

- 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 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 manoeuvring space on sites **where parking is provided**.
- 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 manoeuvring space for vehicles clear of the road **on sites where parking is provided.**
- g) The ability of the public to use the footpath free from obstruction.**
- h) 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.
- i) 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.
- j) 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.
- k) 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.