

DA1

Port Nikau Development Area (PNDA)



Issues

The Port Nikau Development Area (PNDA) enables the development of a liveable, mixed use environment where people can practically live, work and play within the area with a specific focus on amenity values, urban design and open space.

The following underlying zones apply in the PNDA:

- Medium Density Residential Zone
- Local Commercial Centre Zone
- Mixed Use Zone

The PNDA has a suite of objectives, policies, and rules that will guide the assessment of resource consent applications. The rules require development to proceed in accordance with PNDA development Plans and Building Typologies included in the chapter.

The objectives, policies and rules of the underlying zones do not apply to development under the PNDA, except in circumstances stated in the PNDA provisions.

PNDA Plans are attached to this chapter and include:

- Underlying Zone PNDA plan;
- Sub-Area PNDA plan;
- Residential Area A building typologies;
- Residential Area B building typologies;
- Residential Area C building typologies;
- Residential A and Local Commercial Area spatial layout plans;
- Port Nikau Public Realm Plan (street and open space networks);
- Street cross – sections.

The district wide objectives, policies and rules of the Subdivision Chapter does not apply to development in the PNDA unless otherwise stated in the PNDA provisions.

All other district wide objectives, policies and rules shall apply to development in the PNDA unless otherwise stated in the PNDA provisions.

Objectives

PNDA-O1 – Urban Design	Create a strong sense of place through application of urban design principles.
PNDA-O2 – Infrastructure	Ensure adequate provision of infrastructure and services to meet development capacity while recognising the impacts of development on existing infrastructure networks.
PNDA-O3 – Reverse Sensitivity	Manage reverse sensitivity effects between Zones and between incompatible land use activities.

DA1

Port Nikau Development Area (PNDA)



PNDA-O4 – Range of Activities	<p>Provide for mixed use development, including commercial, community and residential activities, that:</p> <ol style="list-style-type: none"> 1. <u>Provides for the community's social and economic needs;</u> 2. <u>Improves community access to goods, services, community facilities, and opportunities for social interaction;</u> 3. <u>Manages adverse effects on the environment;</u> 4. <u>Does not undermine the vitality and viability of the City Centre;</u> 5. <u>Creates high levels of internal amenity through good quality urban design.</u>
PNDA-O5 – Biodiversity	<p><u>Development of the site allows for the maintenance of existing (pre-development) ecological values.</u></p>
PNDA-O6 – Open Space	<p><u>To incorporate open space for recreation and public access to the coastal marine area.</u></p>

Policies	
PNDA-P1 – Urban Design (Overall Development Structure)	<p><u>Discourage development which is not consistent with the urban design principles in the PNDA plans.</u></p>
PNDA-P2 – Built Form	<p><u>To achieve high quality urban design outcomes by enabling medium density housing and providing for a mix of housing typologies to encourage a diverse community consistent with the PNDA plans.</u></p>
PNDA-P3 – Street Networks and Formation	<p><u>To ensure the provision of an effective, effective and safe transport network:</u></p> <ol style="list-style-type: none"> 1. <u>A simple and legible street layout.</u> 2. <u>A street network that is linked to a well-connected movement system with choice of travel direction, and easy access to the Town Centre.</u> 3. <u>That streets are aligned to create viewshafts to the water, Town Centre, the central park, and the southern park.</u> 4. <u>The inclusion of park-side-streets to maximise the visibility of public reserves to create safe and active green spaces.</u>

DA1

Port Nikau Development Area (PNDA)



<p><u>PNDA-P4 – Reticulated Infrastructure Services</u></p>	<p><u>To ensure that new lots and development are appropriately serviced by:</u></p> <ol style="list-style-type: none"> 1) <u>Either</u> <ol style="list-style-type: none"> a. <u>Requiring new lots to have a connection to reticulated infrastructure services (water, sewer, stormwater, electricity and telecommunications); or</u> b. <u>In the case of super lots, demonstrating that infrastructure services can be provided to the future lots upon further subdivision; and</u> 2) <u>Considering alternative locations for three waters infrastructure where there are reduced road widths in accordance with the PNDA street network and cross sections, and trees within berms that could adversely affect underground infrastructure.</u>
<p><u>PNDA-P5 – Reverse Sensitivity</u></p>	<p><u>To avoid, remedy, or mitigate adverse reverse sensitivity effects of sensitive activities by managing the design and location of sensitive activities in proximity to commercial and industrial activities in the neighbouring Light Industrial zones.</u></p>
<p><u>PNDA-P6 – Ecological Values</u></p>	<p><u>To recognise the existing wader bird habitat of ecological significance by retaining the existing open water buffer between the south-western boundary of the PNDA and the wader bird habitat (on the outer edge of the mangroves).</u></p>
<p><u>PNDA-P7 – Open Space</u></p>	<p><u>To provide open space that:</u></p> <ol style="list-style-type: none"> 1. <u>Meets the recreational needs applicable to the density of development.</u> 2. <u>Facilitates public access to the CMA, recognising that some activities have an operational necessity to be located within riparian and coastal margins and that in some instances the exclusion of public access is necessary.</u>
<p><u>PNDA-P8 – Mixed Use</u></p>	<p><u>To manage potential adverse effects of non-residential uses by confining commercial and community uses (other than home occupations) to the Mixed Use Area.</u></p>

DA1

Port Nikau Development Area (PNDA)



<p><u>PNDA-P9 – Town Centre</u></p>	<p><u>Discourage development that does not achieve the following outcomes for the Town Centre:</u></p> <ol style="list-style-type: none"><u>1. A simple and legible street layout.</u><u>2. Enhanced vehicle circulation.</u><u>3. The linking of landmarks, such as the tide gauge building, the waterfront edge, and the marina, with strongly defined pedestrian and vehicle routes.</u><u>4. Buildings, public spaces, and street networks designed to create view shafts to the water, tide gauge building, and plaza.</u><u>5. Breaks in built form on the main street to ensure visibility of the plaza and public areas in order to create safe and active green spaces.</u><u>6. A tree lined main street and a network of open spaces.</u><u>7. Orientation of public areas to the north and west for solar gain where practicable.</u>
<p><u>PNDA-P10 Subdivision</u></p>	<p><u>To encourage design and layout of subdivision that achieves the following:</u></p> <ol style="list-style-type: none"><u>1. Lots are shaped and sized to allow generous sunlight to living and outdoor spaces, and to provide high levels of onsite amenity and privacy.</u><u>2. Where possible, lots are located so that they over-look and front the road and open spaces.</u><u>3. The creation of multiple rear sites is limited, and where practicable avoided.</u>

All Zones

<p><u>PNDA-Rnew1 Any Activity</u></p>
<ol style="list-style-type: none"><u>1. The underlying zone shall apply as identified on the District Plan Zone maps.</u><u>2. Areas shall apply as identified on the PNDA-Areas Map.</u>

DA1

Port Nikau Development Area (PNDA)



3. The rules of the underlying zone shall apply unless otherwise stated in the PNDA rules.
4. The rules of the area shall apply unless otherwise stated in the PNDA rules.

PNDA-R1 Any Activity

1. Except for (2) below, the relevant rules of the district wide chapters apply unless otherwise stated in the PNDA rules.
2. The rules of the district wide Subdivision chapter do not apply to the PNDA.

Commented [MM1]: Exemptions from TRA-R15 and TRA-R16 and the TWM chapter would be added to here if the commissioners were minded to accept this submission point.

PNDA-R2 Removal of PNDA

1. The PNDA will be removed from the District Plan (and the underlying zone and all district wide rules will apply):
 - a. When development in the PNDA is complete: or
 - b. In whole or in part upon agreement between the landowner and the Council.
2. Development is deemed to be complete when:
 - a. In the case of a residential or commercial lot, the lot has been developed to its fullest extent.
 - b. In the case of infrastructure, infrastructure has been installed in accordance with the PNDA.

PNDA-R3 Financial Contributions

1. Any road upgrading or provision of public open space required under rules PNDA-R5 and PNDA-R6 may be provided in accordance with the Financial Contributions chapter (Chapter 80) of the Whangarei District Plan.

Commented [MM2]: PNJV is seeking that the word "may" be replaced with "shall". There is no agreement with WDC on this point.

PNDA-R4 Minor Buildings

DA1

Port Nikau Development Area (PNDA)



Activity Status: Permitted

1. Note: Minor buildings are exempt from rules PNDA-R9 to PNDA-R13, PNDA-R39 and PNDA-R67 to PNDA-R72.

PNDA-R5	Street and Pedestrian Networks	
	<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> 1. <u>All Streets and footpaths are:</u> <ol style="list-style-type: none"> a. <u>Located in accordance with the PNDA Plans.</u> b. <u>Formed in accordance with the PNDA 'Street Sections' plans.</u> 	<p><u>Activity Status when compliance not achieved: Restricted Discretionary</u></p> <p><u>Matters of discretion:</u></p> <ol style="list-style-type: none"> 1. <u>Alternative location of open space and impact on PNDA layout.</u> 2. <u>Consistency with Consideration of the Whangarei District Council Engineering Standards.</u> 3. <u>Urban design best practice.</u> 4. <u>Traffic and pedestrian safety and efficiency.</u> 5. <u>Vesting of streets and the split of linear parks between road to vest and reserve to vest with Whangarei District Council.</u>

PNDA-R6	Open space	
	<p><u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> 1. <u>All Open Space is spatially located provided in accordance with the PNDA Plans.</u> 	<p><u>Activity Status when compliance not achieved: Restricted Discretionary</u></p> <p><u>Matters for discretion:</u></p> <ol style="list-style-type: none"> 1. <u>Alternative location of open space and impact on PNDA layout.</u> 2. <u>Consistency with Consideration of the Whangarei District Council Engineering Standards.</u> 3. <u>Urban design and landscape best practice.</u>

DA1

Port Nikau Development Area (PNDA)



4. Pedestrian safety and efficiency.
5. Vesting of open space with Whangarei District Council.

PNDA-R7	Subdivision
<p><u>Activity Status: Controlled</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> 1. <u>Every Super Lot:</u> <ol style="list-style-type: none"> a. <u>Spatially aligns with the relevant PNDA plans, including the street network and the ability to accommodate the relevant housing and/or building typologies.</u> b. <u>Every allotment that does not contain an existing dwelling or residential unit-building at the time of subdivision (excluding super lots) is capable of accommodating the housing and/or building typologies under the PNDA plans and rules.</u> c. <u>Every allotment that does contain an existing dwelling residential unit or building at the time of subdivision (including unit titles) complies with the PNDA permitted activity rules.</u> 2. <u>Open Space is spatially located in accordance with the PNDA Plans.</u> <p><u>Matters over which control is reserved</u></p>	<p><u>Activity Status when compliance not achieved with PNDA-R7.1 a - c:</u> <u>Discretionary</u></p> <p><u>Activity Status when compliance not achieved with PNDA-R7.2:</u> <u>Restricted Discretionary</u></p> <p><u>Matters for discretion:</u></p> <ol style="list-style-type: none"> 1. <u>Alternative location of open space and impact on PNDA layout.</u> 2. <u>Consideration of the Whangarei District Council Engineering Standards.</u> 3. <u>Urban design and landscape best practice.</u> 4. <u>Pedestrian safety and efficiency.</u>

DA1

Port Nikau Development Area (PNDA)



1. The ability to site appropriate housing-building typologies within the proposed lots.
2. Fire rating on boundaries.
3. Compliance with the relevant PNDA plans and standards.
4. The provision, location, design, capacity, connection, upgrading, staging and integration of infrastructure in accordance with the PNDA plans and rules.
5. The staged provision of park and/or public land (including public open space), spatially in accordance with the PNDA plans and rules.
6. Public access to the CMA in accordance with the PNDA plans.
7. The need for consent notices to manage future built form on super lots, particularly the relationship of this built form with potential development on adjacent lots.

PNDA-R8

Rural Production Activity

Activity status: Non Complying

Where:

1. The activity is a primary activity or ancillary activity.

Medium-Density Residential Underlying Zone

DA1

Port Nikau Development Area (PNDA)



PNDA-R9 Any Building and Major Structure in Residential Area A	
<p><u>Activity Status:</u> Permitted</p> <p><u>Where:</u></p> <ol style="list-style-type: none"> <u>The building complies with the Building Typology shown on the PNDA plans.</u> <u>Buildings are located within the sites in accordance within the site in accordance with the locations shown on the PNDA plans.</u> 	<p><u>Activity Status when compliance not achieved:</u> Discretionary—<u>Restricted Discretionary</u></p> <p><u>Matters for discretion:</u></p> <ol style="list-style-type: none"> <u>The general urban design principles depicted on the PNDA plans.</u> <u>Shading and privacy for adjoining properties.</u> <u>The privacy of occupants.</u> <u>Effects on amenity values.</u> <u>Road frontage domination.</u> <u>Access to private open space.</u>

PNDA-RNew2 Any Building and Major Structure in Residential Area B and C	
<p><u>Activity Status:</u> Permitted</p> <p><u>Where:</u></p> <ol style="list-style-type: none"> <u>Buildings comply with one of the Area B and C Building Typologies as shown on the PNDA plans and where they are located and orientated in accordance with the following criteria:</u> <ol style="list-style-type: none"> <u>For sites with a single frontage, the front façade of the building shall include a window from a habitable room and a door as the main entrance within the front façade that</u> 	<p><u>Activity Status when compliance not achieved:</u> <u>Restricted Discretionary</u></p> <p><u>Matters for discretion:</u></p> <ol style="list-style-type: none"> <u>The general urban design principles depicted on the PNDA plans.</u> <u>Shading and privacy for adjoining properties.</u> <u>The privacy of occupants.</u> <u>Effects on amenity values.</u> <u>Road frontage domination.</u> <u>Access to private open space.</u>

DA1

Port Nikau Development Area (PNDA)



- these are clear and visible.
- b. For sites with multiple public frontages, the building shall:
 - i. Provide pedestrian access to each frontage; and
 - ii. Include a kitchen, dining room, living room or bedroom to each frontage; and
 - iii. Articulate each building frontage as if it is a front façade; and
 - iv. Shall locate the garage behind the front façade if the building; and
 - v. Shall maintain one main roof form that is extended to the front of the building for single storey dwellings; and
 - vi. Garages shall be setback from road frontages a minimum of 5.5m; and
 - vii. Shall comply with PNDA-R13; or
2. Buildings shall comply with PNDA-R10-R12.

PNDA-
R10

Building and Major Structure Height

DA1

Port Nikau Development Area (PNDA)



<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> <u>The maximum height of buildings and major structures is 12m, except where the building or major structure is located within 50m of the CMA Residential Area A where the maximum height is 20m.</u> 	<p><u>Activity Status when compliance not achieved: Restricted Discretionary</u></p> <p><u>Matters for discretion:</u></p> <ol style="list-style-type: none"> <u>The general urban design principles depicted on the PNDA plans.</u> <u>Shading and privacy for adjoining properties.</u>
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PNDA-R11	Building and Major Structure Setbacks
<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> <u>Buildings except within Residential Area A, and major structures are set back at least:</u> <ol style="list-style-type: none"> <u>10m from MHWS, and</u> <u>2m from the road boundary.</u> <u>Any habitable room of a building is set back at least 1m from side and rear boundaries, except where a common wall between two buildings on adjacent sites is proposed.</u> <u>Any non-habitable building or non-habitable room of a building is set back at least 1m from side and rear boundaries, allowing for a nil setback of 7.5m on any single boundary for a maximum total building length of 10.5 m on all boundaries.</u> 	<p><u>Activity Status when compliance not achieved: Restricted Discretionary</u></p> <p><u>Matters for discretion:</u></p> <ol style="list-style-type: none"> <u>The general urban design principles for access to the CMA depicted on the PNDA plans.</u> <u>The privacy of occupants.</u> <u>Effects on amenity values.</u> <u>Road frontage domination.</u> <u>Access to private open space.</u>

DA1

Port Nikau Development Area (PNDA)



PNDA-R12	Building Bulk in Relation to Boundary	
	<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> 1. <u>Any part of a building, except within Residential Area A that is greater than 3.5m in height is confined within the arms of a single 150° angle formed by two lines intersecting at a common point on any side or rear boundary such that each line forms an angle of 15° with that boundary, except that:</u> <ol style="list-style-type: none"> a. <u>This rule does not apply where a common wall between two buildings on adjacent sites is proposed.</u> <p><u>Note: Measurements for PNDA-R12(2) can be taken from the furthest boundary when adjoining an access lot/access leg.</u></p>	<p><u>Activity Status when compliance not achieved: Restricted Discretionary</u></p> <p><u>Matters for discretion:</u></p> <ol style="list-style-type: none"> 1. <u>Privacy and amenity of occupants on site.</u> 2. <u>Sufficient sunlight access to outdoor areas and habitable rooms within the site.</u> 3. <u>The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.</u>

PNDA-R13	Outdoor Living Courts	
	<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> 1. <u>Every residential unit:</u> <ol style="list-style-type: none"> a. <u>With one or more habitable rooms at ground floor level provides for an outdoor living</u> 	<p><u>Activity Status when compliance not achieved: Restricted Discretionary</u></p> <p><u>Matters for discretion:</u></p> <ol style="list-style-type: none"> 1. <u>Privacy and amenity of occupants on site.</u>

DA1

Port Nikau Development Area (PNDA)



<p><u>court of at least 20m² and at least 4m depth.</u></p> <p>b. <u>With all habitable rooms above ground floor with 1 or 2 bedrooms provides an outdoor living court of at least 6m² and at least 1.8m depth.</u></p> <p>c. <u>With all habitable rooms above ground with 3 or more bedrooms provides an outdoor living court of at least 10m² and at least 2.4m depth.</u></p> <p>2. <u>The outdoor living court is able to receive direct sunlight for at least 5 hours on the winter solstice over at last 50% of the minimum space required under PNDA-R10 above.</u></p>	<p>2. <u>Sufficient sunlight access to outdoor areas and habitable rooms within the site.</u></p> <p>3. <u>The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.</u></p> <p><u>Notification:</u></p> <p><u>Any restricted discretionary activity under PNDA-R29 shall not require the written consent of affected persons and shall not be notified or limited notified unless special circumstances exist under section 95A(4) of the RMA, 1991.</u></p>
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PNDA-R14	Fences
<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <p>1. <u>Fences do not exceed a height of 2m above ground level, except in front yards where the maximum height does not exceed 1.2m.</u></p> <p>2. <u>Notwithstanding (1) above, the maximum height of fences in front yards is 2m where living courts are located at the front of the dwelling.</u></p>	<p><u>Activity Status when compliance not achieved: Restricted Discretionary</u></p> <p><u>Matters for discretion:</u></p> <p>1. <u>Effects on the amenity value of the streetscape.</u></p> <p>2. <u>CPTED.</u></p> <p>3. <u>Privacy and amenity of occupants on site.</u></p>

DA1

Port Nikau Development Area (PNDA)



3. Any fence within 3m of a road boundary is at least 50% visually permeable for any portion above 1m high.
4. Fences adjoining a public open space area are at least 50% visually permeable for any portion above 1.5m high.
5. Fencing is not fortified with barbed wire, broken glass or any form of electrification.

PNDA-R15	Landscaping
<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> 1. <u>At least 25% of the net site area is in lawn or planted.</u> 	<p><u>Activity Status when compliance not achieved: Discretionary</u></p>

PNDA-R16	Garages
<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> 1. <u>Any ground floor garage which faces the street occupies less than 40% of the site frontage; or</u> 2. <u>The garage has a frontage exceeding 40%:</u> <ol style="list-style-type: none"> i. <u>The garage complies with the PNDA building typology in accordance with PNDA-R9 or PNDA-RNew2; and</u> 	<p><u>Activity Status when compliance not achieved: Discretionary</u></p>

DA1

Port Nikau Development Area (PNDA)



- ii. Any adjoining site has an existing single garage.

PNDA-R17	Hours of Operation
<p><u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p>1. <u>Any non-residential activity operates or is open for visitors, clients, deliveries or servicing between the hours of 0600 – 1800.</u></p>	<p><u>Activity Status when compliance not achieved: Discretionary</u></p>

PNDA-R18	Principle Residential Unit
PNDA-R19	Minor Residential Unit
<p><u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p>1. <u>Every principal residential unit provides a Net Floor Area of at least:</u></p> <ul style="list-style-type: none"> a. <u>For 1 bedroom – 45m².</u> b. <u>For 2 bedrooms – 70m².</u> c. <u>For 3 bedrooms – 90m²</u> d. <u>For more than 3 bedrooms – 90m² plus 20m² per additional bedroom.</u> <p>2. <u>Every residential unit provides a living area that can receive direct sunlight for at least 5 hours on the winter solstice.</u></p>	<p><u>Activity Status when compliance not achieved: Restricted Discretionary</u></p> <p><u>Matters of discretion:</u></p> <p>1. <u>The design, size and layout of buildings to provide appropriate privacy and amenity of occupants on-site.</u></p> <p><u>Notification:</u></p> <p><u>Any restricted discretionary activity under PNDA-R18-R19 shall not require the written consent of affected persons and shall not be notified or limited notified unless special circumstances exist under section 95A(4) of the RMA 1991.</u></p>

DA1

Port Nikau Development Area (PNDA)



Activities in Residential Areas 'A' and 'B'

PNDA-R20	Retail Activity
PNDA-R21	Commercial Services
PNDA-R22	Food and Beverage Activity
PNDA-R23	Care Centre
PNDA-R24	Visitor Accommodation

<u>Activity status: Permitted</u>	<u>Activity Status when compliance not achieved:</u>
<p><u>Where:</u></p> <ol style="list-style-type: none"> <u>The activity is ancillary to a residential unit on the site.</u> <u>The principal operator of the activity is a permanent resident on the site.</u> <u>The activity does not include, before 0800 or after 1600 on any day, the operation of machinery, receiving of customers or the loading or unloading of vehicles.</u> <u>The activity generates less than 20 traffic movements per day.</u> <u>There is no carparking between the residential unit and the road.</u> <u>In addition to the principal operator the activity has no more than two persons engaged in providing the activity.</u> <u>The activity does not exceed the use of 15% of the total GFA of all buildings on the site.</u> <u>The total area of signage is less than 0.25m² per site.</u> 	<p><u>Discretionary</u></p>

DA1

Port Nikau Development Area (PNDA)



- 9. There is no illuminated or flashing signage.
- 10. No more than 6 tariff-paid visitors are staying on-site at any one time.
- 11. Each visitor accommodation unit provides an outdoor living court of at least 6m² and at least 1.8m depth.

PNDA-R25	Supported Residential Care
PNDA-R26	Retirement Village Premises

Activity status: Permitted

Where:

- 1. The activity is a primary activity or ancillary activity.

PNDA-R27	<u>Multi-Unit Development</u>	
	<u>Activity status: Restricted Discretionary</u>	<u>Activity Status when compliance not achieved: Discretionary</u>
	<u>Where:</u>	
	1. <u>The activity complies with PNDA-R3 to PNDA-R6 and PNDA-R10.</u>	
	<u>Matters of discretion:</u>	
	1. <u>Privacy and amenity of the occupants of the site.</u>	
	2. <u>Sufficient sunlight access to outdoor living space and habitable rooms within the site.</u>	
	3. <u>The proximity of the site to communal public open space that has the potential to mitigate any lack of private outdoor living space.</u>	

DA1

Port Nikau Development Area (PNDA)



~~4. The suitability of the area for increased residential density including:~~

- ~~a. The availability and accessibility of open space, public amenities and commercial activities;~~
- ~~b. Capacity and availability of infrastructure;~~
- ~~c. Road access and effects on transport, including availability of public and/or active transport options;~~

~~Notification:~~

~~Any restricted discretionary activity under PNDA-R17 shall not require the written consent of affected persons and shall not be notified or limited notified unless special circumstances exist under section 95A(4) of the RMA 1991.~~

PNDA-R28	Place of Assembly
PNDA-R29	Emergency Services
PNDA-R30	Recreational Facilities
PNDA-R31	Educational Facilities

~~Activity status: Discretionary~~

~~Where:~~

~~1. The activity is a primary activity or ancillary activity.~~

PNDA-R32	Entertainment Facilities
PNDA-R33	Service Stations
PNDA-R34	Funeral Home

DA1

Port Nikau Development Area (PNDA)



PNDA-R35	Hospital
PNDA-R36	Industrial Activities
PNDA-R37	General Commercial
PNDA-R38	General Community

Activity status: Non Complying

Where:

- The activity is a primary activity or ancillary activity.

Mixed Use Underlying Zone

PNDA-R39	Building and Major Structures
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Activity Status: Permitted	Activity Status when compliance not achieved: Discretionary
Where:	
<ol style="list-style-type: none"> Buildings and Major Structures <ol style="list-style-type: none"> Comply with PNDA-R9; and Comply with PNDA-R13 	

PNDA-R40	Hours of Operation
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Activity status: Permitted	Activity Status when compliance not achieved: Discretionary
Where:	
<ol style="list-style-type: none"> Any non-residential activity operates or is open for visitors, clients, deliveries or servicing between the hours of 0600 – 1800. 	

PNDA-R41	Principal Residential Unit
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DA1

Port Nikau Development Area (PNDA)



PNDA-R42	Minor Residential Unit	
	<p><u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <p>1. <u>The activity complies with rules PNDA-R18 and PNDA-R19.</u></p>	<p><u>Activity Status when compliance not achieved: Restricted-Discretionary</u></p> <p><u>Matters of discretion:</u></p> <p>1. <u>The design, size and layout of buildings to provide appropriate privacy and amenity of occupants on-site.</u></p> <p><u>Notification:</u></p> <p><u>Any restricted discretionary activity under PNDA-R18-R19 shall not require the written consent of affected persons and shall not be notified or limited notified unless special circumstances exist under section 95A(4) of the RMA 1991.</u></p>

Activities for Residential Area 'C'

PNDA-R43	Trade Supplier	
PNDA-R44	Grocery Store	
PNDA-R45	General Retail	
PNDA-Rnew3	Food and Beverage Activity	
PNDA-Rnew4	Care Centre	
	<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <p>1. <u>Any individual activity is less than 300m² per site.</u></p> <p>2. <u>The activity is a primary activity or ancillary activity.</u></p>	<p><u>Activity Status when compliance not achieved: Discretionary</u></p>

DA1

Port Nikau Development Area (PNDA)



PNDA-R46	Commercial Services
PNDA-R47	Visitor Accommodation
PNDA-R48	Place of Assembly
PNDA-R49	Recreational Facilities
PNDA-R50	Emergency Services
PNDA-R51	Educational Facilities

Activity Status: Permitted

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R52	Standalone Car Parking Facility
PNDA-R53	Drive Through Facilities
PNDA-R54	Food and Beverage Activity
PNDA-R55	Entertainment Facilities
PNDA-R56	Service Stations
PNDA-R57	Care Centre
PNDA-R58	General Commercial
PNDA-R59	General Community

Activity Status: Discretionary

Where:

1. The activity is a primary activity or ancillary activity.

PNDA-R60	Industrial Activities
PNDA-R61	Motor Vehicle Sales
PNDA-R62	Garden Centres
PNDA-R63	Marine Retail
PNDA-R64	Hire Premise

DA1

Port Nikau Development Area (PNDA)



PNDA-R65	Funeral Home
PNDA-R66	Hospital
<p><u>Activity Status: Non-Complying</u></p> <p><u>Where:</u></p> <p>1. <u>The activity is a primary activity or ancillary activity.</u></p>	

Local Commercial Centre Underlying Zone

PNDA-R67	<u>Building and Major Structures</u>
<p><u>Activity Status: Permitted</u></p> <p><u>Where</u></p> <p>1. <u>Buildings and Major Structures</u> <u>are located in accordance with:</u></p> <p><u>a. Comply with:</u></p> <ul style="list-style-type: none"> i. <u>The relevant PNDA Plan; and</u> ii. <u>PNDA-R68 to R72.</u> 	<p><u>Activity Status when compliance not achieved: Discretionary</u></p>

PNDA-R68	<u>Building and Major Structure Height</u>
<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <p>1. <u>The maximum height of buildings or major structures is 20m.</u></p>	<p><u>Activity Status when compliance not achieved: Discretionary</u></p>

PNDA-R69	<u>Building and Major Structure Setbacks from MHWS</u>
<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p>	<p><u>Activity Status when compliance not achieved: Restricted Discretionary</u></p> <p><u>Matters of discretion:</u></p>

DA1

Port Nikau Development Area (PNDA)



<ol style="list-style-type: none"> 1. <u>Any building or major structure is set back in accordance with the PNDA plans: or</u> 2. <u>Any building or major structure is set back at least 10m from MHWS.</u> 	<ol style="list-style-type: none"> 1. <u>The general urban design principles for access to the CMA depicted on the PNDA plans.</u>
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PNDA-R70 Building and Major Structure Setbacks	
<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> 1. <u>Buildings or major structures are set back in accordance with the PNDA plans: or</u> 2. <u>Buildings or major structures are set back:</u> <ol style="list-style-type: none"> a. <u>5m from a boundary that adjoins a Residential or Open Space Zone.</u> b. <u>0.5m from a road boundary at ground floor level for the entire length of the street frontage, except:</u> <ol style="list-style-type: none"> (i) <u>A setback of up to 1.5m for a maximum width of 2.5m to allow for a recessed pedestrian entrance.</u> 	<p><u>Activity Status when compliance not achieved: Discretionary</u></p>

PNDA-R71 Building Frontages	
<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p>	<p><u>Activity Status when compliance not achieved: Discretionary</u></p>

DA1

Port Nikau Development Area (PNDA)



1. At least 65% of the building frontage is clear glazing.
2. At least 65% of the building frontage at ground floor is clear glazing.
3. The principal public entrance to the building is situated to face the road where the building is on a front site.
4. There are no roller doors (except emergency services and security grills which allow views from the street into the premises) along the site frontage.

PNDA-R72

Verandahs

Activity Status: Permitted

Where:

1. All buildings fronting a road provides a verandah:
 - a. Along at least 90% of the frontage of the building.
 - b. That is at least 3m above the footpath and no more than 4m above the footpath.
 - c. That has a minimum width of 1.5m and a maximum width of 2.5m and is set back at least 0.5m from the kerb line.
 - d. That has a maximum fascia height of 0.5m.

Activity Status when compliance not achieved: Discretionary

PNDA-R73

Fences

DA1

Port Nikau Development Area (PNDA)



<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> 1. <u>The fence is along a site frontage and is required by a by-law or for public health and safety; or</u> 2. <u>The fence is along a road boundary.</u> 3. <u>Fencing within 1m of any side or rear boundary is no higher than 2m.</u> 	<p><u>Activity Status when compliance not achieved: Discretionary</u></p>
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PNDA-R74	Outdoor Storage and Stockpiles
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<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> 1. <u>Any outdoor area of storage or stockpile:</u> <ol style="list-style-type: none"> a. <u>Complies with PNDA-R67 and PNDA-R70.</u> b. <u>Is screened from view from public places and surrounding residential or open space zone sites.</u> 	<p><u>Activity Status when compliance not achieved: Discretionary</u></p>
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PNDA-R75	Carparking
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<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> 1. <u>All carparking is spatially positioned in accordance with the PNDA town centre plan.</u> 2. <u>The number of car parking spaces required for individual</u> 	<p><u>Activity Status when compliance not achieved: Restricted Discretionary</u></p> <p><u>Matters of discretion:</u></p> <ol style="list-style-type: none"> 1. <u>Availability of alternative modes of transport (including walking and public transport);</u> 2. <u>Trip generation.</u>
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DA1

Port Nikau Development Area (PNDA)



<p><u>activities complies with TRA- Appendix 1, except that:</u></p> <ol style="list-style-type: none"> a. <u>Spaces may be provided within the road reserve or on common land if consistent with the PNDA town centre plan.</u> b. <u>The overall number of spaces is at least the number of spaces shown on the PNDA town centre plan (Note: this does not preclude additional spaces being provided on a voluntary basis).</u> 	<p>3. <u>Public amenity values.</u></p>
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PNDA-R76	Hours of Operation	
<p><u>Activity status: Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> 1. <u>Any non-residential activity operates or is open for visitors, clients, deliveries or servicing between the hours of 0600 – 2200 where the activity is located closer than 50m from a boundary with a residential zone.</u> 	<p><u>Activity Status when compliance not achieved: Discretionary</u></p>	

PNDA-R77	Principal Residential Unit
PNDA-R78	Minor Residential Unit

DA1

Port Nikau Development Area (PNDA)



<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> 1. <u>Every principal residential unit provides an internal area (excluding garages) of at least:</u> <ol style="list-style-type: none"> a. <u>For 1 bedroom – 45 m²</u> b. <u>For 2 bedrooms – 70 m²</u> c. <u>For 3 bedrooms – 90 m²</u> d. <u>For more than three bedrooms – 90 m² plus 12 m² for each additional bedroom.</u> 2. <u>Any 1 bedroom residential unit provides an outdoor living court of at least 4 m² and at least 1.5 m depth.</u> 3. <u>Any 2+ bedroom residential unit contains an outdoor living courts of at least 8 m² and at least 2.4 m depth.</u> 4. <u>Every residential unit is above ground floor.</u> 	<p><u>Activity Status when compliance not achieved: Restricted Discretionary</u></p> <p><u>Matters of discretion:</u></p> <ol style="list-style-type: none"> 1. <u>The design, size and layout of buildings to provide appropriate privacy and amenity of occupants on-site.</u>
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PNDA-R79	Grocery Stores
<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> 1. <u>The GFA does not exceed 500m².</u> 2. <u>The activity is a primary activity or ancillary activity.</u> 	<p><u>Activity Status when compliance not achieved: Discretionary</u></p>

PNDA-R80	Commercial Services
PNDA-R81	Food and Beverage Activity
PNDA-R82	General Retail

DA1

Port Nikau Development Area (PNDA)



<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> <u>Any individual activity is less than 300m² per site.</u> <u>The activity is a primary activity or ancillary activity.</u> 	<p><u>Activity Status when compliance not achieved: Discretionary</u></p>
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<u>PNDA-R83</u>	<u>Artisan Industrial Activities</u>
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<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> <u>The activity is a primary activity or ancillary activity.</u> <u>Any individual activity is less than 300 m² GFA per site.</u> <u>The goods sold on site are also manufactured on site, provided that the retailing is ancillary to the manufacturing. For this rule manufacturing excludes activities which comprise only the packaging, labelling, sorting, mixing or assembling of premade products.</u> <u>Any outdoor area associated with the activity is not located between the front of the building and the road.</u> 	<p><u>Activity Status when compliance not achieved: Discretionary</u></p>
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<u>PNDA-R84</u>	<u>Place of Assembly</u>
<u>PNDA-R85</u>	<u>Entertainment Facilities</u>
<u>PNDA-R86</u>	<u>Recreational Facilities</u>
<u>PNDA-R87</u>	<u>Emergency Services</u>

DA1

Port Nikau Development Area (PNDA)



PNDA-R88	Educational Facilities
	<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> <u>The activity is a primary activity or ancillary activity.</u> <u>Any individual activity is less than 1,000 m² GFA per site.</u> <u>Any outdoor area associated with the activity is not located between the front of the building and the road.</u>
	<p><u>Activity Status when compliance not achieved: Discretionary</u></p>

PNDA-R89	Visitor Accommodation
	<p><u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <ol style="list-style-type: none"> <u>The activity is a primary activity or ancillary activity.</u>

PNDA-R90	Marine Retail
PNDA-R91	Motor Vehicle Sale
PNDA-R92	Garden Centres
PNDA-R93	Trade Suppliers
PNDA-R94	Supported Residential Care
PNDA-R95	Care Centre
PNDA-R96	Retirement Village
PNDA-R97	Drive-through Facility
PNDA-R98	Service Station
PNDA-R99	Funeral Home

DA1

Port Nikau Development Area (PNDA)



PNDA-R100	Hospital
<p><u>Activity Status: Discretionary</u></p> <p><u>Where:</u></p> <p>1. <u>The activity is a primary activity or ancillary activity.</u></p>	

PNDA-R101	<u>General Industry</u>
PNDA-R102	<u>Manufacturing and Storage</u>
PNDA-R103	<u>Repair and Maintenance</u>
PNDA-R104	<u>Marine Industry</u>
PNDA-R105	<u>Hire Premise Activities</u>
<p><u>Activity Status: Non Complying</u></p> <p><u>Where:</u></p> <p>1. <u>The activity is a primary activity or ancillary activity.</u></p>	

PNDA-R106	<u>Waste Management Facility</u>
PNDA-R107	<u>Landfill</u>
<p><u>Activity Status: Prohibited</u></p> <p><u>Where:</u></p> <p>1. <u>The activity is a primary activity or ancillary activity.</u></p>	