

District Plan Compliance Table

Rule	Assessment	Compliance/ Activity Status
Flood Hazard		
5.4.1.1 P3 New buildings outside the Fixed minimum floor level overlay Minimum floor levels shall be the level specified in the Minimum Floor Level Certificate	A floor level certificate has been obtained and all buildings designed to achieve the required level of 15.45RL.	Permitted
5.4.1.1 P13 Filling or excavation in zones other than commercial, industrial and rural zones that is not provided for under Rule 5.4.1.1 P10-P12 or P17-P18. a. A maximum height of 0.3m of filling above ground level and 0.6m depth of excavation below ground level; and b. A maximum volume of filling above ground level of 10m ³ per site, and a maximum cumulative volume of filling and excavation of 25m ³ per site, in each case within any continuous period of 10 years.	The proposal involves construction phase earthworks within a residential zone. Across the site as a whole, earthworks beyond the 1.8m building footprint are as follows: Total cut: 4,700m ³ Total fill: 5,600m ³ Total earthworks: 10,300m ³ Net fill: 900m ³ Maximum cut depth: up to 600mm Maximum fill depth: up to 600mm	Restricted Discretionary (5.4.1.5 RD2)
5.4.1.1 P14 Filling or excavation in commercial and industrial zones that is not provided for under Rule 5.4.1.1 P10-P12 or P17. a. A maximum height of 0.3m of filling above ground level and 0.6m depth of excavation below ground level; and b. A maximum volume of filling above ground level of 20m ³ per site, and a	The proposal involves construction phase earthworks within a Commercial Local zone. Across the site as a whole, earthworks beyond the 1.8m building footprint are as follows: Total cut: 4,700m ³ Total fill: 5,600m ³ Total earthworks: 10,300m ³ Net fill: 900m ³ Maximum cut depth: up to 600mm	Restricted Discretionary (5.4.1.5 RD2)

maximum cumulative volume of filling and excavation of 50m ³ per site, in each case within any continuous period of 10 years.	Maximum fill depth: up to 600mm	
Liquefaction Hazard		
5.5.1 Permitted Activities All activities are permitted unless specified in rules 5.5.2 or 5.5.3, or as otherwise specified elsewhere in the District Plan.	The proposed activity is not listed in rules 5.5.2 or 5.5.3	Permitted
8.9 Earthworks		
8.9.2.1 P1 Earthworks in accordance with Table 9. RMD: 20m ³ per site Commercial Local: 20m ³ per site	Across the site as a whole, earthworks beyond the 1.8m building footprint are as follows: Total cut: 4,700m ³ Total fill: 5,600m ³ Total earthworks: 10,300m ³ Net fill: 900m ³	Restricted Discretionary (8.9.2.3 RD1)
6.1 Noise		
6.1.5.1.1 P1 activities are to comply with the Zone noise limits outside the Central City, as set out in 6.1.5.2.1 Table 1. a. Residential zones 0700-2200 50dB L _{AEQ} 2200-0700 40L _{AEQ} 65L _{Amax}	The Acoustic Assessment identifies non-compliance with the day-time noise standards received at Lot 3, 479 and 483 Madras Street. The proposal complies with night-time noise standards on all boundaries apart from the boundary with Lot 3. Refer to Acoustic Assessment in Appendix 11 .	Restricted Discretionary (6.1.5.1.3 RD1)
6.1.5.1.1 P2 Outside the Central City, people in outdoor areas of premises licensed for the sale, supply, and/or consumption of alcohol, in all commercial zones. a. No noise standard applies	No licensed premises are currently proposed. It is however noted that it is plausible that a future tenancy located adjacent to the village green outdoor seating area could comply with the required standards. Any proposal containing licensed premises will be subject to a future assessment and if need be,	Permitted

b. The activity shall only occur between 07:00 hours and 22:00 hours. c. The maximum size of the outdoor area shall be 50m². d. The outdoor area shall be setback at least 10m from the boundary of any site in a residential zone.	subject to obtaining resource consent.	
6.1.7.1.1 P1 Sensitive activities within 20m of the marked traffic lane of a collector road as listed in 6.1.7.2.1	No noise sensitive activities are proposed within 20m of Madras Street.	Permitted
6.3 Outdoor Lighting		
6.3.4.1 P1 Any activity involving artificial outdoor lighting a. All fixed exterior lighting shall, as far as practicable, be aimed, adjusted and/or screened to direct lighting away from the windows of habitable spaces of sensitive activities,	Fixed exterior lighting will be designed to comply with this requirement.	Permitted
6.3.5.1 P1 Any activity involving outdoor artificial lighting a. Any outdoor artificial lighting shall comply with the light spill standards in Rule 6.3.6 as relevant to the zone in which it is located, and;	Exterior lighting will be designed to comply with the standard	Permitted
6.3.6 Rules – light spill standards by zone: x. residential zones: 4 lux	Lighting will be designed so that light spill onto the adjoining residential zoned sites does not exceed 4 lux.	Permitted
6.8 Signs		
6.8.4.1.1 P1 and 6.8.4.1.3 RD1	Whilst specific tenant signage design is yet to be confirmed, a package of signage areas is sought through this application that shows the area and location	Restricted Discretionary (6.8.4.1.3 RD1)

Site-related signs that do not meet the built form standards.	of both free-standing and on-building signage. The application is made on the basis that all signage is site related. All signs are expected to be illuminated, however they will not contain digital displays and will not contain flashing or moving parts. In the event that tenants require additional / different signage areas then a separate signage-specific resource consent will be sought in the future. The proposed plans show signage areas. The on-building areas in the Commercial Local zone comply. On building signage for those parts of the building located in the RMD Zone does not comply with the respective Residential zone signage provisions. The free-standing blade sign adjacent to the southern entrance in the Commercial Local zone exceeds the permitted width and area (3.3m proposed cf. 2.5m permitted). The free standing 'entry' sign adjacent to the northern entrance in the RMD zone exceeds permitted standards.	
6.9 Late night licensed premises		
6.9.4.1.1 P1 & 6.9.4.1.3 RD1 The sale and/or supply of alcohol between 23:00-0:700 from any site within 75m of a residential zone, excluding for consumption off the premises.	No licensed premises are currently proposed. If a licenced tenancy is proposed in the future then either it will be designed to comply (which is plausible given this rule only controls opening hours), or a separate resource consent sought.	Permitted

	It is noted that any alcohol sales from the supermarket will not be for consumption on the premises and therefore are permitted by the rule.	
Transport		
The proposal's compliance with the District Plan transport provisions is set out in detail in Appendix C of the Transport Assessment which in turn is attached as Appendix 10. In summary the Transport Assessment identifies that the following transport-related rules are breached: 7.4.3.7(a)(i) Access design- the formed width of the northern crossing exceeds 9m; 7.4.3.7(b)(i) Access design – 24m of queuing space is required across the two entrances, with 17m provided; 7.4.3.10(c)(i) High trip generators – retail activity exceeds 500m². The proposal is a Restricted Discretionary activity for all three transport rules.		
Residential Medium Density zone		
Activity status tables		
P8 Preschools and P9 Healthcare Activities a. The activity shall: i. only locate on sites with frontage and the primary entrance to a minor arterial road or collector road where right turn offset, either informal or formal, is available; ii. only occupy a gross floor area of building of less than 200m²; or in the case of a health care facility, less than 300m²; iii. limit outdoor advertising to a maximum area of 2m²; iv. limit the hours of operation when the site is open to visitors, students, patients, clients, and deliveries to between the hours of 0700-2100 Monday – Friday and closed Sundays and public holidays.	Tenancies for the first floor commercial space are yet to be confirmed. In the event that the space is used for either a preschool or health facility, the following compliance is noted: Madras Street is a collector Road, and a right turn off-site is proposed at the site entrance. The proposal is made on the basis that a preschool tenancy would be less than 200m² and a health facility would be less than 300m² Signs will exceed the permitted area. Will comply	Restricted Discretionary (14.5.1.3 RD8 a. ii) Any application arising from these rules shall not be limited or publicly notified. Permitted Permitted Does not comply Permitted

v. limit outdoor play areas and facilities to those that meet Rule 6.1.5.2.1 Table 1: Zone noise limits outside the Central City;	No outdoor play area is proposed.	Permitted
vi. A. only locate on sites where any residential activity on an adjoining front site, or front site separated by an access, with frontage to the same road is left with at least one residential neighbour. That neighbour shall be on an adjoining front site, or front site separated by an access, and have frontage to the same road; and B. only locate on residential blocks where there are no more than two non-residential activities already within that block; C. not include the storage of more than one heavy vehicle on the site of the activity.	There are no residential units adjoining the premises where a preschool or a healthcare facility could be established. There are no other existing non-residential activities within the RMD zone in this block. No heavy vehicles are proposed to be stored in relation to the preschool or healthcare facility.	Permitted Permitted Permitted
RD1 a. The erection of new buildings that result in: iv. over 40m ² of a building used for other activities, on a site. c. Any application arising from this rule shall not be limited or publicly notified.	More than 40m ² of floor area within the RMD zone area of the site will be used for non-residential activities	Restricted Discretionary (14.5.1.3 RD1) Any application arising from these rules shall not be limited or publicly notified.
14.5.1.4 D1 Any activity not provided for as a permitted, controlled, restricted discretionary, non-complying or prohibited activity.	The proposed village green and the commercial tenancies surrounding it, and parts of the supermarket loading area, access, and carpark are located within the RMD zone and are not listed under any other activity status.	Discretionary (14.5.1.4 D1)
Built form standards		
14.5.2.2 Tree and garden planting		

a. Sites shall include the minimum tree and garden planting as set out in the below table: a. A minimum of 20% of the site shall be provided for landscaping (which may include private or communal open space), where: i. at least 50% of the landscaping shall be trees and shrubs, and ii. a minimum of one tree for every 250m² of gross site area (prior to subdivision), or part thereof, is included within the landscaping, and iii. at least one tree shall be planted adjacent to the road boundary. b. All trees required by this rule shall be not less than 1.5 metres high at the time of planting. c. All trees and landscaping required by this rule shall be maintained and if dead, diseased or damaged, shall be replaced.	The RMD zoned portion of the site will have less than 20% of the area landscaped. Will comply The RMD part of the site is 6,450m² which requires 26 trees. The proposal includes 24 trees within the RMD zoned portion of the site. Several trees will be planted adjacent to the road boundary. Will comply Will comply	Controlled (14.5.1.2 C2) Any application arising from this rule shall not be limited or publicly notified. Permitted Controlled (14.5.1.2 C2) Permitted Permitted Permitted
14.5.2.3(i) Height The maximum height is 11m/ 3 storeys It is noted that clause (vi) provides for up to 14m in height, however the reference to 'Area A' is ambiguous.	The proposed buildings are less than 11m.	Permitted
14.5.2.4 Site coverage	The building site coverage within the RMD zoned portion of the site is 24.81% (6,450m²	Permitted

The maximum percentage of the net site area covered by buildings shall be 50%	area within the RMD Zone, with building coverage of 1,243m ² and canopy of 356.95m ²).	
14.5.2.6 Daylight recession planes Buildings shall not project beyond a building envelope constructed by recession planes	The building will not intrude the recession plane at the internal boundary with the RMD zone. The proposed 3m high acoustic fence around the loading bay technically meets the definition of a 'building' and therefore intrudes the recession plane to the site's northern and eastern internal boundary.	Restricted Discretionary (14.5.1.3 RD15)
14.5.2.7 Minimum internal building setbacks from internal boundaries and railway lines: 1m	The proposed 3m high acoustic fence around the loading bay technically meets the definition of a 'building' and therefore is located within the setback.	Restricted Discretionary (14.5.1.3 RD17)
14.5.2.9 Road boundary building setback a. The minimum road boundary garage and building setback shall be 2m	Complies	Permitted
Area specific rules - RMD Zone		
Activity status tables		
14.5.3.1.3 RD4 Development in Areas A, B and C of the Commercial Local Zone/Residential Medium Density Zone in the Commercial Local Zone (St Albans) Outline development plan Chapter 15 Appendix 15.15.5	The application site is within the area covered by the outline development plan	Restricted Discretionary (14.5.3.1.3 RD4)
Built form standards		
14.5.3.2.3 Building Height a. This applies to: i. Residential Medium Density Zone in the Commercial Local Zone (St Albans) Outline development plan shown as Area A in Chapter 15 Appendix 15.15.5	The proposed building does not exceed 14m	Permitted

b. The maximum height of any building shall be: i. A. 14m.		
Commercial Local Zone		
Activity status tables		
15.5.1.1 P2 Supermarket outside the central city a. The maximum tenancy size at ground floor level shall be 1,000 m ² GLFA	The proposed supermarket (including ancillary office) is 3,550m ² GLFA	Restricted Discretionary (15.5.1.3 RD2) Any application arising from this rule shall not be limited or publicly notified.
15.5.1.1 P3 Retail activity excluding supermarket The maximum size for an individual tenancy at ground floor level shall be 450 m ² GLFA	The proposed non-supermarket retail tenancies are all less than 450m ² GLFA, noting that the 'Retail B' area adjacent to the village green will be internally subdivided so no tenancy exceeds 450m ² and the first floor area will not include retail tenancies.	Permitted
Built form standards		
15.5.2.1 Maximum building height a. The maximum height of any building shall be 8m	Complies	Permitted
15.5.2.2 Building setback from road boundaries Outside the Central City, on sites with a road frontage, all buildings shall: I. be built up to the road boundary, with buildings occupying the full length of the road frontage of the site, except for any pedestrian or vehicle access or for a setback of up to 3 metres from the road boundary for a maximum width of 6 metres; II. provide pedestrian access directly from the road boundary; III. have visually transparent glazing for a minimum of 60% of the ground floor	 Complies Ground floor street facing façade is 47% glazed.	Restricted discretionary (15.5.1.3 RD1) Any application arising from this rule shall not be limited or publicly notified Permitted Restricted discretionary (15.5.1.3 RD1)

elevation facing the street; and IV. have visually transparent glazing for a minimum of 20% of each elevation above ground floor and facing the street.	Complies – first floor glazing is 29.5%	Permitted
15.5.2.3 Minimum building setback from residential zones The minimum building setback for all buildings within sites which share an internal boundary with a residential zone shall be 3 metres	The building containing the supermarket and retail tenancies is set back 3m from the eastern internal boundary and 5.7m from the southern internal boundary. The stormwater tanks are located adjacent to the eastern boundary and 1.3m from the southern boundary.	Permitted Restricted discretionary (15.5.1.3 RD1)
15.5.2.4 Sunlight and outlook at boundary with a residential zone a. Where an internal boundary adjoins a residential zone, no part of any building shall project beyond a building envelope contained by a recession plane measured from any point 2.3m above the site boundary in accordance with the diagrams in Appendix 15.15.9. d. Outside the Central City, where sites are located within a Flood Management Area, recession plane breaches created by the need to raise floor levels shall not be limited or publicly notified.	The proposed supermarket gable top intrudes the recession plane at the southern internal boundary	Restricted discretionary (15.5.1.3 RD1)
15.5.2.5 Outdoor storage areas a. Outside the Central City, any outdoor storage area shall be screened by 1.8 metre high fencing or	All outdoor storage areas will be screened	Permitted

landscaping from any adjoining site.		
15.5.2.6 Landscaping and trees Outside the Central City: On sites adjoining a residential zone, trees shall be provided adjacent to the shared internal boundary at a ratio of at least 1 tree for every 10 metres of the boundary or part thereof, and evenly spaced. All landscaping/trees required for these rules shall be in accordance with the provisions in Appendix 6.11.6 of Chapter 6.	The required trees are provided along all internal boundaries with a RMD zone except for the eastern side of the loading bay area.	Restricted discretionary (15.5.1.3 RD1)
15.5.2.7 Water supply for firefighting Provision for sufficient water supply and access to water supplies for firefighting shall be made available to all buildings via Council's urban reticulated system (where available) in accordance with the New Zealand Fire Service Firefighting Water Supplies Code of Practice (SNZ PAS: 4509:2008).	Complies (refer section 4.3 of the Civil/ Servicing Report – Appendix 13)	Permitted
Area Specific Rules – Commercial Local Zone (St Albans)		
Activity status tables		
15.5.3.1.1 P1 Any activity or building Compliance with: a. All the following key structuring elements on the Commercial Local Zone (St Albans) Development Plan (see Appendix 15.15.5), being: i. Public access and circulation within Commercial Local Zone to enable permeability through the site; and	The proposed development differs from the access layout shown in the ODP	Restricted Discretionary 15.5.3.1.3 RD1

ii. Semi-public access and circulation with Residential Zone.		
Built Form Standards		
15.5.3.2.1 Maximum non-residential floorspace limits in the Commercial Local Zone (St Albans) a. The maximum GLFA for non-residential activity in the Commercial Local Zone (St Albans) shall be as follows: i. There shall be a maximum 3500m² GLFA of non-residential activities within combined areas A and B defined on the Commercial Local Zone (St Albans) Development Plan (see Appendix 15.15.5); and A. one individual tenancy in areas A and B shall have a maximum of 800m² GLFA of retail activity; and B. no other individual tenancy in areas A and B shall have greater than 450m² GLFA of retail activity.	The maximum GLFA <u>within the ODP area</u> is 3,290m², noting that total GLFA is 5,303m². The supermarket will have a GLFA of 3,550m² Noting the ambiguity with the geographic extent of 'areas A and B', no other tenancy will exceed 450m² for retail or commercial office uses. The first floor area may contain other types of activities e.g. gym, health, preschool, community uses that exceed 450m².	Permitted (if taken as the GLFA within the ODP area). Restricted Discretionary (15.5.3.2.1 RD2) if total GLFA is deemed to be subject to the rule Any application arising from this rule shall not be limited or publicly notified Restricted Discretionary 15.5.3.2.1 RD2 Any application arising from this rule shall not be limited or publicly notified Restricted Discretionary 15.5.3.2.1 RD2 Any application arising from this rule shall not be limited or publicly notified