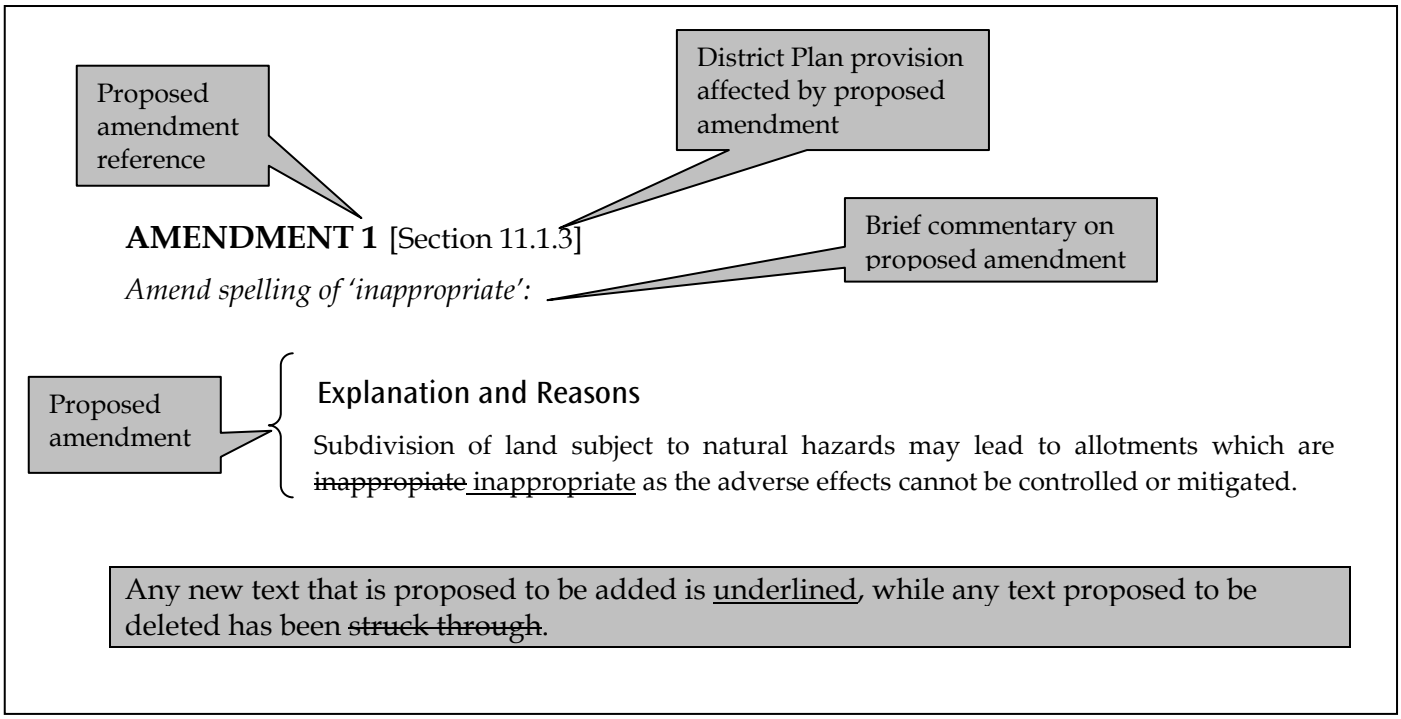
Part 3: Proposed Plan Change 10 amendments to Chapters 3, 11 and 14

The following text identifies the amendments proposed.

A total of 30 amendments are proposed. Each of these amendments is listed in the format as follows:



AMENDMENT 1 [Chapter 3 (definitions)]

Delete definition of 'allotment' as the word is defined in section 218(2) the Act:

~~**Allotment:** for the purposes of subdivision means a lot, two or more adjoining lots to be held together, or any balance area shown on a subdivision consent plan, except that in the case of land being subdivided under the cross lease or company lease systems, or the Unit Titles Act 1972, allotment shall have the same meaning as site.~~

AMENDMENT 2 [Section 11.1.3]

Amend spelling of 'inappropriate':

Explanation and Reasons

Subdivision of land subject to natural hazards may lead to allotments which are ~~inappropiate~~ inappropriate as the adverse effects cannot be controlled or mitigated.

AMENDMENT 3[Section 11.1.4]

Add 'identified' to the issue statement as follows:

Issue

Subdivision of land in the identified coastal environment and in areas of ecological value can have adverse effects that need to be controlled.

AMENDMENT 4 [rule 11.2.2.1]

Amend heading and add supporting text:

11.2.2.1 ~~Matters in which Council seeks to control and~~ Standards and Terms

All Controlled Activity subdivisions shall comply with the following Standards and Terms:

AMENDMENT 5 [rule 11.2.2.1(a)]

Amend heading 11.2.2.1 (a) and delete performance objectives and performance criteria in relation to allotment design:

(a) Allotment Design ~~Standards and Terms~~

~~All subdivisions must take into account the matters listed below:~~

~~**Performance Objectives:**~~

- ~~To ensure that land is subdivided in a manner that the relevant objectives, policies and rules for each activity area can be achieved.~~
- ~~To ensure that allotments have sufficient area and dimensions to meet user requirements.~~
- ~~To ensure that subdivisions are designed on a comprehensive basis taking into account characteristics of the area and ensuring that private and public facilities plus activities are well integrated.~~

~~To ensure that appropriate measures are taken to mitigate the adverse effects of natural hazards.~~

~~**Performance Criteria**~~

- ~~Allotments to have the appropriate net site area and dimensions to enable activities, buildings or structures to be sited to comply with the specified activity area requirements.~~
- ~~Subdivisions should be designed so as to give areas a strong and positive identity by taking into account characteristics of the area and ensuring that roading patterns, public open space/reserves and community facilities are well integrated.~~
- ~~Account must be taken of the future development potential of adjoining or adjacent land.~~
- ~~The roading pattern must take into account the future development pattern of adjacent land.~~
- ~~Subdivisions should be designed in a manner which recognises and gives due regard to the natural and physical characteristics of the land and adverse effects are avoided, remedied or mitigated.~~
- ~~Notwithstanding the subdivision standards for each respective activity area there shall be no specific allotment size in any activity area for allotments created solely for utilities. Where those allotments created for such purposes have a net site area of less than 200m^2 there shall be no minimum frontage or shape factor requirements.~~

~~**Compliance Standards:**~~

AMENDMENT 6 [rule 11.2.2.1(a)]

Replace 'objectives and policies' with 'rules' in the allotment design standards for <u>all</u> activity areas:

Other:	Compliance with the relevant ~~objectives and policies~~ <u>rules</u> of the activity area.

AMENDMENT 7 [rule 11.2.2.1(a)]

Delete the requirement for a 150m^2 rectangle for the shape factor in the General Residential Activity Area – Higher Density:

Shape factor:	All allotments must be able to contain a rectangle measuring 9m by 14m. Such a rectangle must be clear of any yard or right of way and have a suitable building platform ~~of 150m^2~~.

AMENDMENT 8 [rule 11.2.2.1(a)]

Add a shape factor to the Other Rural Residential Activity Area:

Shape factor:	All allotments must be able to contain a rectangle measuring 30m by 20m. Such a rectangle must be clear of any yard or right of way and have a suitable building platform.

AMENDMENT 9 [rule 11.2.2.1(a)]

Add a shape factor to the General Rural Activity Area:

Shape factor:	All allotments must be able to contain a rectangle measuring 30m by 20m. Such a rectangle must be clear of any yard or right of way and have a suitable building platform.

AMENDMENT 10 [rule 11.2.2.1(a)]

Add new clause to exclude lots containing network utilities from needing to comply with allotment design standards and terms:

All Activity Areas

Notwithstanding the subdivision standards for each respective activity area there shall be no specific allotment size in any activity area for allotments created solely for utilities. Where those allotments created for such purposes have a net site area of less than 200m^2 there shall be no minimum frontage or shape factor requirements.

AMENDMENT 11 [rule 11.2.2.1(a)]

Amend wording of shape factor heading in for the Landscape Protection Activity Area, as follows:

Shape factor:	As for General Residential Activity Area.

AMENDMENT 12 [rule 11.2.2.1(b)]

Amend heading 11.2.2.1(b) and delete supporting text for heading 11.2.2.1(b):

(b) Engineering Design ~~Standards and Terms~~

~~All subdivisions must take into account the matters listed below. Where possible detailed standards are provided to assist applicants to determine whether they comply with the specified performance standards.~~

AMENDMENT 13 [rule 11.2.2.1(b)(i)]

Delete performance objectives and performance criteria for Engineering Design – Access, and amend wording of compliance standard accordingly:

(i) Access

~~**Performance Objective:**~~

~~The overall roading system shall provide for the safe and convenient movement of motor vehicles, bicycles and pedestrians.~~

~~**Performance Criteria:**~~

~~To achieve the above performance objective the following matters need to be taken into account:~~

- ~~The legal road must be of sufficient width to cater for all functions the road is expected to fulfil, including the safe and efficient movement of all users, provision for parked vehicles, the provision of public utilities, landscaping and public transport facilities.~~
- ~~The carriageway width should allow vehicles to proceed safely at the operating speed intended for that type of road in the network, with acceptable minor delays in the peak period.~~
- ~~The carriageway should be designed to discourage motorists from travelling above the intended speed by reflecting the functions of the road in the network. In particular, the width, the horizontal and vertical alignments and superelevation should not be conducive to excessive speed.~~
- ~~Intersections or junctions should be designed to allow all desired movements to occur safely without undue delay. Projected traffic volumes should be used in designing all intersections or junctions on traffic routes.~~
- ~~Footpaths shall be provided on both sides of roads and shall be designed and located taking into account pedestrian amenity and likely use patterns. Footpaths may be reduced to only one side where:~~
  - ~~there is no development fronting that part or side of the road,~~
  - ~~topography or vegetation precludes provision, or~~
  - ~~vehicle volumes and speeds are low and use of the carriageway is considered to be safe and comfortable for pedestrian use, and~~
  - ~~pedestrian use will not be deterred by the lack of a footpath.~~
- ~~Materials used in the construction of roads must be durable, maintainable, cost effective and compatible with Council's engineering standards.~~
- ~~Allotments must have drive on access. In cases where it can be shown that it is physically not possible to provide drive on access, alternative arrangement for off-street parking must be provided.~~
- ~~Where appropriate, when designing the roading network, account must be given to the provision of public transport facilities and the provision for safe, convenient and efficient access for cyclists and pedestrians.~~

~~The performance criteria listed above do not apply to a site created solely for utilities where the net site area is less than 200m².~~

~~**Compliance Standards:**~~

~~The provision of~~ Compliance with Chapter 14A - Transport in this Plan and Section 302 NZS 4404 1981 (Code of Practice for Urban Land Subdivision) ~~must be taken into account~~.

In ~~rural areas~~ the General Rural and Rural Residential Activity Areas, compliance with "Guide to Geometric Standards for Rural Roads" (National Roads Board 1985) ~~must be taken into account~~.

AMENDMENT 14 [rule 11.2.2.1(b)(ii)]

Delete performance objectives and performance criteria for Engineering Design – Service Lanes, Privateways, Pedestrian Accessways and Walkways and amend wording of compliance standard accordingly:

(ii) Service Lanes, Private Ways, Pedestrian Accessways and Walkways

~~**Performance Objectives:**~~

- ~~To ensure, where necessary, service lanes are provided to serve commercial or business allotments.~~
- ~~To ensure that private ways provide suitable, convenient and safe all-weather access to allotments.~~
- ~~To ensure where appropriate, walkways are provided to link public areas.~~
- ~~To take into account existing access, and to provide for improved public access to public areas where this is appropriate and necessary.~~

~~**Performance Criteria:**~~

- ~~Service lanes must be of sufficient width and of appropriate design to cater for vehicular traffic which services the allotments.~~
- ~~All private ways and pedestrian accessways must be of sufficient width and of appropriate design for the use of land they serve.~~
- ~~Walkways must be taken into account the existing topography, link open space network with community facilities and public services.~~

~~**Compliance Standards:**~~

~~The provision of 302 NZS 4404 1981 Code of Practice for Urban Land Subdivision) and~~ Compliance with Chapter 14A - Transport in this Plan ~~must be taken into account~~. and Section 302 NZS4404 1981 (Code of Practice for Urban Land Subdivision).

AMENDMENT 15 [rule 11.2.2.1(b)(iii)]

Delete performance objectives and performance criteria for Engineering Design – Street lighting and amend wording of compliance standard accordingly:

(iii) Street Lighting

~~**Performance Objective:**~~

~~To provide public lighting to ensure safety of pedestrians, cyclists and vehicles.~~

~~**Performance Criteria:**~~

~~Public lighting to be provided to roads, footpaths, pedestrian accessways and to major pedestrian and bicycle links likely to be used at night to provide safe passage for pedestrians, cyclists and vehicles.~~

~~**Compliance Standard:**~~

~~The provision of~~ Compliance with NZS 6701 1983 (Code of Practice for Road Lighting) ~~must be taken into account~~.

AMENDMENT 16 [rule 11.2.2.1(b)(iv)]

Delete performance objectives and performance criteria for Engineering Design – Stormwater and amend wording of compliance standard heading accordingly:

(iv) Stormwater

~~**Performance Objective:**~~

- ~~To minimise stormwater damage to property.~~
- ~~To minimise damage to the environment.~~
- ~~To control local flooding and enable access to allotments.~~
- ~~To minimise the degradation of the built environment downstream of the proposed subdivision.~~
- ~~To minimise the environmental degradation of receiving waters.~~
- ~~To reduce the occurrence of traffic accidents and disruptions during and after major storm events.~~

~~**Performance Criteria:**~~

- ~~To achieve the above objectives the following matters need to be taken into account:~~
- ~~The stormwater system to provide a level of protection defined in terms of Average Recurrence Interval (ARI) based on the type and intensity of development.~~
- ~~The environment downstream of the proposed subdivision is not degraded by drainage flows or floodwaters.~~
- ~~The roading system retains access to allotments and minimises the occurrence of traffic accidents during and after storm events.~~
- ~~The stormwater system is designed to ensure that the land form of watercourses is stabilised and that erosion is minimised.~~

- ~~Floodways and ponding areas to be restricted to areas where there is no damage to property, and to discharge or contain all gap flow (gap flow being the difference between the pipe flow and the total flow, i.e. the amount flowing on the surface for any given ARI).~~

- ~~Materials used in stormwater systems to be durable, maintainable, cost effective and compatible with Council's engineering performance standards.~~

~~**Compliance Standards:**~~

~~The~~ Compliance with the following standards: ~~must be taken into account.~~

AMENDMENT 17 [rule 11.2.2.1(b)(v)]

Delete performance objectives and performance criteria for Engineering Design – Wastewater, and amend wording of compliance standard heading accordingly.

(v) Wastewater

~~**Performance Objective**~~:

~~To ensure that the wastewater system is capable of serving the subdivision so that public health is maintained and that adverse effects on the environment are minimised.~~

~~**Performance Criteria:**~~

~~To achieve the above objective the matters listed below must be taken into account:~~

- ~~The wastewater system is adequate for the maintenance of public health and the disposal of effluent in an environmentally appropriate manner.~~

- ~~All wastewater systems shall be designed so that they have sufficient capacity for the ultimate design flow.~~

- ~~All wastewater systems shall be designed so that they are self cleansing with the current or expected peak dry weather flow.~~

- ~~Materials used in the wastewater system must be durable, maintainable, cost efficient and compatible with Council's engineering performance standards.~~

- ~~Connection to a community sewerage system where one is available, and has the capacity to accept the additional sewerage load that the occupancy of the subdivision will create; or the installation of a sewerage system and community treatment plant when there is no community sewerage system available and the number of residential allotments and the soil/groundwater conditions indicate that the cumulative effects of the sewerage effluents have the potential to adversely affect public health.~~

~~**Compliance Standards:**~~

~~The~~ Compliance with the following standards: ~~specified below must be taken into account:~~

AMENDMENT 18 [rule 11.2.2.1(b)(vi)]

Delete performance objectives and performance criteria for Engineering Design – Water Supply, and amend wording of compliance standard heading accordingly and:

Update reference to the bylaw in the standards:

(vi) Water Supply

~~**Performance Objective:**~~

~~To provide an adequate, reliable, safe and efficient supply of potable water.~~

~~**Performance Criteria:**~~

~~To achieve the above objective the matters listed below must be taken into account:~~

- ~~In urban areas reticulated water supply must be provided to each allotment for domestic, commercial or industrial consumption and provision for fire fighting purposes.~~
- ~~Materials used in the water supply system must be durable, maintainable, cost effective and compatible with Council's engineering performance standards.~~
- ~~Reservoir storage, pumping and pipeflow capacity shall meet required volume, flow and pressure criteria according to Council's engineering performance standards.~~
- ~~The provision and protection of access for maintenance of components of water supply system.~~
- ~~All water supply mains shall be designed so they have sufficient capacity for the ultimate design flow.~~
- ~~Adequate and suitable water supply shall be provided in the General Rural and Rural Residential Activity Areas.~~
- ~~In all areas, the provision of a reticulated drinking water supply to all residential allotments if it is practicable to do so.~~

~~**Compliance Standards:**~~

~~The~~ Compliance with the following standards: ~~specified below must be taken onto account:~~

- New Zealand Fire Service Code of Practice for Fire Fighting Water Supplies 1992.
- ~~New Zealand Standard 9201: Chapter 7:1994 Model General Bylaw Water Supply Part 3 Model Performance Standards~~ Hutt City Council Bylaw 1997 Part 17 Water Supply.
- New Zealand Standard 4404:1981 Code of Practice for Urban Land Subdivision

AMENDMENT 19 [rule 11.2.2.1(b)(vii)]

The requirement for Gas to be provided to allotments is removed;

Amend wording accordingly;

Delete performance objectives and performance criteria for Engineering Design – Gas, Telephone and Electricity; and

Amend wording of compliance standard.

(vii) ~~Gas,~~ Telephone and Electricity

~~Performance Objective:~~

- ~~To ensure that electricity is provided to all allotments.~~
- ~~To ensure that in all allotments allowance is made for telephone and gas (where available or likely to be available) connection in urban areas. In rural areas where possible similar provisions should be made.~~

~~Performance Criteria:~~

~~To achieve the above performance objectives the matters listed below must be taken into account:~~

- ~~Electricity supply must be provided to each allotment. The Council may exempt subdivisions or particular allotments from this requirement in appropriate circumstances but may require that provision, such as the registration of easements, be made for the provision of electricity supply in the future. In urban areas where practicable this should be by means of an underground system.~~
- ~~Provision should be made to ensure that gas (where available or likely to be available) and telephone connections can be made to each allotment. In urban areas where practicable, such provision should be made by means of an underground system.~~

~~Compliance Standard:~~

~~A complying certificate from the~~ Compliance with the requirements of the relevant network utility operator ~~maybe required by the Council.~~

AMENDMENT 20 [rule 11.2.2.1(b)(viii)]

Delete performance objectives and performance criteria for Engineering Design – Earthworks, and amend wording of heading accordingly: and

Amend wording of compliance standards:

(viii) Earthworks

~~Performance Objectives:~~

- ~~To ensure that soil erosion, surface runoff and siltation are controlled and managed.~~
- ~~To ensure that all building allotments and adjacent land are safe.~~
- ~~To ensure that earthworks are designed to take into account the existing topography, any significant natural, cultural and archaeological resources, and the objectives and policies of that activity area.~~

- ~~To ensure earthworks do not affect adversely visual amenity values.~~
- ~~To ensure that topsoil is not removed to the extent that future landscaping and planting is compromised.~~

~~**Performance Criteria:**~~

- ~~Before any earthworks are carried out a thorough investigation be undertaken to determine the suitability of the land. Particular attention must be given to drainage, slope and foundation stability matters, topography, significant existing natural, cultural and archaeological resources, post construction settlement, shrinkage and expansion of material plus compaction.~~
- ~~Appropriate design and construction methods must be used to control and manage soil erosion, surface runoff and siltation.~~

~~**Compliance Standard:**~~

Compliance with Chapter 14I of this Plan,~~The provision of~~ NZS 4431 1989 (Code of Practice for Earth Fill for Residential Development) and Part 2 NZS 4404 1981 (Code of Practice for Urban Land Subdivision). ~~must be taken into account~~

~~Wherever practicable~~ Silt control measures shall ~~are to~~ be designed on the basis of retaining particle sizes greater than 20 microns during a 2 year 1 hour storm.

AMENDMENT 21 [rule 11.2.2.1(c)]

Delete performance objectives and performance criteria for Contamination and amend wording of headings accordingly:

(c) Contamination ~~Standards and Terms~~

~~**Performance Objectives:**~~

- ~~To prevent adverse effects on the occupants of the site, the community and the environment of contaminated sites.~~
- ~~To ensure that contaminated sites used are remedied to an acceptable standard.~~

~~**Performance Criteria:**~~

~~Where a site for subdivision has been identified as a potential or confirmed contaminated site the applicant shall undertake an assessment of the site, which shall include:~~

- ~~The nature of contamination and the extent to which the occupants of the site, the immediate neighbours, the wider community and the surrounding environment will be exposed to the contaminants.~~
- ~~Any potential long-term or cumulative effects of discharges from the site.~~
- ~~Any remedial action planned or required in relation to the site, and the potential adverse effects of any remedial action on the matters listed in the two matters above, whether at the site or at another location.~~
- ~~Proposed validation to demonstrate that remediation has been carried out to an acceptable standard.~~

~~The management of the decontamination risk and any risk due to residual contamination remaining on the site (eg. risks involved are maintenance of underground services, risks associated with earth working and soil disturbance, and compliance with management regimes).~~

~~The site assessment, proposed remediation, validation and future site management shall be to the satisfaction of the Hutt City Council, Wellington Regional Council, and the Medical Officer of Health.~~

~~**Compliance Standards:**~~

Compliance with the following:

AMENDMENT 22 [New rule]

Insert existing section 11.2.4 as a new rule 11.2.2.1 (d) (amending headings and numbering accordingly): and amend existing provision 11.2.4(b) to remove reference to a maximum width for esplanade reserves for lots less than 4ha:

~~11.2.4~~ (d) Esplanade Reserves, Strips and Access Strips

Compliance with the following:

~~(a)~~ **(i)** In all activity areas esplanade reserves or strips are not required for the following subdivision activities:

~~(i)~~ -Boundary adjustments in all activity areas.

~~(ii)~~ -A minor adjustment to an existing cross lease or unit title due to the increase in the size of allotment by alterations to the building outline or the addition of an accessory building.

~~(iii)~~ -A subdivision where the allotment is created solely for utilities and that allotment has a net site area of less than 200m^2 and is not within 20m of any river or lake.

~~(b)~~ **(ii)** In all activity areas, in respect of lots less than 4 hectares, an esplanade reserve ~~up to a maximum width~~ of 20m width shall be set aside for such lots along the bank of any river whose bed has an average width of 3m or more where the river flows through or adjoins the lot concerned.

~~(c)~~ **(iii)** In respect of lots with areas of 4 hectares or greater, an esplanade reserve or strip up to a maximum width of 20m shall be set aside for such lots along the banks of the following rivers and lakes:

~~(i)~~ - Hutt River,

~~(ii)~~ - Wainuiomata River,

~~(iii)~~ - Orongorongo River,

~~(iv)~~ -Waiwhetu Stream,

~~(v)~~ - Lake Kohangatera,

~~(vi)~~ - Lake Kohangapiripiri.

~~(d)~~ **(iv)** In respect of lots with areas 4 hectares or greater, an esplanade reserve or strip up to a maximum width of 20m shall be set aside for lots adjoining the mean high water springs of the sea.

For the avoidance of doubt, non-compliance with the provisions ~~(b)~~ (ii) to ~~(d)~~ (iv) shall be considered as a Discretionary Activity and assessed in terms of sections 104 and 105, and Part II of the Act.

AMENDMENT 23 [New rule]

Insert a new standard for earthworks associated with subdivisions as 11.2.2.1 (e):

(e) Earthworks

Compliance with the following:

(i) In all activity areas, the maximum volume of earthworks shall be 50m^3 (solid measure) per site.

AMENDMENT 24 [New rule]

Insert existing section 11.2.5 as a new rule 11.2.2.1(f) and amend headings accordingly:

(f) Other Provisions

Compliance with the following:

(i) Financial Contributions in Chapter 12 of this Plan.

(ii) General Rules in Chapter 14 of this Plan.

AMENDMENT 25 [New section]

Add matters in which Council Seeks to Control:

11.2.2.2 Matters in which Council Seeks to Control

The matters over which control is reserved are:

(a) The design and layout of the subdivision, including the size, shape and position of any lot, any roads or the diversion or alteration to any existing roads, access, passing bays, parking and manoeuvring standards, and any necessary easements;

(b) The provision of servicing, including water supply, waste water systems, stormwater control and disposal, roads, access, streetlighting, telephone and electricity;

(c) Management of construction effects, including traffic movements, hours of operation and sediment control;

(d) Provision of esplanade reserves, esplanade strips and access strips;

(e) Site contamination remediation measures and works;

(f) Protection of significant sites, including natural, cultural and archaeological sites;

(g) Avoidance or mitigation of natural hazards; and

(h) Those matters described in Section 108 and 220 of the Resource Management Act 1991.

AMENDMENT 26 [New section]

Create new section (11.2.2.3) of assessment criteria for controlled activities using the performance standards from existing section 11.2.2.1, except:

- *in relation to providing gas as this has been deleted in accordance with Proposed Rule 11.2.2.1(b)(vii) (amendment 19); and*
- *in relation to Esplanade Reserves and Strips, which are new assessment matters*

11.2.2.3 Assessment Criteria

The following assessment criteria will be used:

(a) Allotment Design:

- Allotments to have the appropriate net site area and dimensions to enable activities, buildings or structures to be sited to comply with the specified activity area requirements.
- Subdivisions should be designed so as to give areas a strong and positive identity by taking into account characteristics of the area and ensuring that roading patterns, public open space/reserves and community facilities are well integrated.
- Account must be taken of the future development potential of adjoining or adjacent land.
- The roading pattern must take into account the future development pattern of adjacent land.
- Subdivisions should be designed in a manner which recognises and gives due regard to the natural and physical characteristics of the land and adverse effects are avoided, remedied or mitigated.

(b) Engineering Design

(i) Access

- The legal road must be of sufficient width to cater for all functions the road is expected to fulfil, including the safe and efficient movement of all users, provision for parked vehicles, the provision of public utilities, landscaping and public transport facilities.
- The carriageway width should allow vehicles to proceed safely at the operating speed intended for that type of road in the network, with acceptable minor delays in the peak period.
- The carriageway should be designed to discourage motorists from travelling above the intended speed by reflecting the functions of the road in the network. In particular, the width, the horizontal and vertical alignments and superelevation should not be conducive to excessive speed.

- Intersections or junctions should be designed to allow all desired movements to occur safely without undue delay. Projected traffic volumes should be used in designing all intersections or junctions on traffic routes.
- Footpaths shall be provided on both sides of roads and shall be designed and located taking into account pedestrian amenity and likely use patterns. Footpaths may be reduced to only one side where:

  there is no development fronting that part or side of the road,

  topography or vegetation precludes provision, or

  vehicle volumes and speeds are low and use of the carriageway is considered to be safe and comfortable for pedestrian use, and

  pedestrian use will not be deterred by the lack of a footpath.
- Materials used in the construction of roads must be durable, maintainable, cost effective and compatible with Council's engineering standards.
- Allotments must have drive on access. In cases where it can be shown that it is physically not possible to provide drive on access, alternative arrangement for off-street parking must be provided.
- Where appropriate, when designing the roading network, account must be given to the provision of public transport facilities and the provision for safe, convenient and efficient access for cyclists and pedestrians.

(ii) Service Lanes, Private Ways, Pedestrian Accessways and Walkways

- Service lanes must be of sufficient width and of appropriate design to cater for vehicular traffic which services the allotments.
- All private ways and pedestrian accessways must be of sufficient width and of appropriate design for the use of land they serve.
- Walkways must be taken into account the existing topography, link open space network with community facilities and public services.

(iii) Street Lighting

Public lighting to be provided to roads, footpaths, pedestrian accessways and to major pedestrian and bicycle links likely to be used at night to provide safe passage for pedestrians, cyclists and vehicles.

(iv) Stormwater

- The stormwater system to provide a level of protection defined in terms of Average Recurrence Interval (ARI) based on the type and intensity of development.
- The environment downstream of the proposed subdivision is not degraded by drainage flows or floodwaters.
- The roading system retains access to allotments and minimises the occurrence of traffic accidents during and after storm events.

- The stormwater system is designed to ensure that the land form of watercourses is stabilised and that erosion is minimised.
- Floodways and ponding areas to be restricted to areas where there is no damage to property, and to discharge or contain all gap flow (gap flow being the difference between the pipe flow and the total flow, i.e. the amount flowing on the surface for any given ARI).
- Materials used in stormwater systems to be durable, maintainable, cost-effective and compatible with Council's engineering performance standards.

(v) Wastewater

- The wastewater system is adequate for the maintenance of public health and the disposal of effluent in an environmentally appropriate manner.
- All wastewater systems shall be designed so that they have sufficient capacity for the ultimate design flow.
- All wastewater systems shall be designed so that they are self cleansing with the current or expected peak dry weather flow.
- Materials used in the wastewater system must be durable, maintainable, cost efficient and compatible with Council's engineering performance standards.
- Connection to a community sewerage system where one is available, and has the capacity to accept the additional sewerage load that the occupancy of the subdivision will create; or the installation of a sewerage

  system and community treatment plant when there is no community sewerage system available and the number of residential allotments and the soil/groundwater conditions indicate that the cumulative effects of the sewerage effluents have the potential to adversely affect public health.

(vi) Water Supply

- In urban areas reticulated water supply must be provided to each allotment for domestic, commercial or industrial consumption and provision for fire fighting purposes.
- Materials used in the water supply system must be durable, maintainable. cost-effective and compatible with Council's engineering performance standards.
- Reservoir storage, pumping and pipeflow capacity shall meet required volume, flow and pressure criteria according to Council's engineering performance standards.
- The provision and protection of access for maintenance of components of water supply system.
- All water supply mains shall be designed so they have sufficient capacity for the ultimate design flow.
- Adequate and suitable water supply shall be provided in the General Rural and Rural Residential Activity Areas.

- In all areas, the provision of a reticulated drinking water supply to all residential allotments if it is practicable to do so.

(vii) ~~Gas~~ Telephone and Electricity

- Electricity supply must be provided to each allotment. The Council may exempt subdivisions or particular allotments from this requirement in appropriate circumstances but may require that provision, such as the registration of easements, be made for the provision of electricity supply in the future. In urban areas where practicable this should be by means of an underground system.
- Provision should be made to ensure that ~~gas (where available or likely to be available) and~~ telephone connections can be made to each allotment. In urban areas where practicable, such provision should be made by means of an underground system.

(viii) Earthworks

- Before any earthworks are carried out a thorough investigation be undertaken to determine the suitability of the land. Particular attention must be given to drainage, slope and foundation stability matters, topography, significant existing natural, cultural and archaeological resources, post construction settlement, shrinkage and expansion of material plus compaction.
- Appropriate design and construction methods must be used to control and manage soil erosion, surface runoff and siltation.

(c) Contamination

Where a site for subdivision has been identified as a potential or confirmed contaminated site the applicant shall undertake an assessment of the site, which shall include:

- The nature of contamination and the extent to which the occupants of the site, the immediate neighbours, the wider community and the surrounding environment will be exposed to the contaminants.
- Any potential long-term or cumulative effects of discharges from the site.
- Any remedial action planned or required in relation to the site, and the potential adverse effects of any remedial action on the matters listed in the two matters above, whether at the site or at another location.
- Proposed validation to demonstrate that remediation has been carried out to an acceptable standard.
- The management of the decontamination risk and any risk due to residual contamination remaining on the site (eg. risks involved are maintenance of underground services, risks associated with earth working and soil disturbance, and compliance with management regimes).

The site assessment, proposed remediation, validation and future site management shall be to the satisfaction of the Hutt City Council, Wellington Regional Council, and the Medical Officer of Health.

(d) Esplanade Reserves, Strips and Access Strips

Whether provision has been made for esplanade reserves and/or strips along the margins of any waterbody.

If a reduction in the width or waiver of an esplanade reserve is sought, Council would have regard to the following:

- The purpose for the creation of the esplanade reserve set out in Section 229 of the Resource Management Act 1991;
- Whether the reduction in size or width of an esplanade reserve would adversely effect:
    - Natural character, amenity values, and ecological values of the adjacent waterbody;
    - Access to an existing or potential future reserve or feature of public significance;
    - The public's ability to gain access to and along the edge of the waterbody; and
    - The protection of significant sites, including natural, cultural and archaeological sites.
- Whether a waiver or reduction of the width of an esplanade reserve would ensure the security of private property or the safety of people; and
- Whether the land is within a natural hazard area or in an identified risk from one or more natural hazards.

AMENDMENT 27 [New section]

Add new section and rule to create restricted discretionary activities and outline the matters in which Council has restricted its discretion:

11.2.3 Restricted Discretionary Activities

(a) Any subdivision that does not comply with the standards and terms for controlled activity under Rule 11.2.2.1 in respect of: (b) Engineering Design and (c) Contamination.

11.2.3.1 Matters in which Council has restricted its discretion

(a) The ability to meet the relevant performance objective and criteria for which non-conformance is proposed.

(b) Any actual or potential adverse effects arising from the proposed non-conformance, and measures to avoid, remedy or mitigate such effects.

AMENDMENT 28 [rule 11.2.3]

Amend numbering of rule to 11.2.4; and

Amend sub clause (i) to give effect to the proposed restricted discretionary activities:

11.2.~~3~~4 Discretionary Activities

(i) Any subdivision which is not a Permitted, ~~or~~ Controlled or Restricted Discretionary Activity.

AMENDMENT 29 [section 11.2.3.1]

Add a new sub-clause to give effect to the proposed assessment criteria; amend numbering accordingly and

Amend heading and sub-clause (c) as follows:

11.2.~~3~~ 4.1 Assessment ~~Matters~~ Criteria for Discretionary Activities

(c) The degree of compliance or non-compliance with any relevant Permitted and Controlled Activity ~~Conditions~~ Standards and Terms.

(d) Those matters listed in the Assessment Criteria for Controlled Activities.

AMENDMENT 30 [section 11.2.4]

Delete section 11.2.4 Esplanade Reserves, Strips and Access Strips as follows:

~~11.2.4 Esplanade Reserves, Strips and Access Strips~~

~~**(a)** In all activity areas esplanade reserves or strips are not required for the following subdivision activities:~~

~~(i) Boundary adjustments in all activity areas.~~

~~(ii) A minor adjustment to an existing cross lease or unit title due to the increase in the size of allotment by alterations to the building outline or the addition of an accessory building.~~

~~(iii) A subdivision where the allotment is created solely for utilities and that allotment has a net site area of less than 200m^2 and is not within 20m of any river or lake.~~

~~**(b)** In all activity areas, in respect of lots less than 4 hectares, an esplanade reserve up to a maximum width of 20m shall be set aside for such lots along the bank of any river whose bed has an average width of 3m or more where the river flows through or adjoins the lot concerned.~~

~~**(c)** In respect of lots with areas of 4 hectares or greater, an esplanade reserve or strip up to a maximum width of 20m shall be set aside for such lots along the banks of the following rivers and lakes:~~

~~(i) Hutt River,~~

~~(ii) Wainuiomata River,~~

~~(iii) Orongorongo River,~~

~~(iv) Waiwhetu Stream,~~

~~(v) Lake Kohangatera,~~

~~(vi) Lake Kohangapiripiri.~~

~~**(d)** In respect of lots with areas 4 hectares or greater, an esplanade reserve or strip up to a maximum width of 20m shall be set aside for lots adjoining the mean high water springs of the sea.~~

~~For the avoidance of doubt, non compliance with the provisions (b) to (d) shall be considered as a Discretionary Activity and assessed in terms of sections 104 and 105, and Part II of the Act.~~

AMENDMENT 31 [Rule 14I 2)]

Correct spelling of 'activities' in rule 14I 2(iv); and

Amend rule 14I 2(ii) in relation to earthworks as part of a subdivision as follows:

14I 2 Rules

These provisions shall not apply to the following:

(i) Earthworks associated with the establishment of utilities in accordance with Chapter 13 - Utilities.

(ii) Earthworks carried out as part of a subdivision consent <u>under Rule 11.2.2 and Rule 11.2.3.</u>

(iii) Earthworks in the River Recreation Activity Area for the purposes of the management of any river or stream in accordance with Chapter 7C - River Recreation Activity Area

(iv) Earthworks associated with extraction ~~activites~~ <u>activities</u> in Chapter 6D - Extraction Activity Area.