant, convenient, likely to be available and used by residents and meets health needs for sunlight.

#### **7.7.7 Vehicle Access and Vehicle Crossings**

This standard is intended to ensure that prospective residents will be assured long-term formed and legal vehicle access and/or vehicle crossing to their residential units in all weather conditions, without the Council being called upon to upgrade roads at the general ratepayers' expense after a residential unit has been completed.

### 7.7.8 Outdoor Storage

Within the Commercial area of the Aquatic Park zone, the Council wants to ensure that the form and integrity of building frontage is retained for visual and amenity reasons and has therefore created a rule which does not allow the use of vacant land for outdoor storage activity. This control is part of a package of rules which aim to maintain a traditional street frontage with a continuum of buildings facing the street.

### 7.7.9 Landscaping

Landscaping provides the potential to enhance the street scene and minimise the visual impact of development from roads and residential properties.

The dominant form of landscaping is the planting of trees and shrubs. Landscaping has the benefits of enhancing the appearance and/or the screening of a site and buildings as viewed from or across streets, or from adjoining properties.

### 7.7.10 Amenities of Residential Areas

This rule seeks to achieve a scale of development which is consistent with the character of the adjoining residential or rural-residential area and to ensure that building development does not unduly deprive neighbouring properties of sunlight. These are indirectly a means of affording some degree of privacy to property occupiers and some retention of opportunities for outlook and views.

These three standards seek to maintain the scale of development on sites adjoining residential and rural-residential sections to a level that is more consistent with that within the residential environment as a means of preserving the character and amenity of these areas. The provision for setback and screening will assist in the separation of potentially incompatible activities and affect the standard of visual amenity by reducing the dominance of buildings, and securing levels of privacy and access to sunlight and daylight.

### 7.7.11 Setback from Stopbanks and Water Bodies

It is important to avoid or limit the vulnerability of buildings, contents and occupants to extreme flooding events which could occur due to failure of stopbanks, to limit the vulnerability of stopbanks to development, and to maintain separation from water bodies to avoid flooding, enable access and provide for mechanical maintenance of water bodies.

Stopbanks are designed to protect buildings and their occupants from flooding. However, in the event that they fail, buildings in close proximity to them are highly vulnerable to damage due to the surge effect of water. Failure through overtopping or breaching cannot be predicted in any particular location. It is important therefore to anticipate this vulnerability along any stopbank and to mitigate this by locating buildings back from the stopbank wherever practical.

Also the construction of buildings or carrying out of works in close proximity to or into/onto stopbanks can reduce the integrity of the stopbank. In order to maintain stopbanks and water bodies, buildings need to be set back to enable access.

Buildings are required to be setback from water bodies for a variety of reasons, including for the avoidance of the adverse effects of natural hazards.

#### **7.7.12 Development Works, Access and Services**

These rules have been provided to control the timing and extent of development in relation to the development of a management plan to guide construction, provision of access to the site, and appropriate servicing. These rules seek to ensure that appropriate standards are met prior to construction commencing to avoid adverse effects on the development area and wider environment.

#### **7.7.13 Hours of Operation**

The hours over which a non-residential activity operates is a significant determinant in the level of adverse effects likely for neighbours as a result of vehicle and pedestrian movements, noise levels, loss of privacy and security and general disturbance, which are incompatible with residential environments. These effects are generally as a result of operations during hours when neighbours can reasonably expect a more peaceful environment. For this reason, limitations have been placed on the acceptable hours of operation for each day. Exceptions to these requirements have been included for activities which do not involve visitors, clients or deliveries coming to and from the site and for small-scale home-based activities within buildings, recognising that such activities are less likely to result in disturbance to neighbours.

#### **7.7.14 Grahams Road Cycle Path**

This rule recognises the agreement reached to provide cycle path access to the zone improving the accessibility of the area and improving amenity for residents and visitors.

#### **7.7.15 Outline Development Plan**

The Outline Development Plan (ODP) provides overall guidance on the areas of the site that will be developed for different activities. The ODP defines each area and the activities anticipated (Residential, High-Density Residential, Rural-Residential, Commercial, Recreational, Gravel stockpile, Lake, etc). Development is to be in accordance with the ODP as that was used to determine the appropriate locations of activities generating and receiving effects e.g. noise or dust.

#### **7.7.16 Lighting**

Because illumination from lighting can interfere with the enjoyment of a property and with the sleep of occupiers, the standard seeks to limit the amount and intensity of light spillage onto adjacent properties. Inappropriately directed lighting can also cause safety hazards on roads by distracting, confusing or blinding drivers. The standard has been set to reflect the amount of illumination generally anticipated in the residential areas of the District's towns, where there is already a degree of night-time illumination from street and other lighting.

#### **7.7.17 Heavy Vehicle Storage**

Heavy vehicle movements can result in adverse effects, which are significantly greater than those of other vehicle movements, as a result of noise, vibration, fumes, traffic congestion and safety. This standard recognises that the storage of heavy vehicles on a site in a residential area can result in

vehicle movements which are at times, or of such a regular nature, that they cause a nuisance to neighbours. At the same time, however, by enabling one heavy vehicle to be stored on a site, the standard also recognises the common need for residents to store their employment-related vehicle at home.

There is also an expectation that residential properties should retain an open appearance. The storage of heavy vehicles because of their bulk and nature compromises this appearance.

#### **7.7.18 Noxious or Unpleasant Activities**

This rule seeks to avoid activities in residential areas likely to detract from public health and safety and environmental qualities enjoyed.

Certain activities are without exception inappropriate in a residential neighbourhood because of their high potential for significant adverse impacts on local environmental qualities and amenity. People living in and visiting a residential area wish to be assured that such activities will not establish in their vicinity. The effects of such activities can also be very difficult to prescribe as standards, such as odour and vibration levels and lack of visual amenity. Experience has shown that once unacceptable activities establish, even at the level of home occupations, it can be very difficult and time-consuming to remove such activities, with consequent ongoing concerns for neighbours. Accordingly, certain activities have been specifically excluded from the Residential area.

#### **7.7.19 Flood Risk**

This rule intends to protect new residential development from potential adverse effects to life or property from flooding.

#### **7.7.20 Lake Management**

A Management Plan is currently in place to control the activities being undertaken on Lake Hood and the potential for these to impact on neighbouring activities e.g. residential areas or on the wider environment. This Management Plan is to be updated to recognise the extension of the lake and Aquatic Park Zone and will continue to be used to manage appropriate activities.

## 7.8 Rules – Aquatic Park Zone

### 7.8.1 District Wide Rules

Attention is drawn to the following District Wide Rules which may apply in addition to any relevant Zone Rules to activities undertaken in the Aquatic Park Zone. If any one or more of the District Wide Rules is breached, the activity will require consent in respect of those rules.

Subdivision	(Refer Section 9)
Transport	(Refer Section 10)
Noise	(Refer Section 11)
Heritage Values and Protected Trees	(Refer Section 12)
Signs	(Refer Section 13)
Utilities, Energy and Designations	(Refer Section 14)
Relocated Buildings and Temporary Activities	(Refer Section 15)
Hazardous Substances	(Refer Section 16)
Definitions	(Refer Section 17)

### 7.8.2 Permitted Activities

The following activities shall be Permitted Activities provided that they are not listed as a Prohibited Activity and comply with all of the relevant Site and Zone Standards below and all relevant District Wide rules:

- a) **Farming Activities**; other than the breeding, rearing and/or keeping of pigs.
- b) **Recreational Activities**; limited to:
  - aquatic based activities on or in the artificial lake and its associated canals.
  - outdoor recreational activities, which are not commercial, including walking tracks, bridges, boardwalks, picnic facilities, horse trekking and information and interpretative signs.
  - buildings associated with recreational facilities which do not exceed 50m<sup>2</sup> in area and are limited to use for public toilets, changing rooms, training facilities, recreational equipment storage and information dissemination.
- c) **Activities** associated with the construction and maintenance of an artificial lake including, but not limited to:
  - earthworks, extraction, stockpiling and processing of gravel and activities associated with the construction and operation of an artificial lake;
  - water retaining and channelling structures;
  - construction and maintenance of structures and buildings for controlling the flow of water into and out of the lake;
  - construction and maintenance of access.

- d) **Residential Activities**; including Home Stays up to a maximum of 6 visitors at any one time, provided that they are situated within the Residential or Higher-density Residential Areas.
- e) **Rural-Residential Activities**; including Home Stays up to a maximum of 6 visitors at any one time, provided that they are situated within the Rural-Residential Area.
- f) **Home Occupations**; provided that:
- no more than 40m<sup>2</sup> of the gross floor area of the buildings on a site are used for any home occupation;
  - no goods, materials or equipment associated with a home occupation are stored outside a building;
  - all manufacturing, altering, repairing, dismantling or processing of any materials, goods or articles associated with a home occupation are carried out within a building;
  - no more than one full-time equivalent person who permanently resides elsewhere than on the site is employed in undertaking any home occupation on the property;
  - the site is situated within the Residential, Higher density Residential or Rural-Residential Areas.
- g) **Commercial Activities**; provided that they are situated within the Commercial Area, the Riversdale Homestead Heritage Area or the Higher-density Residential Area.
- h) **Visitor Accommodation**; provided that it is situated within the Commercial, Higher-density Residential or the Riversdale Homestead Heritage Areas.

### 7.8.3 Restricted Discretionary Activities

The following activities shall be Restricted Discretionary Activities with the exercise of the Council's discretion being restricted to the matter(s) specified in the assessment matters in 7.11:

- a) **Any Activity** which is listed as a Permitted Activity and which complies with all of the relevant Zone Standards, but does not comply with any one or more of the relevant Site Standards.

### 7.8.4 Discretionary Activities

The following activities shall be Discretionary Activities:

- a) **Home Occupations**; except where listed as a Permitted Activity;
- b) **Recreational Activities**; except where listed as a Permitted Activity or a Prohibited Activity;
- c) **Community Activities**;
- d) **Any Other Activity**, which is not listed as a Permitted, Discretionary, Non-complying or Prohibited Activity.

### 7.8.5 Non-Complying Activities

The following activities shall be Non-Complying Activities, except where listed as a Permitted Activity:

- a) **Any Activity**; which does not comply with any one or more of the relevant Zone Standards.
- b) **Intensive Farming and/or Farming**; involving the breeding, rearing and/or keeping of pigs;
- c) **Industrial and Service Activities**, except for permitted activities associated with the creation of an artificial lake and aquatic park.
- d) **Mineral Extraction**, except for gravel extraction associated with the creation of an artificial lake and aquatic park.
- e) **Forestry Activities**.

### 7.8.6 Prohibited Activities

The following activities shall be Prohibited Activities:

- a) **Land based motor sports** including stock car racing, motor cycle racing, motocross racing and all similar activities.
- b) **Power boating** on the lake and the associated canals before 0730 hours and after 2100 hours.

### 7.8.7 Notification / Consultation / Notes

Resource consents in relation to the following matters shall not be publically or limited notified:

Outdoor Living Space	Site Standard 7.9.8
Vehicle Access and Vehicle Crossings	Site Standard 7.9.9
Setbacks from Stopbanks and Water Bodies	Site Standard 7.9.13

Consultation with the Canterbury Regional Council will be important in the assessment of resource consent applications in relation to the following standards:

Setbacks from Stopbanks and Water Bodies	Site Standard 7.9.13
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Consultation with Transpower New Zealand Limited will be important in the assessment of resource consent applications in relation to the following standards:

Setback from High-Voltage Transmission Lines	Site Standard 7.9.7
Setback from High-Voltage Transmission Lines	Zone Standard 7.10.10

**Note:**

- The Recreational Area, Residential Area, Higher-density Residential Area, Rural-Residential Area and Commercial Area referred to in this section are those Areas as shown on the Outline Development Plan in Appendix 7-1. The Rural-Residential Area rules and standards apply to the Riversdale Homestead Heritage Area, except where specific provisions apply.
- Please note that the Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 may be applicable to your site/property.

## **7.9 Site Standards**

### **7.9.1 Residential Density**

- a) Minimum net area for any site shall be 360m<sup>2</sup> for each residential unit contained within the site, except for in the Higher-density Residential Area where the minimum net area for any site shall be 120m<sup>2</sup>.
- b) Minimum net area for any site within the Rural-Residential Area of the Aquatic Park shall be 4000m<sup>2</sup>.

### **7.9.2 Building Coverage**

- a) Within the Residential Area the maximum building coverage shall be 35%.
- b) Within the Higher-density Residential Area the maximum building coverage shall be 75%.
- c) Within the Commercial Area the maximum building coverage shall be 75%.
- d) Within the Rural-Residential Area the maximum building coverage shall be 15%.
- e) In the remainder of the zone the maximum building coverage shall be 1%.

### **7.9.3 Height of Buildings**

- a) Maximum height of any building in the Residential and Recreational Areas shall be 8m.
- b) Maximum height of any building in the Rural-Residential, High-density Residential and Commercial Areas shall be 10m.
- c) The maximum height of temporary structures associated with lake creation and gravel storage and processing shall be in accordance with the Lake Creation Management Plan to be prepared prior to commencement of works on site.

#### 7.9.4 Recession Lines

- a) Within the Residential and Higher-density Residential Areas no buildings shall project beyond a building envelope constructed by recession lines from points 2.3m above internal boundaries as shown in Appendix 4-1 except that:
- where buildings on adjoining sites have a common wall along an internal boundary, no recession lines shall be applied along that part of the boundary covered by such a wall; and
  - where an internal boundary of a site immediately adjoins an access or part of an access which is owned or partly owned with that site or has a registered right of way over it in favour of that site, the recession lines shall be constructed from points 2.3m above the far side of the access.
- b) Within the Rural-Residential Area no buildings shall project beyond a building envelope constructed by recession lines from points 2.3m above internal boundaries as shown in Appendix 4-1.

#### 7.9.5 Setback from Streets

- a) Within the Residential Area the minimum building setback from road boundaries shall be 4.5m and within the Higher Density Residential Area the minimum building setback from road boundaries shall be 1.5m,

except that:

eaves, porches, chimneys, bay windows, stairways, steps, landings, balconies and similar parts of buildings may be located with the minimum building setback from road boundaries, but only within the following limits:

- eaves may project into the setback by no more than 0.6m;
  - bay windows may project into the setback by no more than 0.6m parallel to the boundary;
  - chimneys may project into the setback by no more than 0.6m parallel to the boundary provided that the chimney is of no greater width parallel to the boundary than 1.8m;
  - porches and windbreaks opposite a doorway may project into the setback by no more than 0.9m provided that such porches and windbreaks are no longer than 1.8m parallel to the boundary;
  - external stairways, landings and unenclosed balconies may project into the setback by no more than 0.9m provided that the landing or balcony does not exceed 1.8m in length.
- b) Within the Rural-Residential Area the minimum building setback from road boundaries shall be 10m; except that for buildings used for retail sales the setback shall be 30m.

### 7.9.6 Setback from Neighbours

- Within the Residential Area identified on the Aquatic Park Outline Development Plan, the minimum setback of buildings from internal boundaries shall be 1.5m;

except that:

eaves, porches, chimneys, bay windows, stairways, steps, landings, balconies and similar parts of buildings may be located with the minimum building setback from internal boundaries, but only within the following limits:

- eaves may project into the setback by no more than 0.6m;
- bay windows may project into the setback by no more than 0.6m parallel to the boundary;
- chimneys may project into the setback by no more than 0.6m parallel to the boundary provided that the chimney is of no greater width parallel to the boundary than 1.8m;
- porches and windbreaks opposite a doorway may project into the setback by no more than 0.9m provided that such porches and windbreaks are no longer than 1.8m parallel to the boundary;
- external stairways, landings and unenclosed balconies may project into the setback by no more than 0.9m provided that the landing or balcony does not exceed 1.8m in length;
- buildings designed and/or used for the housing of the following animals shall be set back from internal boundaries, as follows:
  - Poultry and other birds 4.5m
  - Dogs 4.5m
- where an internal boundary of a site immediately adjoins an access or part of an access, which is owned or partly owned with that site or has a registered right of way over it in favour of that site, the minimum building setback from that internal boundary shall be reduced to 1m;
- accessory buildings, which are not used for human habitation, may be located within the minimum building setback from internal boundaries, where all stormwater is contained within the site and the total length of walls of accessory buildings facing, and located within the minimum building setback of, each internal boundary does not exceed 10m in length, and does not contain any glazed surfaces;
- where buildings on adjoining sites have a common wall along a site boundary, no setback is required along that part of the boundary covered by such a wall;
- within the Higher-density Residential Area the minimum setback of buildings from internal boundaries shall be 1.5m, except where buildings on adjoining sites have a common wall along an internal boundary where there shall be no setback;
- within the Rural-Residential Area the minimum setback of buildings from internal boundaries shall be:

For residential units, excluding accessory buildings which are 6.0m

not used for human habitation

For buildings, other than principal residential buildings, designed and/or used for the housing of the following animals:

Poultry and other birds	4.5m
Dogs	4.5m
Pigs	50.0m
Other animals associated with farming	30.0m
For other buildings greater than 5m <sup>2</sup> in gross floor area	3.0m
For other buildings less than 5m <sup>2</sup> in gross floor area	1.5m

### 7.9.7 Setback from High-Voltage Transmission Lines

Within the High-voltage Transmission Corridor outer area (12-32m from the transmission line) as shown on the Outline Development Plan in Appendix 7-1, there shall be:

- a) no new buildings or structures;
- b) no earthworks within 12 metres from the outer edge of the visible foundation of any transmission tower.

Advice Note: No new trees/vegetation should be planted which, at a mature height, would encroach upon the relevant growth limit zone [or notice zone] for the line, as defined in the Electricity (Hazards from Trees) Regulations 2003.

### 7.9.8 Outdoor Living Space

- a) For each residential unit located within the Residential Area identified on the Aquatic Park Outline Development Plan, there shall be a minimum area for outdoor living space, contained in one area within the net area of the site, of 70m<sup>2</sup> with a minimum dimension of 5m.
- b) The required minimum area of outdoor living space shall be designed to receive sunshine in mid-winter and be directly accessible from a living area of the residential unit.

### 7.9.9 Vehicle Access and Vehicle Crossings

- a) Within the Residential, Higher-density Residential and Rural-Residential Areas specified on the Outline Development Plan each residential unit shall be located on a site which has legal vehicle access and/or a vehicle crossing to a formed road.

### 7.9.10 Outdoor Storage

- a) Within the Commercial Area identified on the Aquatic Park Outline Development Plan, the outdoor storage of goods (excluding the display of goods for sale) shall be sited to the rear of any building and screened from public view.

### 7.9.11 Landscaping

- a) Within the Commercial Area identified on the Aquatic Park Outline Development Plan, a landscaped area with a minimum width of 2.0m, shall be established along all road boundaries and shall be planted with a minimum of one tree for every 10m of frontage.
- b) Trees shall not be planted a distance of more than 25m apart or closer than 5m.
- c) At the time of planting all trees shall have a minimum height of 1.5m or be at least 3 years of age.

Note: Trees formed into hedges, planted at no lesser height or spacing, will be considered to comply with this rule.

### 7.9.12 Amenities of Residential Areas

- a) Where a site within the Commercial Area identified on the Aquatic Park Outline Development Plan, adjoins a site within the Residential Area identified on that Plan, the following standards shall apply:
  - the minimum setback of buildings from the Residential Area boundary shall be 4.5m;
  - buildings shall not project beyond a building envelope constructed by recession lines from points 2.3m above internal boundaries adjoining Residential Areas as shown in Appendix 4-1;
  - a landscaped area with a minimum width of 2m shall be established and maintained along internal boundaries adjoining the Residential Area, and shall be planted with species which at maturity will screen the buildings from the adjoining sites. In addition, a solid wall or close boarded fence with a minimum height of 1.8m shall screen any outdoor storage areas.

### 7.9.13 Setback from Stopbanks and Water Bodies

- a) All buildings shall be set back a minimum distance of 100m from the centreline of any stopbank shown on the plan included in Appendix 3-1.
- b) Where there is no stopbank, all buildings shall be set back a minimum distance of 4m from the bank of any water body, measured at its annual fullest flow.
- c) This standard shall not apply to:
  - additions or alterations to existing buildings (excluding existing buildings where the use of the building is being changed to a residential unit), where the addition or alteration will not increase the gross floor area of the building by more than 20m<sup>2</sup>; or
  - the replacement of existing buildings provided the gross floor area of the building is not increased by more than 20m<sup>2</sup>.

## 7.10 Zone Standards

### 7.10.1 Development Works

All development works shall be in accordance with:

- a) Any relevant consents granted by the Canterbury Regional Council; and
- b) The Lake Creation Management Plan to be prepared prior to commencement of works on site.

### 7.10.2 Road Access

- a) Prior to the use of the extended lake and park, the construction and sealing of the new road giving access to the zone from Stranges Road shall be undertaken in accordance with the relevant standards specified in Section 10 of the District Plan.
- b) Prior to the use of Boundary Road for the transportation of aggregate generated by lake and park creation, any necessary road upgrade works shall be undertaken in accordance with the relevant standards specified in Section 10 of the District Plan.

### 7.10.3 Services

- a) Prior to occupation of each stage of development, the provision to that stage of sewage reticulation and disposal and stormwater disposal systems and water and electricity supply systems shall be made in accordance with the relevant standards specified in Section 9 of the District Plan.

### 7.10.4 Hours of Operation

- a) Any activity, other than lake creation and associated activities, residential, farming, visitor accommodation, activities within the Commercial Area and the Riversdale Homestead Heritage Area, and outdoor recreation, shall be limited to the following hours of operation:

0700 to 2100 Monday to Friday and 0900 to 1700 Saturday, Sunday and public holidays;  
except where:

- the entire activity is located within a building; and
- each person engaged in the activity outside the above hours resides permanently on the site; and
- there are no visitors, customers or deliveries to the activity outside the above hours.

### 7.10.5 Grahams Road Cycle Path

- a) Within three years of the commencement of construction of the extended Aquatic Park zone area, a cycle path shall be constructed adjacent to Stranges Road and Grahams Road, between the new Aquatic Park entrance and the restricted speed zone area of Tinwald.

### 7.10.6 Outline Development Plan

- a) All development shall be generally sited in accordance with the Outline Development Plan attached in Appendix 7-1 to these rules.
- b) The maximum number of residential units permitted in the Aquatic Park Zone shall be 500.

### 7.10.7 Lighting

- a) Within the Residential Area identified on the Aquatic Park Outline Development Plan:
  - i) all exterior lighting shall be directed away from adjacent properties and roads;
  - ii) no activity shall result in a greater than 3 lux spill (horizontal and vertical) of light onto any adjoining property, measured at any point more than 2m inside the boundary of the adjoining property.
- b) Within the balance of the Aquatic Park Zone:
  - i) all exterior lighting shall be directed away from adjacent properties and roads;
  - ii) no activity shall result in a greater than 10 lux spill (horizontal and vertical) of light onto any adjoining property within the zone, measured 2m inside the boundary of any adjoining property;
  - iii) no activity shall result in a greater than 3 lux spill (horizontal and vertical) of light onto any adjoining site which is situated within the Residential Area, measured at any point more than 2m inside the boundary of that adjoining site.

### 7.10.8 Heavy Vehicle Storage

- a) No more than one heavy vehicle shall be stored or parked overnight on any area within the zone, except for within the Processing Plant and Stockpiling areas as specified on the Outline Development Plan attached in Appendix 7-1 to these rules. Heavy vehicle storage within these areas shall be in accordance with the Lake Creation Management Plan to be prepared prior to commencement of works on site.

### 7.10.9 Noxious or Unpleasant Activities

- a) No activity, other than residential or farming activities, shall involve the following; panel-beating, spray-painting, motor vehicle repairs or dismantling, fibre glassing, sheet metal work, bottle or scrap storage, rubbish collection service, motor body building, or fish or meat processing, or require an offensive trade licence under the Health Act 1956.

### 7.10.10 Setback from High-voltage Transmission Lines

Within the High-voltage Transmission Corridor inner area (0-12m from the transmission line) as shown on the Outline Development Plan in Appendix 7-1, there shall be:

- a) no new buildings or structures;

- b) no new trees/vegetation which at a mature height would encroach upon the relevant growth limit zone [or notice zone] for the line, as defined in the Electricity (Hazards from Trees) Regulations 2003;
- c) no earthworks within 12 metres from the outer edge of the visible foundation of any transmission tower;
- d) no earthworks that reduce the existing clearance distances from the lines within the transmission corridor.

#### **7.10.11 Flood Risk**

The residential development of the Aquatic Park Zone shall be undertaken in accordance with the following:

- a) The floor level of all new residential units shall be above a level of 61.5m above mean sea level; and
- b) All new residential units shall be such that the floor height of the unit is a minimum of 150mm above the assessed flood waters with a 0.5 percent probability in any one year.

#### **7.10.12 Lake Management**

The management of the lake shall be in accordance:

- a) Any relevant consents granted by the Canterbury Regional Council; and
- b) The updated Aquatic Park Lake Management Plan to be prepared prior to the use of the extended lake for recreational activities.

Note: The existing Aquatic Park Management Plan will remain in effect to control the use of the existing lake until being superseded by this rule.

### **7.11 Assessment Matters**

In considering whether or not to grant consent or impose conditions, the Council shall have regard to, but not be limited by, the following assessment matters:

#### **7.11.1 Residential Density and Building Coverage**

- a) The extent to which the character of the site will remain dominated by open space and garden plantings, rather than buildings.
- b) The ability to provide adequate opportunity for garden and tree planting around buildings.
- c) The extent to which there is a need for the decreased site size or increased building coverage in order to undertake the proposed activities on the site.

- d) The extent to which any proposed buildings will be compatible with the scale of other buildings in the surrounding area and will not result in visual domination as a result of building coverage which is out of character with the local environment.
- e) The ability to provide adequate vehicle parking and manoeuvring space on site.
- f) The extent to which decreased site size or increased building coverage would have any adverse effects on adjoining properties in terms of dominance by buildings, loss of privacy, access to sunlight and day light and loss of opportunities for views.
- g) The ability to provide adequate outdoor space on the site for all outdoor activities associated with residential and other activities permitted on the site.
- h) Whether the residential units are to be used for elderly persons housing and the extent to which a decreased site size will adequately provide for the outdoor needs of the activities on the site, and retain a dominance of open space over buildings.
- i) The ability to mitigate any adverse effects of increased coverage or site density.

#### **7.11.2 Height of Buildings and Recession Lines**

- a) The extent of any adverse effects on the environment from exceeding a maximum height and in particular the effect of any increased building height on the visual character of the area and compatibility with the scale of adjoining buildings.
- b) The extent to which there is a need for the increased height or intrusion through the recession lines, in order to undertake the proposed activities on the site.
- c) The extent to which the character of the site and the surrounding area remains dominated by open space, rather than by buildings, with buildings at low heights and low densities of building coverage.
- d) The extent to which the proposed buildings will be compatible with the character of the local environment, including the scale of other buildings in the surrounding area.
- e) The degree to which the increased height may affect the amenity and enjoyment of other sites, roads and public open space through a reduction in view, casting of shadows, visual dominance of outlook by buildings, or loss of privacy through being overlooked, which is out of character with the local environment.
- f) The extent to which the proposed building will overshadow adjoining sites and result in reduced sunlight and daylight admission, beyond that anticipated by the recession plane requirements for the area.
- g) The extent to which the increased height would have any adverse effect on other sites in the surrounding area in terms of loss of privacy through being over-looked from neighbouring buildings.

- h) The extent to which the increased building height will result in decreased opportunities for views from properties in the vicinity, or from roads or public open space in the surrounding area.
- i) The ability to mitigate any adverse effects of increased height or exceedance of the recession lines, such as through site layout, increased separation distances between the building and adjoining sites or the provision of screening/landscaping.

### 7.11.3 Setback from Streets

- a) The extent to which the intrusion towards the road is necessary in order to allow more efficient, practical and/or pleasant use of the remainder of the site.
- b) The extent to which alternative practical locations are available for the building.
- c) The extent to which the proposed building will detract from the pleasantness, coherence, openness and attractiveness of the site as viewed from the street and adjoining sites.
- d) The ability to provide adequate opportunity for garden and tree planting in the vicinity of road boundaries, which will mitigate the effects of the building intrusion towards the road.
- e) The adverse effects of the building intrusion on the outlook and privacy of people on adjoining sites.
- f) The ability to provide adequate parking and manoeuvring space for vehicles clear of the road.
- g) The extent to which the proposed building will be compatible with the appearance, layout and scale of other buildings and sites in the surrounding area, including the setback of existing buildings in the vicinity from road boundaries.
- h) The extent to which the proposed building will have a size, form, proportions, roof line, style, external materials and colour, which are similar to or in keeping with those of existing buildings on the site.
- i) The ability to mitigate any adverse effects of the proposal on the street scene; and the effectiveness of other factors in the surrounding environment in reducing the adverse effects, such as existing wide road widths, street plantings and the orientation of existing buildings on adjoining sites.
- j) The degree to which existing or proposed landscaping, including plantings, mitigate the effects of limited building setback from a road.

### 7.11.4 Setback from Neighbours

- a) The extent to which the intrusion towards the internal boundary is necessary to enable more efficient, practical and/or pleasant use of the remainder of the site.

- b) The extent to which alternative practical locations are available for the building.
- c) Any adverse effects of the proximity or bulk of the building, in terms of visual dominance by buildings of the outlook from adjoining sites and buildings, which is out of character with the local environment.
- d) Any adverse effects on adjoining sites of the proximity of the building, in terms of reduced privacy through being overlooked from or being in close proximity to neighbouring buildings, to an extent which is inconsistent with the surrounding environment.
- e) Any adverse effects of the proximity or bulk of the building in terms of loss of access to daylight on adjoining sites.
- f) The ability to provide adequate opportunities for garden and tree plantings around buildings.
- g) Any adverse effects of the proximity of the building in terms of difficulty of access to the building or to adjoining rear sites.
- h) The extent to which the use of the proposed building will detract from the pleasantness or amenity of adjoining sites, in terms of such matters as noise, smell, dust, glare or vibration.
- i) Any adverse effects of the proximity of buildings housing animals in terms of noise, smell, flies or vermin on adjoining sites.
- j) The ability to mitigate any adverse effects of the proposal on adjoining sites, including through the provision of landscape plantings.

#### **7.11.5 Setback from High-Voltage Transmission Lines**

- a) The location of building sites, platforms and works and whether they will inhibit the safe and efficient operation of the National Grid, or result in adverse effects on people's health and safety including:
- b) The ability for emergency maintenance and inspection of transmission lines, including support structures, and the minimizing of risk of injury or property damage from or to such lines;
- c) The extent to which any buildings, structures, construction activities, mobile plant or earthworks could affect transmission lines and support structures;
- d) The ability to comply with the New Zealand Electrical Code of Practice of Electrical Safety Distances (NZECP: 34 2001);
- e) The nature and location of tree/vegetation planting near the transmission lines and support structures and the ability to comply with the Electricity (Hazards from Trees) Regulations 2003;

- f) The extent to which the proposal would constrain the operation needs of the national grid;  
and
- g) The outcome of any consultation with the line operator.

#### **7.11.6 Outdoor Living Space**

- a) The extent to which the reduction in outdoor living space and/or its location will adversely affect the ability of the site to provide for the outdoor living needs of likely future residents of the site.
- b) Any alternative provision on, or in close proximity to the site for outdoor living space to meet the needs of likely future residents of the site.
- c) The extent to which the reduction in outdoor living space or the lack of its access to sunlight is compensated for by alternative space within buildings with access to ample sunlight and fresh air.
- d) Whether the residential units are to be used for elderly persons housing and the extent to which a reduced area of outdoor living space will adequately provide for the outdoor living needs of the likely residents of the site.

#### **7.11.7 Vehicle Access and Vehicle Crossings**

- a) The extent to which alternative formed access and/or vehicle crossings can be assured to the residential unit in the long-term.
- b) The extent to which the level and nature of the use of the residential unit will make it unlikely that access by way of a formed road will ever be necessary.
- c) The level of financial contribution required to be made to the Council towards the formation of the road to a suitable residential standard, taking into account the levels of traffic likely to be generated by the use of the residential unit in relation to the existing use of the road.

#### **7.11.8 Outdoor Storage**

- a) The extent to which the character of the site will remain dominated by open space or tree and garden plantings rather than by buildings and areas of hard surfacing.
- b) The extent to which the proposed outdoor activities will detract from the pleasantness, coherence and attractiveness of the site as viewed from adjoining roads and sites.
- c) Any adverse effects of the outdoor activity on the outlook of people on adjoining sites, including the loss of residential or rural character.
- d) The extent to which the outdoor activity will be compatible with the appearance, layout and functioning of other sites in the adjoining area.
- e) The ability to screen outdoor activities from adjoining roads and sites by alternative means.

- f) The ability to mitigate any adverse effects of the outdoor activity on adjoining roads and sites.

#### **7.11.9 Landscaping**

- a) The extent of the visual impact of buildings and outdoor storage areas on sites with a reduced area of landscaping.
- b) The extent to which the site is visible from adjoining sites, particularly from residential areas.
- c) The extent to which other factors may compensate for a reduced landscaped area, such as:
- a higher quality of planting over a smaller area;
  - a high standard of architectural design that is not visually obtrusive;
  - the type of building materials used;
  - the location of different activities on site and their relationship to the boundaries of the site and their visibility from the general area.
- d) The visual appearance of the site and the length of boundary open to public view and the impact of buildings and activities on site on the character and amenity of the area.
- e) The importance of improving the standard of landscape particularly where a low standard of landscaping currently exists.

#### **7.11.10 Amenities of Residential Areas**

- a) The extent of the visual impact of the building from the adjoining residential site and its impact on the amenity and character of the residential environment taking into account its design and appearance, bulk and length of any wall.
- b) The extent of any overshadowing created and the impact this may have on any outdoor living spaces or main living areas within a residential unit.
- c) The potential for the development to affect the privacy of the residents.
- d) The potential to mitigate any adverse effects created through options on the layout of buildings, car parking and storage areas on site.
- e) The potential for the development to affect the amenity of the adjoining residential environment in terms of such matters as noise, glare, dust, smell and vibration.

#### **7.11.11 Setback from Stopbanks and Water Bodies**

- a) Potential flood conditions at the site, the safety of occupants of buildings and the vulnerability of buildings to the effects of failure of the stopbank.
- b) The effects of the building on the integrity of the stopbank.

- c) The ability for maintenance activities to be undertaken in or along the margins of water bodies.

## Section 7 Appendices

**Appendix 7-1: Aquatic Park Zone Outline Development Plan**



**LAKE HOOD AQUATIC PARK**  
Outline Development Plan . 03 November 2009