

Business – Neighbourhood Centre Zone

[ENV-2016-AKL-000243: K Vernon]-Note: The definition of “height”, in relation to the exclusions, is subject to appeal.

[ENV-2016-AKL-000243: K Vernon] – Addition sought

H12.1. Zone description

The Business – Neighbourhood Centre Zone applies to single corner stores or small shopping strips located in residential neighbourhoods. They provide residents and passers-by with frequent retail and commercial service needs.

Provisions typically enable buildings of up to three storeys high and residential use at upper floors is permitted. Development is expected to be in keeping with the surrounding residential environment.

New development within the zone requires assessment in order to ensure that it is designed to a high standard which enhances the quality of streets within the area and public open spaces.

H12.2. Objectives

General objectives for all centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone

- (1) A strong network of centres that are attractive environments and attract ongoing investment, promote commercial activity, and provide employment, housing and goods and services, all at a variety of scales.
- (2) Development is of a form, scale and design quality so that centres are reinforced as focal points for the community.
- (3) Development positively contributes towards planned future form and quality, creating a sense of place.
- (4) Business activity is distributed in locations, and is of a scale and form, that:
 - (a) provides for the community’s social and economic needs;
 - (b) improves community access to goods, services, community facilities and opportunities for social interaction; and
 - (c) manages adverse effects on the environment, including effects on infrastructure and residential amenity.
- (5) A network of centres that provides:
 - (a) a framework and context to the functioning of the urban area and its transport network, recognising:
 - (i) the regional role and function of the city centre, metropolitan centres and town centres as commercial, cultural and social focal points for the region, sub-regions and local areas; and

- (ii) local centres and neighbourhood centres in their role to provide for a range of convenience activities to support and serve as focal points for their local communities.
- (b) a clear framework within which public and private investment can be prioritised and made; and
- (c) a basis for regeneration and intensification initiatives.

Business – Neighbourhood Centre Zone objectives

- (6) Commercial activities within residential areas, limited to a range and scale that meets the local convenience needs of residents as well as passers-by, are provided in neighbourhood centres.
- (7) Neighbourhood centres are developed to a scale and intensity in keeping with the planning outcomes identified in this Plan for the surrounding environment.

H12.3. Policies

General policies for all centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone

- (1) Reinforce the function of the city centre, metropolitan centres and town centres as the primary location for commercial activity, according to their role in the hierarchy of centres.
- (2) Enable an increase in the density, diversity and quality of housing in the centre zones and Business – Mixed Use Zone while managing any reverse sensitivity effects including from the higher levels of ambient noise and reduced privacy that may result from non-residential activities.
- (3) Require development to be of a quality and design that positively contributes to:
 - (a) planning and design outcomes identified in this Plan for the relevant zone;
 - (b) the visual quality and interest of streets and other public open spaces; and
 - (c) pedestrian amenity, movement, safety and convenience for people of all ages and abilities.
- (4) Encourage universal access for all development, particularly medium to large scale development.
- (5) Require large-scale development to be of a design quality that is commensurate with the prominence and visual effects of the development.
- (6) Encourage buildings at the ground floor to be adaptable to a range of uses to allow activities to change over time.
- (7) Require at grade parking to be located and designed in such a manner as to avoid or mitigate adverse effects on pedestrian amenity and the streetscape.

- (8) Require development adjacent to residential zones and the Special Purpose – School Zone and Special Purpose – Māori Purpose Zone to maintain the amenity values of those areas, having specific regard to dominance, overlooking and shadowing.
- (9) Discourage activities, which have noxious, offensive, or undesirable qualities from locating within the centres and mixed use zones, while recognising the need to retain employment opportunities.
- (10) Discourage dwellings at ground floor in centre zones and enable dwellings above ground floor in centre zones.
- (11) Require development to avoid, remedy or mitigate adverse wind and glare effects on public open spaces, including streets, and shading effects on open space zoned land.
- (12) Recognise the functional and operational requirements of activities and development.
- (13) In identified locations within the centres zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone enable greater building height than the standard zone height, having regard to whether the greater height:
 - (a) is an efficient use of land;
 - (b) supports public transport, community infrastructure and contributes to centre vitality and vibrancy;
 - (c) considering the size and depth of the area, can be accommodated without significant adverse effects on adjacent residential zones; and
 - (d) is supported by the status of the centre in the centres hierarchy, or is adjacent to such a centre.
- (14) In identified locations within the centre zones, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone, reduce building height below the standard zone height, where the standard zone height would have significant adverse effects on identified special character, identified landscape features, or amenity.

Business – Neighbourhood Centre Zone policies

- (15) Provide for small scale commercial activities to meet either local or passers-by convenience needs, including local retail, business services, food and beverage activities.
- (16) Discourage large-scale commercial activity that:
 - (a) would adversely affect the retention and establishment of a mix of activities within the neighbourhood centre;

(b) would significantly adversely affect the function, role and amenity of the Business – City Centre Zone, Business – Metropolitan Centre Zone or Business – Town Centre Zone, beyond those effects ordinarily associated with trade effects on trade competitors; and

(c) does not appropriately manage adverse effects on the safe and efficient operation of the transport network including effects on pedestrian safety and amenity.

(17) Require activities adjacent to residential zones to avoid, remedy or mitigate adverse effects on amenity values of those areas.

(18) Restrict maximum impervious area within a riparian yard in order to ensure that adverse effects on water quality, quantity and amenity values are avoided or mitigated.

H12.4. Activity table

Table H12.4.1 Activity table specifies the activity status of land use and development activities in the Business – Neighbourhood Centre Zone pursuant to section 9(3) of the Resource Management Act 1991

Table H12.4.1 Activity table

Activity		Activity status
General		
(A1)	Activities not provided for	NC
Use		
Accommodation		
(A2)	Dwellings	P
(A3)	Conversion of a building or part of a building to dwellings, integrated residential development, visitor accommodation or boarding houses	RD
(A4)	Integrated residential development	D
(A5)	Supported residential care	P
(A6)	Visitor accommodation and boarding houses	P
Commerce		
(A7)	Commercial services	P
(A8)	Conference facilities	D
(A9)	Department stores	NC
(A10)	Drive-through restaurants	RD
(A11)	Entertainment facilities	D
(A12)	Cinemas	D
(A13)	Food and beverage	P
(A14)	Funeral directors' premises	D

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[CIV-2016-404-002289: Kiwi Property Group Limited and Kiwi Property Holdings Limited]

Activity		Activity status
(A15)	Garden centres	NC
(A16)	Marine retail	NC
(A17)	Motor vehicle sales	NC
(A18)	Offices up to 500m ² gross floor area per tenancy	P
(A19)	Offices greater than 500m ² gross floor area per tenancy	NC
(A20)	Retail up to 450m ² gross floor area per tenancy	P
(A21)	Retail greater than 450m ² gross floor area per site tenancy	NC
(A22)	Service stations	D
(A23)	Supermarkets up to 450m ² gross floor area per tenancy	P
(A24)	Supermarkets exceeding 450m ² and up to 2000m ² gross floor area per tenancy	RD
(A25)	Supermarkets exceeding 2000m ² per tenancy and up to 4000m ² gross floor area per tenancy	D
(A26)	Supermarkets greater than 4000m ² gross floor area per tenancy	NC
(A27)	Trade suppliers	NC
Community		
(A28)	Artworks	P
(A29)	Care centres	P
(A30)	Care centres within 30m of a residential zone	RD
(A31)	Community facilities	D
(A32)	Education facilities	D
(A33)	Emergency services	RD
(A34)	Healthcare facilities	P
(A35)	Hospitals	NC
(A36)	Justice facilities	NC
(A37)	Recreation facilities	D
(A38)	Tertiary education facilities	D
Industry		
(A39)	Industrial activities	NC
(A40)	Industrial laboratories	NC
(A41)	Light manufacturing and servicing	NC
(A42)	Repair and maintenance services	P
(A43)	Storage and lock-up facilities	NC
(A44)	Waste management facilities	NC
(A45)	Warehousing and storage	NC

Activity		Activity status
Mana Whenua		
(A46)	Marae complex	D
Development		
(A47)	New buildings	RD
(A48)	Demolition of buildings	P
(A49)	Alterations to building facades that are less than 25m ²	P
(A50)	Additions to buildings that are less than: (a) 25 per cent of the existing gross floor area of the building; or (b) 250m ² whichever is the lesser	P
(A51)	Internal alterations to buildings	P
(A52)	Additions and alterations to buildings not otherwise provided for	RD

H12.5. Notification

- (1) Any application for resource consent for an activity listed in Table H12.4.1 Activity table above will be subject to the normal tests for notification under the relevant sections of the Resource Management Act 1991.
- (2) When deciding who is an affected person in relation to any activity for the purposes of section 95E of the Resource Management Act 1991 the Council will give specific consideration to those persons listed in Rule C1.13(4).
- (3) Any application for resource consent for the following activity will be considered without public or limited notification or the need to obtain the written approval of affected parties unless the Council decides that special circumstances exist under section 95A(4) of the Resource Management Act 1991:
 - (a) Development which does not comply with Standard H12.6.9 Minimum dwelling size.

[ENV-2016-AKL-000243: K Vernon]

H12.6. Standards

All activities listed as permitted or restricted discretionary activities in Table H12.4.1 Activity table must comply with the following standards.

H12.6.0 Activities within 30m of a residential zone

- (1) The following activities are restricted discretionary activities where they are located within 30m of a residential zone and are listed as a permitted activity in the activity table:
 - (a) bars and taverns;
 - (b) drive-through restaurants;

- (c) outdoor eating areas accessory to restaurants;
- (d) entertainment facilities;
- (e) child care centres; and
- (f) animal breeding and boarding.

This standard only applies to those parts of the activities subject to the application that are within 30m of the residential zone.

H12.6.1. Building height

Purpose:

- manage the effects of building height;
 - allow reasonable sunlight and daylight access to public open space excluding streets and nearby sites;
 - manage visual dominance effects;
 - allow an occupiable height component to the height limit, and an additional height for roof forms that enables design flexibility, to provide variation and interest in building form when viewed from the street;
 - enable greater height in areas identified for intensification; and
 - provide for variations to the standard zone height through the Height Variation Control, to recognise the character and amenity of particular areas and provide a transition in building scale to lower density zones
- (1) Buildings must not exceed the height in metres specified in Table H12.6.1.1 below, unless otherwise specified in the Height Variation Control on the planning maps.

Table H12.6.1.1 Building height

Occupiable building height	Height for roof form	Total building height
11m	2m	13m

- (2) If the site is subject to the Height Variation Control, buildings must not exceed the height in metres, as shown in Table H12.6.1.2 below and for the site on the planning maps.
- (3) Any part of a building greater than the occupiable building height is to be used only for roof form, roof terraces, plant and other mechanical and electrical equipment.

Table H12.6.1.2 Total building height shown in the Height Variation Control on the planning maps

Occupiable building height	Height for roof form	Total building height shown on Height Variation Control on the planning maps
11m	2m	13m
16m	2m	18m
19m	2m	21m
25m	2m	27m
Same as on the planning maps	NA	Exceeding 27m

H12.6.2. Height in relation to boundary

Purpose:

- manage the effects of building height;
- allow reasonable sunlight and daylight access to public open space excluding streets and neighbouring zones; and
- manage visual dominance effects on neighbouring zones where lower height limits apply.

- (1) Buildings must not project beyond a recession plane that begins vertically above ground level along the zone boundary. The angle of the recession plane and the height above ground level from which it is measured is specified in Table H12.6.2.1 and Figure H12.6.2.1 or Figure H12.6.2.2 below.
- (2) Where the boundary forms part of an entrance strip, access site or pedestrian access-way, the standard applies from the farthest boundary of that entrance strip or access site. However, if an entrance strip, access site or pedestrian access-way is greater than 2.5m in width, the standard will be measured from a parallel line 2.5m out from the site boundary.
- (3) Figure H12.6.2.3 will be used to define what is a north, south, east or west boundary, where this is referred to in Table H12.6.2.1. The recession plane angle is calculated by orientating both site plan and Figure H12.6.2.3 to true north. Figure H12.6.2.3 is placed over the site plan with the outside of the circle touching the inside of the site boundary under consideration. At the point where Figure H12.6.2.3 touches the site boundary, the recession plane angle and height at which it begins, will be indicated by Table H12.6.2.1

Table H12.6.2.1 Height in relation to boundary

Location	Zoning of adjacent site	Angle of recession plane (identified as x in Figure H12.6.2.1 or Figure H12.6.2.2)	Height above ground level which the recession plane will be measured from (identified as y in Figure H12.6.2.1 or Figure H12.6.2.2)
NA	Residential – Single House Zone; or Residential – Mixed Housing Suburban Zone	45°	2.5m
	Residential – Mixed Housing Urban Zone	45°	3m
	Residential – Terrace Housing and Apartment Buildings Zone	60°	8m
	Special Purpose – Māori Purpose Zone; or Special Purpose – School Zone	45°	6m
	Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone	45°	4.5m
Buildings located on the southern boundary of the adjacent site	Open Space – Conservation Zone; Open Space – Informal Recreation Zone; Open Space – Sports and Active Recreation Zone; Open Space – Civic Spaces Zone; or Open Space – Community Zone	45°	8.5m

Figure H12.6.2.1 Height in relation to boundary

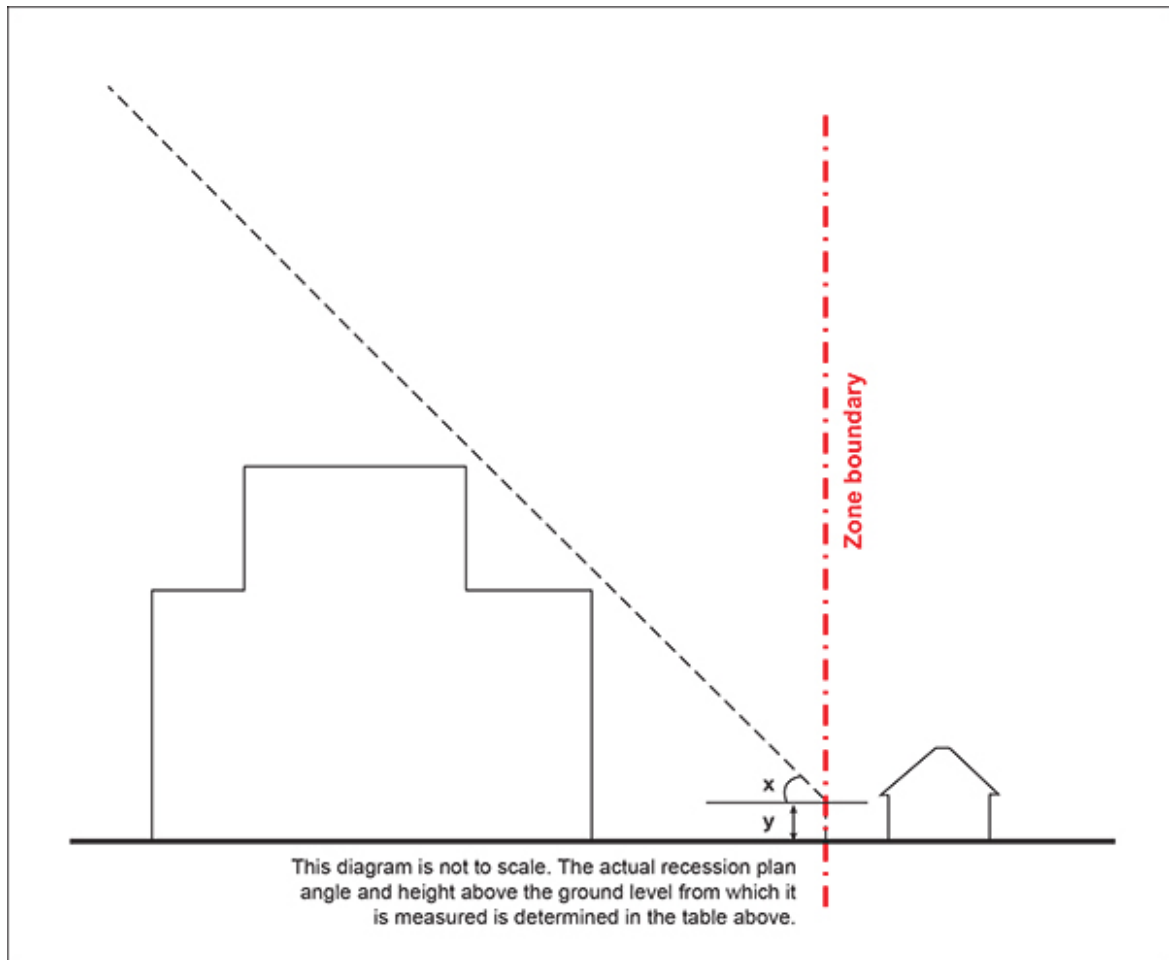


Figure H12.6.2.2 Height in relation to boundary opposite a road

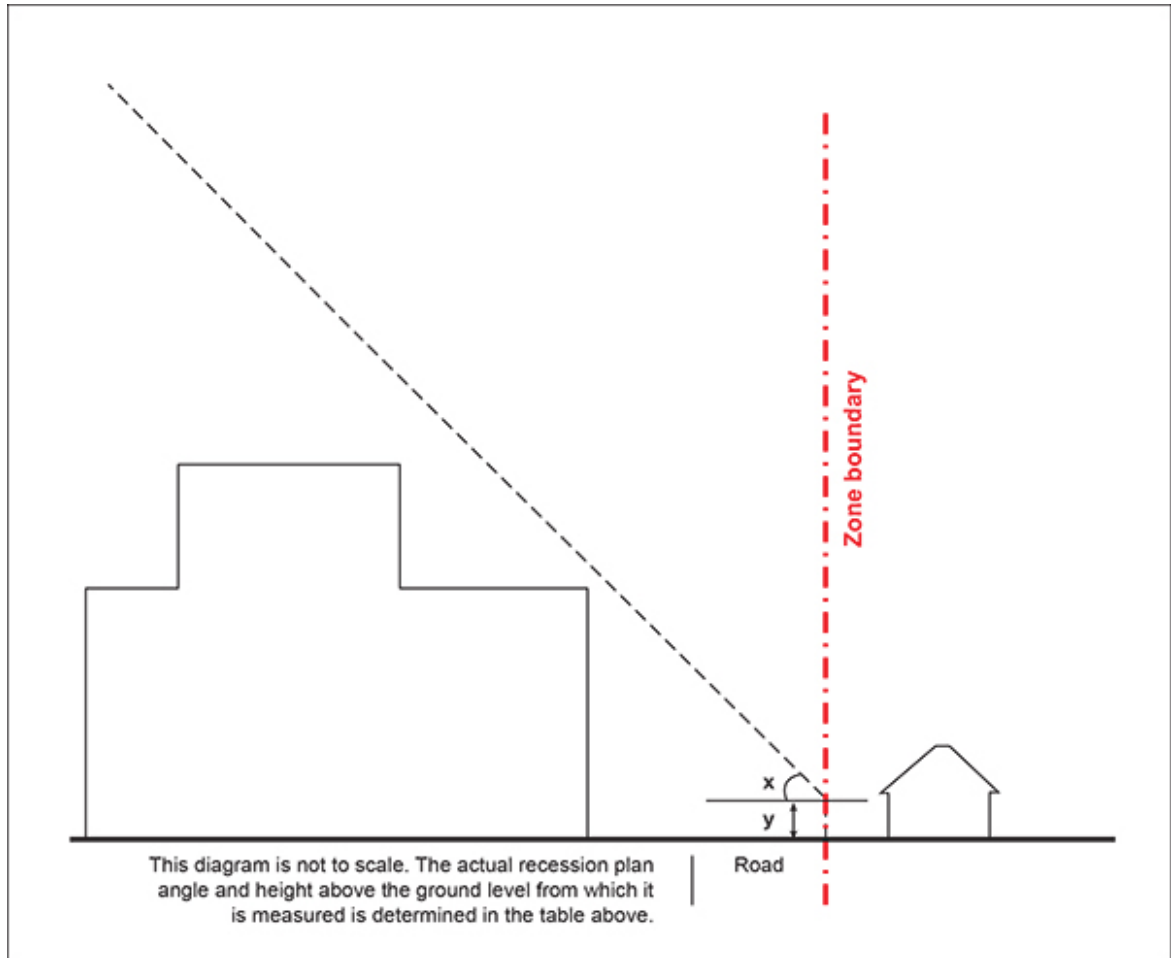
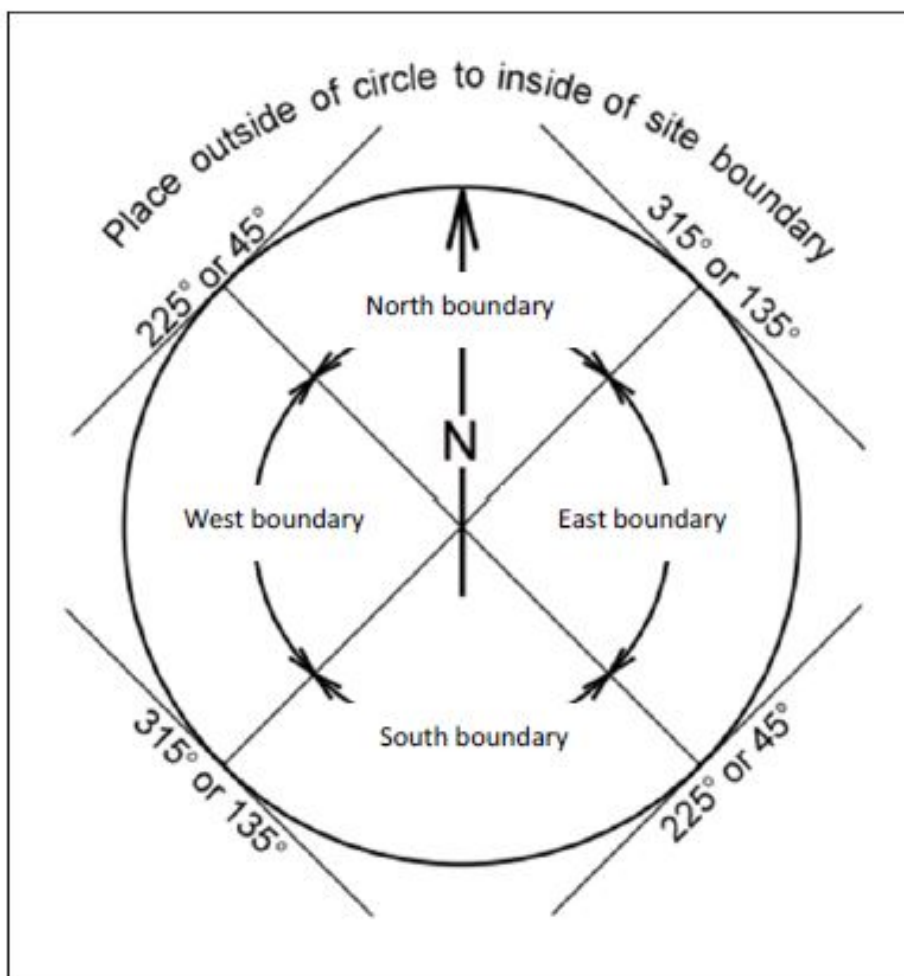


Figure H12.6.2.3 Recession plane indicator for sites adjacent to an open space zone



H12.6.3. Residential at ground floor

Purpose:

- protect the ground floor of buildings within centres for commercial use; and
- avoid locating activities that require privacy on the ground floor of buildings.

(1) Dwellings including units within an integrated residential development must not locate on the ground floor of a building where the dwelling or unit has frontage to public open spaces including streets.

H12.6.4. Yards

Purpose:

- provide a landscaped buffer between buildings and activities and adjoining residential zones and some special purpose zones, to mitigate adverse visual and nuisance effects; and
- ensure buildings are adequately setback from lakes, streams and the coastal edge to maintain water quality, amenity, provide protection from natural hazards, and potential access to the coast.

(1) A building or parts of a building must be set back from the relevant boundary by the minimum depth listed in Table H12.6.4.1 below.

Table H12.6.4.1 Yards

Yard	Minimum depth
Rear	3m where the rear boundary adjoins a residential zone or the Special Purpose – Māori Purpose Zone
Side	3m where a side boundary adjoins a Residential zone or the Special Purpose – Māori Purpose Zone
Riparian	10m from the edge of all permanent and intermittent streams
Lakeside yard	30m
Coastal protection yard	25m, or as otherwise specified in Appendix 6 Coastal protection yard

Note 1

A side or rear yard, and/or landscaping within that yard, is only required along that part of the side or rear boundary adjoining a residential zone or the Special Purpose – Māori Purpose Zone.

(2) Side and rear yards must be planted with a mixture of trees, shrubs or ground cover plants (including grass) within and along the full extent of the yard for a depth of at least 3m.

H12.6.5. Landscaping

Purpose:

- ensure landscaping provides a buffer and screening between car parking, loading, or service areas commercial activities and the street; and
- ensure landscaping is of sufficient quality as to make a positive contribution to the amenity of the street.

(1) A landscape buffer of 2m in depth must be provided along the street frontage between the street and car parking, loading, or service areas which are visible from the street frontage. This rule excludes access points.

- (2) The required landscaping in Standard H12.6.5(1) above must comprise a mix of trees, shrubs or ground cover plants (including grass).

H12.6.6. Maximum impervious area in the riparian yard

Purpose: support the functioning of riparian yards and in-stream health.

- (1) The maximum impervious area within a riparian yard must not exceed 10 per cent of the riparian yard area.

H12.6.7. Wind

Purpose: mitigate the adverse wind effects generated by tall buildings.

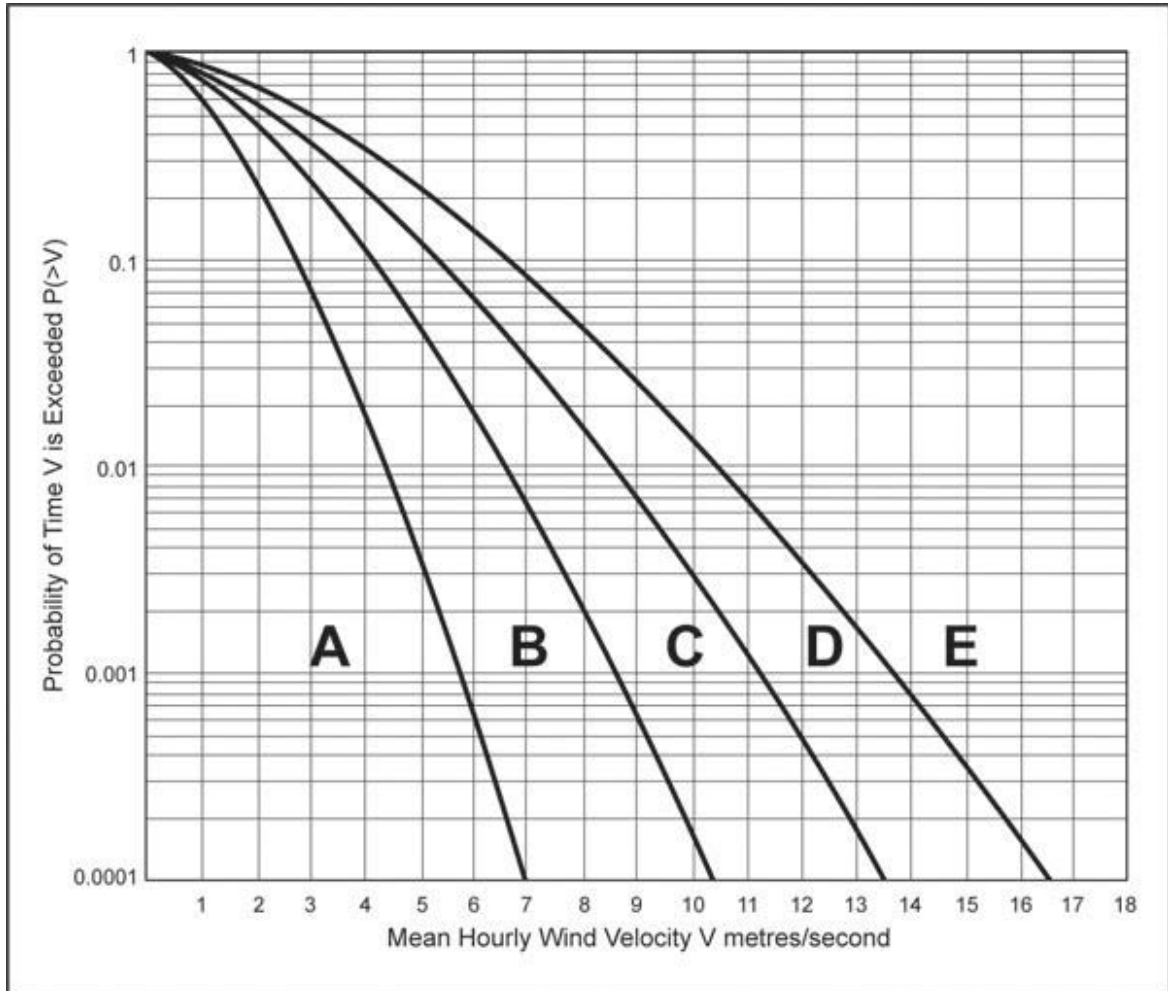
- (1) A new building exceeding 25m in height must not cause:
- (a) the mean wind speed around it to exceed the category for the intended use of the area as set out in Table H12.6.7.1 and Figure H12.6.7.1 below;
 - (b) the average annual maximum peak 3-second gust to exceed the dangerous level of 25m per second; and
 - (c) an existing wind speed which exceeds the controls of Standard H12.6.7(1)(a) or Standard H12.6.7(1)(b) above to increase.
- (2) A report and certification from a suitably qualified and experienced person, showing that the building complies with Standard H12.6.7(1) above, will demonstrate compliance with this standard.
- (3) If the information in Standard H12.6.7(2) above is not provided, or if such information is provided but does not predict compliance with the rule, a further wind report including the results of a wind tunnel test or appropriate alternative test procedure is required to demonstrate compliance with this standard.

Table H12.6.7.1 Categories

Category	Description
Category A	Areas of pedestrian use or adjacent dwellings containing significant formal elements and features intended to encourage longer term recreational or relaxation use i.e. public open space and adjacent outdoor living space
Category B	Areas of pedestrian use or adjacent dwellings containing minor elements and features intended to encourage short term recreation or relaxation, including adjacent private residential properties
Category C	Areas of formed footpath or open space pedestrian linkages, used primarily for pedestrian transit and devoid of significant or repeated recreational or relaxational features, such as footpaths not covered in categories A or B above
Category D	Areas of road, carriage way, or vehicular routes, used primarily for vehicular transit and open storage, such as roads generally where devoid of any features or form which would include the spaces in categories A - C above.

<p>Category E</p>	<p>Category E represents conditions which are dangerous to the elderly and infants and of considerable cumulative discomfort to others, including residents in adjacent sites. Category E conditions are unacceptable and are not allocated to any physically defined areas of the city</p>
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Figure H12.6.7.1 Wind environment control



H12.6.8. Outlook space

Purpose:

- to ensure a reasonable standard of visual privacy between habitable rooms of different buildings, on the same or adjacent sites; and
- manage visual dominance effects within a site by ensuring that habitable rooms have an outlook and sense of space.

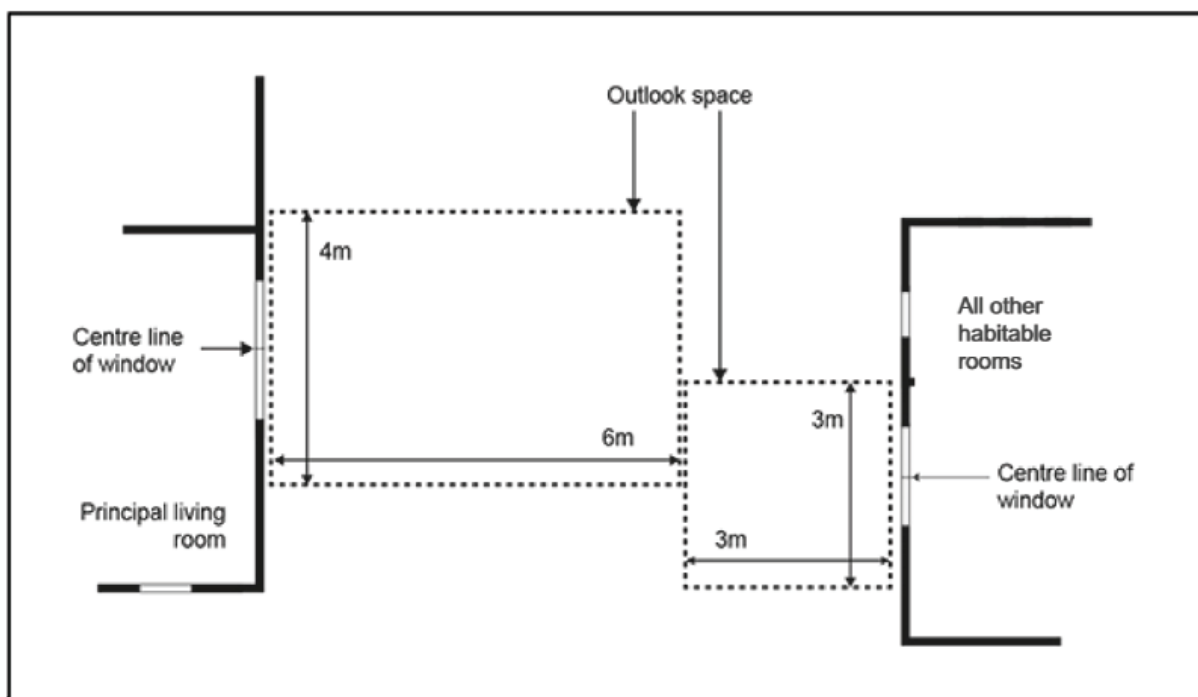
(1) This standard applies to dwellings, units in an integrated residential development, visitor accommodation and boarding houses.

(2) An outlook space must be provided from the face of a building containing windows to a habitable room. Where the room has two or more external

faces with windows the outlook space must be provided from the face with the largest area of glazing.

- (3) The minimum dimensions for a required outlook space are as follows:
 - (a) a principal living room of a dwelling or main living and dining area within a boarding house or supported residential care must have a outlook space with a minimum dimension of 6m in depth and 4m in width;
 - (b) all other habitable rooms of a dwelling or a bedroom within a boarding house or supported residential care unit must have an outlook space with a minimum dimension of 3m in depth and 3m in width; and
- (4) The depth of the outlook space is measured at right angles to and horizontal from the window to which it applies.
- (5) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
- (6) The height of the outlook space is the same as the floor height, measured from floor to ceiling, of the building face to which the standard applies.
- (7) Outlook spaces may be within the site, over a public street, or other public open space.
- (8) Outlook spaces required from different rooms within the same building may overlap.
- (9) Outlook spaces may overlap where they are on the same wall plane.
- (10) Outlook spaces must:
 - (a) be clear and unobstructed by buildings;
 - (b) not extend over adjacent sites, except for where the outlook space is over a public street or public open space as outlined in H12.6.8(7) above; and
 - (c) not extend over an outlook spaces or outdoor living space required by another dwelling.

Figure H12.6.8.1 Required outlook space



H12.6.9 Minimum dwelling size

Purpose: to ensure dwellings are functional and of a sufficient size to provide for the day to day needs of residents, based on the number of occupants the dwelling is designed to accommodate.

- (1) Dwellings must have a minimum net internal floor area as follows:
 - (a) 30m² for studio dwellings.
 - (b) 45m² for one or more bedroom dwellings.

H12.7. Assessment – controlled activities

There are no controlled activities in this zone.

H12.8. Assessment – restricted discretionary activities

H12.8.1. Matters of discretion

The Council will restrict its discretion to the following matters when assessing a restricted discretionary resource consent application:

- (1) drive through restaurants, activities within 30m of a residential zone and emergency services:
 - (a) the compatibility of:
 - (i) the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site; and
 - (ii) the effects of the operation of the activity

on the existing and expected future amenity values of the surrounding area and any practicable mitigation measures that would be appropriate to manage those effects.

- (b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on visual amenity of the streetscape and on pedestrian safety;
 - (c) the effects of location, design and management of storage and servicing facilities on the amenity values of nearby residential properties including potential visual effects, adequacy of access for service vehicles (including waste collection) and any night time noise effects; and
 - (d) the assessment of the above matters having regard to the need to provide for the functional requirements of the activity;
- (2) supermarkets greater than 450m² and up to 2000m²:
- (a) the compatibility of the effects of intensity and scale of the development arising from the numbers of people and/or vehicles using the site, with the existing and expected future amenity values of the surrounding area and any practicable mitigation measures that would be appropriate to manage those effects;
 - (b) the effects of the design and location of parking areas and vehicle access and servicing arrangements on visual amenity of the streetscape and on pedestrian safety;
 - (c) the effects of the size, composition and characteristics of retail activities proposed on the existing and expected future function, role and amenity of other centre zones having regard to the need to enable convenient access of communities to commercial and community services while disregarding any effects ordinarily associated with trade effects on trade competitors; and
 - (d) the assessment of the above matters having regard to the need to provide for the functional requirements of the activity;
- (3) new buildings and alterations and additions to buildings not otherwise provided for:
- (a) the design and appearance of buildings in so far as it affects the existing and future amenity values of public streets and spaces used by significant numbers of people. This includes:
 - (i) the contribution that such buildings make to the attractiveness pleasantness and enclosure of the public space;
 - (ii) the maintenance or enhancement of amenity for pedestrians using the public space or street;

- (iii) the provision of convenient and direct access between the street and building for people of all ages and abilities;
 - (iv) measures adopted for limiting the adverse visual effects of any blank walls along the frontage of the public space; and
 - (v) the effectiveness of screening of car parking and service areas from the view of people using the public space.
- (b) the provision of floor to floor heights that will provide the flexibility of the space to be adaptable to a wide variety of use over time;
- (c) the extent of glazing provided on walls fronting public streets and public spaces and the benefits it provides in terms of:
- (i) the attractiveness and pleasantness of the public space and the amenity for people using or passing through that space;
 - (ii) the degree of visibility that it provides between the public space and the building interior; and
 - (iii) the opportunities for passive surveillance of the street from the ground floor of buildings.
- (d) the provision of verandahs to provide weather protection in areas used, or likely to be used, by significant numbers of pedestrians;
- (e) the application of Crime Prevention through Environmental Design principles to the design and layout of buildings adjoining public spaces;
- (f) the effects of creation of new roads and/or service lanes on the matters listed above;
- (g) the positive effects that landscaping, including required landscaping, on sites adjoining public spaces is able to contribute to the amenity values of the people using or passing through the public space;
- (h) taking an integrated stormwater management approach; and
- (i) all the above matters to be assessed having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate;
- (4) in addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:
- supermarkets, department stores and large format retail where the activity or integrated retail development exceeds 1000m² gross floor area per tenancy;
- (a) the manner in which these building/developments are integrated with the adjacent existing and planned future centre and zone activities and public spaces and provide for the continuity of active public frontages and

associated pedestrian amenity that is appropriate to those centres and zones having regard to the outcomes set out in this Plan and the functional requirements of the activities that the buildings are intended to accommodate. This will include the effects of the design and location of parking areas, vehicle access and servicing arrangements on the visual amenity of the streetscape and on pedestrian safety;

(5) in addition to the matters for new buildings stated above the Council will restrict its discretion to the following matter in regard to:

- drive through restaurants; or
- service stations.

(a) the effects of the location and design of:

- (i) buildings and associated equipment, parking and service areas;
- (ii) access for vehicles including service vehicles; and
- (iii) landscaping

on the amenity of surrounding areas (particularly residential areas), on streetscapes and on pedestrian amenity and any methods by which those effects can be appropriately managed;

(6) conversion of a building or part of a building to dwellings, retirement villages, visitor accommodation and boarding houses:

(a) any matters that do not meet the standards set out for the activity in Standard H12.6.8 or Standard H12.6.9 having regard to the need to ensure a good standard of amenity within and between dwellings, visitor accommodation, boarding houses and retirement villages;

(7) buildings that do not meet the standards:

- (a) any policy which is relevant to the standard;
- (b) the purpose of the standard;
- (c) the effects of the infringement of the standard;
- (d) the effects on the amenity of neighbouring sites;
- (e) the effects of any special or unusual characteristic of the site which is relevant to the standard;
- (f) the characteristics of the development;
- (g) any other matters specifically listed for the standard; and
- (h) where more than one standard will be infringed, the effects of all infringements.

H12.8.2. Assessment criteria

The Council will consider the relevant assessment criteria below for restricted discretionary activities:

- (1) drive through restaurants, activities within 30m of a residential zone emergency services and service stations:
 - (a) for Matter H12.8.1(1)(a)(i) refer to Policy H12.3(3)(a), Policy H12.3(3)(b), Policy H12.3(3)(c), Policy H12.3(8), Policy H12.3(15) and H12.3(17);
 - (b) for Matter H12.8.1(1)(a)(ii) refer to Policy H12.3(3)(a), Policy H12.3(3)(b), Policy H12.3(3)(c), Policy H12.3(8), Policy H12.3(15); and H12.3(17);
 - (c) for Matter H12.8.1(1)(b) refer to Policy H12.3(3)(c) and Policy H12.3(7);
 - (d) for Matter H12.8.1(1)(c) refer to Policy H12.3(17);
 - (e) for Matter H12.8.1(1)(d) refer to Policy H12.3(12);
- (2) supermarkets greater than 450m² and up to 2000m²:
 - (a) for Matter H12.8.1(2)(a) refer to Policy H12.3(3)(a), Policy H12.3(3)(b), Policy H12.3(3)(c) and Policy H12.3(8);
 - (b) for Matter H12.8.1(2)(b) refer to Policy H12.3(7);
 - (c) for Matter H12.8.1(2)(c) refer to Policy H12.3(1);
 - (d) for Matter H12.8.1(2)(d) refer to Policy H12.3(12);
- (3) new buildings and alterations and additions to buildings not otherwise provided for:
 - (a) for Matter H12.8.1(3)(a)(i) refer to Policy H12.3(3)(a) and Policy H12.3(3)(b);
 - (b) for Matter H12.8.1(3)(a)(ii) refer to Policy H12.3(3)(c);
 - (c) for Matter H12.8.1(3)(a)(iii) refer to Policy H12.3(4);
 - (d) for Matter H12.8.1(3)(a)(iv) refer to Policy H12.3(3)(a);
 - (e) for Matter H12.8.1(3)(a)(v) refer to Policy H12.3(7);
 - (f) for Matter H12.8.1(3)(b) refer to Policy H12.3(6);
 - (g) for Matter H12.8.1(3)(c)(i) refer to Policy H12.3(3)(a) and Policy H12.3(3)(b);
 - (h) for Matter H12.8.1(3)(c)(ii) refer to Policy H12.3(3)(a) and Policy H12.3(3)(b);

- (i) for Matter H12.8.1(3)(c)(iii) refer to Policy H12.3(3)(a) and Policy H12.3(3)(b);
 - (j) for Matter H12.8.1(3)(d) refer to Policy H12.3(3)(c);
 - (k) for Matter H12.8.1(3)(e) refer to Policy H12.3(3)(c);
 - (l) for Matter H12.8.1(3)(f) refer to Policy H12.3(3)(b);
 - (m) for Matter H12.8.1(3)(g) refer to H12.3(3)(c);
 - (n) for Matter H12.8.1(3)(h) refer to Policy E1.3(10);
 - (o) for Matter H12.8.1(3)(i) refer to Policy H12.3(3)(12);
- (4) in addition to the policies for new buildings stated above the Council will have regard to the following policies when considering new buildings for the following purposes:
- supermarkets, department stores and large format retail where the activity or integrated retail development exceeds 1000m² gross floor area per tenancy:
- (a) refer to Policy H12.3(1), Policy H12.3(5), and Policy H12.3(16);
- (5) in addition to the policies for new buildings stated above the Council will have regard to the following policies when considering new buildings for the following purposes:
- drive through restaurants; or
 - service stations:
- (a) refer to Policy H12.3(3)(a), Policy H12.3(3)(b), Policy H12.3(3)(c), Policy H12.3(7), Policy H12.3(8), Policy H12.3(12), Policy H12.3(15) and H12.3(17);
- (6) conversion of a building or part of a building to dwellings, retirement villages, visitor accommodation and boarding houses:
- (a) refer to Policy H12.3(2);
- (7) buildings that do not comply with the standards:
- (a) height and height in relation to boundary:
- (i) refer to Policy H12.3(3)(a), Policy H12.3(3)(b), Policy H12.3(8), Policy H12.3(13) and Policy H12.3(14);
- (b) residential at ground floor:
- (i) refer to Policy H12.3(10);
- (c) yards and landscaping:

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- (i) refer to Policy H12.3(3)(b), Policy H12.3(3)(c), Policy H12.3(7) and Policy H12.3(8);
- (d) maximum impervious area in a riparian yard:
 - (i) Policy H12.3(18);
- (e) wind:
 - (i) Policy H12.3(11);
- (f) outlook space, minimum dwelling size and outdoor living space:
 - (i) refer to Policy H12.3(2).

H12.9. Special information requirements

There are no special information requirements in this zone.