

Proposed District Plan Change 14

CENTRAL COMMERCIAL ACTIVITY AREA

**Publicly Notified:
Submissions Close:**

**09 FEBRUARY 2010
12 MARCH 2010 at 5.00pm**

Part 1: Introduction

1. The Purpose of Proposed Plan Change 14

Proposed Plan Change 14 addresses the key issues that have arisen from a full review of the current **Central Commercial Activity Area** provisions in the City of Lower Hutt District Plan. It follows on from the Vision CBD 2030 and Making Places project.

2. Structure of this document

This document contains five parts:

- Part 1** is this introduction.
- Part 2** contains a copy of the public notice of Proposed Plan Change 14.
- Part 3** contains the amendments proposed.
- Part 4** shows how the District Plan will look if Proposed Plan Change 14 is made operative without any further amendment. Part 4 has been prepared for illustrative purposes only.
- Part 5** contains a copy of the *Section 32 Evaluation* prepared for Proposed Plan Change 14, as required by section 32 of the Resource Management Act 1991.
- Part 6** contains a copy of a submission form (Form 5).

All six parts of this document are publicly available from Hutt City Council as detailed in Part 2 of this document.

3. The Process of Proposed Plan Change 14

The process for preparing Proposed Plan Change 14 to date can be summarised as:

Dec 2008	Discussion document notified for public comment.
April 2009	Council approval to prepare Proposed Plan Change 14
May 2009	Internal and external consultation with relevant groups
Dec 2009	Proposed Plan Change 14 adopted by Council's District Plan Committee for public notification
Feb 2010	Proposed Plan Change 14 notified

Upon notification, all interested persons and parties have an opportunity to make further input through the submission process. The process for public participation in the consideration of this proposal under the Resource Management Act (RMA) is as follows:

- After the closing date for submissions, Hutt City Council must prepare a summary of the submissions and this summary must be publicly notified;
- An opportunity is then provided for persons who are representing a relevant aspect of the public interest; or persons who have an interest in the proposed plan change that is greater than the interest of the general public to make a

further submission in support of, or in opposition to, the submissions already made;

- If a person making a submission asks to be heard in support of his or her submission, a hearing must be held;
- Hutt City Council must give its decision on the proposal (including its reasons for accepting or rejecting submissions); and
- Any person who has made a submission has the right to appeal the decisions on the proposal to the Environment Court.

4. Reasons for Proposed Plan Change

Council has been undertaking a rolling review of the District Plan since the plan was made operative in 2004. The Proposed Plan Change is a result of a review of the provisions for the Central Commercial Activity Area in the District Plan. Over the last two years Council and the community have been working together to develop a long term vision for the central commercial area. The Vision CBD 2030 and Making Places projects were the first part of this strategic planning exercise. The subsequent CBD Making Places project set out a number of actions to encourage outcomes in line with the Vision. One of these actions was reviewing the District Plan rules to better align with the Vision.

In the review one of the main issues the Council looked at was how well the current rules would be able to encourage and facilitate the outcomes sought in the Vision CBD 2030 and CBD Making Places projects. And, where needed, alternative rules and provisions were developed and assessed against the same criteria.

The Council has also carried out a number of consultation exercises regarding the future of the central area over the last year, including the Vision CBD 2030 and CBD Making Places exercises. In addition consultation on the current District Plan rules and provisions in the Central Commercial Activity Area was undertaken in early 2009. All this feedback was included in the assessment and review of the planning rules. As a result of this review Council has prepared Proposed District Plan Change 14.

5. Summary of Proposed Plan Change 14 amendments

In addressing the issues, the Proposed Plan Change adds new policy direction and rules to address issues which were either unanticipated at the time of writing the District Plan or have since emerged through consultation and the CBD Vision and Making Places project and also to address national guidance such as the New Zealand Urban Design Protocol and regional direction.

The proposed amendments include amendments to Chapters 1 (Introduction and Scope of the Plan), 3 (Definitions), 5A (Central Commercial Activity Area), 14A (Transport), 14B (Signs) and introduction of a Central Commercial Activity Area Design Guide. A summary of the main changes proposed is included below:

Capacity of the Central Area:

- Allow a greater range of permitted activities (no resource consent required), including residential activities. This change would allow for the re-development (including conversion) of existing building.
- Introduce four “precincts”, being Core, Commercial, Riverfront and Residential Transition. These precincts recognise the different issues and character in different parts of the central area.
- Replace the floor area ratio and floor area bonus rules with a maximum height limit rule for managing building height (graduated maximum height rules of 30m in the core, 18m in the middle, and 12m around the fringe). This change would

allow for taller buildings on smaller sites than currently allowed, but potentially lower buildings on some larger sites around the periphery.

Activities and Land Use

- Allow a greater range of permitted activities (no resource consent required), including residential activities.
- Restrict certain activities (e.g. service stations, industrial activities and trading warehouses) which may be incompatible with other activities. These activities require resource consent.
- Introduce acoustic (noise) insulation requirements for new buildings to be used for residential purposes.

Retail Activities

- Refine the policies and rules for managing the size (floor area) of retail activities based on Precincts, allowing smaller scale shops in the southern 'core' precinct and larger scale shops in the northern 'commercial' precinct.

Quality of Buildings and Open Space

- Introduce a Design Guide for buildings to improve the quality of developments.
- Require resource consent for all new buildings and major additions/alterations to existing buildings - to be assessed in relation to the Design Guide provisions.
- Permit (no resource consent) minor additions/alterations (i.e. additions of less than 5% of the gross floor area of the existing building, and internal alterations) which would not be subject to the Design Guide.
- Introduce a standard restricting the maximum face area of all signs in the Core, Riverfront and Residential Transition Precincts of 5m².
- Introduce a standard restricting the maximum face area of signs attached to buildings to 20m² in the Commercial Precinct.

Relationship of Buildings to Streets and Open Spaces

- Extend the area and streets to which the building frontage, display window and verandah requirements apply. Revise the rules and standards for building frontage, display windows and verandahs, as well as introducing Design Guide assessment for all new buildings and major additions/alterations to existing buildings.
- Introduce a new rule protecting sunlight access to Andrews Avenue by limiting the height of buildings in this area.
- Introduce a new rule managing the wind effects of new buildings over 12m in height.

Residential Areas Near the Central Area

- Replace the recession plane rules with a maximum height limit rule for buildings (graduated maximum height rules of 30m in the core, 18m in the middle, and 12m around the fringe).
- For sites adjoining the residential areas, increase the side yard building setback from 3m to 7m and reduce the rear yard building setback from 8m to 7m.

Hutt River Corridor

- Development adjacent to the river corridor is to be managed to provide for a river side promenade and upgrades to the flood protection works.

- Introducing a 'Riverfront' precinct to apply specific requirements to buildings and development along the river corridor. Introduce rules requiring all new buildings and major additions/alterations to require resource consent and be assessed against the requirements in the Design Guide. The Design Guide includes requirements for adaptation for future flood protection works upgrades.

Carparking

- Remove top-tier of the on-site carparking requirements for large-scale retail activities, being 5 carparks per 100 m² of gross floor area (lower-tier requirements are not proposed to change).
- Add a new rule requiring one carpark per residential unit in the 'Outer Parking Area' (no on-site carparking requirements for all activities in the 'Inner Parking Area' are not proposed to change).
- Introduce a maximum width for the amount of street frontage that surface carparking may occupy on a site.
- Introduce a rule restricting the maximum number of carparks provided on any one site to 90 carparks.

Energy Efficient and Low Impact Urban Development

- Non-statutory Design Guide provides encouragement for incorporating energy efficient and low impact principles into buildings and developments (no rules or standards are proposed).

Part 2: Public Notice

PUBLIC NOTICE

Public Notification of Proposed District Plan Change 14 to the City of Lower Hutt District Plan

Clause 5 of the First Schedule – Part 1 of the Resource Management Act 1991

Hutt City Council has prepared:

Proposed District Plan Change 14 - Amendments to the Central Commercial Activity Area Provisions

Proposed Plan Change 14 addresses the key issues that have arisen from a review of the current **Central Commercial Activity Area** provisions in the District Plan, including providing for:

- future growth,
- encouraging quality urban design principles and
- ensuring efficient implementation of the District Plan provisions.

The Plan Change introduces:

- a precinct approach to development,
- new height rules,
- new activity mix rules: and
- the objectives and policies to support the new provisions.

All new buildings and some additions and alterations to existing buildings in the Central Commercial Activity Area will require resource consent. These applications will be assessed with reference to a **design guide** which has been developed and includes statutory design provisions and non-statutory amenity provisions.

The Plan Change also addresses the issues of:

- wind,
- acoustic insulation for residential developments and
- private open space.

It also amends the **signage and transport provisions** in the District Plan to provide for signs in the Central Commercial Activity Area and to include a minimum parking requirement of one space per single residential unit in the Outer Central Area Parking District. The other parking provisions in the Central Commercial Activity Area are proposed to remain unchanged.

Minor amendments have been made to Chapter 1, “Introduction and Scope of the Plan” to give clearer direction concerning commercial activities and the Central Commercial Activity Area. A new definition has been inserted for ‘Noise Sensitive Activity’ and the definition for ‘Dwelling House’ has been amended to include residential units in buildings.

Provisions in the District Plan affected by Proposed Plan Change 14 are Chapter 1 (Introduction and Scope of the Plan) Chapter 3 (Definitions), Chapter 5A (Central Commercial Activity Areas), Chapter 14A (Transport), Chapter 14B (Signs) and Chapter 14C (Noise).

Documentation for Proposed Plan Change 14 can be inspected at:

- All Hutt City Council Libraries, and
- Customer Services Counter, Council Administration Building, 30 Laings Road, Lower Hutt.

Alternatively, copies of the documentation are available on the Council website:

- <http://www.huttcity.govt.nz/publications-forms/District-Plan/Plan-Changes>

Copies can also be requested by contacting the Hutt City Council Customer Call Centre:

- Ph: (04) 570 6666 or
- Email: ppc14@huttcity.govt.nz

If you have any questions please contact Council's consultant Hamish Wesney (Boffa Miskell consultants) on phone: (04) 803 2787 or email: hamish.wesney@boffamiskell.co.nz

Submissions close on FRIDAY 12 MARCH 2010 at 5.00pm

Any person may make a submission on Proposed Plan Change 14. You may do so by sending a written submission to Council:

- Post: Environmental Policy Division, Hutt City Council, Private Bag 31912 Lower Hutt 5040;
- Fax: (04) 570 6799;
- Email: ppc14@huttcity.govt.nz

The submission must be written in accordance with Form 5 as prescribed by the Resource Management Act (RMA) and must state whether or not you wish to be heard in respect of your submission. Copies of Form 5 (EP-FORM-309) are available from all of the above locations and the Council website.

The process for public participation in the consideration of this proposal under the RMA is as follows:

- after the closing date for submissions, Hutt City Council must prepare a summary of the submissions and this summary must be publicly notified; and
- there must be an opportunity to make a further submission in support of, or in opposition to, the submissions already made; and
- if a person making a submission asks to be heard in support of his or her submission, a hearing must be held; and
- Hutt City Council must give its decision on the proposal (including its reasons for accepting or rejecting submissions); and
- any person who has made a submission has the right to appeal the decisions on the proposal to the Environment Court.

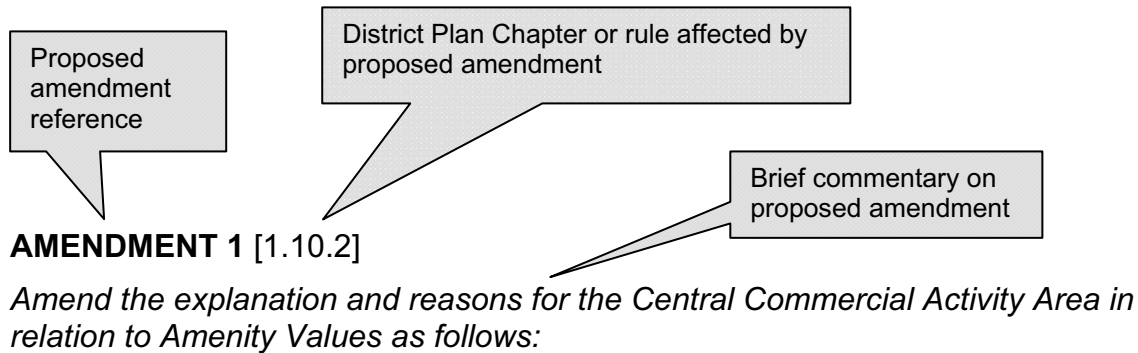
Tony Stallinger
Chief Executive

9 February 2010

**Part 3: Proposed Plan Change 14
Amendments to Chapters 1, 3, 5 and 14**

The following text identifies the amendments proposed.

A total of 93 amendments to the provisions of the District Plan are proposed. Each of these amendments is listed in the following format:



Commercial Activity Areas

Central Commercial Activity Area:

This Activity Area provides for a variety of retail and commercial functions in an environment characterised by purpose built retail, office and service space. is the central focal point of the city as the main area of commercial, community and civic activities. Further diversity in the activity mix is anticipated, with increased levels of residential activities and service industries. The environment is characterised by a number of complementary activities of different size and scale. Buildings are of a variety mix of heights and ages, are constructed in a variety of styles and with a diverse range of materials. Buildings built to the front boundary and incorporating verandahs enhance amenity values in some locations. In parts the open space character of vehicle sales yards strongly influences the environment. Visual amenity values are influenced by the vehicle and pedestrian environments, these varying with the functions of adjacent land uses. The relationship of buildings to the public realm (streets and open space areas) significantly contributes to the amenity values of the Central Area. Large surface areas of carparking and car sales could detract from the amenity values in this area. Improvements to the amenity values in the central area are planned, including improving the building quality and public realm.

Proposed amendment

Any new text that is proposed to be added is underlined, while any text proposed to be deleted has been struck through.

Amendments to Chapter 1

Introduction and Scope of the Plan

AMENDMENT 1 [1.10.2]

Amend the Explanation and Reasons for the Central Commercial Activity Area in relation to Amenity Values as follows:

Commercial Activity Areas

Central Commercial Activity Area:

~~This Activity Area provides for a variety of retail and commercial functions in an environment characterised by purpose built retail, office and service space. is the central focal point of the city as the main area of commercial, community and civic activities. Further diversity in the activity mix is anticipated, with increased levels of residential activities and service industries. The environment is characterised by a number of complementary activities of different size and scale. Buildings are of a variety mix of heights and ages, are constructed in a variety of styles and with a diverse range of materials. Buildings built to the front boundary and incorporating verandahs enhance amenity values in some locations. In parts the open space character of vehicle sales yards strongly influences the environment. Visual amenity values are influenced by the vehicle and pedestrian environments, these varying with the functions of adjacent land uses. The relationship of buildings to the public realm (streets and open space areas) significantly contributes to the amenity values of the Central Area. Large surface areas of carparking and car sales could detract from the amenity values in this area. Improvements to the amenity values in the central area are planned, including improving the building quality and public realm.~~

AMENDMENT 2 [1.10.4]

Amend the Objective for Commercial Activity as follows:

Objective

To promote an integrated and hierarchical approach to commercial centres as community focal points.

AMENDMENT 3 [1.10.4]

Delete the existing Policies (a) to (d) for Commercial Activity and add new policies (a) to (e):

Policies

- ~~(a) Commercial activities should be located in a manner that enables integrated commercial centres to be developed.~~
- ~~(b) To maintain and enhance the amenity values within commercial activity areas.~~
- ~~(c) To minimise vehicle generation and to promote safe and efficient movement.~~
- ~~(d) To promote the efficient use of land in commercial activity areas.~~
- (a) Identify the existing commercial centres and recognise the different roles and functions each centre has in the hierarchy.
- (b) Recognise the Central Area and Petone Area commercial centres as the primary areas in the hierarchy, being of a large scale with a great diversity of activities servicing the whole city and wider region.
- (c) Recognise the Suburban and Special commercial centres as the secondary areas in the hierarchy, being small scale with a limited number of activities servicing local area needs.

- (d) Manage the nature and scale of activities in the commercial centres based on the integrated and hierarchical approach.
- (e) Manage and restrict commercial and other activities located outside the identified commercial centres that have the potential to undermine or detract from the vitality and vibrancy of the commercial centres.

AMENDMENT 4 [1.10.4]

Delete the existing Explanation and Reasons for Commercial Activity and add new Explanation and Reasons:

Explanation and Reasons

~~Commercial areas tend to be the focus for the community providing places where people can meet in familiar surroundings. Integrated commercial centres also enable a sense of place and belonging to be developed. Attractions, such as retail activities, cultural and entertainment facilities, offices, business and personal services are important for the development of integrated commercial centres. The most important of the attractions is the retail component. Other non-retail activities are closely linked and dependent on the retail sector.~~

~~For integrated commercial centres to be developed it is important that unrestricted retailing is concentrated in certain areas to ensure that a critical mass is maintained. A proliferation of stand-alone retail activities or a scattering of retail activities has the potential to undermine the development of integrated commercial centres to meet community needs.~~

~~Taking reverse sensitivity issues into account it is undesirable for there to be unrestricted mix of commercial and industrial activities. Such a mix would not enable the concept of integrated commercial areas to be developed and amenity values would be adversely affected.~~

~~Integrated commercial centres will enable public transport to be provided to such centres and this will result in a more efficient use of non-renewable energy and reduce travelling time.~~

~~There is significant public investment in existing commercial areas and it is important that they are utilised fully. In many commercial areas there are also a wide range of community facilities such as libraries, community centres, and in some cases recreational centres. If there were no policies guiding or co-ordinating commercial activities, many centres would decline to the point of not being viable, causing under-utilisation of such existing public and community investment. At the same time the local authority would come under increasing pressure to provide similar services elsewhere.~~

~~Changes that have occurred in the retail and other commercial sectors have been taken into account in determining the location and size of commercial activity areas. The Central Commercial and Petone Commercial Activity Areas have been expanded to take into account the changes that have occurred.~~

Lower Hutt City has a number of established commercial centres which service the needs of local residents and visitors. Each of the commercial centres has a different role and function in meeting these needs, and it is important the Plan recognises these roles and functions.

The existing commercial centres have an established hierarchy which is recognised in the Plan. The hierarchy reflects the location, size, history, role and function of the commercial centres, with the Central Area and Petone Area as to the two primary centres, and with suburban centres and special areas as secondary centres.

It is important the Plan recognises and provides for the respective roles and function of each centre in the hierarchy, to ensure these roles and functions are complementary and do not conflict. Therefore, activities within the commercial areas

will be managed based on the hierarchy to ensure the continued vitality and vibrancy of the existing areas. In addition, certain commercial activities located outside the identified commercial centres may undermine the role and function of an integrated approach to commercial centres. Therefore, it is important the management framework for other Activity Areas recognise and manage these types of activities and development to protect the vitality and vibrancy of the Commercial Activity Areas.

Amendments to Chapter 3

Definitions

AMENDMENT 5 [Chapter 3]

Amend the definition for dwelling house as follows:

Dwelling House: a building or unit within a building providing self-contained residential accommodation for a person, a family or non-family group and includes a foster home, women's refuge, accommodation for up to five boarders/lodgers and residential facilities for up to and including seven people but excludes:

- (a) comprehensive residential developments;
- (b) detention facilities;
- (c) visitor accommodation;
- (d) health care service; and
- (e) boarding houses.

*NOTE: Proposed Plan Change 12 amends this definition by deleting point '(a) Comprehensive Residential Developments' and re-numbering '(b)-(e)' to '(a)-(d)'.
The definition show here is the wording in the Operative District Plan.
Proposed Plan Change 14 does not propose to add reference to 'comprehensive residential development'.*

AMENDMENT 6 [Chapter 3]

Add a new definition for Noise Sensitive Activity:

Noise Sensitive Activity: means any:

- residential activity;
- visitor accommodation, boarding house or other premises where residential accommodation for five or more travellers is offered at a daily tariff or other specified time; or
- childcare facility.

Amendments to Chapter 5A

Central Commercial Activity Area

AMENDMENT 7 [5A 1.1.1]

Amend the heading of 5A 1.1.1 as follows:

5A 1.1.1 Size Capacity of the Central Commercial Activity Area

AMENDMENT 8 [5A 1.1.1]

Amend the Issue for Capacity of the Central Commercial Activity Area as follows:

Issue

The capacity of the Central Commercial Activity Area should accommodate readily large sized retail activities and needed to sustain a viable and vibrant central area that meets the dynamic current and future needs and requirements of retailing, of the city as the centre of commercial activities, social, civic and community facilities. activities.

AMENDMENT 9 [5A 1.1.1]

Amend the Objective in 5.1.1.1 as follows:

Objective

To ensure that promote the efficient use and development of the physical resources in the Central Commercial Activity Area, whilst sustaining its vitality and vibrancy as the provides sites to accommodate large size retail activities on a readily available basis capable of meeting the dynamic needs and requirements of retailing, commercial activities, social, civic and community facilities. focus of Lower Hutt City.

AMENDMENT 10 [5A 1.1.1]

Amend the Policies in 5.1.1.1 as follows:

Policies

- (a) Identify the extent of the Central Commercial Activity Area which is generally is bounded by High Street to the south, Cornwall Street to the east, Daly and Rutherford Streets to the west and Melling Road and Brunswick Street to the north, including the Market Grove area, as shown on District Plan Map C4.
- (b) Recognise that the Central Commercial Activity Area has four precincts, being: Core, Commercial, Riverfront and Residential Transition, which have different issues and values, with different management approaches (see Map in Appendix Central Commercial 1 – Precincts).
- (bc) To provide for offices, commercial activities, social and community facilities plus all types of retail activities within the Central Commercial Activity Area subject to certain controls for retail activities in the area identified in Appendix Central Commercial 1. capacity through providing for the redevelopment of existing property in the Central Commercial Activity Area, and making more efficient use of the land resource by providing for a wide range of activities.
- (d) Provide for taller buildings in the Central Commercial Activity Area to accommodate a wide range of activities, while ensuring taller buildings do not

detract from the character, qualities and amenity values of the central area and adjoining residential and recreational areas.

- (e) Restrict activities and development in areas outside the Central Commercial Activity Area that have the potential to undermine or detract from the vitality and vibrancy of the Central Community Activity Area, except as provided for in the other Commercial Activity Areas.

AMENDMENT 11 [5A 1.1.1]

Delete the Explanation and Reasons in 5.1.1.1 and replace with new text to read as follows:

Explanation and Reasons

~~Over the last few years substantial changes have occurred to the retail industry including:~~

- ~~(a) Department and discount department stores have undergone changes in size of stores and the range of products stocked. Large sized stores of between 3,000m² and 10,000m² now are common.~~
- ~~(b) Large supermarkets selling a wide range of food items as well as general merchandise such as sheets, some clothes, stationery, wine, and garden equipment plus plants.~~
- ~~(c) Integrated shopping malls. These complexes increasingly are becoming climate controlled, with the ability to provide a wide range of retail, recreational and community facilities.~~
- ~~(d) Trading warehouses and Home Improvement Centres (DIY stores) selling a wide range of bulky goods such as furniture, carpets, paint, wallpaper and other home improvement and decorating items. In many cases whiteware and other small retail items are sold also in such outlets.~~

~~The above types of retail activities will continue to be established in the Central Commercial Activity Area as it is well placed to take advantage of these changes. Many of these retail activities have experienced difficulty in obtaining suitable sites due to the restrictive size of the Central Commercial Activity Area in the Transitional District Plan. The Central Commercial Activity Area therefore should be of a size that such retail activities can be readily established. It is considered that the Central Commercial Activity Area should be that area bounded generally by High Street to the south, Cornwall Street to the east, Daly and Rutherford Streets to the west and Melling Road and Brunswick Street to the north. The Market Grove area is included also in the Central Commercial Activity Area. The Central Commercial Activity Area is shown on District Plan Map C4.~~

~~The area identified in Appendix Central Commercial 1 has been provided to accommodate individual retail activities where such activities require a larger gross floor area than can be readily established within the area identified in Appendix Central Commercial 2. To ensure that any new retail activities within the area identified in Appendix Central Commercial 1 do not compromise the function which the area identified in Appendix Central Commercial 2 performs or the amenity values it has as an effective focus in providing for the community's social and economic well-being, controls have been placed on retail activities within the area identified in Appendix Central Commercial 1. A resource consent is required for such activities where the gross floor area for an individual retail activity, whether stand alone or conducted from the same building with one or more other individual retail activities, is below a stated minimum or where the gross floor area of an individual retail activity exceeds a stated maximum. These controls will permit the establishment (whether as of right or subject to discretionary controls restricted to transport effects) of a retail outlet which trades under a single trading name and requires a large floor plate but will enable the consent authority, in determining whether or not any other new retail~~

~~activity should be permitted, to assess the social, economic and amenity effects on the area identified in Appendix Central Commercial 2.~~

~~The Central Commercial Activity Area needs to be of a sufficient capacity to meet the needs of current and future generations. The existing footprint of the central area is well-established with boundaries defined based on existing land uses. Within the overall central area, there are four sub-areas or precincts which have specific issues and values. These precincts are entitled Core, Commercial, Riverfront and Residential Transition, and have different management frameworks and requirements applying to the respective precincts.~~

~~Based on recent development trends, there is surplus capacity within this existing footprint to meet the anticipated needs of current and future generations for the central area through the more efficient use of land. This more efficient use is through the redevelopment of existing sites, and through additions and alterations to existing buildings. In addition, providing for a greater mix of activities in the central area provides for the adaptive re-use of existing buildings which may be currently under-utilised.~~

~~Furthermore, taller buildings provide the ability to more efficiently use the existing central area land resource. However, by providing for taller buildings, care is required to ensure these taller buildings do not detract from the amenity values of the central area and adjoining areas.~~

~~Commercial activities located outside the Central Commercial Activity Area may undermine the role and function of the central area. Therefore, it is important the management framework for other Activity Areas recognise and manage these types of activities and development to protect the vitality and vibrancy of the Commercial Activity Areas.~~

AMENDMENT 12 [5A 1.1.2]

Delete 5A 1.1.2 Residential Activity:

5A 1.1.2 — Residential Activity

Issue

~~**High density residential development can add vitality to the Central Commercial Activity Area. It should be permitted provided it does not affect detrimentally the proper functioning of other activities and amenity values are protected.**~~

Objective

~~To permit residential activities in the Central Commercial Activity Area where the proper functioning of other activities will not be affected detrimentally and amenity values are protected.~~

Policies

- ~~(a) — To allow residential activities to occur above ground level in all parts of the Central Commercial Activity Area.~~
- ~~(b) — To allow residential activities at ground level in the area generally to the south of Laings Road and to the north of the intersection of High Street and Queens Drive and Melling Road as identified in Appendix Central Commercial 3.~~

Explanation and Reasons

~~Residential activities can add to the vitality of the Central Commercial Activity Area and therefore should be permitted where they do not compromise the proper functioning of other activities. It is considered that parts of the Central Commercial Activity Area such as where buildings are required to be built to the front boundary and to have display windows are inappropriate for residential development on the ground floor.~~

AMENDMENT 13 [5A 1.1.2]

Add a new 5A 1.1.2 Activities:

5A 1.1.2 Activities

Issue

The mix and diversity of activities in the Central Commercial Activity Area required to generate a commercial, civic and social ‘heart’ for the city, which supports economic and social wellbeing.

Objective

To increase the mix and diversity of activities in the Central Commercial Activity Area in a way that increases the number of people living, working within, and visiting the area.

Policies

- (a) Provide for and encourage a wide range of activities within the Central Commercial Activity Area, provided their adverse effects are compatible with other activities and the character and amenity values for the area.
- (b) Ensure that activities are managed to avoid, remedy or mitigate adverse effects in the Central Commercial Activity Area or on properties in nearby residential areas.
- (c) Restrict certain activities which may be incompatible with other activities and/or degrade the character and amenity values of the Central Commercial Activity Area.

Explanation and Reasons

Providing for a wide range of activities in the Central Commercial Activity Area is one of the primary strategies in creating and maintaining a vibrant and attractive central area. The central area is not just a commercial or business district (i.e. CBD), but a place that additionally supports local culture, civic function, entertainment, residential living, socialising and generally a vibrant place. By providing flexibility in the use of land and buildings, this strategy enables developers and building owners to meet the changing dynamics of the economy and society. In addition, this strategy makes efficient use of the land within the Central Commercial Activity Area by providing opportunities for the re-use and redevelopment of existing buildings for different activities.

In providing for a wide range of activities, there is potential to cause adverse effects both within the Central Commercial Activity Area and in areas beyond its boundary, such as nearby residential areas. These effects include dust, noise and glare. The

Plan manages these effects through applying performance standards to ensure these effects are avoided, remedied or mitigated.

Certain activities, such as service stations and industrial activities, may be incompatible with other activities in the Central Commercial Activity Area, in terms of their nature and intensity of use, traffic generation, noise and odour. Therefore, the Plan restricts the establishment and operation of specific activities to manage the location, nature and scale, to ensure if they are established, that they operate in a manner which does not detract from the values for people living, working within, and visiting the central area.

AMENDMENT 14 [5A 1.1.3]

Delete 5A 1.1.3 Service Stations:

~~5A 1.1.3 — Service Stations~~

Issue

~~Service stations can have adverse effects on the proper functioning of other activities in the Central Commercial Activity Area. However, they do provide a necessary service to shoppers and people who work in the Central Commercial Activity Area. They should therefore be allowed in those parts of the Central Commercial Activity Area where adverse effects are likely to be less significant.~~

Objective

~~To allow service stations in those parts of the Central Commercial Activity Area where the adverse effects are likely to be less significant than the parts of the area not shaded on Appendix Central Commercial 4.~~

Policy

~~(a) — To allow service stations in the area identified in Appendix Central Commercial 4.~~

Explanation and Reasons

~~Service stations can have detrimental effects on the proper functioning of activities in the Central Commercial Activity Area. It has been a long established policy of Council to ensure that service stations are not established in parts of the Central Commercial Activity Area. However, service stations do provide a necessary service to shoppers and other users and it is necessary that they are allowed in parts of the Central Commercial Activity Area where the detrimental effects are less significant.~~

AMENDMENT 15 [5A 1.1.3]

Add a new 5A 1.1.3 Retail Activities:

5A 1.1.3 Retail Activities

Issue

The nature and widely different scale of retail activities can degrade the quality and sustainability of the existing Central Commercial Activity Area.

Objective

To encourage a central public focused retail core and to recognise and provide for a mix of retail format sizes in some parts of the Central Commercial Activity Area.

Policies

- (a) Provide for retail activities throughout the Central Commercial Activity Area based on precincts.
- (b) Manage the scale and location of retail activities based on precincts to ensure that they sustain the vitality and vibrancy of the Central Commercial Activity Area.
- (c) Ensure retail activities and developments contribute to an attractive and public focused retail core, and are compatible with the qualities and amenity values of the Central Commercial Activity Area.

Explanation and Reasons

Retail activities are continually changing in response to market pressures. As the central focus and main concentration of existing retail activity in Lower Hutt City, the Central Commercial Activity Area needs to be adaptive to these changes, while ensuring these changes do not degrade or undermine the vitality and vibrancy of this area and its amenity values.

The retail activities in the central area are a mix of speciality and comparative shops. They vary in size throughout the central area, with a general pattern of small-scale speciality shops at the southern end and larger-scale shops at the northern end. A precinct based approach recognises this difference in the location and scale of shops, which is an important characteristic in maintaining the vitality and vibrancy of the central area.

AMENDMENT 16 [5A 1.1.4]

Delete 5A 1.1.4 Traffic Effects of Large Scale Retail Activities:

~~5A 1.1.4 Traffic Effects of Large Scale Retail Activities~~

Issue

~~Large scale retail activities can have detrimental effects on the transport network. It is important that such effects are managed and mitigated.~~

Objective

~~To ensure that the detrimental effects on the transport network of large scale retail activities are managed and mitigated.~~

Policies

- ~~(a) To ensure that the adverse effects on the transport network of large scale retail activities exceeding 3,000m² in gross floor area are managed and mitigated.~~
- ~~(b) To ensure that large scale retail activities are designed to provide:
 - ~~(i) where practicable and appropriate, on-site accessibility for public transport services;~~~~

- ~~(ii) practical access to existing or planned public transport services off-site; and~~
- ~~(iii) pedestrian and cycle routes and facilities.~~

Explanation and Reasons

~~Large scale retail activities can have detrimental effects on the surrounding transport network. It is important that such effects are assessed to determine whether the transport network in the vicinity is capable of accommodating the increase in movement to and from the site of the proposed activity, and any adverse effects on pedestrian and cycle movements, public transport and parking.~~

AMENDMENT 17 [5A 1.1.4]

Add a new 5A 1.1.4 Incompatibility Between Different Activities:

5A 1.1.4 Incompatibility Between Different Activities

Issue

Incompatibility between different activities in the Central Commercial Activity Area, in particular, the sensitivity of residential activities to other activities.

Objective

To encourage residential activity within the Central Commercial Activity Area and ensure that it recognises and provides for the potential effects of other activities in the area.

Policies

- (a) Provide for and encourage residential activities within the Central Commercial Activity Area, provided they adopt on-site measures to mitigate potential incompatibility issues with other activities.
- (b) Ensure residential activities and development are designed and constructed to provide an attractive and liveable environment for occupants, and meet the service needs of this type of activity.

Explanation and Reasons

It is anticipated the Central Commercial Activity Area will experience some residential development, with a particular focus on apartments in the central core and overlooking the river corridor and terraced townhouses along the periphery with the residential areas. Residential activities can positively contribute to the vitality and vibrancy of the central area, as these residents have convenient access to retail, commercial, community and civic amenities. In addition, with changing demographics of an aging population and smaller household units, providing for and encouraging residential activities within the Central Commercial Activity Area provides another option for meeting the requirements of future residents in the city. Residential activities would also support other activities in the Central Commercial Activity Area, such as commercial and community activities, which would result in a more lively and active area contributing to the economic and social wellbeing of the city.

However, residential activities may be incompatible with some other activities in the Central Commercial Activity Area, in particular, they may be sensitive to noise from

other activities. Rather than overly restricting other activities, it is appropriate that the residential activities mitigate this sensitivity by providing for external noise insulation.

AMENDMENT 18 [5A 1.1.5]

Add a new 5A 1.1.5 Hutt River Corridor:

5A 1.1.5 Hutt River Corridor

Issue

Orientation and identity of the Central Commercial Activity Area in relation to the Hutt River corridor.

Objective

To recognise and enhance the significant amenity, natural and recreational values of the Hutt River and its relationship to activities in the Central Commercial Activity Area.

Policies

- (a) Encourage the development of a river side promenade by managing activities and development along the river frontage, in conjunction with flood protection works.
- (b) Ensure that activities and development along the riverbank does not adversely affect the stability of the flood protection works, limit public access to the river or impact on the amenity, natural and recreational values of the area.

Explanation and Reasons

The Hutt River contributes to the identity and special qualities of the central area. Recognising and enhancing the relationship of the Central Commercial Activity Area to the Hutt River corridor would contribute towards improving the attractiveness and vitality of the central area. A new river side promenade could occur in conjunction with an upgrade to the flood protection works adjacent to the central area. This upgrade provides opportunities for the redevelopment of the relationship of buildings and development along this edge of the central area.

The river is also an ever present flood risk to the central area. Upgrading and ongoing maintenance of the flood protection works is required to ensure the integrity of these structures are maintained. It is important that activities and development are managed on and adjacent to these flood protection works to protect them from damage. It is imperative the management of the river corridor is undertaken in collaboration with Greater Wellington Regional Council.

AMENDMENT 19 [5A 1.1.6]

Add a new 5A 1.1.6 Vehicle Orientated Activities:

5A 1.1.6 Vehicle Oriented Activities

Issue

Vehicle-oriented activities that affect the transport network and demand for large parking areas.

Objective

To maintain and enhance convenient and safe access to and throughout the Central Commercial Activity Area.

Policies

- (a) Manage the establishment and operation of vehicle-oriented activities where traffic generation is likely to have adverse effects on the safety and efficiency of the transport network in the Central Commercial Activity Area and on the amenity values of the central area.
- (b) Promote improved services and facilities for public transport and other modes of non-motorised transport, including for people with limited mobility, in the Central Commercial Activity Area and connections to the wider city.

Explanation and Reasons

Some types of activities have a heavy dependence on private motor vehicles for access, such as supermarkets, takeaway outlets and service stations. Managing these types of activities ensures the effects on the transport network can be effectively assessed. This approach also relates to retail activity precincts for the Central Commercial Activity Area, where vehicle-oriented activities are typically larger in scale. This integrated approach ensures that vehicle oriented activities are managed in terms of their effects on the amenity values of the central area.

Overall, good access to the central area for all modes of transport would contribute towards a sustainable city. The District Plan seeks to promote improved access to the central area for all modes of transport, including public transport and non-motorised modes of transport such as pedestrians and cycling. Providing for the needs of people with mobility requirements also contributes to the wellbeing of residents and visitors. A collaborative approach with other authorities will be required in implementing these policies, including the New Zealand Transport Agency and Greater Wellington Regional Council.

AMENDMENT 20 [5A 1.2.1]

Delete 5A 1.2.1 Weather Protection:

~~5A 1.2.1 Weather Protection~~

Issue

~~It is important those parts of the Central Commercial Activity Area with high pedestrian movements have adequate weather protection in the form of verandahs.~~

Objective

~~To ensure that those parts of the Central Commercial Activity Area with high pedestrian movements have adequate weather protection.~~

Policy

- ~~(a) All buildings identified in Appendix Central Commercial 5 shall have verandahs which must provide weather protection for pedestrians.~~

Explanation and Reasons

~~For the comfort of pedestrians and to encourage circulation it is important that weather protection is provided.~~

AMENDMENT 21 [5A 1.2.1]

Add a new 5A 1.2.1: Quality of Buildings and Open Spaces:

5A 1.2.1 Quality of Buildings and Open Spaces

Issue

The quality of buildings (internally and externally) and open spaces (including surface carparks) affects the amenity values of the Central Commercial Activity Area.

Objective

To maintain and enhance the built character in the Central Commercial Activity Area by ensuring development addresses the attributes of the anticipated character for the area.

Policies

- (a) Provide for alterations and minor additions to existing buildings, subject to minimum standards, and encourage high quality urban and built form design for these building modifications.
- (b) Manage new buildings and developments and larger additions to existing buildings, to be well designed and to contribute to the creation or maintenance of an integrated, safe and attractive Central Commercial Activity Area with a high standard of streetscape and pedestrian amenity.
- (c) Manage new buildings and developments and larger additions to existing buildings, to achieve a high quality urban and built form design, to integrate with the surrounding streetscape and buildings and to contribute to the anticipated character for the precincts within the Central Commercial Activity Area.
- (d) Manage building height based on precincts which reflect the form and context of their location, with taller buildings in the Core and Riverfront Precincts and lower buildings in the Commercial and Residential Transition Precincts.
- (e) Manage prominent sites to promote identity, visual reference and orientation, and act as gateways by managing the design and appearance of new buildings and developments, including additions and alterations.
- (f) Encourage all new buildings to provide appropriate levels of natural light to occupied spaces within the building.
- (g) Encourage the quality and amenity of residential buildings by guiding their design to ensure current and future occupants have adequate private outdoor space, ongoing access to daylight, and an external aspect.

Explanation and Reasons

The function and attractiveness of the central area is contributed to by the design of buildings and developments. Alterations and small additions to existing buildings within the Central Commercial Activity Area are provided for to facilitate the upgrading, modification or conversion of the existing building stock in the central area.

For these small modifications to existing buildings, Council will encourage high quality building design to make a positive contribution to the built character and quality of the central area.

New buildings and developments and larger additions to existing buildings within the Central Commercial Activity Area will be specifically managed to ensure they relate well to the public environment and support the overall role of the central area as the focal point of commercial, community and civic functions.

It is recognised there are a variety of existing building forms and styles which are of a mixed quality. The District Plan seeks to manage the design of buildings and developments to ensure they positively contribute to the central area environment by adopting best practice urban design outcomes. Through the development and implementation of design guidance, the Council will guide and assess the appropriateness of the urban design outcomes resulting from development in the central area.

The general built form of Lower Hutt City is based on a conceptual urban transect of taller buildings and higher density in the central area through to lower buildings and density in the surrounding areas. In the Central Commercial Activity Area, the tallest buildings are located in the centre, being the Core and Riverfront Precincts, with lower buildings in the Commercial and Residential Transition Precincts reflecting the gradation towards the predominantly residential areas. Height standards are applied to manage new buildings which reflect this built form.

Taller buildings on prominent sites will be specifically managed due to their greater visual exposure and their role in creating landmark features. Particular sites in the Central Commercial Activity Area have been identified as prominent sites, with supporting design guidance provided to manage the building design.

Provision has been made for intensive residential development in the Central Commercial Activity Area. It is important buildings to be occupied for residential living purposes are designed to provide suitable amenity for the future occupants (e.g. natural light and sunlight access, and an external aspect). Encouraging provision for natural light to all habitable and high use areas of new buildings will assist in creating an attractive internal environment and help to reduce the on-going energy requirements of new buildings. Design guidance is provided to encourage quality residential buildings to be developed which provide for these qualities as the Central Commercial Activity Area develops further.

AMENDMENT 22 [5A 1.2.2]

Delete 5A 1.2.2 Building Frontages and Display Windows:

5A 1.2.2 — Building Frontages and Display Windows

Issue

~~In order to ensure that amenity values are protected, buildings in parts of the Central Commercial Activity Area must be built to the front boundary and have display windows.~~

Objective

~~To ensure that visual amenity values of buildings in more pedestrian oriented areas are protected and enhanced.~~

Policy

- ~~(a) All buildings identified in Appendix Central Commercial 6 shall be built to the front boundary and have display windows.~~

Explanation and Reasons

~~Continuity of building frontages and the need to have display windows are necessary as they enhance the visual amenity and character of pedestrian-oriented areas.~~

AMENDMENT 23 [5A 1.2.2]

Add a new 5A 1.2.2: Relationship of Buildings to Streets and Open Spaces:

5A 1.2.2 Relationship of Buildings to Streets and Open Spaces

Issue

The relationship of buildings to streets and open spaces (including parks and reserves) affects the quality of these public places and their amenity for people using them.

Objective

To ensure development maintains and enhances the amenity and safety of the Central Commercial Activity Area, in particular, maximising pedestrian comfort and safety.

Policies

- (a) Ensure that buildings are designed and located in a manner that enhances the safety, convenience, accessibility and amenity of pedestrian spaces and linkages within the Central Commercial Activity Area.
- (b) Require buildings to maintain an active, transparent and continual frontage, as well as shelter along identified streets, to provide a pedestrian focused central core to the Central Commercial Activity Area.
- (c) Protect sunlight access to identified public spaces including streets and open spaces within the Central Commercial Activity Area and ensure new buildings and additions and alterations to existing buildings minimise overshadowing of the identified public spaces during periods of high use.
- (d) Encourage high quality urban design directed at enhancing the relationship of buildings with public open space and having regard to the significant heritage elements and built form of existing scheduled heritage buildings.
- (e) Encourage buildings to be well designed to manage the adverse effects on amenity values, including visual, wind and glare.

Explanation and Reasons

Maintaining and enhancing the amenity values in the Central Commercial Activity Area will make the area more attractive and enjoyable for people. The relationship of buildings to the public environment, such as streets and open spaces, makes an important contribution to the amenity and safety within the central area. One important interface is the ground level relationship between buildings and the streetscape. Requiring display windows and buildings to be located on the front boundary of

identified key roads maintains and enhances the quality of the streetscape for pedestrians. In addition, requiring shelter for pedestrians along the identified key roads provides protection from adverse climatic conditions and provides a more comfortable environment.

One of the valued qualities of the Lower Hutt City central area is the access of sunlight to public spaces, including streets and open spaces. However, it is recognised that protecting sunlight access to all areas of public space in the central area would conflict with some other objectives for the Central Commercial Activity Area. Therefore, specific locations have been identified based on highly used areas within the central area to protect for sunlight access to provide an attractive environment to visitors and residents in the central area.

The design of buildings influences the amenity values of the central area, as well as recognising the elements and form of heritage buildings. The District Plan encourages high quality urban design through guidance and advocacy from an early stage in the building design process.

The existing wind speeds at ground level within the Central Commercial Activity Area are variable, with some areas experiencing high and dangerous conditions. In addition, in some locations within the Central Commercial Activity, such as areas of open space and outdoor street activity, calmer wind conditions are desirable to provide a more attractive environment. The wind conditions contribute to the overall amenity in the central area, with buildings having a direct relationship with the resultant wind conditions. Accordingly, the District Plan manages new buildings and larger additions to existing buildings over 12 metres in height in specific locations to ensure the wind conditions are not worsened.

AMENDMENT 24 [5A 1.2.3]

Delete 5A 1.2.3 Landscaping and Screening:

~~5A 1.2.3 Landscaping and Screening~~

Issue

~~**Car parking areas not contained within buildings can have adverse effects on amenity values. It is important that such areas are landscaped and designed to avoid or mitigate adverse effects.**~~

Objective

~~To ensure that the visual adverse effects arising from car parking areas are avoided or mitigated.~~

Policy

~~**(a) Areas within the parking area and areas adjoining roads must be landscaped or screened suitably.**~~

Explanation and Reasons

~~Landscaping and screening of car parking areas can improve the visual amenities of an area. It is therefore important that areas within the car parking area and areas adjoining roads are landscaped and screened suitably.~~

AMENDMENT 25 [5A 1.2.3]

Add a new 5A 1.2.3: Adjoining Residential Activity Areas:

5A 1.2.3 Adjoining Residential Areas

Issue

The orientation and scale of buildings in the Central Commercial Activity Area and their effects on the amenity values of the adjoining Residential Areas.

Objective

To recognise and protect the amenity values of the nearby residential areas from use and development in the Central Commercial Activity Area.

Policies

- (a) Manage buildings and development in the Central Commercial Activity Area to ensure any adverse effects on the amenity values of the nearby residential areas are avoided, remedied or mitigated.
- (b) Restrict the height of buildings near the adjoining residential areas to minimise effects on the amenity values, including shading, over dominance and privacy.

Explanation and Reasons

The Central Commercial Activity Area shares an extensive interface with adjacent Residential Activity Areas. This interface is a particularly sensitive one as the effects associated with commercial activities and development have the ability to adversely impact on the use and enjoyment of neighbouring residential areas.

Given the extent of this interface, and the relatively unrestricted range of activities permitted within the Central Commercial Activity Area, the District Plan seeks to ensure that adequate safeguards are put in place to protect residential amenity. These safeguards include measures to control the effects of new buildings and development and larger additions to existing buildings, on adjacent residential areas, such as building height and location, building bulk, appearance, character, landscaping and screening, access, carparking, servicing, signage and lighting.

AMENDMENT 26 [5A 1.2.4]

Delete 5A 1.2.4 Wind Protection:

~~5A 1.2.4 Wind Protection~~

Issue

~~**Building form, height and location can affect greatly wind flow patterns and speeds and this may have adverse effects on pedestrians. It is important that these adverse effects are managed or mitigated.**~~

Objective

~~To ensure that buildings are designed to minimise the adverse effects of wind on pedestrians.~~

Policy

- (a) To ensure that buildings are of a height, shape and form that adverse effects of wind are managed and mitigated.

Explanation and Reasons

Building form, height and location can affect wind flow patterns which can have adverse effects on pedestrians. Such adverse effects need to be mitigated or avoided.

AMENDMENT 27 [5A 1.2.4]

Add a new 5A 1.2.4: Hutt River Corridor :

5A 1.2.4 Hutt River Corridor

Issue

The orientation and interaction between buildings and the Hutt River corridor and its effects on the identity and amenity of the city.

Objective

To recognise and enhance the significant amenity, natural and recreational values of the Hutt River and its relationship to development in the Central Commercial Activity Area.

Policies

- (a) Encourage the development of a river side promenade by managing buildings and development along the river frontage, in conjunction with flood protection works.
- (b) Manage new buildings and larger additions to existing buildings in the Riverfront Precinct to ensure they are designed to provide for adaptation in the future to respond to the upgraded flood protection works.
- (c) Ensure that buildings and development along the riverbank do not adversely affect the stability of the flood protection works, limit public access to the river or impact on the amenity, natural and recreational values of the area.
- (d) Facilitate improved public access between the river and the remainder of the Central Area, and along the riverbank between Ewen Bridge and Melling Bridge to incorporate the river's intrinsic amenity values into the central area and enhance the visual and access linkages between the river and the central area.

Explanation and Reasons

Buildings located within the Central Commercial Activity Area which are adjacent to the Hutt River corridor present some opportunities and constraints for maintaining and enhancing the attractiveness and vitality of the central area. The development of a river side promenade could occur in conjunction with an upgrade to the flood protection works adjacent to the central area. Buildings and development adjacent to this promenade will play a key role in activating this area, to create a vibrant and attractive area. New buildings and larger additions to existing buildings in the Riverfront Precinct need to be designed to provide for future adaptation to facilitate the long term vision for the riverfront, such as providing for a future active edge on the first floor facing Daly Street. Furthermore, in managing new buildings and

development and larger additions to existing buildings, a key characteristic will be facilitating improved public access along the river corridor and connections with the core area of the Central Commercial Activity Area.

The river corridor itself is identified and managed in the District Plan for flood protection purposes. Physical flood protection measures are built and maintained by Greater Wellington Regional Council, with planned upgrading to occur. For the section of the river corridor adjacent to the Central Commercial Activity Area, upgrade works may be undertaken in the future. It is important that activities and development are managed on and adjacent to these flood protection works to protect them from damage. It is imperative the management of the river corridor is undertaken in collaboration with Greater Wellington Regional Council.

AMENDMENT 28 [5A 1.2.5]

Delete 5A 1.2.5 Sites Abutting Residential or Recreation Activity Areas:

~~5A 1.2.5 Sites Abutting Residential or Recreation Activity Areas~~

Issue

~~It is important that the amenity values of residential or recreation activity areas abutting properties in the Central Commercial Activity Area are protected.~~

Objective

~~Where sites in the Central Commercial Activity Area abut residential or recreation activity areas adverse effects on these latter areas are avoided, remedied or mitigated.~~

Policy

~~(a) To ensure that where sites in the Central Commercial Activity Area abut residential or recreation activity areas, there are special controls relating to height, yards, landscaping, screening, access, servicing, signage and lighting to protect amenity values.~~

Explanation and Reasons

~~Where sites in the Central Commercial Activity Area abut residential or recreation activity areas, it is important that there are special controls. This is to ensure that amenity values of residential and recreation activity areas are protected.~~

AMENDMENT 29 [5A 1.2.5]

Add a new 5A 1.2.5: Carparking:

5A 1.2.5 Carparking

Issue

Providing for carparking within the Central Commercial Activity Area in a way that does not dominate streetscapes, or break up continuous built frontages, which can detract from the area's amenity values.

Objective

To promote carparking in locations and configurations which recognise and provide for their potential effects on streetscapes and the public environment.

Policies

- (a) Ensure that on-site carparking, servicing, manoeuvring, and access for all sites within the Central Commercial Activity Area avoids, remedies or mitigates the adverse effects on both traffic safety and efficiency, and on pedestrian safety and convenience.
- (b) Ensure that the design, location and scale of on-site carparking, servicing, manoeuvring and access have regard to the nature of the development and the existing or proposed use of the site.
- (c) Manage on-site carparking based on the Central Commercial Activity Area precincts, to maintain and enhance the streetscape and character in the different precincts.
- (d) Manage ground level carparking areas and carparking within structures in the Core, Riverfront and Residential Transition Precincts to maintain and enhance the streetscape and character in these precincts.
- (e) Manage the location, scale and nature of on-site ground level carparking areas in the Commercial Precinct to maintain and enhance the streetscape and character in this precinct.
- (f) Manage carparking structures and buildings and other areas providing large numbers of carparks to avoid or mitigate the adverse effects on the traffic network and character and amenity values in the Central Commercial Activity Area.

Explanation and Reasons

Activities within the Central Commercial Activity Area require good access provision both for pedestrians and vehicle based users. The integration of the transport network with development and activities is essential for the effective functioning of the central area. The provision of carparking needs to ensure that supply is both adequate and well located, while not compromising other forms of transport or degrading the amenity values of the central area.

The provision of suitable on-site carparking, servicing and access for all sites in the Central Commercial Activity Area is essential for the efficient functioning of the city. However, it is not necessary for each individual site to be self-sufficient, with the ability for shared facilities or reliance on public facilities, such as public carparks and service lanes. If on-site carparking, servicing and access is to be provided on-site, it should reflect the anticipated existing or future needs of the activities.

On-site carparking can also degrade the streetscape and character of the Central Commercial Activity Area. Therefore, performance standards and design guidance is provided to ensure on-site carparking is provided in a manner which recognises and reflects the streetscape and character of the different precincts in the Central Commercial Activity Area. These standards and guidance include managing ground level carparking and carparking structures.

AMENDMENT 30 [5A 1.2.6]

Delete 5A 1.2.6 Sites that do not abut residential activity areas but are adjacent to residential activity areas:

~~5A 1.2.6 Sites that do not abut residential activity areas but are adjacent to residential activity areas~~

~~Issue~~

~~It is important that adverse effects of buildings and structures in the Central Commercial Activity Area on adjacent residential activity areas are mitigated.~~

~~Objective~~

~~To mitigate adverse effects caused by buildings and structures in the Central Commercial Activity Area on the amenity values of adjacent residential activity areas.~~

~~Policy~~

- ~~(a) To ensure that where buildings and structures in the Central Commercial Activity Area are within 50 metres of a residential activity area property boundary, adverse effects on amenity values of adjacent residential activity areas are mitigated.~~
- ~~(b) To ensure that buildings and structures in the Central Commercial Activity Area are contained within a 31 degree angle measured from the natural ground level of the nearest residential activity area property boundaries so that adverse effects of buildings and structures on adjacent residential amenity values are mitigated.~~

~~Explanation and Reasons~~

~~Buildings and structures in the Central Commercial Activity Area may adversely affect amenity values of adjacent residential activity areas. Examples of such adverse effects on residential amenity values can include visual dominance and possible overshadowing. Placing a height restriction on buildings and structures within 50 metres of a residential activity area property boundary will ensure that such adverse effects are mitigated. In addition, complying with a 31 degree angle (measured from the natural ground level at the nearest residential activity area property boundaries) for buildings and structures more than 50 metres from a residential activity area will provide for a transition in the height of buildings between commercial and adjacent residential activity areas, thereby protecting residents from the impact of buildings and structures.~~

AMENDMENT 31 [5A 1.2.6]

Add a new 5A 1.2.6: Energy Efficient and Low Impact Urban Development:

5A 1.2.6 Energy Efficient and Low Impact Urban Development

Issue

Energy efficient and low impact urban development can reduce demand on resource use and support alternative energy sources.

Objective

To promote energy efficiency and environmental sustainability in development and use in the Central Commercial Activity Area.

Policies

- (a) Promote energy efficiency in the design and construction of buildings and developments, and in the operation of activities in the Central Commercial Activity Area, such as through the provision of solar access.
- (b) Provide for the installation and operation of domestic scale renewable energy generation facilities, such as roof top wind turbines.
- (c) Encourage the incorporation of low impact urban development principles in the design and construction of developments, including stormwater management and water quality.

Explanation and Reasons

Using energy more efficiently can reduce the demand for new energy generation and, thereby limit adverse effects on the environment from the generation and distribution of energy. Incorporating energy efficient principles into the design and construction of buildings and development can have short and long term benefits in terms of minimising adverse effects on the environment. For example, designing for solar access means providing for the sun to penetrate a building, a site or an open space to gain solar heat in winter and controlling solar radiation in summer.

Similarly, self-sufficiency with renewable energy generation can provide opportunities for reduced energy demand on the wider energy network. By adopting low impact urban development principles in the design of a building, this can have a number of positive outcomes, including reduced water demand, improved water quality and health benefits.

As research and technology is advancing in the areas of energy efficiency, renewable energy generation and low impact urban development, the District Plan aims to promote and facilitate the use of these initiatives, but not place any requirements at this time. Some matters are addressed in other legislation, such as the Building Act 2004 (specifically the Building Code) and other energy requirements.

AMENDMENT 32 [5A 2.1]

Delete the Permitted Activities 5A 2.1(a) to (j):

- ~~(a) In that area identified in Appendix Central Commercial 1, retail activities with a gross floor area of less than 500m² if such activities existed at 4 April 2002 or if such activities are a food service associated with a service station including a drive through facility.~~
- ~~(b) In that area identified in Appendix Central Commercial 1, retail activities with a gross floor area of not less than 500m² and up to and including 3,000m² provided that such retail activities are undertaken as an individual retail activity.~~
- ~~(c) In that area identified in Appendix Central Commercial 2, retail activity, where the gross floor area of buildings is up to and including 3,000m².~~
- ~~(d) Residential activity above ground floor level.~~
- ~~(e) Commercial activities but excluding industrial activities.~~
- ~~(f) Places of assembly and community activities.~~

- ~~(g) Service stations and car sale yards operative before 5 December 1995 and located in the area generally to the south of the intersection of High Street and Queens Drive, as identified in Appendix Central Commercial 4.~~
- ~~(h) Service stations and car sale yards as identified in Appendix Central Commercial 4.~~
- ~~(i) Licensed premises.~~
- ~~(j) Car parking facilities and activities ancillary to a listed Permitted Activity.~~

AMENDMENT 33 [5A 2.1]

Add a new Permitted Activity 5A 2.1(a):

- (a) Activities which meet the conditions for Permitted Activities and are not included as a Restricted Discretionary or Discretionary Activity.

AMENDMENT 34 [5A 2.1]

Add a new Permitted Activity 5A 2.1(b):

- (b) The redevelopment, alteration, and repair of existing buildings which does not change the external building form (floor area and height) of the existing building.

AMENDMENT 35 [5A 2.1]

Add a new Permitted Activity 5A 2.1(c):

- (c) The erection, construction and development of additions to existing buildings with the additions having a gross floor area of less than 5% of the size of the existing building.

AMENDMENT 36 [5A 2.1]

Add a new Permitted Activity 5A 2.1(d):

- (d) The total or partial demolition or removal of buildings and structures.

AMENDMENT 37 [5A 2.1.1]

Delete the existing Permitted Activities – Conditions 5A 2.1.1(a) to (e):

- ~~(a) **Site Coverage:** Up to a maximum of 100%.~~

- ~~(b) **Floor Area Ratio:**~~

~~For all sites the total amount of floor space in relation to site area shall not exceed 4.5 times the site area. Provided that in determining floor area ratio, floor space used for parking shall be excluded where such exclusion does not increase the maximum permitted floor area ratio with bonuses, by more than 50%.~~

- ~~(c) **Floor Area Bonuses:**~~

~~These may be granted in the circumstances set out below. Provided that the maximum floor area ratio with bonuses shall not exceed 5:1.~~

- ~~(i) Pedestrian arcades and plazas:~~

~~5 m² for each 1 m² of arcade or plaza.~~

- ~~(ii) Creches: —~~

5 m² for each 1 m² of creche.

(iii) Areas of tree planting, landscaping and/or seating for public use:

5 m² for each 1 m² of tree planting etc.

(iv) Toilets available for public use and to be used by the disabled:

5 m² for each 1 m² of toilet area available for public use.

(d) Weather Protection/Pedestrian Shelter:

Any building in the area identified in Appendix Central Commercial 5, on its erection or on being reconstructed or altered in a way that substantially changes the exterior appearance, shall be provided with a verandah or other means of weather protection designed in relation to its neighbours so as to provide continuous cover for pedestrians.

(e) Wind Protection:

All buildings and structures over 12 metres in height shall be designed to comply with the following conditions:

Existing Wind Speeds	Wind speed resulting from development proposal	Requirements on developer
	If exceeding 10m/sec in any public pedestrian areas and other areas adjacent to the building being erected	Reduce to 10 m/sec in the public pedestrian areas and other areas adjacent to the building being erected
Up to 15m/sec	If exceeding 15m/sec	1. Reduce to 15 m/sec 2. Although other directional wind speeds may be increased towards 15m/sec, the overall impact is to be no worse than existing
15-18m/sec	If exceeding 15m/sec	Reduce to max 15m/sec
Above 18m/sec	If exceeding 18m/sec	Reduce to max 18m/sec

AMENDMENT 38 [5A 2.1.1]

Add a new Permitted Activities – Condition 5A 2.1.1(a):

(a) Maximum Height of Buildings and Structures:

The maximum height of buildings and structures shall be as identified in Appendix Central Commercial 2 – Maximum Height.

AMENDMENT 39 [5A 2.1.1]

Add a new Permitted Activities – Condition 5A 2.1.1(b):

(b) Minimum Yard Requirements

Within the Residential Transition Precinct identified in Appendix Central Commercial 1 - Precincts, all buildings shall meet the following requirements:

(i) Front yard: 3 metres, except for buildings (or part of a building) for housing a vehicle (e.g. garage or carport) which has vehicular access directly from the street shall be 5 metres.

(ii) All other yards: 1.5 metres.

AMENDMENT 40 [5A 2.1.1]

Add a new Permitted Activities – Condition 5A 2.1.1(c):

(c) Sunlight Protection

All buildings and structures shall be designed and located to maintain sunlight access to public spaces within the Central Area as listed below (and shown in Appendix Central Commercial 4 – Sunlight Protection).

Sunlight access to the following public spaces within the Central Commercial Activity Area are protected between the stated times:

<u>Public Space</u>	<u>Time period to be calculated using New Zealand Standard Time at either of the equinoxes (i.e. 21 March or 23 September)</u>
• <u>Andrews Avenue</u>	<u>12:00 noon to 2:00pm</u>

This requirement shall not apply to:

- (i) Any temporary structure that is erected and dismantled within a period less than 30 days in duration.
- (ii) Any landscaping within an identified public space.

AMENDMENT 41 [5A 2.1.1]

Add a new Permitted Activities – Condition 5A 2.1.1(d):

(d) Building Frontages and Display Windows:

Any part of a building fronting a street, pedestrian mall, pedestrian walkway, or other public space identified in Appendix Central Commercial 3 – Verandahs, Building Frontages and Display Windows shall be built to the front boundary and have display windows along the frontage. The display windows shall meet the following requirement:

- (i) Within the Core, Commercial and Riverfront Precincts identified in Appendix Central Commercial 1 - Precincts, minimum of 60% of the ground floor façade surface shall be transparent glass display windows.

AMENDMENT 42 [5A 2.1.1]

Add a new Permitted Activities – Condition 5A 2.1.1(e):

(e) Verandahs:

Any part of a building fronting a street, pedestrian mall, pedestrian walkway, or other public space identified in Appendix Central Commercial 3 – Verandahs, Building Frontages and Display Windows shall have a verandah. The verandah shall meet the following requirements:

- (i) A minimum clearance of 2.5 metres directly above the footpath or formed ground surface.
- (ii) No more than 4 metres (measured at the base of the verandah fascia) directly above the footpath or formed ground surface.
- (iii) Extend for the full length of the building.
- (iv) Extend outwards from the front of the building to the far side of the kerbing less 450mm, or 3 metres which ever is the lesser.
- (v) Provide continuous shelter with any adjoining verandah or pedestrian shelter.

AMENDMENT 43 [5A 2.1.1]

Amend the existing Permitted Activities - Condition 5A 2.1.1(f) as follows:

(f) Landscaping and Screening:

- (i) ~~At least 5% of car parking areas not contained within buildings must be landscaped. Areas within the parking area and areas adjoining or fronting roads must be landscaped.~~

~~This provision does not apply to car parking areas at the ground level in areas identified in Appendix Central Commercial 5 and Appendix Central Commercial 6.~~

- (ii) ~~All areas for of outdoor storage of waste must shall be screened so that they are not visible from a road or public space. Where this is not practicable such areas must be screened by a close-boarded fence or a fence made of solid material with a minimum height of 1.8m.~~

AMENDMENT 44 [5A 2.1.1]

Amend the existing Permitted Activities - Condition 5A 2.1.1(g) as follows:

(g) Sites Abutting Residential or Recreation Activity Areas:

Where a site abuts a Residential or Recreation Activity Area, the following conditions shall apply:

- (i) ~~The maximum building height is 12 metres. All bBuildings and structures shall comply with the recession plane requirements of the abutting Residential or Recreation Activity Areas.~~

- (ii) ~~Side and rear yards - minimum depth of 3 7 metres where the site abuts a residential or recreation activity area. from the side and rear boundaries of any site in the Residential or Recreation Activity Area.~~

~~Rear Yard - minimum depth of 8 metres where the site abuts a residential or recreation activity area. This may be reduced if there is a service lane to the rear of the site and sufficient provision has been made for loading/unloading operations.~~

- (iii) ~~Where a site abuts a residential or recreation activity area aAll outdoor storage and, carparking, and servicing areas must be screened by a close-boarded fence or a fence made of solid material with a minimum height of 1.5m and a maximum height of 1.8m. so they are not visible from abutting sites in the Residential or Recreation Activity Area.~~

- (iv) ~~All car parking areas, not contained within buildings, which abut a residential or recreation activity area shall be screened by a close-boarded fence or a fence made of solid material with a minimum height of 1.2m and a maximum height of 1.8m.~~

- (v) ~~At least 5% of car parking areas not contained within buildings must be landscaped. Areas within the parking area and areas adjoining or fronting roads must be landscaped.~~

- (viv) ~~Where a site abuts a residential or recreation activity area, sServicing of activities must shall not occur between the hours of 10.00pm and 7.00am.~~

AMENDMENT 45 [5A 2.1.1]

Delete the existing Permitted Activities – Conditions 5A 2.1.1(h):

(h) Sites that do not abut residential activity areas:

~~Where a site does not abut a residential activity area, the following conditions shall apply:~~

- ~~(i) The maximum building height for buildings and structures within 50 metres of a residential activity area property boundary shall be 12 metres.~~
- ~~(ii) Buildings and structures more than 50 metres from a residential activity area shall be contained within a 31 degree angle measured from the natural ground level at the nearest residential activity area property boundaries adjacent to the site.~~

AMENDMENT 46 [5A 2.1.1]

Add a new Permitted Activities – Condition 5A 2.1.1(h):

(h) Lighting

Any activity shall comply with the following requirements:

- (i) The emission of light (including glare) shall ensure that direct or indirect illumination does not exceed 8 lux (lumens per square metre) at the windows of buildings used for residential activities in any Residential Activity Area.
- (ii) Subject to the above standard, pedestrian routes and carparks available for public use during hours of darkness shall be lit at a minimum of 10 lux, measured in accordance with AS/NZS 1158.3.1 : 2005 and amendments.

AMENDMENT 47 [5A 2.1.1]

Delete the existing Permitted Activities – Conditions 5A 2.1.1(i):

(i) Building Frontages and Display Windows:

~~All buildings identified in Appendix Central Commercial 6 shall be built to the front boundary and have display windows along the frontage.~~

AMENDMENT 48 [5A 2.1.1]

Add a new Permitted Activities – Condition 5A 2.1.1(i):

(i) Dust

Any activity shall not create a dust nuisance at or beyond the boundary of the site to the extent it causes an adverse effect. This standard applies to contaminants which are not subject to a discharge consent and which are temporary or intermittent in nature.

AMENDMENT 49 [5A 2.1.1]

Add a new Permitted Activities – Condition 5A 2.1.1(j):

(j) Parking, Loading and Access

Any activity shall comply with the following requirements:

- (i) The requirements in Section 14A: Transport.
- (ii) For front road boundaries not identified in Appendix Central Commercial 3 – Verandahs, Building Frontages and Display Windows and in the Commercial Precinct identified in Appendix Central Commercial 1 - Precincts, any surface or ground level parking area shall not exceed a maximum width of 15m along the site frontage or 40% of the site frontage whichever is the lesser.

(iii) In the Residential Transition Precinct identified in Appendix Central Commercial 1 - Precincts, no surface or ground level parking area shall be visible from a public space.

(jk) General Rules:

Compliance with all matters in the General Rules - see Chapter 14.

AMENDMENT 50 [5A 2.2]

Amend the existing Restricted Discretionary Activities 5A 2.2(a) to (d) as follows:

- (a) In that area identified in Appendix Central Commercial 1 Any single retail activitiesy with a gross floor area exceeding 3,000m² provided that such retail activities are undertaken as an individual retail activity. 500m² up to 3,000m² in the Core, Riverfront and Residential Transition Precincts identified in Appendix Central Commercial 1 - Precincts.
- (b) In that area identified in Appendix Central Commercial 2 Any single retail activitiesy with a gross floor area exceeding 3,000m²; in the Commercial Precinct identified in Appendix Central Commercial 1 - Precincts.
- (c) Residential activities on the ground floor, identified in Appendix Central Commercial 3. Emergency Facilities.
- (d) Emergency Facilities. The construction, alteration of, and addition to buildings and structures, except for those works permitted under Rules 5A 2.1(b) and (c).

AMENDMENT 51 [5A 2.2]

Add a Restricted Discretionary Activity 5A 2.2(e):

- (e) The construction, alteration of, and addition to buildings and structures over 12 metres in height (except for those works permitted under Rules 5A 2.1(b) and (c)) and where any part of the building or structure fronts a street, pedestrian mall, pedestrian walkway, or other public space identified in Appendix Central Commercial 5 – Wind Protection.

AMENDMENT 52 [5A 2.2]

Add a non-notification/service clause to 5A 2.2 to read:

Non-notification/service

In respect of Rules 5A 2.2(d) and (e), applications do not need to be publicly notified and do not need to be served on affected persons.

AMENDMENT 53 [5A 2.2.1]

Amend the heading of 5A 2.2.1 as follows:

5A 2.2.1 Matters in which Council has Restricted its Discretion and Standard and Terms

AMENDMENT 54 [5A 2.2.1]

Amend the Matters in which Council has Restricted its Discretion 5A 2.2.1(a) and (b) as follows:

- (a) ~~In that area identified in Appendix Central Commercial 1~~**Any single retail activities** ~~y~~ with a gross floor area exceeding ~~3,000m² provided that such retail activities are undertaken as an individual retail activity.~~ **500m² up to 3,000 m² in the Core, Riverfront and Residential Transition Precincts identified in Appendix Central Commercial 1 - Precincts.**
- ~~(i) Design, external appearance and siting.~~
 - ~~(ii) Traffic effects, including the suitability of site access and site servicing arrangements.~~
 - ~~(iii) Matters in the Central Commercial Activity Area Design Guide (Appendix Central Commercial 8).~~
- (b) ~~In that area identified in Appendix Central Commercial 2~~**Any single retail activities** ~~y~~ with a gross floor area exceeding **3,000 m² in the Commercial Precinct identified in Appendix Central Commercial 1 - Precincts.**
- ~~(i) Effects on the transport network:
 - ~~— The adverse effects on the surrounding transport network of the movement of people and goods generated by the retail activity. An important consideration here is the ability of the surrounding transport network to accommodate the likely increase in movements generated.~~
 - ~~— The adverse effects of the activity on traffic, cycle and pedestrian movements, public transport services and parking and access within the immediate vicinity of the site.~~
 - ~~— The extent to which the activity is designed to provide:
 - ~~where practicable and appropriate, on-site accessibility for public transport services;~~
 - ~~practical access to existing or planned public transport services off-site; and~~
 - ~~pedestrian and cycle routes and facilities.~~~~~~
 - ~~(i) Design, external appearance and siting.~~
 - ~~(ii) Traffic effects, including the suitability of site access and site servicing arrangements.~~
 - ~~(iii) Matters in the Central Commercial Activity Area Design Guide (Appendix Central Commercial 8).~~

AMENDMENT 55 [5A 2.2.1]

Delete the Matters in which Council has Restricted its Discretion 5A 2.2.1(c):

- ~~(c) Residential activities on the ground floor, identified in Appendix Central Commercial 3.~~
- ~~(i) Appearance of buildings:
 - ~~The adverse effects on the visual impression of the streetscape. In this respect an important consideration is the likely impact on the continuous display window frontage requirement.~~~~
 - ~~(ii) Relationship with other Permitted Activities:
 - ~~— The extent the residential activity is likely to be affected detrimentally by effects arising from Permitted Activities.~~~~

~~— The extent the residential activity is likely to constrain the future development of Permitted Activities.~~

~~(iii) Adequate provision of living and service areas:~~

~~Adequate outdoor living areas, such as balconies, and service areas must be provided.~~

AMENDMENT 56 [5A 2.2.1]

Amend the numbering and text of the Matters in which Council has Restricted its Discretion 5A 2.2.1(d) as follows:

(dc) Emergency Facilities.

(i) Traffic Effects:

- The adverse effects on the roading network generated by the emergency facilities.
- The adverse effects on traffic, cycle and pedestrian movement, parking and access in the immediate vicinity of the site.

(ii) Appearance of Buildings and Structures:

- The adverse effects on the visual impression of the streetscape. In this respect an important consideration is the likely impact on the continuous display window frontage requirements.

(iii) Matters in the Central Commercial Activity Area Design Guide (Appendix Central Commercial 8).

AMENDMENT 57 [5A 2.2.1]

Add a new Matter in which Council has Restricted its Discretion 5A 2.2.1(d):

(d) The construction, alteration of, and addition to buildings and structures, except for those works permitted under Rules 5A 2.1(b) and (c).

(i) Design, external appearance and siting of the building or structure.

(ii) Traffic effects, including the suitability of site access and site servicing arrangements.

(iii) Matters in the Central Commercial Activity Area Design Guide (Appendix Central Commercial 8).

AMENDMENT 58 [5A 2.2.1]

Add a new Matter in which Council has Restricted its Discretion 5A 2.2.1(e):

(e) The construction, alteration of, and addition to buildings and structures over 12 metres in height (except for those works permitted under Rules 5A 2.1(b) and (c)) and where any part of the building or structure fronts a street, pedestrian mall, pedestrian walkway, or other public space identified in Appendix Central Commercial 5 – Wind Protection.

(i) The effects of wind on public space and adjoining areas.

AMENDMENT 59 [5A 2.2.2]

Amend 5A 2.2.2 as follows:

5A 2.2.2 ~~Other Matters~~ Standards and Terms

- (a) All Restricted Discretionary Activities must ~~shall~~ comply with ~~other~~ the relevant Permitted Activity Conditions.**

AMENDMENT 60 [5A 2.2.2]

Add a new Standard and Term 5A 2.2.2(b):

- (b) New buildings and structures under Rule 5A 2.2.1(d) shall comply with the following standards:**

- (i) Noise Insulation**

Any habitable room in a building used by a noise sensitive activity shall be protected from noise arising from outside the building by ensuring the external sound insulation level achieves the following minimum performance standard:

$$\text{DnT,w} + \text{Ctr} > 30 \text{ dB}^1$$

Compliance with this performance standard shall be achieved by ensuring habitable rooms are designed and constructed in a manner that:

- (a) accords with the schedule of typical building construction set out in Appendix Central Commercial 7 – Noise Insulation Construction Schedule; or**
- (b) accords with an acoustic design certificate signed by a suitably qualified acoustic engineer stating the design as proposed will achieve compliance with the above performance standard.**

- (ii) Ventilation**

Where bedrooms with unopenable windows are proposed, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. For the purposes of this requirement, a bedroom is any room intended to be used for sleeping. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person.

AMENDMENT 61 [5A 2.2.2]

Add a new Standard and Term 5A 2.2.2(c):

- (c) The construction of new buildings and structures under Rule 5A 2.2.1(e) shall comply with the following standards:**

- (i) Wind Protection:**

All buildings and structures over 12 metres in height and where any part of the building or structure fronts a street, pedestrian mall, pedestrian walkway, or other public space identified in Appendix Central Commercial 5 – Wind Protection shall be designed to comply with the following conditions:

- (a) Safety:** The safety criteria shall apply to all public space. The maximum gust speed shall not exceed 20 m/s. If the speed exceeds 20 m/s with the proposed development, it must be reduced to 20 m/s or below.
- (b) Cumulative Effect:** The cumulative criteria shall apply to all public space. Any proposed development shall comply with the requirements for both of the following wind strengths, at each measurement location.

¹ DnT,w + Ctr is the standardised level difference (outdoor to indoor) and is a measure of the airborne sound insulation provided by the external building envelope (including windows, walls, ceilings and floors where appropriate).

<u>Wind strength</u>	<u>Change in annual hours of occurrence with the development at all measurement points</u>	<u>Requirements on developer</u>
<u>Strong (mean hourly wind speed = 3.5 m/s)</u>	<u>If hours that 3.5 m/s is equalled or exceeded increase by more than 170 hr/yr (i.e. 2 % of the year)</u>	<u>Reduce change in hours to a maximum of 170 hours.</u>
<u>Moderate (mean hourly wind speed = 2.5 m/s)</u>	<u>If hours that 2.5m/s is equalled or exceeded increase by more than 170 hr/yr (i.e. 2 % of the year)</u>	<u>Reduce change in hours to a maximum of 170 hours.</u>

(c) While hours exceeded at some locations in the Cumulative Effect Criteria may increase or decrease, the overall impact of a building on the wind conditions must be neutral or beneficial.

(d) Comfort: The comfort criteria only applies to the public spaces listed in Rule 5A 2.1.1(c).

<u>Comfort wind strength</u>	<u>Annual hours of occurrence with the development</u>	<u>Requirements on developer</u>
<u>Mean hourly wind speed = 2.5 m/s</u>	<u>If hours that 2.5 m/s is equalled or exceeded increase above 1700 hours.</u>	<u>If existing building exceeds 1700 hours, then reduce number of hours for proposed building to existing levels.</u> <u>If existing building is below 1700 hours then reduce number of hours for proposed building to below 1700 hours.</u>

(e) To show that a development complies with these standards a wind report must be supplied that meet the requirements outlined in Appendix Central Commercial 6 – Wind Report.

AMENDMENT 62 [5A 2.3]

Amend 5A 2.3 Discretionary Activities (a) and (b) as follows:

- (a) Except where stated in the General Rules, any Permitted or Restricted Discretionary Activity which fails to comply with any of the relevant Permitted Activity Conditions, Restricted Discretionary Activity Standards or Terms, or relevant requirements of Chapter 14 - General Rules.
- (b) In that area identified in Appendix Central Commercial 1 aAny single retail activity not listed as a Permitted Activity or a Restricted Discretionary Activity, with a gross floor area exceeding 3,000m² in the Core, Riverfront and Residential Transition Precincts identified in Appendix Central Commercial 1 - Precincts.

AMENDMENT 63 [5A 2.3]

Add a new Discretionary Activity 5A 2.3(c):

- (c) The construction, alteration of, and addition to buildings and structures over 12 metres in height that do not comply with the standards in Rule 5A 2.2.2(c).

AMENDMENT 64 [5A 2.3]

Add a new Discretionary Activity 5A 2.3(d):

- (d) Residential activities on the ground floor in the Core, Riverfront and Commercial Precincts identified in Appendix Central Commercial 1 - Precincts.

AMENDMENT 65 [5A 2.3]

Add a new Discretionary Activity 5A 2.3(e):

- (e) Service Stations.

AMENDMENT 66 [5A 2.3]

Add a new Discretionary Activity 5A 2.3(f):

- (f) Car Sales Yards in the Core, Riverfront and Residential Transition Precincts identified in Appendix Central Commercial 1 - Precincts.

AMENDMENT 67 [5A 2.3]

Add a new Discretionary Activity 5A 2.3(g):

- (g) Parking facilities (areas and/or buildings) not associated with a permitted activity development on the same site.

AMENDMENT 68 [5A 2.3]

Add a new Discretionary Activity 5A 2.3(h):

- (h) Industrial activities, except for service, repair or hire of household goods and research for industrial purposes, geological purposes or agricultural purposes.

AMENDMENT 69 [5A 2.3]

Add a new Discretionary Activity 5A 2.3(i):

- (i) Trading warehouses.

AMENDMENT 70 [5A 2.3]

Amend the Discretionary Activity 5A 2.3(d) and adjust the numbering from 5A 2.3(c) and (d) to 5A 2.3(j) and (k):

- (ej) Brothels and commercial sexual services on a site abutting or directly across the road from schools, pre-school facilities, churches and other similar religious establishments or a residential activity area.
- (ek) Brothels and commercial sexual services in the area shown Core Precinct identified in Appendix Central Commercial-6 1 - Precincts.

AMENDMENT 71 [5A 2.3.1]

Add a new assessment matter for Discretionary Activities to 5A 2.3.:

- (c) The Central Commercial Activity Area Design Guide (Appendix Central Commercial 8).

AMENDMENT 72 [5A 2.4]

Delete 5A 2.4 Non Complying Activities and amend the numbering accordingly:

~~5A 2.4 Non-Complying Activities~~

- ~~(a) All other activities not listed as a Permitted, Restricted Discretionary or Discretionary Activity.~~

5A 2.54 Other Provisions

- (a) Subdivision - See Chapter 11.
- (b) Financial Contributions - See Chapter 12.
- (c) Utilities - See Chapter 13.
- (d) General Rules - See Chapter 14.

AMENDMENT 73 [5A 3]

Amend the Anticipated Environmental Results in 5A 3 as follows:

- (a) A Central Commercial Activity Area which is vital and viable that is vibrant and economically viable that meets the needs of the community as the focal point for commercial, civic and community activities.
- (b) A sense of place will be achieved and identity that reflects the different qualities and context of the Central Commercial Activity Area.
- (c) Sites to meet the dynamic need of retailing and other commercial activities will be available. Increased diversity of activities with a greater concentration and level of activity.
- (d) The retailing and commercial requirements of residents will be met. A safe and attractive Central Commercial Activity Area.
- (e) Existing amenity values will be maintained and enhanced. Safe and convenient movement for a range of transport modes in accessing the Central Commercial Activity Area.

AMENDMENT 74 [5A Appendix Central Commercial 1]

Delete Appendix Central Commercial 1 and add a new Appendix Central Commercial 1 - Precincts

AMENDMENT 75 [5A Appendix Central Commercial 2]

Delete Appendix Central Commercial 2 and add a new Appendix Central Commercial 2 – Maximum Height

AMENDMENT 76 [5A Appendix Central Commercial 3]

Delete Appendix Central Commercial 3 and add a new Appendix Central Commercial 3 – Verandahs, Building Frontages and Display Windows

AMENDMENT 77 [5A Appendix Central Commercial 4]

Delete Appendix Central Commercial 4 and add a new Appendix Central Commercial 4 - Sunlight Protection

AMENDMENT 78 [5A Appendix Central Commercial 5]

Delete Appendix Central Commercial 5 and add a new Appendix Central Commercial 5 – Wind Protection

AMENDMENT 79 [5A Appendix Central Commercial 6]

Delete Appendix Central Commercial 6 and add a new Appendix Central Commercial 6 – Wind Report:

Appendix Central Commercial 6 - Wind Report

Buildings above 12 metres require a wind assessment report to identify and describe measures for addressing the potential adverse of wind on public space, including streets.

Typically headings for a wind assessment report would be:

- Existing wind conditions/environment
- Existing built context and environment in terms of height and bulk of surrounding buildings
- Location of the site relative to public spaces
- Proposed building height and form
- Design features proposed to manage wind effects

AMENDMENT 80 [5A Appendix 7]

Add a new Appendix Central Commercial 7: Noise Insulation Construction Schedule:

Appendix Central Commercial 7 - Noise Insulation Construction Schedule

Under Rule 5A 2.2.2(b), any habitable room in a building used by a noise sensitive activities shall achieve a minimum external sound insulation level. This schedule describes the *minimum* requirements necessary to achieve an external sound insulation level of $DnT,w + Ctr > 30$ dB.

Building Element	Minimum Construction Requirement	
<u>External Walls of Habitable Rooms</u>	<u>Stud Walls:</u>	<u>20 mm timber or 9mm compressed fibre cement sheet over timber frame (100 mm x 50 mm). *</u>
	<u>Exterior cladding:</u>	
	<u>Cavity infill:</u>	<u>Fibrous acoustic blanket (batts or similar of a minimum mass of 9 kg/m^3) required in cavity for all exterior walls. Minimum 90 mm wall cavity.</u>
	<u>Interior lining:</u>	<u>One layer of 12 mm gypsum plasterboard. Where exterior walls have continuous cladding with a mass of greater than 25 kg/m^2 (e.g. brick veneer or minimum 25 mm stucco plaster), internal wall linings need to be no thicker than 10 mm gypsum plasterboard.</u>
	<u>Combined superficial density:</u>	<u>Minimum not less than 25 kg/m^2 being the combined mass of external and internal linings excluding structural elements (e.g. window frames or wall studs) with no less than 10 kg/m^2 on each side of structural elements.</u>
	<u>Mass Walls:</u>	<u>190 mm concrete block, strapped and lined internally with 10 mm gypsum plaster board, or 150 mm concrete wall.</u>

<u>Glazed Areas of Habitable Rooms</u>	<u>Glazed areas up to 10% of floor area:</u>	<u>6 mm glazing single float</u>
	<u>Glazed areas between 10% and 35% of floor area:</u>	<u>6 mm laminated glazing</u>
	<u>Glazed areas greater than 35% of floor area:</u>	<u>Require a specialist acoustic report to show conformance with the insulation rule.</u>
	<u>Frames to be aluminium window frames with compression seals.</u>	
<u>Skillion Roof</u>	<u>Cladding:</u>	<u>0.5 mm profiled steel or 6 mm corrugated fibre cement, or membrane over 15mm thick ply, or concrete or clay tiles.</u>
	<u>Sarking:</u>	<u>17mm plywood (no gaps).</u>
	<u>Frame:</u>	<u>Minimum 100 mm gap with fibrous acoustic blanket (batts or similar of a mass of 9 kg/m³).</u>
	<u>Ceiling:</u>	<u>Two layers of 10 mm gypsum plaster board (no through ceiling lighting penetrations unless correctly acoustically rated). Fibrous acoustic blanket (batts or similar of a minimum mass of 9 kg/m³).</u>
	<u>Combined Superficial density:</u>	<u>Combined mass of cladding and lining of not less than 25 kg/m² with no less than 10 kg/m² on each side of structural elements.</u>
<u>Pitched Roof (all roofs other than skillion roofs)</u>	<u>Cladding:</u>	<u>0.5 mm profiled steel or tiles, or membrane over 15mm thick ply.</u>
	<u>Frame:</u>	<u>Timber truss with 100 mm fibrous acoustic blanket. (batts or similar of a minimum mass of 9 kg/m³) required for all ceilings.</u>
	<u>Ceiling:</u>	<u>12 mm gypsum plaster board.</u>
	<u>Combined Superficial density:</u>	<u>Combined mass with cladding and lining of not less than 25 kg/m².</u>
<u>Floor areas open to outside</u>	<u>Cladding:</u>	<u>Under-floor areas of non-concrete slab type floors exposed to external sound will require a cladding layer lining the underside of floor joists of not less than 12 mm ply</u>
	<u>Combined superficial density:</u>	<u>Floors to attain a combined mass not less than 25kg/m² for the floor layer and any external cladding (excluding floor joists or bearers).</u>
<u>External Door to Habitable Rooms</u>	<u>Solid core door (min 25 kg/m²) with compression seals (where the door is exposed to exterior noise).</u>	

Notes:

- * The table refers to common specifications for timber size. Nominal specifications may in some cases be slightly less than the common specifications stated in the schedule for timber size.
- In determining the insulating performance of roof/ceiling arrangements, roof spaces are assumed to have no more than the casual ventilation typical of the jointing capping and guttering detail used in normal construction.

AMENDMENT 81 [5A Appendix 8]

Add a new Appendix Central Commercial 8 – Central Commercial Activity Area Design Guide:

Amendments to Chapter 14A Transport

AMENDMENT 82 [14A(i) 2.1]

Delete a requirement for Access Roads from 14A(i) 2.1(f) Provisions of Roads:

- (ii) ~~Access roads shall not provide routes which are more convenient than Distributor roads for through traffic.~~
- (iii) Access roads shall not have minor cross road intersections. Staggered tee intersections should be laid out as shown in Figure 1.

AMENDMENT 83 [14A(iii) 1.1.1]

Amend the Issue in 14A(iii) 1.1.1 Adequate Car Parking Provision in the Central Commercial Activity Area as follows:

Issue

The increased ownership of private vehicles and increased activity in the Central Commercial Activity Area in recent years has contributed to a high demand for long and short stay parking. Each activity should provide sufficient parking on site, however, the inner area sites are generally small which makes it difficult to provide on site parking. It is also desirable to maintain a continuous pedestrian frontage for shoppers.

Policies for the Central Commercial Activity Area have maintained the approach that sites within the inner area are not required to provide on site parking, as sufficient on and off street parking will be provided in the immediate vicinity. Sites in the outer area will be required to provide on site parking to meet the high demand for long and short stay parking. The provision of safe and adequate and well located parking contributes to the maintenance of amenity values, and the vitality and viability of the Central Commercial Activity Area.

AMENDMENT 84 [14A(iii) 1.1.1]

Amend the Explanation and Reasons in 14A(iii) 1.1.1 Adequate Car Parking Provision in the Central Commercial Activity Area as follows:

Explanation and Reasons

The provision of sufficient on and off street parking for the inner area has been maintained over a number of years. The inner area is identified as the Inner Central Area Parking District and is shown in Appendix Transport 2. Sites in this area shall not be required to provide on site parking, as these sites are generally small, and ~~it would be difficult for on site parking to be provided. This would also it would degrade the overall quality of the central area, such as breaking up the continuous pedestrian shopping frontage.~~

Parking within the Inner Central Area Parking District has been provided through two main public parking areas. There is on street parking for short stay purposes and both long and short stay parking is available at the Riverbank Carpark and the Centre City Plaza Car Park. Changes may occur in the future to these existing parking areas, as well as the provision of new parking facilities in other locations. This ensures that there is adequate long and short stay parking available for the central area workforce and retailers.

The Outer Central Area Parking District does require that adequate on site parking provision is made. The parking requirements for retail activities, ~~commercial services, licenced premises~~ will be determined on the gross floor area of the building, using a

graduated system. Where a comprehensive retail development involves a range in sizes of retail activities then the parking requirement will be determined on an aggregate basis.

There are also on site car parking requirements for other ~~commercial~~ activities. The on site parking requirement for each activity is based on the type and scale of activity, and the associated trip generation factor. The criteria have been based on appropriate measures of the intensity of each activity, such as gross floor area. The Outer Central Area Parking District is shown in Appendix Transport 2.

The provision of adequate car parking in the Central Commercial Activity Area assists the safe and efficient operation of the roading system ~~and enhances the amenity value of the area~~, thereby contributing to the vitality and viability of the commercial centre. However, large surface areas of car parking can detract from the streetscape and amenity values in the Central Commercial Activity Area. Therefore, standards are used to manage the location, extent and design of car parking areas to ensure they maintain and enhance the streetscape and amenity values.

AMENDMENT 85 [14A(iii) 2.1]

Amend the Permitted Activities – Conditions in 14A(iii) 2.1 as follows:

(c) Special Parking Area:

(i) Central Commercial Activity Area -

The provision of long and short stay parking is controlled by the provisions of the Inner and Outer Central Area Parking Districts.

Inner Central Area Parking District:

There shall be no on-site parking requirements within the Inner Central Area Parking District.

Outer Central Area Parking District:

Retail Activities and Licensed Premises: A graduated system will be used to determine the appropriate amount of car parking spaces required. Where a comprehensive development involves a range in sizes of retail activities then the parking requirement will be determined on an aggregate basis. Where the inner/outer parking area boundary separates a comprehensive development, any carparking provided within the inner area can be used in the calculation of the total carparking requirement.

The minimum parking requirement for retailing activities, ~~commercial services~~, and licensed premises shall be based on the following graduated scale:

Less than 500m²GFA - Nil

More than 500 m² GFA but less than 1500 m² GFA - 1 space per 100 m² GFA

More than 1500 m² GFA but less than 3000 m² GFA - 2 spaces per 100 m² GFA

More than 3000 m² GFA ~~but less than 5000 m² GFA~~ - 3 spaces per 100 m² GFA

~~More than 5000 m² GFA - 5 spaces per 100 m² GFA~~

Note: The above graduated system does not apply in a systematic way, in that the first 500m² of a 1800m² development is not exempt from the standard requiring 2 spaces per 100m².

Residential Activities: The minimum parking requirement for residential activities is 1 space per single residential unit.

Other Activities: The minimum parking requirements for other Permitted Activities are listed in Appendix Transport 3.

AMENDMENT 86 [14A(iii) 2.2]

Add a new Discretionary Activity to 14A(iii) 2.2:

- (c) In the Outer Central Area Parking District of the Central Commercial Activity Area, where the number of parking spaces on site exceeds 90.
- (ed) Any other Permitted, Controlled or Restricted Discretionary Activity which fails to comply with any of the relevant Permitted Activity - Conditions.

AMENDMENT 87 [14A(iv) 1.1.1]

Amend the Explanations and Reasons in 14A(iv) 1.1.1 Safe and Adequate Provision for Servicing as follows:

It is recognised that it is not always possible to provide sufficient on site loading and unloading facilities. For example, some of the business premises in the western and southern areas of Petone have a small site and narrow frontage, which makes it difficult to provide on site parking, loading and unloading facilities. New development will, therefore be a controlled activity to ensure that sufficient provision is made for parking, loading and unloading facilities. On street provision may be used where this is appropriate.

In the Central Commercial Activity Area, the objective is to increase residential development and the standard loading requirements for larger scale residential development would limit the efficient use of this land.

AMENDMENT 88 [14A(iv) 2.1]

Amend 14A(iv) 2.1 Permitted Activities – Conditions as follows:

(a) Loading and Unloading Requirements:

Every owner or occupier in all activity areas who constructs, substantially reconstructs or changes the use of a property, shall make adequate provision on the site for the loading of or unloading from vehicles of all goods and materials associated with the activity. No servicing activity may take place on road reserve.

For residential developments having fewer than 20 dwelling units or accommodating fewer than 20 residents, for all residential development in the Central Commercial Activity Area, and for network utility operations on sites less than 200m² or for unstaffed network utility sites, the requirements of Chapter 14A - Transport, 14A(iii) Car Parking requirements are deemed sufficient.

(b) Loading and Unloading Requirements for Non-Residential Activities:

For retail and industrial activities (except in the Core, Riverfront and Residential Transition Precincts in the Central Commercial Activity Area), the number of loading spaces to be provided shall not be less than the following requirements:

Table 7 - Loading Space Requirements:

Gross Floor Area	No. of Spaces	Minimum Design Vehicle
Under 2000m ² GFA	1	Maximum rigid truck
2000-4000m ² GFA	1	Maximum articulated truck Plus 1 Maximum rigid truck
more than 4000m ² GFA	1	Maximum articulated truck Plus 1 Maximum rigid truck

For all other types of non-residential activity (including retail and industrial activities in the Central Commercial Activity Area), one loading space shall be provided in accordance with the design requirements in 14A(iv) 2.1(c).

AMENDMENT 89 [Appendix Transport 1 (a)]

Amend the list of Local Distributors in Appendix Transport 1 (a) Roading Hierarchy Classification Schedule as follows:

4. LOCAL DISTRIBUTORS

Street	Start	Finish
Bellevue Road	Woburn Road	Bloomfield Terrace
Bloomfield Terrace	Laings Road	Knights Road
Bridge Street	Parliament Street	Marsden Street
Bunny Street	Queens Drive	Knights Road
Connolly Street	Melling Road	Harcourt Werry Drive
Dowse Drive	Western Hutt Road	Miromiro Road
Fitzherbert Road	Main Road	Nelson Crescent
Harcourt Werry Drive	Connolly Street	Fairway Drive
London Road	Korokoro Road	Te Whiti Grove
Main Road	Fitzherbert Road R'bout	Hine Road
Major Drive	Western Hutt Rd (SH No.2)	Waipounamu Drive
Manuka Street	Ludlam Crescent	Puriri Street
Margaret Street	Rutherford Street	Queens Drive
Marine Drive	Muritai Road	Ferry Road
Miromiro Road	Dowse Drive	Poto Road
Muritai Road	Marine Parade	Muritai End
Normandale Road	Bridge Street	Poto Road
Oxford Terrace	Puriri Street	Knights Road
Oxford Terrace	Waterloo Road	Wingate Bridge
Parkway	Wainuiomata Road	Parkway
Parkway Extension	Parkway	Fitzherbert Road
Parliament Street	Railway Avenue	Bridge Street
Pharazyn Street	Marsden Street	Bridge Street
Poto Road	Normandale Road	Miromiro Road
Puriri Street	Manuka Street	Oxford Terrace
Stokes Valley Road	Eastern Hutt Road	Evans Street
Udy Street	Hutt Road	Cuba Street
Waterloo Road	Cornwall Street	Oxford Terrace

AMENDMENT 90 [Appendix Transport 1 (c)]

Amend Appendix Transport 1 (c) Central Commercial Area Inset

AMENDMENT 91 [Appendix Transport 2]

Amend Appendix Transport 2 Inner and Outer Central Parking Districts

Amendment to Chapter 14B Signage

AMENDMENT 92[14B 2.1.5]

Amend 14B 2.1.5 Permitted Activities - Conditions In all Commercial Activity Areas, Business Activity Areas, and Community Iwi Activity Area 3 - Kokiri Centres, excluding the Petone Commercial Activity Area 1 as follows:

(c) Maximum Face Area:

- (i) Where any sign is painted on or attached in any way to the exterior of a building, the maximum face area of all signs visible in any one direction may not exceed 30% of the area of that wall up to a maximum face area of 20m².
- (ii) Where a sign is erected within the Avalon Business Activity Area the maximum face area of all signs erected at the main entrance to the site shall not exceed 3m².
- (iii) The maximum face area of free standing signs shall be 20 m².
- (iv) Where a sign is erected within the Core, Riverfront or Residential Transition Precincts of the Central Commercial Activity Area identified in Appendix Central Commercial 1 - Precincts, the maximum face area of all signs shall not exceed 5m².
- (v) Where a sign is erected within the Commercial Precinct of the Central Commercial Activity Area identified in Appendix Central Commercial 1 - Precincts, the maximum face area of all signs shall not exceed 20m².

Amendment to Chapter 14C Noise

AMENDMENT 93 [14C 2.1.2]

Amend the Permitted Activity – Conditions in 14C 2.1.2 Central Commercial Activity Area & Petone Commercial Activity Areas 1 & 2 as follows:

- (b) All activities must not exceed ~~65dBA~~, the conditions as specified measured at the boundary of the site on which the activity takes place ~~-. This condition applies for a 24hr period.~~

Maximum 65dBA 7.00am - 10.00pm

Maximum 60dBA 10.00pm - 7.00am

Part 4: Proposed Plan Changes within the District Plan

The following section indicates how the District Plan will look if the amendments proposed by Proposed Plan Change 14 (detailed in Part 3 of this document) become operative without further change.

Proposed Plan Change to Chapter 1

See Amendments 1 to 4

1 Introduction and scope of the Plan

1.1 Geographic area for this District Plan

Lower Hutt City (the City) is made up of the area bounded by the coast between Korokoro and Windy Point (Palliser Bay), by the western hills of the Hutt Valley, the ridge of the Rimutaka Ranges and ending just beyond the Taita Gorge. The Plan is for the land area above Mean High Water Springs as defined in the Resource Management Act 1991 (Act). The area totals some 37,998 hectares. The actual area is illustrated on the District Planning Maps which accompany this Plan.

The City bounds Wellington City, Porirua City, Upper Hutt City and South Wairarapa District.

1.2 The Resource Management Act 1991

This Plan has been prepared under the Act as the Plan for the City.

This Plan supersedes the Transitional District Plan which incorporated the Eastbourne, Petone, Wainuiomata, Hutt County, Western Hills and Lower Hutt District Schemes and the Proposed District Plan notified in 1995 and subsequently amended by Council decisions and decisions of the Environment Court.

The Act sets the framework for the management of land, air and water resources. It establishes the purpose and principles for that management. The Hutt City Council (Council) is essentially responsible for matters relating to land. The Wellington Regional Council is responsible for matters relating to air and water. The approach taken to meet the responsibilities placed on Council through the Act are detailed later in this Chapter.

Key sections of the Act are included in this chapter for the purpose of establishing from the outset the basis upon which this Plan has been prepared.

Section 31 identifies the responsibilities of Hutt City Council as –

31. Functions of territorial authorities under this Act- *Every territorial authority shall have the following functions for the purpose of giving effect to this Act in its district:*

- (a) *The establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the effects of the use, development, or protection of land and associated natural and physical resources of the district:*
- (b) *The control of any actual or potential effects of the use, development, or protection of land, including for the purpose of the avoidance or mitigation of natural hazards and the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances:*
- (c) *The control of subdivision of land:*
- (d) *The control of the emission of noise and the mitigation of the effects of noise:*
- (e) *The control of any actual or potential effects of activities in relation to the surface of water in rivers and lakes:*

(f) *Any other functions specified in this Act.*

One of the means of meeting these responsibilities has been through the preparation of this Plan. The way in which the five functions have been addressed through the preparation and structure of this Plan are detailed later in this Chapter.

The single purpose of the Act is sustainable management which is given meaning in Section 5 of the Act.

5. Purpose -

- (1) *The purpose of this Act is to promote the sustainable management of natural and physical resources.*
- (2) *In this Act, "sustainable management" means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while-*
 - (a) *Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
 - (b) *Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
 - (c) *Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The principles are then given in sections 6-8.

6. Matters of national importance -

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) *The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and their margins, and the protection of them from inappropriate subdivision, use, and development;*
- (b) *The protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development;*
- (c) *The protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna;*
- (d) *The maintenance and enhancement of public access to and along the coastal marine area, lakes, and rivers;*
- (e) *The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.*

7. Other matters -

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to:

- (a) *Kaitiakitanga;*
- (b) *The efficient use and development of natural and physical resources;*
- (c) *The maintenance and enhancement of amenity values;*
- (d) *Intrinsic values of ecosystems;*

- (e) *Recognition and protection of the heritage values of sites, buildings, places, or areas;*
- (f) *Maintenance and enhancement of the quality of the environment;*
- (g) *Any finite characteristics of natural and physical resources;*
- (h) *The protection of the habitat of trout and salmon.*

8. Treaty of Waitangi -

In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

The Act envisages that natural and physical resources in the district can be used, subject to complying with environmental and ecological considerations specified in parts (a), (b) and (c). Section 5(2)(a) states that the natural and physical resources should not be used at such a rate, or adversely affected to such an extent, that people in the future are likely to find that existing resources can no longer meet their needs.

1.3 Relationship of this plan to documents prepared by central and regional government

This Plan has been prepared in the context of a wide range of other statutory and non statutory documents. Some of these have been prepared under the provisions of the Act while others are under different legislation.

The Act establishes a clear hierarchy of plans and policy statements. These are in three tiers, central, regional and district. The District Plan must not be inconsistent with a national policy statement, the New Zealand Coastal Policy Statement, a water conservation order, the regional policy statement or a regional plan on a matter of regional significance or for which the Regional Council has primary responsibility under Part IV of the Act.

(a) Central Government Documents

(i) **New Zealand Coastal Policy Statement**

A New Zealand Coastal Policy Statement has been prepared and is now operative. The Statement provides policies in order to achieve the purpose of the Act in relation to the coastal environment surrounding New Zealand.

(ii) **National Policy Statements**

Statements can be prepared on matters of national significance that are relevant to achieving the purpose of the Act. There have not been any National Policy Statements.

(iii) National Environmental Standards

These Standards prescribe technical standards relating to the use, development, and protection of natural and physical resources. The Standards can include matters relating to noise; contaminants; water quality, level or flow; air quality; and soil quality in relation to the discharge of contaminants. As well as prescribing technical standards, the methods of implementing such standards can be prescribed. There have not been any National Environmental Standards set.

(b) Regional Documents

(i) Regional Policy Statement

The Regional Council has prepared a Regional Policy Statement for this region. The purpose of this Statement is to provide an overview of the resource management issues in the region. The Statement includes policies and methods to achieve the integrated management of the natural and physical resources of the region.

(ii) Regional Plans

The Regional Council has prepared a number of Regional Plans. The purpose of Regional Plans is to provide a mechanism to assist the Regional Council carry out its functions in order to achieve the purpose of the Act.

(iii) Regional Coastal Plan

A Regional Coastal Plan has been prepared by the Regional Council. The Regional Coastal Plan provides for the management of the coastal marine area as defined in the Act. The Plan identifies the issues, objectives, policies and methods for this area in order to achieve the purpose of the Act.

(iv) Transport

The Regional Council produces the Regional Land Transport Strategy. The Regional Land Transport Strategy provides policy guidance on future land transport needs in the region, the roles of all transport modes and their interaction with land use and the environment. The Regional Passenger Transport Plan is the management document governing public transport policies and proposals.

(v) Regional Park Management Plans

The Wellington Regional Council has prepared the Belmont Regional Park Management Plan and the East Harbour Regional Park Management Plan. The management plans set out a policy framework for the Regional Council to manage and administer the Belmont and East Harbour Regional Parks.

The rules of the above documents may also be relevant, in addition to the rules in this Plan, to land use activities undertaken within the boundaries of the City. In some cases a resource consent may be required from the Regional Council. For further information or clarification consult these documents and/or contact the Regional Council. In cases where resource consents are required from both this Council and the Regional Council, consideration will be given to processing the consents jointly.

1.4 Relationship of this plan to other plans prepared by Council

This Plan is one of a number of Plans prepared by the Council. There are important interrelationships between the various Plans, a number of which have statutory functions under other legislation.

(a) Strategic Plan

A Strategic Plan provides the vision and strategic direction for the City. The Strategic Plan addresses development in terms of the integration of the social, environmental and infrastructure components. It is the Strategic Plan that outlines the longer term resource allocation decisions.

(b) Annual Plan

The Annual Plan outlines the performance measures and financial allocations required to be met on a yearly basis.

(c) Reserve Management Plans

Reserve Management Plans for all reserves throughout the City have been prepared under the Reserves Act 1977.

(d) Traffic Management Plans

There are a number of local traffic management plans. These have been prepared to address specific issues occurring within a geographically defined area.

1.5 Relationship of this plan to documents of other organisations

Various documents prepared by many organisations impact on activities occurring within the City. Some of the most significant of these are -

(a) Wellington Conservancy Conservation Management Strategy

The Conservation Act requires the Department of Conservation to prepare a conservation management strategy for each conservancy. The Strategy provides objectives and policies for the integrated management of natural and historic resources managed by the Department for recreation, tourism and other conservation purposes.

(b) National Roothing Programme

Transit New Zealand is responsible for the preparation of a National Transport Plan. Through this Transit determines planning and fund allocation for roading, state

highways, passenger transport, safety, construction and maintenance, and administration.

(c) National Road Safety Plan and Regional Road Safety Strategy

The National Road Safety Plan is prepared by the Land Transport Safety Authority to provide an integrated programme to improve road safety. It has a comprehensive approach to vehicle safety, driver education, enforcement and road design. The Regional Road Safety Strategy is the expression of the National Road Safety Plan focused on the Wellington Region.

(d) The New Zealand Historic Places Trust Register

The Historic Places Act 1993 requires the New Zealand Historic Places Trust to establish a register of historic places, historic areas, wahi tapu and wahi tapu areas. Relevant entries in the Historic Places Register are required to be considered by territorial authorities when preparing or changing a District Plan.

(e) Iwi Resource Management Plans

These plans are produced by Iwi Authorities of Tribal Runanga who are the recognised tangata whenua of this area. They set out issues of significance to the tangata whenua and policies agreed by their representative bodies.

1.6 Process adopted in preparing this plan

A comprehensive approach has been taken in the preparation of the first Plan prepared under the provisions of the Act. A five phase programme, each built on former phases, has allowed for continual refining. A brief summary of the phases is-

(a) Phase 1 - Initial Data Collection

A number of specific studies have been carried out, together with more general studies on all the resource management issues expected to be addressed in the Plan. Section 1.5 - Significant Studies - gives greater detail on some of the specific studies.

The data collected, together with some preliminary analysis were used as the basis for the preparation of the Discussion Document "Future Resource Management for Lower Hutt". The Discussion Document was prepared with three objectives in mind -

- (i) to familiarise readers with the concepts in the Act and their potential application to this City,
- (ii) to identify some of the resource management issues facing the City,
- (iii) to provide every interested person with the opportunity to become involved in the preparation of new policies and rules leading to a District Plan.

(b) Phase 2 - Public Consultation and Participation Programme

Utilising the Discussion Document and a range of other material prepared to assist the public, a comprehensive public consultation and participation programme was carried

out. This involved extensive use of the local community newspapers, target group meetings with identified interest groups, a series of public meetings, displays in a range of locations, and the opportunity for both oral and written submissions to be made.

(c) Phase 3 - Preparation of Policy Direction

Papers were prepared on some thirty resource management issues, detailing area wide, local area and site development issues. These papers were the basis of consideration and determination by the Council (through the District Plan Subcommittee) of the preferred direction of policy development. The papers included reference to the submissions made during Phase 2.

(d) Phase 4 - Preparation of a Working Draft

Within the policy direction determined by the Council, a Working Draft of the District Plan was prepared. This was the first opportunity for the relationships between the various aspects of the District Plan to be considered. It gave interested parties the opportunity to comment on specific matters rather than more general issues and options. The means of implementation was also developed.

(e) Phase 5 - Preparation of the Proposed District Plan

Feedback and submissions on the Working Draft, and further consideration by the Council, was the basis of work undertaken to prepare the Proposed District Plan.

(f) Notification and Processing of the Proposed District Plan

The Proposed District Plan was publicly notified on 5 December 1995. Subsequent to the receipt of submissions and further submissions, the Council heard all submissioners wishing to be heard and considered background reports and specific recommendations on each point raised from Council Officers. The Council released decisions progressively. A limited number of matters were referred by submissioners to the Environment Court. The majority of these were resolved through consent orders.

1.7 Significant Studies

A number of specific studies have been undertaken to assist with the knowledge held on resource management issues in the City. Outcomes from the studies have been used in the preparation of the Plan.

(a) Retailing in the Lower Valley (1989)

A detailed study of the retail patterns, which included the areas of Wainuiomata, Eastbourne, Petone and Lower Hutt. The published study includes a review of theories on planning, issues related to retail facilities, a review of relevant Planning Tribunal decisions and a review of the position taken in the various District Schemes.

Extensive catchment area studies were undertaken to identify the catchment areas for thirteen shopping centres. Pavement and telephone surveys were used to establish customer satisfaction with the retail structure. A number of major retail developers were also surveyed.

(b) Coastal Management Study

Extensive resource studies have been carried out for the Petone and Pencarrow coastal areas. These studies included public consultation.

(c) Satisfaction with Multi-Unit Developments (1990)

This study questioned residents living in, adjacent to or near multi unit developments. Respondents expressed their opinions on the quality of life offered by these developments. This included assessment of matters such as open space, parking, traffic, visual/aural privacy, landscaping, design and density.

(d) Risk Assessment in the Industrial Heavy Zone (1991)

This study addressed the risk associated with the location of non-industrial activities in close proximity to hazardous industries. It identified six possible non-industrial activities and determined the level of risk that would be associated with each if they were to be sited within a hazardous area. The assessment was based on the population density of each activity, separation distance from a hazardous industry and different hazardous incidents which could occur. The research confirmed that those activities which generate a large public attraction have an unacceptable level of risk, even at a separation distance of 100 metres. Those activities with a low density and safe separation distances were acceptable.

(e) Implementation of the Hazardous Facilities Screening Procedure into the Lower Hutt District Plan (1995)

This study established how the Hazardous Facilities Screening Procedure (HFSP) could be incorporated into the District Plan to address the risk associated with facilities using or storing hazardous substances. These substances may cause adverse effects on human health or the environment through accidental discharge or poor management.

The HFSP provides a mechanism to ensure that hazardous facilities or activities are safely located, designed, built and managed. This is achieved by screening each activity involving the use or storage of hazardous substances to determine whether the site is appropriate or whether additional merit based assessment is required. The trigger levels set for the HFSP are based on the sensitivity of each activity area in this Plan.

(f) Approaches to Hutt City: A Strategy for Accentuating Main Entrance Routes (1994)

This research identified important entrance/exit points of the City as well as significant routes within the City. Through use of rules the research identified the means by which the amenity of the City can be enhanced.

(g) Hutt City Proposed District Plan - Noise Ordinance Recommendations (1995)

This study investigated the appropriateness of "Noise Zones" for all activity areas and recommended appropriate noise levels for these.

The National Census (1991) has also be a key data base for the preparation of this District Plan.

1.8 Structure of District Plan

Section 75 of the Act identifies the contents of a District Plan, but it does not detail the way in which the information must be presented.

Chapters 1 and 2 provide the overall context of the Plan. Chapters 4 to 10 are on a range of activity areas. Chapters 11 to 18 are on matters which may be of relevance to two or more of the activity areas. These last chapters should be referred to when considering any activity. Cross referencing has been provided to assist in the use of this Plan.

Within each activity area the general style of presentation is to identify the significant resource management issue(s), and list a number of objectives and policies. The explanation and reasons for the objectives and policies are detailed, as are the anticipated environmental results.

In many of the chapters there are a number of activity areas. These chapters are generally introduced with overall issues, objectives and policies and followed by the specific activity areas.

1.9 The approach adopted

(a) Significant Resource Management Issues

The Act requires significant resource management issues in the district to be identified. This identification of resource management issues is important as they provide the basis for deriving objectives, policies and methods of implementation to promote sustainable management of the natural and physical resources of the district.

In order to identify significant resource management issues and to facilitate analysis, issues are identified at three levels:

(i) Area Wide Issues

These are significant issues which apply throughout the City rather than to each specific activity area. They form the basis and the overall direction that the Council intends to take in the management of natural and physical resources in the City.

(ii) Local Area Issues

These are issues that apply to each activity area. Specific issues relating to each activity area are identified and appropriate objectives, policies and rules are adopted. Activities considered to be appropriate are identified and conditions or standards are set to ensure that adverse effects are managed, avoided or mitigated.

(iii) Site Development Issues

Here issues relating to the development of the site and their likely effects are identified and addressed. For example matters relating to the height and external appearance of buildings, site coverage and yard requirements are specified.

(b) Activity Area Approach

Taking area wide, local area and site development issues into account a number of distinct activity areas are identified. It is also considered that development will have different effects in these activity areas. It is important that there are appropriate objectives, policies and rules to manage development and control adverse effects.

(c) Other Methods

It is recognised that not all resource management issues can be dealt through rules in the Plan. Besides rules a wide range of methods can be used to address identified issues, objectives and policies. These include the following:

- (i) Reserve management plans
- (ii) Traffic management plans
- (iii) Emergency management plans
- (iv) New Zealand Building Act and Code
- (v) Publications which provide information to the public
- (vi) Main Street programmes
- (vii) Council work programmes.

1.10 Area Wide Issues

The essential elements of a sustainable city are the residential areas, the distribution of key activities, such as retail, recreation, community services and facilities plus the transport networks linking them together. Natural resources are important in the sustainable city.

In this section area wide issues are identified and discussed with adoption of policies and strategies.

1.10.1 Resource Management and the Tangata Whenua of Lower Hutt

Issue

It is important that the Plan recognises the relationship between tangata whenua and wider resource management issues in the City. Sections 6(e), 7(a) and 8 of the Act require the relationship of Maori and their ancestral lands to be recognised and provided for as a matter of national importance, and for those exercising functions and powers under the Act, to have particular regard to kaitiakitanga and to take into account the principles of the Treaty of Waitangi.

Kaitiakitanga encompasses the Maori view of guardianship, involving the spiritual dimension as well as the physical dimension. The onus on people who say they are kaitiaki is to acknowledge all the responsibilities that come with kaitiakitanga, including actively looking after and caring for their mana whenua and taonga. Kaitiaki are required to continually be part of the process of environmental decision-making.

Kaitiakitanga includes an obligation on people to use resources in ways that respect and preserve resources in the environment, both physically and as sources of spiritual power. The tangata whenua who have mana over resources are able to determine both the characteristics of kaitiakitanga and how it should be given expression.

Objective

To respond to the principles of the Treaty of Waitangi and other matters of significance to the tangata whenua as specified in the Act.

Policies

- (a) To have particular regard to tangata whenua's desire to carry out kaitiakitanga.
- (b) To protect waahi tapu and sites of cultural or historical significance to tangata whenua from desecration or disturbance.
- (c) To recognise and protect the tangata whenua desire to maintain and enhance their traditional relationship with the environment.
- (d) To consult with the tangata whenua when discharging functions and duties under the Act.

Explanation and Reasons

Chapter 2 provides a more comprehensive explanation of the partnership between tangata whenua and resource management in Lower Hutt.

1.10.2 Amenity Values

Issue

The different character and amenity values of areas contribute significantly to the environment of the City. The Act recognises the importance of people's environment (which is defined to include amenity values) and it is necessary to recognise these as essential elements in the Plan.

Objective

To identify, maintain and enhance the character and amenity values of the different activity areas.

Policy

To identify within all activity areas the general character and amenity values of that activity area.

Explanation and Reasons

Residential Activity Areas

General Residential Activity Area:

This Activity Area accounts for much of the residential development in the City. It is dominated by single dwellings on fee simple subdivisions, but also contains a variety of other housing styles including cross lease developments, semi detached housing, and a limited number of multi-unit developments. Semi detached and multi-unit developments are more common in some locations than others. Generally sites within the Activity Area have a flat topography, this being a natural feature or being a result of earthworks during the development stages. Sites in most locations have been well developed with maturing domestic scale landscaping and planting. While small scale

businesses, which can be classed as home occupations, are common there are few larger commercial or industrial activities.

Special Residential Activity Area:

Three locations, Woburn, the Military Road area, and Lowry Bay, have been identified where sites are characterised by lower density development on larger sites often with mature landscaping and planting.

Historic Residential Activity Area:

Patrick Street, Petone: This historic area was largely developed at the time of the 1905 Workers Dwellings Act when the first state housing schemes were built. A variety of designs were used, comprising both single and two storey dwellings. Appendix Historic Residential 1 details the specific elements that contribute to the character and amenity values of this historic area.

Riddlers Crescent: This historic area was largely developed between 1906 and 1910 and consists of both villa designs and semi-detached workers' dwellings. Appendix Historic Residential 1 details the specific elements that contribute to the character and amenity values of this historic area.

Hill Residential Activity Area:

This Activity Area consists of significant amounts of land in the hillier parts of the City. The topography of these areas is such that individual sites have characteristics of slope, are often above or below road level, have a different relationship with neighbouring sites to those on the flat, and have views.

Landscape Protection Residential Activity Area:

This Activity Area is characterised by particularly steep sites with large land areas. The amenity values are influenced by this topography, vegetation cover and the potential impact of development including the creation of driveways and building platforms.

***Amendment 1**

Commercial Activity Areas

Central Commercial Activity Area:

This Activity Area is the central focal point of the city as the main area of commercial, community and civic activities. Further diversity in the activity mix is anticipated, with increased levels of residential activities and service industries. The environment is characterised by a number of complementary activities of different size and scale. Buildings are of a mix of heights and ages, are constructed in a variety of styles and with a diverse range of materials. The relationship of buildings to the public realm (streets and open space areas) significantly contributes to the amenity values of the Central Area. Large surface areas of carparking and car sales could detract from the amenity values in this area. Improvements to the amenity values in the central area are planned, including improving the building quality and public realm.

Petone Commercial Activity Area:

Area 1 – Jackson Street between Victoria and Cuba Streets: This part of Jackson Street is dominated by one and two storey buildings built between 1926 and 1940. The subdivision pattern is of small allotments with narrow frontages. Retail and commercial activities occur at ground level and commercial and residential uses above ground level. The close proximity of a residential activity area immediately behind the narrow band of commercial properties contributes to the character and amenity values. The character and amenity values of this area are strongly influenced by the heritage values of the buildings. Appendix Petone Commercial 1 details the specific elements that contribute to the character and amenity values of this historic area.

Area 2 – Area generally bounded by Te Puni Street, Hutt Road, Petone Avenue and Victoria Street: This part of Petone is characterised by large sites which accommodate vehicle orientated retailing and larger commercial activities. The

character and amenity values in this area are influenced by the more open nature of sites, a diversity of building scale, the coastal environment for those sites fronting The Esplanade, and mixed land uses.

Suburban Commercial Activity Area:

The character and amenity values of this activity area do vary with the specific locations. The factors influencing this generally include small allotment sizes, small scale buildings with residential development at second storey level, close proximity to residential activity areas which are usually abutting, busy short term parking areas, and a mix of retail and service areas.

Special Commercial Activity Area:

Area 1 – Station Village: The influence of the historical character of the buildings that make up this activity area, including the Railway Station Building, contributes strongly to the character and amenity values. The proximity to the busy intersection of Hutt Road and Railway Avenue is also an important influence. The focus on leisure activities has created an identity which is different from other retail areas.

Area 2 – Boulcott Village: This small activity area is abutted by a residential activity area and this strongly influences the character and amenity values. The buildings are of a residential rather than commercial scale and character and the land uses are compatible with residential neighbours.

Business Activity Areas

General Business Activity Area

The character and amenity values of this activity area do vary with the specific locations. The factors influencing this generally include a low scale built environment, a diversity of land uses, signage, busy street environments with kerbside parking and frequent vehicle movements, and proximity to residential activity areas. These areas tend to have different character during the week than at weekends when the areas are often empty of activity and people.

A number of the locations are identified as main entrance routes and the character and amenity values of these locations are important to the overall environment of the City.

Special Business Activity Area

This activity area is characterised by larger allotments, buildings and land uses. Together with wider road reserves, these features tend to create a more open character. In some parts of the activity area character and amenity values are dominated by technological park developments, while in other areas the influence comes from the “tank farm” environment. The presence of the Waiwhetu Stream through this activity area and the coastal boundary along Port Road strongly influences the character and amenity values of sites in close proximity to these features. The hillier topography along the back of Gracefield Road gives a sense of enclosure to the area.

Avalon Business Activity Area

This activity area falls into two distinct physical locations, one at Fairway Drive and the other at Percy Cameron Street. Both areas comprise buildings and structures in an open setting, adjoining both residential activity areas and recreation activity areas associated with the Hutt River. Within the site, large areas of open space exist which include formal landscaping, mature planting and grassed areas and contribute to the general amenity values of the vicinity. The building, and in particular the tower block at Percy Cameron Drive, are the dominant visual elements. There is a marked contrast between the business activities occurring on these sites and the neighbouring residential activities.

Extraction Activity Area

The physical characteristics of the land significantly contribute to the character and amenity values of these sites. The sites are located on the Western Hills escarpment and can be seen from considerable distances. The stark contrast between excavated areas and regenerating native bush is a strong visual feature.

Recreation Activity Areas

General Recreation Activity Area:

The character and amenity values of this activity area do vary with specific locations. The factors influencing this generally include vastly different scales from small neighbourhood reserves to regional parks, generally close proximity to residential activity areas, the presence of built facilities including children's play equipment, sports facilities and halls, proximity to natural features such as rivers, the extent of vegetation, and the sense of enclosure depending on street frontage.

Special Recreation Activity Area:

Area 1 – Petone Foreshore: The character and amenity values of this activity area are dominated by the presence of the coastal foreshore. Other contributing factors are the separation of the activity area from other activity areas by The Esplanade, the presence in some parts of buildings and car parking areas, coastal planting, and the open space character of the area in general.

Area 2 – Seaview Marina: The nature of this facility strongly influences character and amenity values. The close proximity of the coastal escarpment at the base of Point Howard and the adjacent business activity area also contribute to the character and amenity values of the marina. Existing facilities such as the boat ramp, and yacht club all contribute to the overall character and amenity values of the area.

Area 3 - Hutt Park Visitor Accommodation: This facility is situated within an area of open space with the associated amenity values which include the Waiwhetu Stream. It is important that future building on the site recognises these amenity values and the open space character.

River Recreation Activity Area:

The physical characteristics of the rivers and streams dominate the character and amenity values of this activity area. This includes the scale of the watercourse, water levels and fluctuations, and the bank environment. Other important influences are the nature of neighbouring land uses.

Passive Recreation Activity Area:

This activity area consists of large areas of open space, essentially free of built structures. The activity area provides important visual amenity values from both the urban and rural environments of open space, rugged topography, and vegetation cover. The presence of the fire breaks is a dominant visual feature.

Rural Activity Areas

Many elements contribute to rural amenity values including topography; the coast; significant natural, cultural and archaeological resources; land uses including farming and forestry, rural lifestyle development; recreation uses and opportunities; water catchment and treatment facilities; existing subdivision patterns; and built structures. In the rural areas the amenity values are made up of components that include physical features, land use patterns, planting patterns, built features (including roading formations), views and vistas, subdivisional patterns, colours, and accessibility.

Rural Residential Activity Area:

There are a number of relatively small areas falling into the Rural Residential Activity Areas. These include locations on the western hills of the Hutt Valley; Upper

Fitzherbert Road, Wainuiomata; Moores Valley; and Coast Road just beyond the urban area of Wainuiomata. Generally these rural residential areas derive their amenity values from factors which include property size and subdivisional pattern, the physical environment, and their accessibility to urban areas. Rural based industries including boarding facilities for domestic pets and plant nurseries are located in rural residential areas. The various locations do have different amenity values which contribute to their uniqueness. Rural residential areas on the western hills are located between Normandale and Belmont, and fronting Liverton Road. These areas are easily accessible from the urban areas of the Hutt Valley and from the State Highway. Generally the properties are small in size, the majority having land areas between 2ha and 10ha. The eastern side of Moores Valley Road is characterised by steeper land, many existing dwellings being sited above the road level. Properties on the western side of the road are generally flat for approximately half their depth. This area is also characterised by its valley nature. In Upper Fitzherbert Road lot sizes vary from 4ha up to 38ha, many with large frontages. Much of the land is flat, with land rising towards the back of several properties.

General Rural Activity Area:

This activity area contains a vast land area with a relatively small amount of it located on the western hills of the Hutt Valley, but the vast majority is beyond the urban area of Wainuiomata. The activity area is dominated by diverse topography. From Eastbourne around to the City's boundary with the South Wairarapa District an extensive area is influenced by the coast. Two major river valley's, the Wainuiomata and Orongorongo, dominate the physical environment together with many other river and stream networks. From flat river terraces land rises to dominant and often steep hill areas. Within the hilly areas are isolated locations of more gentle topography. On the western hills of the Hutt Valley, the topography is characterised by the steep escarpment bordering the Hutt River and more gentle hill country leading back into the Belmont Regional Park. The influence of the coast on the character and amenity values of some parts of the rural environment is very significant. The original character of the coastal environment has been modified over time but retains a natural character. Throughout the coastal environment topographical features such as the beaches, the sea cliffs, the sloping marine terraces, the higher eroded terraces and the hills retain their natural character.

Within this coastline a number of distinct areas can be identified.

- (i) South of Camp Bay to Pencarrow Coast: It is considered that this stretch of the coast is one of the most natural and undeveloped edges with the Wellington Harbour. The area is appealing when viewed from a distance with a series of bays of varying sizes with attractive beaches.
- (ii) Pencarrow Head: A significant landform within the Wellington Region as viewed from land, sea and air. The cliffs and two white lighthouses are considered to be of high visual quality. The associated beach, extending from the sea level lighthouse southwards along the Bay to the northern side of Bluff Point, is also of high visual quality. This headland offers outstanding views extending from Baring Head to the Wellington Harbour and to the west harbour headland and beyond.
- (iii) Fitzroy Bay: The seaward margin is rugged and exposed to the elements. The visual character of the area is degraded by past and current mining operations. However, towards the Baring Head end of the coastline the area is of higher visual quality as it is less disturbed by mining activities. The twin lakes and immediate perimeter are of high landscape value. The hills are lower than other areas on the coast but they are highly visible as they form an important backdrop to the Wellington Harbour and can be seen from many Wellington suburbs.
- (iv) Baring Head: The headland, including the area extending well back from the spectacular Baring Head coastal cliffs and approximately two kilometres of relatively undisturbed sand dunes and other mature attractive vegetation at the

southern end of Fitzroy Bay, forms one of the most outstanding landform features on this stretch of the coastline and within the Wellington Harbour and Heads. This is especially the case when viewed from a distance such as Pencarrow Head and beyond. The marine terraces are highly visible from a distance due to their sloping nature, smooth horizontal texture and the pale colour of the pasture which contrasts strongly with the darker and rugged hills behind. Not only is Baring Head highly visible, it is also an area of considerable visual sensitivity. This sensitivity arises from its role as a meeting place between the land, sea and sky and the terminus of the eastern backdrop to the Wellington Harbour. The headland offers outstanding views extending from Turakirae Head to the Wellington Harbour entrance and beyond.

- (v) From Baring Head to Turakirae Head/Scientific Reserve: Turakirae Head is a very high impact landscape with its dramatic boulder fields, raised beaches, rocky land/sea interface and its headland providing an important backdrop to the reserve. The vegetation in the reserve is by far the most visually appealing within this part of the Wellington coastline. It is considered that Turakirae Head forms the physical division between the coastline oriented towards Wellington and the coastline oriented towards the Wairarapa.

The presence of a number of strong land uses influences the character and amenity values of the activity area. These include pastoral farming, forestry, recreation, water catchment and lifestyle farming.

1.10.3 Residential Activity

Issue

The manner in which an urban area is arranged can have an important effect on resource use, social and economic well being and environmental quality.

Objective

To accommodate residential growth and development through consolidation of the existing urban area but to allow some peripheral development.

Policy

- (a) To provide opportunities for gradual intensification of residential densities by:
 - (i) Enabling higher densities along major transport routes and near suburban focal points,
 - (ii) Providing for infill development throughout the established residential areas to appropriate minimum standards, and
 - (iii) Managing the rate at which land at the periphery of the urban area is developed for residential purposes.

Explanation and Reasons

A policy of generally consolidating existing residential development while allowing some limited greenfield development to occur is adopted in the Plan. This is achieved by:

- (a) Preventing rural areas from being urbanised (see also 1.10.7),
- (b) Limiting the amount of land at the periphery that can be developed for urban residential purposes, and

- (c) Encouraging infill housing in areas where amenity values are not likely to be affected adversely, and increasing permitted densities in areas adjoining transport nodes such as the railway corridor, district distributor roads and commercial areas.

By adopting this strategy savings in physical, social and transport infrastructure can be achieved. Substantial savings are achievable through residential consolidation in areas where services, such as stormwater, waste water and water reticulation systems, are in place already and there is spare capacity. There are also savings as better use can be made of existing social and recreational facilities such as schools, churches, community facilities, commercial centres and reserves.

With regard to transport it is considered that reduced travel time due to shorter journeys to social facilities, recreational facilities, commercial centres and employment areas will result in a more efficient use of non-renewable energy. It is also considered that urban consolidation can help to increase or support the viability of the public transport system.

Some greenfield residential development is permitted to provide housing choice and to ensure that existing residential areas are not developed at a level where amenity values will be adversely affected. The approach adopted in the Plan is that greenfield or new residential areas are located close to or adjacent to existing urban development. This is to ensure that urban growth is not dispersed or detached. Such an urban form of development will ensure that the benefits of urban consolidation can still be achieved.

1.10.4 Commercial Activity

Issue

The wide dispersal of commercial activity has the potential to have adverse effects on developing integrated commercial centres which meet community needs.

**Amendment 2*

Objective

To promote an integrated and hierarchical approach to commercial centres as community focal points.

**Amendment 3*

Policies

- (a) Identify the existing commercial centres and recognise the different roles and functions each centre has in the hierarchy.
- (b) Recognise the Central Area and Petone Area commercial centres as the primary areas in the hierarchy, being of a large scale with a great diversity of activities servicing the whole city and wider region.
- (c) Recognise the Suburban and Special commercial centres as the secondary areas in the hierarchy, being small scale with a limited number of activities servicing local area needs.
- (d) Manage the nature and scale of activities in the commercial centres based on the integrated and hierarchical approach.
- (e) Manage and restrict commercial and other activities located outside the identified commercial centres that have the potential to undermine or detract from the vitality and vibrancy of the commercial centres.

***Amendment 4**

Explanation and Reasons

Lower Hutt City has a number of established commercial centres which service the needs of local residents and visitors. Each of the commercial centres has a different role and function in meeting these needs, and it is important the Plan recognises these roles and functions.

The existing commercial centres have an established hierarchy which is recognised in the Plan. The hierarchy reflects the location, size, history, role and function of the commercial centres, with the Central Area and Petone Area as to the two primary centres, and with suburban centres and special areas as secondary centres.

It is important the Plan recognises and provides for the respective roles and function of each centre in the hierarchy, to ensure these roles and functions are complementary and do not conflict. Therefore, activities within the commercial areas will be managed based on the hierarchy to ensure the continued vitality and vibrancy of the existing areas. In addition, certain commercial activities located outside the identified commercial centres may undermine the role and function of an integrated approach to commercial centres. Therefore, it is important the management framework for other Activity Areas recognise and manage these types of activities and development to protect the vitality and vibrancy of the Commercial Activity Areas.

1.10.5 Aggregate Mineral Resources

Issue

There are naturally occurring hard rock mineral resources of regional significance located on the Western Hills escarpment area of the City. It is important the Region's needs for such aggregate material can continue to be met by providing reasonable access and availability to these resources. However, the extraction of minerals has the potential to cause adverse effects which need to be managed, such as noise, dust, vibration and impacts on visual appearance through vegetation clearance and earthworks and matters of reverse sensitivity need to be taken into account.

Objective

To ensure the Region's needs for aggregate material can continue to be met, while managing the adverse effects of hard rock extraction activities on the receiving environment and amenity values of the area and surrounding areas.

Policies

- (a) That the naturally occurring aggregate resources in the City are able to continue to meet the Region's demand for such material by maintaining reasonable accessibility and availability to the resource.
- (b) That adverse effects of hard rock extraction activities on the receiving environment are avoided or mitigated by the provisions of the Extraction Activity Area.
- (c) That adverse effects generated by hard rock extraction activities be managed to enhance the amenity values of the area by the provisions of the Extraction Activity Area.
- (d) That reverse sensitivity is taken into account in managing land-use in the area surrounding hard rock quarries.

Explanation and Reasons

Minerals such as aggregate rock are found in fixed locations and it is important these resources do not become “locked-up” in terms of future availability of the resource. In the district plan, two areas have been set aside to accommodate the extraction of greywacke from the Escarpment, being the area of the Belmont Quarry and the area of the Dry Creek Quarry. These two areas make up the Extraction Activity Area. These areas comprise sufficient land to meet the foreseeable demand for aggregate material for at least the life of the Plan.

However, the nature of extraction activities is such that they are likely to produce adverse effects. These include noise, vibration, dust, disturbance to native vegetation and landscape features including earthworks. These matters are to be dealt with by specific conditions to be laid out in a quarry management plan, including the provision of buffer strips and Areas of Special Amenity. These matters are laid out in the provisions of the Extraction Activity Area. Taking reverse sensitivity matters into account, the nature of surrounding activities at the present time is such that adjacent land-use is not intensive and should not impose unreasonable restraints on the operations of the extraction activities providing these provisions are complied with.

1.10.6 Recreation and Open Space

Issue

Areas of open space and recreation facilities are of crucial importance to the overall environment of the City and to the health and well being of residents. People need a diverse range of open space and recreational opportunities and it is important that these are provided within the City.

Objective

To provide and maintain a diverse range of open space and recreation facilities for the enjoyment of residents and visitors which meet the needs of different sectors of the community.

Policies

- (a) To ensure the adequate provision of open space for the passive recreational needs of the community.
- (b) To ensure adequate provision of larger open space areas for active and passive recreation.
- (c) To ensure the protection and enhancement of areas of special recreation amenity.
- (d) To ensure the conservation of natural and heritage features and landscapes.
- (e) To restrict the development of buildings and structures to ensure the open space characteristics and amenity values of land within the Recreation and Open Space Activity Areas are maintained and enhanced.

Explanation and Reasons

The Plan seeks to encourage that open space and recreational facilities are conveniently located and equitably distributed. This is achieved in the Plan by ensuring an appropriate financial contribution is obtained when land is subdivided or developed.

The Plan also seeks to ensure that those areas which enhance the amenity values of the City are protected from inappropriate use, development or subdivision. In this respect the Plan seeks to restrict the development of buildings and structures in the River Recreation Activity Area, the Eastern Hills, Stokes Valley and Wainuiomata Hills.

1.10.7 Rural Activity

Issue

A diverse range of activities occur in the rural area, including farming, forestry, other land based activities, rural lifestyle holdings, recreation activities, water catchment and treatment facilities. Activities occurring in the rural area, or which seek to locate in the rural area, can have adverse effects on the rural character, landscape qualities and amenity values.

Objective

To protect and enhance the rural character, landscape and amenity values of the rural activity area.

Policies

- (a) To manage the minimum size of allotments and the minimum net site area for dwellings to ensure that the adverse effects are no more than minor.
- (b) To manage activities to ensure that the adverse effects are no more than minor on open space character, landscape and amenity values.
- (c) To ensure that rural character and amenity values are not compromised through intensive development or fragmentation.

Explanation and Reasons

The rural areas of the City contain a diverse range of activities including farming, forestry, other land based activities, rural lifestyle holdings, recreation opportunities, water catchment and treatment facilities.

While it is acknowledged that soils in the rural area are generally not of a high quality, the area has an open space character and amenity values which are of benefit to all residents in the City. It is considered that these qualities are an important feature or element of the overall character of the City which should be protected.

As rural areas are in close proximity to the urban area and the coastal environment they provide recreational opportunities for residents in the City. The rural area provides a habitat for those non-human life forms which choose to inhabit it.

Taking the above matters into account rural land should be prevented from being developed intensively and not be fragmented. Major factors in maintaining this rural character include controls over the number of buildings, especially residential dwellings, and endeavours to ensure that sites are large.

The Plan also seeks to discourage activities which are incompatible or are likely to have an adverse effect on the rural environment and rural amenity values.

1.10.8 Hazardous Facilities and Activities

Issue

The Plan seeks to control hazardous substances by focusing on the effects generated by hazardous facilities and activities rather than on the intrinsic properties of the hazardous substances alone.

Objective

To control the effects generated by hazardous facilities and activities rather than the intrinsic properties of hazardous substances.

Policy

To protect the environment from the adverse effects of hazardous facilities and activities through the use of the Dow Index and the Hazardous Facility Screening Procedure.

Explanation and Reasons

In the past the control of hazardous substances concentrated on the intrinsic properties of hazardous substances and a list based approach was adopted. In the Plan the controls focus on the facilities or activities generating the effects. This is achieved by the use of the Dow Index for the Special Business Activity Area and the Hazardous Facility Screening Procedure (HFSP) for all other activity areas.

1.10.9 Significant Natural Cultural and Archaeological Resources

Issue

It is important to recognise the City's significant natural, cultural and archaeological resources. Such resources include flora and fauna, habitats, wetlands, lakes, the coastal environment, geological features, waahi tapu sites, and archaeological sites. Inappropriate use, development and subdivision can have adverse effects on these resources.

Objective

To protect significant natural, cultural and archaeological resources from inappropriate subdivision, use and development.

Policies

- (a) To identify resources that are considered to be of significance.
- (b) To protect identified areas of significance from inappropriate subdivision, use and development by ensuring activities in these areas are managed.

Explanation and Reasons

The Resource Management Act 1991, New Zealand Coastal Policy Statement and Regional Policy Statement require that significant natural, cultural and archaeological resources be protected and, where appropriate, preserved from inappropriate subdivision, use and development.

The City's significant natural, cultural and archaeological resources have been recognised and scheduled. Additional resources may be added to the schedule following statutory procedures. To manage these areas, works associated with the preservation of the area is a Permitted Activity and all other activities are Restricted Discretionary Activities.

Additional to the scheduling of significant sites, a number of other methods are used to recognise natural resources. These methods include:

- Restrictions on vegetation clearance;
- Controls on earthworks;
- Minimum setbacks of buildings including setbacks from water courses;
- Maximum site coverage;
- Minimum lot size;
- Subdivision performance standards for earthworks; and
- Subdivision performance standards for allotment design.

1.10.10 Heritage

Issue

There are a variety of buildings and structures that contribute to the heritage values of the City through the visual impact of their style, architectural detail and cladding materials. Generally these features are found on the facades of heritage buildings therefore it is necessary to ensure that any works to the exterior of identified heritage buildings are managed. As the majority of identified heritage buildings and structures in the City are held under private ownership, it is also necessary to balance protecting property rights and maintaining heritage values.

Objective

To retain the heritage values of buildings and structures while ensuring that the rights of property owners to use identified heritage buildings and structures in an economically viable way are not compromised.

Policies

- (a) To protect the heritage values of the City through ensuring that any alterations, repairs or modifications to the exterior of heritage buildings are managed.
- (b) To allow a wider range of activities to operate in identified heritage buildings, provided that the character and amenity values of neighbouring properties are not affected adversely by the activity.

Explanations and Reasons

The Plan seeks to encourage owners of heritage buildings and structures to retain the heritage values of their buildings. It is for this reason that it is appropriate to make provisions for a wider range of activities in identified heritage buildings. Through making this provision, the property owner is not restricted in terms of the use of the heritage building. The protection of heritage values can also be achieved through managing any alterations, repairs or modifications to the exterior of heritage buildings. The focus on the exterior of heritage buildings is recognition that it is generally the facade of a building that contributes towards the historic value of a place.

1.10.11 Lessening Natural Hazards

Issue

Lower Hutt is susceptible to a number of natural hazards due to its location and wide variety of physical features such as steep hills, coastal areas and faults. Four main types of natural hazards are present and provided for in the Plan. These are seismic induced hazards, landslide hazards, flood hazards and coastal hazards. The presence of human settlement close to an active fault, steep hills, coastal areas and rivers has increased the potential impacts of these hazards. It is necessary to reduce the risk and vulnerability of people and their property to natural hazards.

Objective

To avoid or mitigate the vulnerability and risk of people and development to natural hazards.

Policies

- (a) To manage the siting of buildings and structures within the Wellington Fault Special Study Area.
- (b) To limit the scale and intensity of development in areas susceptible to the landslide hazard.
- (c) To limit the scale and density of development in areas where the risk of flooding is medium to high.
- (d) To manage areas susceptible to coastal hazards such as coastal erosion and sea level rise.

Explanation and Reasons

The Plan seeks to identify four main types of natural hazards in the City. These are as follows -

Seismic Induced Hazards

The Wellington Region is located on the boundary of two crustal plates and is cut by four major active faults. Consequently the Region is frequently shaken by moderate to large earthquakes. Ground deformation along active faults, liquefaction, landslides and tsunamis are other effects caused by earthquakes. Within the boundaries of the City, the Wellington Fault runs along the western side of the Hutt Valley from Petone to the Taita Gorge. This area has been identified as the Wellington Fault Special Study Area and there are special controls on the siting of buildings and structures with

respect to the location of the Wellington Fault. With regard to liquefaction and ground shaking there are adequate performance standards in the Building Act 1991.

Landslide Hazard

Landslides can be triggered by a large earthquake in the region or by excessive rainfall. The potential for landslides is increased by the removal of vegetation, excavation work and where cut and fill occurs. In those areas susceptible to landslide hazards, such as the Hill Residential, Landscape Protection and Passive Recreation Activity Areas, the scale and intensity of development is limited. There are also appropriate standards in the Plan managing slope stability as part of the subdivision or development process.

Flood Hazard

The Hutt River, Wainuiomata River and local streams have the potential to overflow their banks during long continuous periods of rainfall. In areas where the risk of flooding is medium to high the scale of density and development is limited, being set aside as rural and open space.

Coastal Hazard

Coasts are dynamic areas which are susceptible to such threats as sea level rise, storm waves and erosion. Coastal erosion is a natural part of beach behaviour and becomes a problem where development has occurred within the zone of natural beach movements.

Not all hazards are present in the City and it is unrealistic and not practicable for the Plan to provide protection from all of them. The type of protection afforded to seismic induced hazards, landslide hazards, flood hazards and coastal hazards can be partially achieved through controlling subdivision and development in identified hazard prone areas. The level of control used is based on the type or nature of the natural hazard, the degree of risk in terms of the severity of the impact, the frequency of occurrence, the likely economic impacts on property owners and the effectiveness of mitigation measures.

Proposed Plan Change to Chapter 3

See Amendments 5 to 6

3 Definitions

- 100-Year Flood:** a 100-year flood in the Hutt River is equal to a 1 in 100 year event and currently has a magnitude of approximately 1900cubic metres of water per second measured in Taita. It has about a 1% chance of being equalled or exceeded in any one year.
- Access Leg:** in relation to a rear site, means a strip of land which is included in the ownership of the site, and which provides the legal and physical access from legal road to the net area of the site and which may be satisfied by a registered right of way outside the title (outside the legal boundaries of the allotment).
- Accessory Building:** a building not being part of the principal building on the site, the use of which is incidental to that of any other building or buildings on the site. In the case of a site on which no building is erected, it is a building accessory to the use of the principal building permitted on the site. This includes a tool shed, playroom, recreation room, glasshouse, swimming pool and spa pool, and in rural activity areas will include buildings accessory to rural land uses.
- Accessory Part:** those parts which are essential for the effective operation of the end product.
- Allied:** any secondary activity on a site that is dependent on, related to or connected with the primary activity for that site.
- Allotment:** shall have the meaning set out in Section 218 of the Resource Management Act 1991.
- Ancillary Retailing:** retailing that is associated with the permitted activity but is not the primary activity on the site or in the building; such retailing is incidental and secondary to the principal activity.
- Antenna:** any broadcasting and/or telecommunication or radiocommunication apparatus for transmission or reception including the antenna mounting but not any supporting mast or similar structure. This definition includes any satellite dish.
- Archaeological Site:** as defined in the Historic Places Act 1993.
- Boarding House:** a building or buildings providing permanent or semi-permanent accommodation for more than five boarders/lodgers for profit.
- Boundary:** any boundary of the net site area and includes any road boundary or internal boundary.
- Internal boundary** means any boundary of the net area of the site other than a road boundary.
- Road boundary** means any boundary of a site abutting a legal road (other than an accessway or service lane) or contiguous to a boundary of a road designation. Frontage or road frontages shall have the same meaning as road boundary.

Building: means any structure or part of a structure, whether temporary or permanent, movable or immovable, but for the purposes of this Plan excludes:

- (a) any fence not exceeding 2 metres in height;
- (b) any retaining wall not exceeding 1.2 metres in height;
- (c) satellite dishes with a diameter not exceeding 0.6m and antennas 2.5m above the maximum height permitted in the activity area or the rules in Chapter 13 - Utilities.
- (d) all structures less than 1.2 metres in height and 20 m² in area;
- (e) all tents and marquees erected on a temporary basis for a period not exceeding 3 months;
- (f) all signs, as defined in this Plan.

Building Improvement Centre:

premises used for the storage, display and sale of materials used in the construction, repair, alteration and renovation of buildings and includes builders supply and plumbing supply centres and home and building display centres.

Childcare Facility:

a facility for the care and/or education of children including crèche, day care centre, kindergarten, Kohanga Reo, playcentre, playgroups and day nurseries; such facilities shall not provide for overnight stays.

Commercial Activity:

any activity of a commercial nature which principally comprises:

provision of office, financial, professional or other business services; including theatres, cinemas, video parlours, other places of entertainment, visitor accomodation, funeral parlours, showrooms, radio stations, television stations, car parking buildings, veterinary clinics, and any other use of a similar commercial nature

but which excludes:

- (a) retail activity, industrial activity, rural activity, recreational activity and residential activity; and
- (b) service stations, commercial garages, car sales yards and licensed premises.

Commercial Forestry:

the planting and management of trees and the felling of timber for commercial gain.

Commercial Garage:

- (a) the storage of 2 or more vehicles, caravans, boats or trailers, not belonging to the occupier of the premises or his or her family; and/or
- (b) any one or more of the following: motor vehicle engine and/or body repairs, overhauling or motor vehicles; and/or
- (c) any one or more of the following: panel beating, trimming or spray painting of motor vehicles provided these operations are on a small scale.

- Commercial Recreation Activities:** those recreational activities which require payment of a casual fee or membership fee for participation and includes camping grounds, public swimming pools and concessionaires (eg. jet ski hire, windsurfer hire).

- Community Activities/Facilities:** those activities which provide for the social and cultural needs of the community; and includes libraries, halls, plunket rooms and childcare facilities.

- Comprehensive Residential Development:** any residential development of 5 or more dwellings on a site and includes Papakainga housing.

- Contaminated Site:** a site at which hazardous substances occur at concentrations above background levels and where assessment indicates it poses or is likely to pose an immediate or long term hazard to human health or the environment.

- Cottage Industry:** the production of light goods by woodworkers, leatherworkers, metalworkers, caneworkers, glass blowers, fabric printers, paper makers, stone and/or bone carvers, potters, weavers or workers producing goods of a similar nature using hand tools or machinery of a light nature and includes the sale of goods produced on the premises but not the sale of any other goods.

- Council:** The Hutt City Council.

- Critical Facility:** any facility which provides critical services and includes ambulance, fire and police stations, and hospitals.

- Detention Facility:** a building or buildings for the detention or accommodation of persons detained pursuant to any statutory provision, where such detention is imposed for the protection of members of the public.

- Display Window:** a window which permits the public to view display space within a building.

- Dripline:** the line formed when a vertical line from the outermost extent of the spread of the tree's branches or canopy meets the ground.

- Drive Through Retail:** a retail outlet at which customers receive service while in their vehicles.

- Dust Nuisance:** a dust nuisance shall occur if there is visible evidence of suspended solids in the air beyond the site boundary and/or there is visible evidence of suspended solids from a dust source settling on the ground, building or structure of a neighbouring site, or water.

***Amendment 5**

- Dwelling House:** a building or unit within a building providing self-contained residential accommodation for a person, a family or non-family group and includes a foster home, women's refuge, accommodation for up to five boarders/ lodgers and residential facilities for up to and including seven people but excludes:
 - (a) comprehensive residential developments;
 - (b) detention facilities;
 - (c) visitor accommodation;

- (d) health care service; and
- (e) boarding houses.

NOTE: Proposed Plan Change 12 amends this definition by deleting point '(a) Comprehensive Residential Developments' and re-numbering '(b)-(e)' to '(a)-(d)'.

The definition show here is the wording in the Operative District Plan.

Proposed Plan Change 14 does not propose to add reference to 'comprehensive residential development'.

Earthworks: any modification of land associated with subdivision or development, including excavation and filling, removing and replacing soil, contouring, cutting, levelling, deposition of cleanfill, and road, driveway and access construction.

Ecotoxicity: adverse toxic effects on ecosystems or ecological communities, harmful to any living organism or ecosystem.

Effects Ratio Trigger Level: the value of the Effects Ratio which is used in the Consents Status Matrix to define whether a proposed development requires a land use resource consent. The Effects Ratio trigger level differs for different activity areas to account for the difference in acceptable levels of risk.

Emergency Facility: any service which provides critical services and includes fire, ambulance and police stations, and civil defence.

Environmentally Damaging Substance: any substance which, by effects other than toxicity, is able to damage an aquatic ecosystem (for example, milk or oil).

Extraction Activity: an operation in connection with prospecting, exploring and any mining operation including blasting, processing (crushing, screening, washing and blending), storage, distribution and sale of aggregates, ancillary earthworks, removal and deposition of overburden and rehabilitation works.

Gross Floor Area: the sum of the gross areas of all the floors of a building or buildings measured from the exterior faces of exterior walls or from the centre-lines of walls separating two buildings.

For the purposes of calculating car parking and loading requirements only, this definition shall not include the floor area of interior balconies and mezzanines not available to the public, and any carparking within the building.

Hazardous Facility: activities involving hazardous substances and sites, at which these substances are used, stored, handled and disposed of

but which excludes:

- (a) the incidental use and storage of hazardous substances in minimal domestic scale quantities including up to 100kg of LPG;
- (b) fuel in motor vehicles, boats and small engines;

- (c) retail outlets for the domestic scale usage of hazardous substances (i.e. supermarkets, hardware shops, pharmacies, home garden centers);
- (d) developments that are potentially hazardous but do not involve hazardous substances (i.e. high voltage transmission lines, radio masts etc.);
- (e) facilities using genetically modified or new organisms;
- (f) trade waste sewer and waste treatments or disposal facilities;
- (g) gas and oil pipelines;
- (h) the occasional loading and unloading of hazardous substances on a site where this forms only a minor part of the site operations and includes the carriage of explosives within the Extraction Activity Area; and
- (i) oil filled transformers containing less than 1000 litres of oil.

Hazardous Waste: waste that poses a present or potential future threat to the environment due to, for example, its explosive, flammable, reactive, toxic, corrosive or infectious nature.

Health Care Services: any activity which provides services relating to physical and mental health and welfare and includes acupuncturists, chiropractors, dentists, dietitians, homeopathy practitioners, medical practitioners, medical radiographers, medical social workers and counsellors, naturopathy practitioners, nurses, occupational therapists, opticians, optometrists, osteopaths, pediatricians, pharmacists, physiotherapists, podiatrists, psychotherapists, and psychologists.

Height: **Maximum Height** shall be the perpendicular distance between the lowest ground level at any point and the highest part of the building immediately above that point.

- (a) For the purposes of calculating maximum height, ground level shall be deemed to be:
 - (i) the natural level of the ground or the finished level of the ground as a result of an approved subdivision, and shall not include earthworks which have resulted or will result from work undertaken as part of the construction of any building or development of the site.
 - (ii) where the natural ground level has fluctuated over time, as a direct result of nature, the natural ground level will be the level that exists at the time the level has to be ascertained.
- (b) When calculating maximum height the following shall be excluded:
 - (i) antennas, satellite dishes with a diameter not exceeding 0.6m, flagpoles, finials or other similar decorative features where the maximum height is not more than 3.0m above the maximum height permitted for the activity area and this shall also apply to utilities listed in Chapter 13 - Utilities.

- (ii) chimneys, flues and ventilation shafts.
- (iii) conductors relating to utilities.

Maximum Overall Height shall be the vertical distance between the lowest ground level and the highest part of the building immediately above that point.

- (a) For the purposes of calculating maximum overall height, ground level shall be deemed to be the lowest of the following levels:
 - (i) the finished level of the ground as a result of an excavation for building construction works.
 - (ii) the finished level of the ground as a result of any other works.
- (b) When calculating maximum overall height the following shall be excluded:
 - (i) antennas, satellite dishes with a diameter not exceeding 0.6m, flagpoles, finials or other similar decorative features where the maximum height is not more than 3.0m above the maximum height permitted for the activity area and this shall also apply to utilities listed in Chapter 13 - Utilities.
 - (ii) chimneys, flues and ventilation shafts.
 - (iii) conductors relating to utilities.

Helicopter Landing Areas:

any defined area of land or water, and any defined area on a structure, intended or designed to be used either wholly or partly for the landing, departure and surface movement of helicopters.

Historic Area: as defined in the Historic Places Act 1993:

Historic Place: as defined in the Historic Places Act 1993:

Housing for the Elderly: a building or part of a building used as a home under the Old People's Homes Regulations 1987 or any Regulation in substitution thereof. It includes old people's homes, rest homes, pensioner housing developments, retirement villages and associated ancillary facilities such as medical, recreational and other communal facilities which offer an exclusive service to the residents of the Home for the Elderly.

Individual Retail Activity:

a retail activity carried on under a single trading name from or in single premises.

Industrial Activity: any activity of an industrial nature which principally comprises:

- (a) extraction or conversion of natural resources;
- (b) production, manufacture or processing goods or energy from natural or converted resources;

- (c) research for industrial purposes, geological purposes or agricultural purposes;
- (d) service, repair or hire of goods; and
- (e) storage of goods;

but which excludes:

- (a) retail activities;
- (b) home occupations;
- (c) rural/agricultural activities; and
- (d) extraction activities.

Intensive Farming: the raising of livestock where

- (a) livestock are kept in buildings or concentrated on open space, or
- (b) livestock live predominantly off feed other than grass, or
- (c) more than five adult pigs (defined to be one year or older) are kept in buildings or on pasture.

Intersection: as defined in Section 2 of the Traffic Regulations 1976 and subsequent amendments, with the following provisos:

- (a) That where the areas so defined are separated by less than 50 metres, the intersection also includes all connecting roadways; and
- (b) That the edges of roadways are defined by kerblines and not painted markings.

Kohanga Reo: premises (language nest) where preschool children are taught and cared for in accordance with Tikanga Maori (Maori customs).

Kokiri Centre: as defined in the Maori Purposes Act 1980 to be any premises in which training and tuition is given in respect of any of the following matters:

- (a) any trade, profession or occupation:
- (b) Any skill or art that promotes the general social well-being of the community:
- (c) Maori language, Maori customs and traditions, Maori arts and handicrafts, and other aspects of Maori culture essential to the identity of the Maori race:
- (d) Languages, customs and traditions, and arts and handicrafts of members of other areas.

Landfill: an area of land used for disposal of wastes for land, run in accordance with safety and environmental requirements laid down by a regulatory authority.

Landscape Furniture:	includes picnic tables, seating, rubbish bins, lights, and tree protector guards.
Landscaping:	the provision of tree and/or shrub plantings and may include any ancillary lawn, water, rocks, paved areas, amenity features or other forms of hard landscaping.
Licensed Premises:	any premises, or any part of any premises, on which liquor may be sold pursuant to a licence; and includes any conveyance, or any part of any conveyance, in which liquor may be sold pursuant to a licence.
Living Court:	a part of a net site area set aside for outdoor activities which is required to be unoccupied and unobstructed by buildings, pedestrian accessways or parking areas except as otherwise provided for in this Plan.
Mana Whenua:	customary authority exercised by an iwi or hapu in an identified area.
Marae:	includes the meeting house, dining hall, educational and associated facilities and residential accommodation associated with the marae.
Mast:	any mast, pole, tower or similar structure designed to carry antennas to facilitate broadcasting, telecommunications and radiocommunications. This definition excludes any arm supports.
Minor Boundary Adjustment:	an adjustment or relocation of allotment boundaries which is desirable in order to improve the practicality of existing boundaries providing the number of titles and the general area and use of the allotments remains the same.
Net Site Area:	the total area of a site for the exclusive use of a single dwelling unit, including any area provided for parking or manoeuvring space and building, but does not include land held in common ownership, communal open space, communal parking and rights-of-way, and access legs to a rear site.

***Amendment 6**

Noise Sensitive Activity: means any:

- residential activity;
- visitor accommodation, boarding house or other premises where residential accommodation for five or more travellers is offered at a daily tariff or other specified time; or
- childcare facility.

Non-residential Activity: the use of land and buildings for any activity within a residential or rural activity area which does not fall under the definition of residential activity and which does not meet the conditions for a home occupation.

Notable Tree: a tree recognised as possessing some significance or special value in the City, and which is listed in Chapter 14G - Appendix Trees 1.

Offensive Odour: an offensive odour occurs when an odour can be detected and is determined to be offensive by one or more observers; including at least one council officer.

Office Activities: any commercial, professional or administrative office and includes banks and offices of finance and building societies.

Off-licence:	any premises licensed under Part II of the Sale of Liquor Act 1989 from which to sell or deliver liquor on or from the premises to any person for consumption off the premises.
Papakainga Housing:	residential accommodation on Maori owned land.
Passive Recreation:	those recreational pursuits which are of a passive nature including walking picnicking, swimming, fishing and activities of a similar nature.
Places of Assembly:	any land and buildings which are used in whole or in part for the assembly of persons for such purposes as meetings of spiritual, cultural, entertainment, social, education or similar purposes and includes churches, halls, clubrooms, health and fitness centres.
Pesticide:	any substance used for the prevention or control of any pest including herbicides, fungicides, defoliants and desiccants, but not including any fertiliser or animal remedies.
Plan:	this District Plan.
Public Access:	the right or opportunity of the public to use or visit an area of land.
Recession Plane:	a control relating to the receipt of natural light by adjoining sites; this control does not apply to chimneys, antennas, satellite dishes with a diameter not exceeding 0.6m, flagpoles, and any part of a mast that above a height of 2.5m from ground level has a diameter not exceeding 0.6m.
Recreation Activity:	any activity whose primary aim is the passive or active enjoyment of leisure, whether competitive or non-competitive, casual or organised; and recreation has a corresponding meaning.
Regional Council:	the Wellington Regional Council.
Registered Place:	a place registered under Part II of the Historic Places Act 1993.
Regulations:	the Resource Management Regulations 1992 and including any amendments.
Residential Activity:	the use of land and buildings for any domestic/living purposes by people living in the building, but does not include home occupations or non-residential activities.
Residential Facility:	a building or buildings and activities providing: <ul style="list-style-type: none"> (a) residential support/care; (b) respite care; and (c) therapeutic/rehabilitation services; <p>but which excludes:</p> <ul style="list-style-type: none"> (a) dwelling house (including residential facilities for up to and including seven people); (b) comprehensive residential developments;

- (c) detention facilities;
- (d) visitor accommodation;
- (e) health care service; and
- (f) boarding houses.

Restaurant or Cafe: any land and/or building on or in which food is sold to the public generally for consumption on the premises.

Retail Activity: any activity which involves display, sale or hire of goods direct to the public; and includes restaurants, cafes and takeaway food premises, off-licences, auction rooms, hair dressers, laundries and dry cleaners; but excludes service stations, commercial garages, car sales yards, video parlours and licensed premises.

Risk: the probability of an event occurring and the extent of likely damages caused by that event:

Individual Risk: maximum probability that an individual person, object or function, if present in a certain location for a certain period, would be harmed by the cumulative risk from all the hazards from one or more sources.

Societal Risk: maximum probability that a group of a certain maximum size may get simultaneously killed by the cumulative risk from all the hazards from one or more sources.

Roading Hierarchy: a classification of roads which consists of distributor routes for through-traffic and access routes for local access purposes.

Root Zone: for most species the root zone can be taken to be the dripline of the tree. For trees with a narrow upright form a minimum of 3 metres either side of the trunk shall be taken as the root zone.

Runanga: tribal representative and administrative body.

Rural Service Industry: small scale activities servicing rural needs such as: fencing contractors, topdressing contractors and machinery maintenance contractors.

Separation Distance: the distance from the edge of the area where hazardous substances are used, stored or otherwise handled, to the edge of the area exposed to adverse effects.

Service Booth: a position at a drive through retail outlets where vehicles stand while receiving service.

Servicing Hours: the hours when deliveries can be made to and from a site. Such deliveries include all collection or distribution of products, supplies, raw materials, waste materials and mail deliveries.

Service Industry: small scale activities serving local needs such as:

- (a) bakeries and catering depots;

- (b) cabinet makers and associated woodcrafts, furniture restoration and upholstery;
- (c) dressmaking, tailoring and footwear repair;
- (d) jewellery manufacture and repair;
- (e) laundries, dry cleaning;
- (f) precision instrument manufacture and repair (including medical, surgical, optical, dental, photographic and electronic equipment);
- (g) repair and servicing of household and garden equipment and appliances;
- (h) studios (including arts and crafts, photographic recording);
- (i) watch and clock repairs; and
- (j) any other activity of a similar nature, being essentially small scale and which does not detract from the amenities of the locality.

Service Station:

any site used for the retail sale of the following:

- (a) Retail sale of petrol, provided the storage does not exceed 100,000 litres;
- (b) Retail sale of diesel, provided the storage does not exceed 50,000 litres;
- (c) Retail sale of LPG, provided the storage does not exceed 6 metric tonnes in aboveground tanks, or 20 metric tonnes in underground tanks which comply with the Australian Standard AS 1596 - 1989 supplement No.1:1994 for LP Gas Storage and Handling - Siting of LP Gas Automotive Retail Outlets;
- (d) Retail sale of CNG, Kerosene, and lubricating oils for motor vehicles;
- (e) Retail sale of tyres, batteries, and other accessories normally associated with motor vehicles;
- (f) Retail sale of general goods for the convenience and comfort of persons calling at the service station for the services described in this definition, provided that such goods shall be sold only when the service station is open for normal motor vehicle servicing. Retailing of such goods shall be ancillary and secondary to the sale of motor fuels and mechanical repairs;

Unless the site is located in a commercial activity area, not more than 150 m² of the building may be used for the sale of general goods;

- (g) The mechanical repair and servicing of motor vehicles, (excluding trucks, buses and heavy vehicles) trailers and motor fueled domestic equipment, provided that all motor repair and servicing activities are undertaken inside a building. Mechanical repairs and servicing shall not include body repairs, panel beating, trimming, spray painting, and

heavy engineering (such as engine reboring and crankshaft regrinding) or the refuelling, adding air, water or oil (but not changing) where the vehicle is in the forecourt for a short period of time; and

(h) The mechanical washing of motor vehicles.

Shape Factor: a shape of a minimum size which must be able to be placed wholly within the site.

Showroom: an area of a building used for the display of goods and where trade sales are permitted.

Sign: any word, letter, model, sign, banner, placard, board, hoarding, billboard, poster, symbol, emblem, notice, name, image, character, outline, spectacle, display, delineation, announcement, device or representation, or any other means of a similar advertising nature intended to principally attract attention whether a specially constructed device, structure or apparatus, whether painted, printed, written, carved, inscribed, endorsed or projected onto a place or otherwise fixed or attached to any wall, roof, fence, rock, stone, structure, canvas or stationary vehicle. Aerial signs (for example, blimps) and free standing signs are included.

Sign does not include any advertising matter placed on or within a display window of a shop, business (excluding home occupation) or industrial premises and does not include traffic signs.

Onsite Sign: a sign which is located on the site to which it relates.

Offsite Sign: a sign which advertises products, goods or services not available on the site on which the sign is located.

Face Area: the total area of a sign facing any one direction.

Where the lettering or design is on an existing surface, the face area of a sign is calculated by measuring the area which encloses all symbols, emblems, words and letters which make up the sign, together with any material or colour forming an integral part of the display or used to differentiate such a sign from the background against which it is placed.

Temporary Sign: a sign advertising an event not held frequently or regularly. A temporary sign shall only be visible for a short period of time.

Significant Natural, Cultural and Archaeological Resources:

any natural, cultural or archaeological resource which is considered to be significant to the City for historical, cultural, archaeological, botanical, geological or zoological reasons and which is listed in Chapter 14E - Appendix Significant Natural, Cultural and Archaeological Resources 1.

Site: an area of land which is:

1. (a) comprised in a single allotment, or other legally defined parcel of land and held in a single certificate of title; or
- (b) comprised in a single allotment or legally defined parcel of land for which a separate certificate of title could be issued without the further consent of Council;

2. any area of land which comprises two or more adjoining legally defined parcels of land held together in one certificate of title in such a way that the lots cannot be dealt with separately without prior consent of the Council; or
3. an area of land which comprises two or more adjoining certificates of title where such titles are:
 - (a) subject to a condition imposed under section 37 of the Building Act 1991 or section 643 of the Local Government Act 1974 incapable of being legally disposed of separately; or
 - (b) held together in such a way that they cannot be dealt with separately without the prior consent of Council;

except that site shall have the following meaning in the cases as set out in 4 to 6 below.

4. In the case of land subdivided under the cross lease or company lease systems (other than strata titles), site shall mean an area of land containing:
 - (a) a building or buildings for residential or business purposes with any accessory building(s), plus any land exclusively restricted to the users of that/those building(s); or
 - (b) a remaining share or shares in the fee simple creating a vacant part(s) of the whole for future cross lease or company lease purposes; and
5. In the case of land subdivided under the Unit Titles Act 1972 (other than strata titles), site shall mean an area of land containing a principal unit on a unit plan together with its accessory units; and
6. In the case of strata titles, site shall mean the underlying certificate of title of the entire land containing the strata titles, immediately prior to the subdivision.

Site shall also include the access to the site.

Front Site: a site having frontage to a legal road of not less than the minimum required.

Corner Site: a site which lies within a general change of direction of abutting roads;

Through Site: a site having 2 or more road frontages, other than a corner site;

Rear Site: a site situated to the rear of another site or a site not having the required frontage for a "Front Site".

Site Coverage: that portion of a site which is covered by any buildings.

Spill Containment System:

a structure which will contain liquids or solids in the event of a spill, and prevent them from entering the stormwater system or a natural water body.

Staff Member:

in relation to a place of employment either a full time or part time employee.

Supermarket:

the use of a building, having a floor area exceeding 350 m², principally retailing groceries (including fresh fruit, vegetables, meat, fresh fish, bakery, delicatessen and liquor). A supermarket may also retail small variety goods (such as manchester, apparel and kitchenware), provided that the variety component occupies less than 20% of the floor area and that separate specialty shops do not comprise part of the operation.

Tangata Whenua:

in relation to a particular area, means the iwi or hapu, that holds mana whenua over that area.

Taonga:

treasure; property.

Trade Sale:

the sale of an item either singularly or in bulk to a person who uses such an item in his/her occupation or to a person who resells, modifies, utilises or further processes such item as part of his/her business.

Trading Warehouse:

a building used for the storage of bulky goods or materials, and/or for the storage of goods in bulk for sale from the premises and which is appropriately situated in a location peripheral to a main shopping area. Such uses include trade supplies and furniture or carpet warehouses, but exclude uses such as supermarkets and department stores or other retail premises engaged in retailing and/or wholesaling directly to the public rather than to resellers.

Utilities:

comprises the following:

- (a) transformation, transmission or distribution of electricity provided by network utility operators or requiring authorities, and private connections to such utilities;
- (b) drainage or wastewater reticulation provided by network utility operators or requiring authorities and private connections to such utilities;
- (c) the distribution of water for supply, including irrigation;
- (d) broadcasting, telecommunication and radio communication facilities including transmitting/receiving devices such as antennas, dishes, wires, insulators, casings, tunnels and associated equipment as well as support structures such as towers, masts and poles and ancillary buildings;
- (e) pipes for the distribution or transmission of petroleum or natural or manufactured gas, and necessary incidental equipment provided by network utility operators or requiring authorities, and private connections to such utilities;
- (f) pipes for the conveyance of irrigation water, or drainage of water or wastewater, and necessary incidental equipment including pumping stations provided by network utility operators or requiring authorities and private connections to such utilities;

- (g) lighthouses, meteorological facilities, navigational aids and beacons including approach control services within the meaning of the Civil Aviation Act 1990;
- (h) roads, footways, cycleways and service lanes;
- (i) street lighting poles, traffic signals and equipment (including surveillance cameras);
- (j) street furniture and traffic signs, parking meters, parking control equipment, including Pay and Display Booths;
- (k) culverts;
- (l) recycling depots; and
- (m) wastewater treatment plants and booster pumping stations.

Urupa: burial ground.

Veterinary Clinic: any premises used for the medical care, surgery and associated holding of animals; but excludes animal pounds or animal boarding facilities.

Visitor Accommodation: any building or buildings offering temporary accommodation and includes (but is not limited to) motels, tourist houses, backpackers accommodation, hostels and youth hostels. It does not include motor camps or camping grounds, and board and lodging facilities for up to and including five people.

Waahi Tapu: a place sacred to Maori in the traditional, spiritual, religious, ritual or mythological sense.

Waahi Tapu Area: an area of land that contains one or more waahi tapu.

Warehouse: any building or part of a building or site used for the storage, distribution and trade sale of goods (but excluding bulk storage of fuel, oils and gases in any form) and ancillary workshops associated with the principal activity.

Yard: any part of a net site area which is unoccupied and unobstructed by buildings except as otherwise provided by this Plan. Yards shall be measured from the boundaries of the net site area.

Front Yard: an area of land between the road line and a line parallel to and extending the full width of the site; for the purposes of a corner site, there shall be two front yards;

Rear Yard: an area of land between the rear boundary of the site and a line parallel to and extending across the full width of the site;

Side Yard: an area of land between a side boundary of the site and a line parallel to and extending:

- (a) from the front yard to the rear yard; or

- (b) if there is no front yard, from the front boundary of the site to the rear yard; or if there is no rear yard, from the front yard or boundary, as the case may be, to the rear boundary of the site; or
- (c) if there are two or more front yards, from yard to yard.

For the purposes of a corner site, there shall be one side yard.

Proposed Plan Change to Chapter 5A

See Amendments 7 to 81

5A Central Commercial Activity Area

5A 1 Issues, Objectives and Policies

5A 1.1 Local Area Issues

**Amendment 7*

5A 1.1.1 Capacity of the Central Commercial Activity Area

**Amendment 8*

Issue

The capacity of the Central Commercial Activity Area needed to sustain a viable and vibrant central area that meets the current and future needs of the city as the centre of commercial, civic and community activities.

**Amendment 9*

Objective

To promote the efficient use and development of the physical resources in the Central Commercial Activity Area, whilst sustaining its vitality and vibrancy as the commercial, civic and community focus of Lower Hutt City.

**Amendment 10*

Policies

- (a) Identify the extent of the Central Commercial Activity Area which is generally bounded by High Street to the south, Cornwall Street to the east, Daly and Rutherford Streets to the west and Melling Road and Brunswick Street to the north, including the Market Grove area.
- (b) Recognise that the Central Commercial Activity Area has four precincts, being: Core, Commercial, Riverfront and Residential Transition, which have different issues and values, with different management approaches (see Map in Appendix Central Commercial 1 – Precincts).
- (c) Provide for capacity through providing for the redevelopment of existing property in the Central Commercial Activity Area, and making more efficient use of the land resource by providing for a wide range of activities.
- (d) Provide for taller buildings in the Central Commercial Activity Area to accommodate a wide range of activities, while ensuring taller buildings do not detract from the character, qualities and amenity values of the central area and adjoining residential and recreational areas.
- (e) Restrict activities and development in areas outside the Central Commercial Activity Area that have the potential to undermine or detract from the vitality and vibrancy of the Central Community Activity Area, except as provided for in the other Commercial Activity Areas.

**Amendment 11*

Explanation and Reasons

The Central Commercial Activity Area needs to be of a sufficient capacity to meet the needs of current and future generations. The existing footprint of the central area is well-established with boundaries defined based on existing land uses. Within the

overall central area, there are four sub-areas or precincts which have specific issues and values. These precincts are entitled Core, Commercial, Riverfront and Residential Transition, and have different management frameworks and requirements applying to the respective precincts.

Based on recent development trends, there is surplus capacity within this existing footprint to meet the anticipated needs of current and future generations for the central area through the more efficient use of land. This more efficient use is through the redevelopment of existing sites, and through additions and alterations to existing buildings. In addition, providing for a greater mix of activities in the central area provides for the adaptive re-use of existing buildings which may be currently under-utilised.

Furthermore, taller buildings provide the ability to more efficiently use the existing central area land resource. However, by providing for taller buildings, care is required to ensure these taller buildings do not detract from the amenity values of the central area and adjoining areas.

Commercial activities located outside the Central Commercial Activity Area may undermine the role and function of the central area. Therefore, it is important the management framework for other Activity Areas recognise and manage these types of activities and development to protect the vitality and vibrancy of the Commercial Activity Areas.

**Amendment 12*

**Amendment 13*

5A 1.1.2 Activities

Issue

The mix and diversity of activities in the Central Commercial Activity Area required to generate a commercial, civic and social ‘heart’ for the city, which supports economic and social wellbeing.

Objective

To increase the mix and diversity of activities in the Central Commercial Activity Area in a way that increases the number of people living, working within, and visiting the area.

Policies

- (a) Provide for and encourage a wide range of activities within the Central Commercial Activity Area, provided their adverse effects are compatible with other activities and the character and amenity values for the area.
- (b) Ensure that activities are managed to avoid, remedy or mitigate adverse effects in the Central Commercial Activity Area or on properties in nearby residential areas.
- (c) Restrict certain activities which may be incompatible with other activities and/or degrade the character and amenity values of the Central Commercial Activity Area.

Explanation and Reasons

Providing for a wide range of activities in the Central Commercial Activity Area is one of the primary strategies in creating and maintaining a vibrant and attractive central area. The central area is not just a commercial or business district (i.e. CBD), but a place that additionally supports local culture, civic function, entertainment, residential

living, socialising and generally a vibrant place. By providing flexibility in the use of land and buildings, this strategy enables developers and building owners to meet the changing dynamics of the economy and society. In addition, this strategy makes efficient use of the land within the Central Commercial Activity Area by providing opportunities for the re-use and redevelopment of existing buildings for different activities.

In providing for a wide range of activities, there is potential to cause adverse effects both within the Central Commercial Activity Area and in areas beyond its boundary, such as nearby residential areas. These effects include dust, noise and glare. The Plan manages these effects through applying performance standards to ensure these effects are avoided, remedied or mitigated.

Certain activities, such as service stations and industrial activities, may be incompatible with other activities in the Central Commercial Activity Area, in terms of their nature and intensity of use, traffic generation, noise and odour. Therefore, the Plan restricts the establishment and operation of specific activities to manage the location, nature and scale, to ensure if they are established, that they operate in a manner which does not detract from the values for people living, working within, and visiting the central area.

**Amendment 14*

**Amendment 15*

5A 1.1.3 Retail Activities

Issue

The nature and widely different scale of retail activities can degrade the quality and sustainability of the existing Central Commercial Activity Area.

Objective

To encourage a central public focused retail core and to recognise and provide for a mix of retail format sizes in some parts of the Central Commercial Activity Area.

Policies

- (a) Provide for retail activities throughout the Central Commercial Activity Area based on precincts.
- (b) Manage the scale and location of retail activities based on precincts to ensure that they sustain the vitality and vibrancy of the Central Commercial Activity Area.
- (c) Ensure retail activities and developments contribute to an attractive and public focused retail core, and are compatible with the qualities and amenity values of the Central Commercial Activity Area.

Explanation and Reasons

Retail activities are continually changing in response to market pressures. As the central focus and main concentration of existing retail activity in Lower Hutt City, the Central Commercial Activity Area needs to be adaptive to these changes, while ensuring these changes do not degrade or undermine the vitality and vibrancy of this area and its amenity values.

The retail activities in the central area are a mix of speciality and comparative shops. They vary in size throughout the central area, with a general pattern of small-scale speciality shops at the southern end and larger-scale shops at the northern end. A precinct based approach recognises this difference in the location and scale of shops,

which is an important characteristic in maintaining the vitality and vibrancy of the central area.

**Amendment 16*

**Amendment 17*

5A 1.1.4 Incompatibility Between Different Activities

Issue

Incompatibility between different activities in the Central Commercial Activity Area, in particular, the sensitivity of residential activities to other activities.

Objective

To encourage residential activity within the Central Commercial Activity Area and ensure that it recognises and provides for the potential effects of other activities in the area.

Policies

- (a) Provide for and encourage residential activities within the Central Commercial Activity Area, provided they adopt on-site measures to mitigate potential incompatibility issues with other activities.
- (b) Ensure residential activities and development are designed and constructed to provide an attractive and liveable environment for occupants, and meet the service needs of this type of activity.

Explanation and Reasons

It is anticipated the Central Commercial Activity Area will experience some residential development, with a particular focus on apartments in the central core and overlooking the river corridor and terraced townhouses along the periphery with the residential areas. Residential activities can positively contribute to the vitality and vibrancy of the central area, as these residents have convenient access to retail, commercial, community and civic amenities. In addition, with changing demographics of an aging population and smaller household units, providing for and encouraging residential activities within the Central Commercial Activity Area provides another option for meeting the requirements of future residents in the city. Residential activities would also support other activities in the Central Commercial Activity Area, such as commercial and community activities, which would result in a more lively and active area contributing to the economic and social wellbeing of the city.

However, residential activities may be incompatible with some other activities in the Central Commercial Activity Area, in particular, they may be sensitive to noise from other activities. Rather than overly restricting other activities, it is appropriate that the residential activities mitigate this sensitivity by providing for external noise insulation.

**Amendment 18*

5A 1.1.5 Hutt River Corridor

Issue

Orientation and identity of the Central Commercial Activity Area in relation to the Hutt River corridor.

Objective

To recognise and enhance the significant amenity, natural and recreational values of the Hutt River and its relationship to activities in the Central Commercial Activity Area.

Policies

- (a) Encourage the development of a river side promenade by managing activities and development along the river frontage, in conjunction with flood protection works.
- (b) Ensure that activities and development along the riverbank does not adversely affect the stability of the flood protection works, limit public access to the river or impact on the amenity, natural and recreational values of the area.

Explanation and Reasons

The Hutt River contributes to the identity and special qualities of the central area. Recognising and enhancing the relationship of the Central Commercial Activity Area to the Hutt River corridor would contribute towards improving the attractiveness and vitality of the central area. A new river side promenade could occur in conjunction with an upgrade to the flood protection works adjacent to the central area. This upgrade provides opportunities for the redevelopment of the relationship of buildings and development along this edge of the central area.

The river is also an ever present flood risk to the central area. Upgrading and ongoing maintenance of the flood protection works is required to ensure the integrity of these structures are maintained. It is important that activities and development are managed on and adjacent to these flood protection works to protect them from damage. It is imperative the management of the river corridor is undertaken in collaboration with Greater Wellington Regional Council.

***Amendment 19**

5A 1.1.6 Vehicle Oriented Activities

Issue

Vehicle-oriented activities that affect the transport network and demand for large parking areas.

Objective

To maintain and enhance convenient and safe access to and throughout the Central Commercial Activity Area.

Policies

- (a) Manage the establishment and operation of vehicle-oriented activities where traffic generation is likely to have adverse effects on the safety and efficiency of the transport network in the Central Commercial Activity Area and on the amenity values of the central area.
- (b) Promote improved services and facilities for public transport and other modes of non-motorised transport, including for people with limited mobility, in the Central Commercial Activity Area and connections to the wider city.

Explanation and Reasons

Some types of activities have a heavy dependence on private motor vehicles for access, such as supermarkets, takeaway outlets and service stations. Managing these types of activities ensures the effects on the transport network can be effectively assessed. This approach also relates to retail activity precincts for the Central Commercial Activity Area, where vehicle-oriented activities are typically larger in scale. This integrated approach ensures that vehicle oriented activities are managed in terms of their effects on the amenity values of the central area.

Overall, good access to the central area for all modes of transport would contribute towards a sustainable city. The District Plan seeks to promote improved access to the central area for all modes of transport, including public transport and non-motorised modes of transport such as pedestrians and cycling. Providing for the needs of people with mobility requirements also contributes to the wellbeing of residents and visitors. A collaborative approach with other authorities will be required in implementing these policies, including the New Zealand Transport Agency and Greater Wellington Regional Council.

5A 1.2 Site Development Issues

**Amendment 20*

**Amendment 21*

5A 1.2.1 Quality of Buildings and Open Spaces

Issue

The quality of buildings (internally and externally) and open spaces (including surface carparks) affects the amenity values of the Central Commercial Activity Area.

Objective

To maintain and enhance the built character in the Central Commercial Activity Area by ensuring development addresses the attributes of the anticipated character for the area.

Policies

- (a) Provide for alterations and minor additions to existing buildings, subject to minimum standards, and encourage high quality urban and built form design for these building modifications.
- (b) Manage new buildings and developments and larger additions to existing buildings, to be well designed and to contribute to the creation or maintenance of an integrated, safe and attractive Central Commercial Activity Area with a high standard of streetscape and pedestrian amenity.
- (c) Manage new buildings and developments and larger additions to existing buildings, to achieve a high quality urban and built form design, to integrate with the surrounding streetscape and buildings and to contribute to the anticipated character for the precincts within the Central Commercial Activity Area.
- (d) Manage building height based on precincts which reflect the form and context of their location, with taller buildings in the Core and Riverfront Precincts and lower buildings in the Commercial and Residential Transition Precincts.

- (e) Manage prominent sites to promote identity, visual reference and orientation, and act as gateways by managing the design and appearance of new buildings and developments, including additions and alterations.
- (f) Encourage all new buildings to provide appropriate levels of natural light to occupied spaces within the building.
- (g) Encourage the quality and amenity of residential buildings by guiding their design to ensure current and future occupants have adequate private outdoor space, ongoing access to daylight, and an external aspect.

Explanation and Reasons

The function and attractiveness of the central area is contributed to by the design of buildings and developments. Alterations and small additions to existing buildings within the Central Commercial Activity Area are provided for to facilitate the upgrading, modification or conversion of the existing building stock in the central area. For these small modifications to existing buildings, Council will encourage high quality building design to make a positive contribution to the built character and quality of the central area.

New buildings and developments and larger additions to existing buildings within the Central Commercial Activity Area will be specifically managed to ensure they relate well to the public environment and support the overall role of the central area as the focal point of commercial, community and civic functions.

It is recognised there are a variety of existing building forms and styles which are of a mixed quality. The District Plan seeks to manage the design of buildings and developments to ensure they positively contribute to the central area environment by adopting best practice urban design outcomes. Through the development and implementation of design guidance, the Council will guide and assess the appropriateness of the urban design outcomes resulting from development in the central area.

The general built form of Lower Hutt City is based on a conceptual urban transect of taller buildings and higher density in the central area through to lower buildings and density in the surrounding areas. In the Central Commercial Activity Area, the tallest buildings are located in the centre, being the Core and Riverfront Precincts, with lower buildings in the Commercial and Residential Transition Precincts reflecting the gradation towards the predominantly residential areas. Height standards are applied to manage new buildings which reflect this built form.

Taller buildings on prominent sites will be specifically managed due to their greater visual exposure and their role in creating landmark features. Particular sites in the Central Commercial Activity Area have been identified as prominent sites, with supporting design guidance provided to manage the building design.

Provision has been made for intensive residential development in the Central Commercial Activity Area. It is important buildings to be occupied for residential living purposes are designed to provide suitable amenity for the future occupants (e.g. natural light and sunlight access, and an external aspect). Encouraging provision for natural light to all habitable and high use areas of new buildings will assist in creating an attractive internal environment and help to reduce the on-going energy requirements of new buildings. Design guidance is provided to encourage quality residential buildings to be developed which provide for these qualities as the Central Commercial Activity Area develops further.

5A 1.2.2 Relationship of Buildings to Streets and Open Spaces

Issue

The relationship of buildings to streets and open spaces (including parks and reserves) affects the quality of these public places and their amenity for people using them.

Objective

To ensure development maintains and enhances the amenity and safety of the Central Commercial Activity Area, in particular, maximising pedestrian comfort and safety.

Policies

- (a) Ensure that buildings are designed and located in a manner that enhances the safety, convenience, accessibility and amenity of pedestrian spaces and linkages within the Central Commercial Activity Area.
- (b) Require buildings to maintain an active, transparent and continual frontage, as well as shelter along identified streets, to provide a pedestrian focused central core to the Central Commercial Activity Area.
- (c) Protect sunlight access to identified public spaces including streets and open spaces within the Central Commercial Activity Area and ensure new buildings and additions and alterations to existing buildings minimise overshadowing of the identified public spaces during periods of high use.
- (d) Encourage high quality urban design directed at enhancing the relationship of buildings with public open space and having regard to the significant heritage elements and built form of existing scheduled heritage buildings.
- (e) Encourage buildings to be well designed to manage the adverse effects on amenity values, including visual, wind and glare.

Explanation and Reasons

Maintaining and enhancing the amenity values in the Central Commercial Activity Area will make the area more attractive and enjoyable for people. The relationship of buildings to the public environment, such as streets and open spaces, makes an important contribution to the amenity and safety within the central area. One important interface is the ground level relationship between buildings and the streetscape. Requiring display windows and buildings to be located on the front boundary of identified key roads maintains and enhances the quality of the streetscape for pedestrians. In addition, requiring shelter for pedestrians along the identified key roads provides protection from adverse climatic conditions and provides a more comfortable environment.

One of the valued qualities of the Lower Hutt City central area is the access of sunlight to public spaces, including streets and open spaces. However, it is recognised that protecting sunlight access to all areas of public space in the central area would conflict with some other objectives for the Central Commercial Activity Area. Therefore, specific locations have been identified based on highly used areas within the central area to protect for sunlight access to provide an attractive environment to visitors and residents in the central area.

The design of buildings influences the amenity values of the central area, as well as recognising the elements and form of heritage buildings. The District Plan encourages

high quality urban design through guidance and advocacy from an early stage in the building design process.

The existing wind speeds at ground level within the Central Commercial Activity Area are variable, with some areas experiencing high and dangerous conditions. In addition, in some locations within the Central Commercial Activity, such as areas of open space and outdoor street activity, calmer wind conditions are desirable to provide a more attractive environment. The wind conditions contribute to the overall amenity in the central area, with buildings having a direct relationship with the resultant wind conditions. Accordingly, the District Plan manages new buildings and larger additions to existing buildings over 12 metres in height in specific locations to ensure the wind conditions are not worsened.

**Amendment 24*

**Amendment 25*

5A 1.2.3 Adjoining Residential Areas

Issue

The orientation and scale of buildings in the Central Commercial Activity Area and their effects on the amenity values of the adjoining Residential Areas.

Objective

To recognise and protect the amenity values of the nearby residential areas from use and development in the Central Commercial Activity Area.

Policies

- (a) Manage buildings and development in the Central Commercial Activity Area to ensure any adverse effects on the amenity values of the nearby residential areas are avoided, remedied or mitigated.
- (b) Restrict the height of buildings near the adjoining residential areas to minimise effects on the amenity values, including shading, over dominance and privacy.

Explanation and Reasons

The Central Commercial Activity Area shares an extensive interface with adjacent Residential Activity Areas. This interface is a particularly sensitive one as the effects associated with commercial activities and development have the ability to adversely impact on the use and enjoyment of neighbouring residential areas.

Given the extent of this interface, and the relatively unrestricted range of activities permitted within the Central Commercial Activity Area, the District Plan seeks to ensure that adequate safeguards are put in place to protect residential amenity. These safeguards include measures to control the effects of new buildings and development and larger additions to existing buildings, on adjacent residential areas, such as building height and location, building bulk, appearance, character, landscaping and screening, access, carparking, servicing, signage and lighting.

5A 1.2.4 Hutt River Corridor

Issue

The orientation and interaction between buildings and the Hutt River corridor and its effects on the identity and amenity of the city.

Objective

To recognise and enhance the significant amenity, natural and recreational values of the Hutt River and its relationship to development in the Central Commercial Activity Area.

Policies

- (a) Encourage the development of a river side promenade by managing buildings and development along the river frontage, in conjunction with flood protection works.
- (b) Manage new buildings and larger additions to existing buildings in the Riverfront Precinct to ensure they are designed to provide for adaptation in the future to respond to the upgraded flood protection works.
- (c) Ensure that buildings and development along the riverbank do not adversely affect the stability of the flood protection works, limit public access to the river or impact on the amenity, natural and recreational values of the area.
- (d) Facilitate improved public access between the river and the remainder of the Central Area, and along the riverbank between Ewen Bridge and Melling Bridge to incorporate the river's intrinsic amenity values into the central area and enhance the visual and access linkages between the river and the central area.

Explanation and Reasons

Buildings located within the Central Commercial Activity Area which are adjacent to the Hutt River corridor present some opportunities and constraints for maintaining and enhancing the attractiveness and vitality of the central area. The development of a river side promenade could occur in conjunction with an upgrade to the flood protection works adjacent to the central area. Buildings and development adjacent to this promenade will play a key role in activating this area, to create a vibrant and attractive area. New buildings and larger additions to existing buildings in the Riverfront Precinct need to be designed to provide for future adaptation to facilitate the long term vision for the riverfront, such as providing for a future active edge on the first floor facing Daly Street. Furthermore, in managing new buildings and development and larger additions to existing buildings, a key characteristic will be facilitating improved public access along the river corridor and connections with the core area of the Central Commercial Activity Area.

The river corridor itself is identified and managed in the District Plan for flood protection purposes. Physical flood protection measures are built and maintained by Greater Wellington Regional Council, with planned upgrading to occur. For the section of the river corridor adjacent to the Central Commercial Activity Area, upgrade works may be undertaken in the future. It is important that activities and development are managed on and adjacent to these flood protection works to protect them from damage. It is imperative the management of the river corridor is undertaken in collaboration with Greater Wellington Regional Council.

*Amendment 28

*Amendment 29

5A 1.2.5 Carparking

Issue

Providing for carparking within the Central Commercial Activity Area in a way that does not dominate streetscapes, or break up continuous built frontages, which can detract from the area's amenity values.

Objective

To promote carparking in locations and configurations which recognise and provide for their potential effects on streetscapes and the public environment.

Policies

- (a) Ensure that on-site carparking, servicing, manoeuvring, and access for all sites within the Central Commercial Activity Area avoids, remedies or mitigates the adverse effects on both traffic safety and efficiency, and on pedestrian safety and convenience.
- (b) Ensure that the design, location and scale of on-site carparking, servicing, manoeuvring and access have regard to the nature of the development and the existing or proposed use of the site.
- (c) Manage on-site carparking based on the Central Commercial Activity Area precincts, to maintain and enhance the streetscape and character in the different precincts.
- (d) Manage ground level carparking areas and carparking within structures in the Core, Riverfront and Residential Transition Precincts to maintain and enhance the streetscape and character in these precincts.
- (e) Manage the location, scale and nature of on-site ground level carparking areas in the Commercial Precinct to maintain and enhance the streetscape and character in this precinct.
- (f) Manage carparking structures and buildings and other areas providing large numbers of carparks to avoid or mitigate the adverse effects on the traffic network and character and amenity values in the Central Commercial Activity Area.

Explanation and Reasons

Activities within the Central Commercial Activity Area require good access provision both for pedestrians and vehicle based users. The integration of the transport network with development and activities is essential for the effective functioning of the central area. The provision of carparking needs to ensure that supply is both adequate and well located, while not compromising other forms of transport or degrading the amenity values of the central area.

The provision of suitable on-site carparking, servicing and access for all sites in the Central Commercial Activity Area is essential for the efficient functioning of the city. However, it is not necessary for each individual site to be self-sufficient, with the ability for shared facilities or reliance on public facilities, such as public carparks and service lanes. If on-site carparking, servicing and access is to be provided on-site, it should reflect the anticipated existing or future needs of the activities.

On-site carparking can also degrade the streetscape and character of the Central Commercial Activity Area. Therefore, performance standards and design guidance is provided to ensure on-site carparking is provided in a manner which recognises and reflects the streetscape and character of the different precincts in the Central Commercial Activity Area. These standards and guidance include managing ground level carparking and carparking structures.

**Amendment 30*

**Amendment 31*

5A 1.2.6 Energy Efficient and Low Impact Urban Development

Issue

Energy efficient and low impact urban development can reduce demand on resource use and support alternative energy sources.

Objective

To promote energy efficiency and environmental sustainability in development and use in the Central Commercial Activity Area.

Policies

- (a) Promote energy efficiency in the design and construction of buildings and developments, and in the operation of activities in the Central Commercial Activity Area, such as through the provision of solar access.
- (b) Provide for the installation and operation of domestic scale renewable energy generation facilities, such as roof top wind turbines.
- (c) Encourage the incorporation of low impact urban development principles in the design and construction of developments, including stormwater management and water quality.

Explanation and Reasons

Using energy more efficiently can reduce the demand for new energy generation and, thereby limit adverse effects on the environment from the generation and distribution of energy. Incorporating energy efficient principles into the design and construction of buildings and development can have short and long term benefits in terms of minimising adverse effects on the environment. For example, designing for solar access means providing for the sun to penetrate a building, a site or an open space to gain solar heat in winter and controlling solar radiation in summer.

Similarly, self-sufficiency with renewable energy generation can provide opportunities for reduced energy demand on the wider energy network. By adopting low impact urban development principles in the design of a building, this can have a number of positive outcomes, including reduced water demand, improved water quality and health benefits.

As research and technology is advancing in the areas of energy efficiency, renewable energy generation and low impact urban development, the District Plan aims to promote and facilitate the use of these initiatives, but not place any requirements at this time. Some matters are addressed in other legislation, such as the Building Act 2004 (specifically the Building Code) and other energy requirements.

5A 2 Rules

5A 2.1 Permitted Activities

**Amendment 32*

**Amendment 33*

(a) Activities which meet the conditions for Permitted Activities and are not included as a Restricted Discretionary or Discretionary Activity.

**Amendment 34*

(b) The redevelopment, alteration, and repair of existing buildings which does not change the external building form (floor area and height) of the existing building.

**Amendment 35*

(c) The erection, construction and development of additions to existing buildings with the additions having a gross floor area of less than 5% of the size of the existing building.

**Amendment 36*

(d) The total or partial demolition or removal of buildings and structures.

5A 2.1.1 Permitted Activities - Conditions

**Amendment 37*

**Amendment 38*

(a) **Maximum Height of Buildings and Structures:**

The maximum height of buildings and structures shall be as identified in Appendix Central Commercial 2 – Maximum Height.

**Amendment 39*

(b) **Minimum Yard Requirements**

Within the Residential Transition Precinct identified in Appendix Central Commercial 1 - Precincts, all buildings shall meet the following requirements:

(i) Front yard: 3 metres, except for buildings (or part of a building) for housing a vehicle (e.g. garage or carport) which has vehicular access directly from the street shall be 5 metres.

(ii) All other yards: 1.5 metres.

**Amendment 40*

(c) **Sunlight Protection**

All buildings and structures shall be designed and located to maintain sunlight access to public spaces within the Central Area as listed below (and shown in Appendix Central Commercial 4 – Sunlight Protection).

Sunlight access to the following public spaces within the Central Commercial Activity Area are protected between the stated times:

Public Space	Time period to be calculated using New Zealand Standard Time at either of the equinoxes (i.e. 21 March or 23 September)
• Andrews Avenue	12:00 noon to 2:00pm

This requirement shall not apply to:

(i) Any temporary structure that is erected and dismantled within a period less than 30 days in duration.

(ii) Any landscaping within an identified public space.

***Amendment 41**

(d) Building Frontages and Display Windows:

Any part of a building fronting a street, pedestrian mall, pedestrian walkway, or other public space identified in Appendix Central Commercial 3 – Verandahs, Building Frontages and Display Windows shall be built to the front boundary and have display windows along the frontage. The display windows shall meet the following requirements:

- (i) Within the Core, Commercial Precinct and Riverfront Precincts identified in Appendix Central Commercial 1 - Precincts, minimum of 60% of the ground floor façade surface shall be transparent glass display windows.

***Amendment 42**

(e) Verandahs:

Any part of a building fronting a street, pedestrian mall, pedestrian walkway, or other public space identified in Appendix Central Commercial 3 – Verandahs, Building Frontages and Display Windows shall have a verandah. The verandah shall meet the following requirements:

- (i) A minimum clearance of 2.5 metres directly above the footpath or formed ground surface.
- (ii) No more than 4 metres (measured at the base of the verandah fascia) directly above the footpath or formed ground surface.
- (iii) Extend for the full length of the building.
- (iv) Extend outwards from the front of the building to the far side of the kerbing less 450mm, or 3 metres which ever is the lesser.
- (v) Provide continuous shelter with any adjoining verandah or pedestrian shelter.

***Amendment 43**

(f) Screening:

All areas of outdoor storage shall be screened so that they are not visible from a road or public space.

***Amendment 44**

(g) Sites Abutting Residential or Recreation Activity Areas:

Where a site abuts a Residential or Recreation Activity Area, the following conditions shall apply:

- (i) Buildings and structures shall comply with the recession plane requirements of the abutting Residential or Recreation Activity Areas.
- (ii) Side and rear yards - minimum of 7 metres from the side and rear boundaries of any site in the Residential or Recreation Activity Area.
- (iii) All outdoor storage, carparking, and servicing areas must be screened so they are not visible from abutting sites in the Residential or Recreation Activity Area.
- (iv) Servicing of activities shall not occur between the hours of 10.00pm and 7.00am.

***Amendment 45**

***Amendment 46**

(h) Lighting

Any activity shall comply with the following requirements:

- (i) The emission of light (including glare) shall ensure that direct or indirect illumination does not exceed 8 lux (lumens per square metre) at the windows of buildings used for residential activities in any Residential Activity Area.

- (ii) Subject to the above standard, pedestrian routes and carparks available for public use during hours of darkness shall be lit at a minimum of 10 lux, measured in accordance with AS/NZS 1158.3.1 : 2005 and amendments.

***Amendment 47**

***Amendment 48**

(i) Dust

Any activity shall not create a dust nuisance at or beyond the boundary of the site to the extent it causes an adverse effect. This standard applies to contaminants which are not subject to a discharge consent and which are temporary or intermittent in nature.

***Amendment 49**

(j) Parking, Loading and Access

Any activity shall comply with the following requirements:

- (i) The requirements in Section 14A: Transport.
- (ii) For front road boundaries not identified in Appendix Central Commercial 3 – Verandahs, Building Frontages and Display Windows and in the Commercial Precinct identified in Appendix Central Commercial 1 - Precincts, any surface or ground level parking area shall not exceed a maximum width of 15m along the site frontage or 40% of the site frontage whichever is the lesser.
- (iii) In the Residential Transition Precinct identified in Appendix Central Commercial 1 - Precincts, no surface or ground level parking area shall be visible from a public space.

(k) General Rules:

Compliance with all matters in the General Rules - see Chapter 14.

5A 2.2 Restricted Discretionary Activities

***Amendment 50**

- (a) Any single retail activity with a gross floor area exceeding 500 m² up to 3,000m² in the Core, Riverfront and Residential Transition Precincts identified in Appendix Central Commercial 1 - Precincts.
- (b) Any single retail activity with a gross floor area exceeding 3,000 m² in the Commercial Precinct identified in Appendix Central Commercial 1 - Precincts.
- (c) Emergency Facilities.
- (d) The construction, alteration of, and addition to buildings and structures, except for those works permitted under Rules 5A 2.1(b) and (c).

***Amendment 51**

- (e) The construction, alteration of, and addition to buildings and structures over 12 metres in height (except for those works permitted under Rules 5A 2.1(b) and (c)) and where any part of the building or structure fronts a street, pedestrian mall, pedestrian walkway, or other public space identified in Appendix Central Commercial 5 – Wind Protection.

***Amendment 52**

Non-notification/service

In respect of Rules 5A 2.2(d) and (e), applications do not need to be publicly notified and do not need to be served on affected persons.

**Amendment 53*

5A 2.2.1 Matters in which Council has Restricted its Discretion

**Amendment 54*

- (a) **Any single retail activity with a gross floor area exceeding 500m² up to 3,000 m² in the Core, Riverfront and Residential Transition Precincts identified in Appendix Central Commercial 1 - Precincts.**
 - (i) Design, external appearance and siting.
 - (ii) Traffic effects, including the suitability of site access and site servicing arrangements.
 - (iii) Matters in the Central Commercial Activity Area Design Guide (Appendix Central Commercial 8).
- (b) **Any single retail activity with a gross floor area exceeding 3,000 m² in the Commercial Precinct identified in Appendix Central Commercial 1**
 - (i) Design, external appearance and siting.
 - (ii) Traffic effects, including the suitability of site access and site servicing arrangements.
 - (iii) Matters in the Central Commercial Activity Area Design Guide (Appendix Central Commercial 8).

**Amendment 55*

**Amendment 56*

- (c) **Emergency Facilities.**
 - (i) Traffic Effects:
 - The adverse effects on the roading network generated by the emergency facilities.
 - The adverse effects on traffic, cycle and pedestrian movement, parking and access in the immediate vicinity of the site.
 - (ii) Appearance of Buildings and Structures:

The adverse effects on the visual impression of the streetscape. In this respect an important consideration is the likely impact on the continuous display window frontage requirements.
 - (iii) Matters in the Central Commercial Activity Area Design Guide (Appendix Central Commercial 8).

**Amendment 57*

- (d) **The construction, alteration of, and addition to buildings and structures, except for those works permitted under Rules 5A 2.1(b) and (c).**
 - (i) Design, external appearance and siting of the building or structure.
 - (ii) Traffic effects, including the suitability of site access and site servicing arrangements.
 - (iii) Matters in the Central Commercial Activity Area Design Guide (Appendix Central Commercial 8).

**Amendment 58*

- (e) **The construction, alteration of, and addition to buildings and structures over 12 metres in height (except for those works permitted under Rules 5A 2.1(b) and (c)) and where any part of the building or structure fronts a street, pedestrian mall, pedestrian walkway, or other public space identified in Appendix Central Commercial 5 – Wind Protection.**
 - (i) The effects of wind on public space and adjoining areas.

***Amendment 59**

5A 2.2.2 Standards and Terms

- (a) **All Restricted Discretionary Activities shall comply with the relevant Permitted Activity Conditions.**

***Amendment 60**

- (b) **New buildings and structures under Rule 5A 2.2.1(d) shall comply with the following standards:**

- (i) Noise Insulation

Any habitable room in a building used by a noise sensitive activity shall be protected from noise arising from outside the building by ensuring the external sound insulation level achieves the following minimum performance standard:

$$DnT,w + Ctr > 30 \text{ dB}^2$$

Compliance with this performance standard shall be achieved by ensuring habitable rooms are designed and constructed in a manner that:

- (a) accords with the schedule of typical building construction set out in Appendix Central Commercial 7 – Noise Insulation Construction Schedule; or
- (b) accords with an acoustic design certificate signed by a suitably qualified acoustic engineer stating the design as proposed will achieve compliance with the above performance standard.

- (ii) Ventilation

Where bedrooms with unopenable windows are proposed, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. For the purposes of this requirement, a bedroom is any room intended to be used for sleeping. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person.

***Amendment 61**

- (c) **The construction of new buildings and structures under Rule 5A 2.2.1(e) shall comply with the following standards:**

- (i) Wind Protection:

All buildings and structures over 12 metres in height and where any part of the building or structure fronts a street, pedestrian mall, pedestrian walkway, or other public space identified in Appendix Central Commercial 5 – Wind Protection shall be designed to comply with the following conditions:

- (a) Safety: The safety criteria shall apply to all public space. The maximum gust speed shall not exceed 20 m/s. If the speed exceeds 20 m/s with the proposed development, it must be reduced to 20 m/s or below.
- (b) Cumulative Effect: The cumulative criteria shall apply to all public space. Any proposed development shall comply with the requirements for both of the following wind strengths, at each measurement location.

² DnT,w + Ctr is the standardised level difference (outdoor to indoor) and is a measure of the airborne sound insulation provided by the external building envelope (including windows, walls, ceilings and floors where appropriate).

Wind strength	Change in annual hours of occurrence with the development at all measurement points	Requirements on developer
Strong (mean hourly wind speed = 3.5 m/s)	If hours that 3.5 m/s is equalled or exceeded increase by more than 170 hr/yr (i.e. 2 % of the year)	Reduce change in hours to a maximum of 170 hours.
Moderate (mean hourly wind speed = 2.5 m/s)	If hours that 2.5m/s is equalled or exceeded increase by more than 170 hr/yr (i.e. 2 % of the year)	Reduce change in hours to a maximum of 170 hours.

- (c) While hours exceeded at some locations in the Cumulative Effect Criteria may increase or decrease, the overall impact of a building on the wind conditions must be neutral or beneficial.
- (d) Comfort: The comfort criteria only applies to the public spaces listed in Rule 5A 2.1.1(c).

Comfort wind strength	Annual hours of occurrence with the development	Requirements on developer
Mean hourly wind speed = 2.5 m/s	If hours that 2.5 m/s is equalled or exceeded increase above 1700 hours.	<p>If existing building exceeds 1700 hours, then reduce number of hours for proposed building to existing levels.</p> <p>If existing building is below 1700 hours then reduce number of hours for proposed building to below 1700 hours.</p>

- (e) To show that a development complies with these standards a wind report must be supplied that meet the requirements outlined in Appendix Central Commercial 6 – Wind Report.

5A 2.3 Discretionary Activities

*Amendment 62

- (a) Except where stated in the General Rules, any Permitted or Restricted Discretionary Activity which fails to comply with any of the relevant Permitted Activity Conditions, Restricted Discretionary Activity Standards or Terms, or relevant requirements of Chapter 14 - General Rules.
- (b) Any single retail activity with a gross floor area exceeding 3,000m² in the Core, Riverfront and Residential Transition Precincts identified in Appendix Central Commercial 1 - Precincts.

*Amendment 63

- (c) The construction, alteration of, and addition to buildings and structures over 12 metres in height that do not comply with the standards in Rule 5A 2.2.2(c).

*Amendment 64

- (d) Residential activities on the ground floor in the Core, Riverfront and Commercial Precincts identified in Appendix Central Commercial 1 - Precincts.

*Amendment 65

- (e) Service Stations.

***Amendment 66**

- (f) Car Sales Yards in the Core, Riverfront and Residential Transition Precincts identified in Appendix Central Commercial 1 - Precincts.

***Amendment 67**

- (g) Parking facilities (areas and/or buildings) not associated with a permitted activity development on the same site.

***Amendment 68**

- (h) Industrial activities, except for service, repair or hire of household goods and research for industrial purposes, geological purposes or agricultural purposes.

***Amendment 69**

- (i) Trading warehouses.

***Amendment 70**

- (j) Brothels and commercial sexual services on a site abutting or directly across the road from schools, pre-school facilities, churches and other similar religious establishments or a residential activity area.
- (k) Brothels and commercial sexual services in the Core Precinct identified in Appendix Central Commercial 1 - Precincts.

5A 2.3.1 Assessment Matters for Discretionary Activities

- (a) The matters contained in sections 104 and 105, and in Part II of the Act shall apply.
- (b) The degree of compliance or non-compliance with any relevant Permitted Activity Conditions.

***Amendment 71**

- (c) The Central Commercial Activity Area Design Guide (Appendix Central Commercial 8).

***Amendment 72**

5A 2.4 Other Provisions

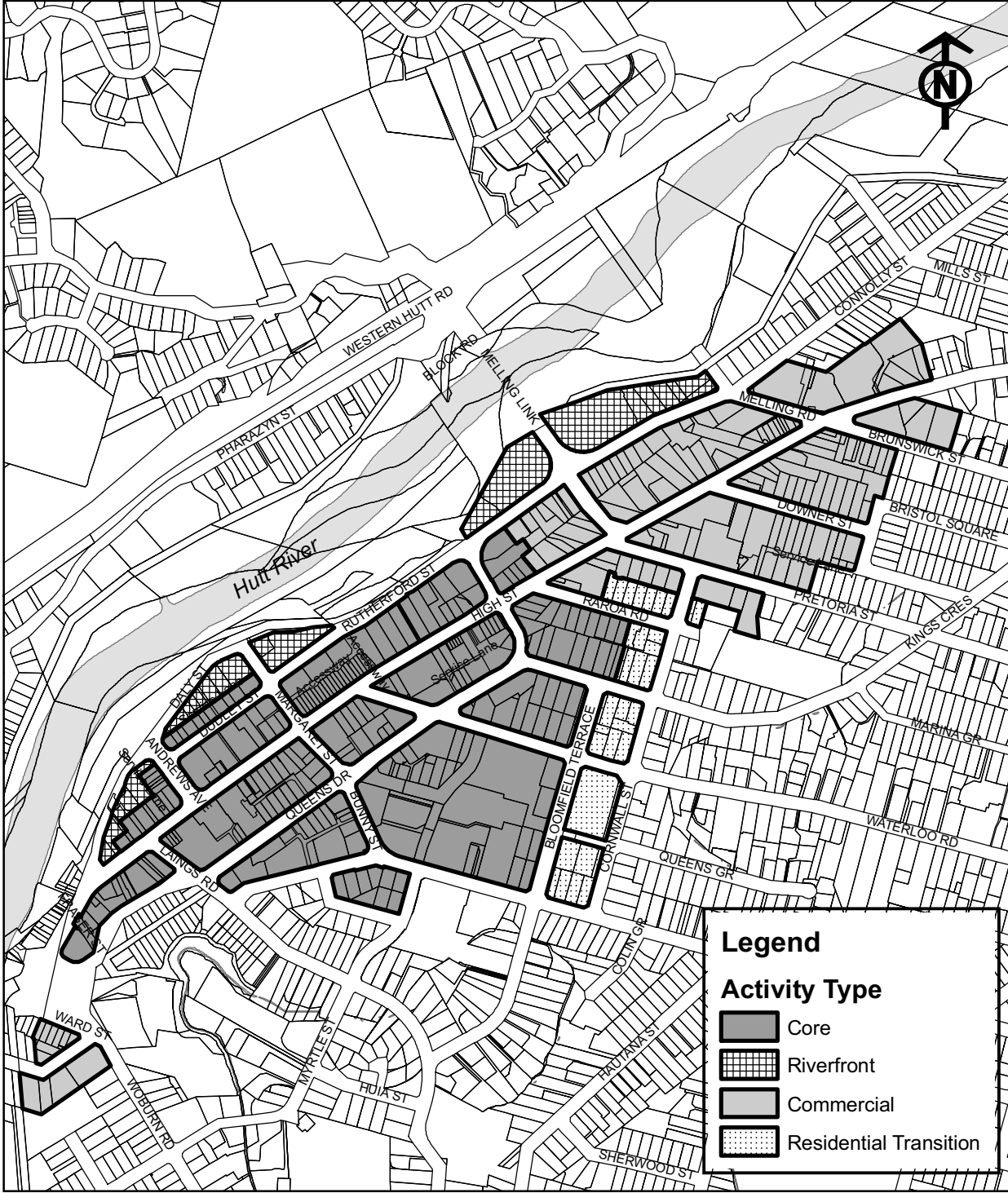
- (a) Subdivision - See Chapter 11.
- (b) Financial Contributions - See Chapter 12.
- (c) Utilities - See Chapter 13.
- (d) General Rules - See Chapter 14.

5A 3 Anticipated Environmental Results

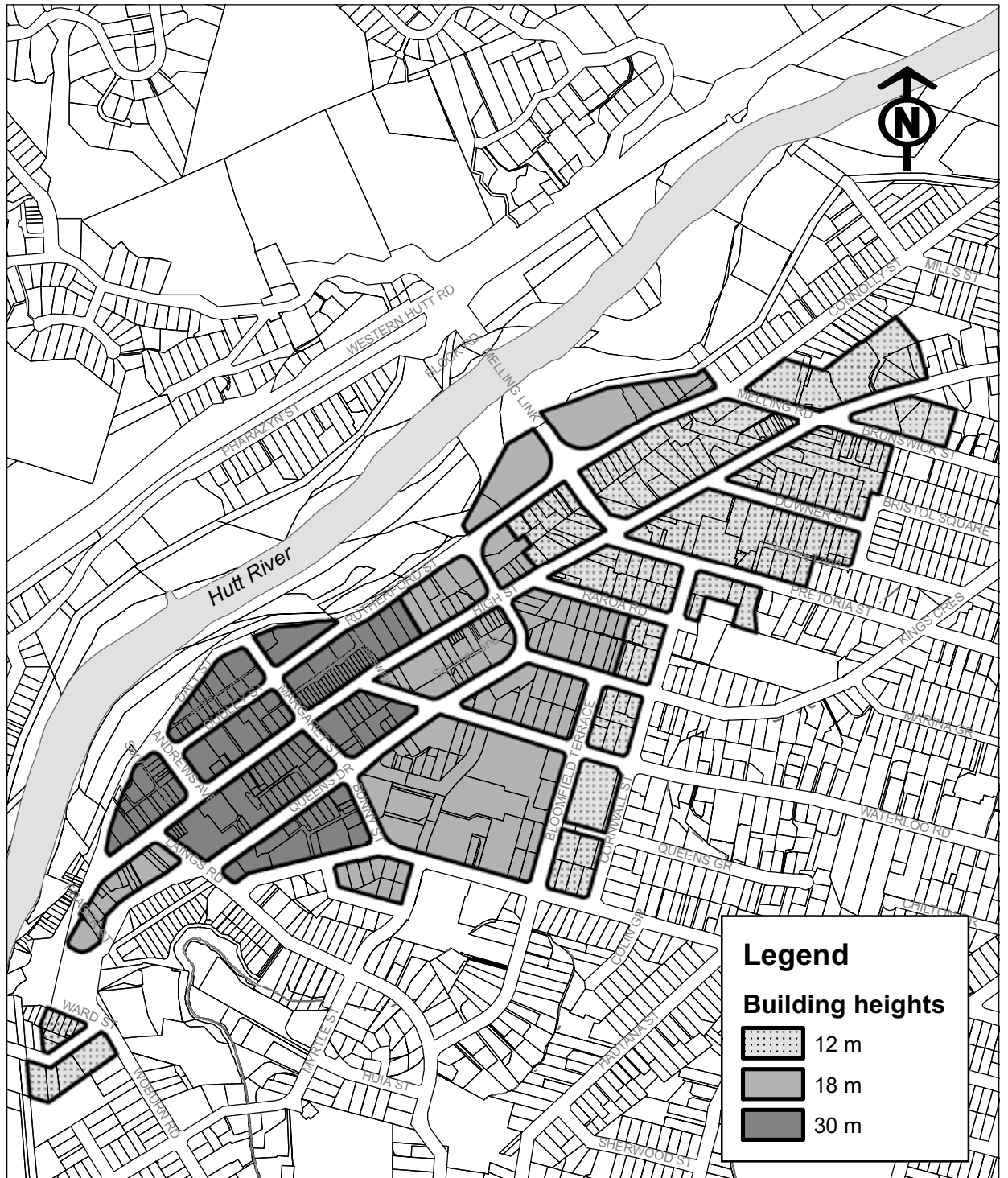
***Amendment 73**

- (a) A Central Commercial Activity Area that is vibrant and economically viable that meets the needs of the community as the focal point for commercial, civic and community activities.
- (b) A sense of place and identity that reflects the different qualities and context of the Central Commercial Activity Area.
- (c) Increased diversity of activities with a greater concentration and level of activity.
- (d) A safe and attractive Central Commercial Activity Area.
- (e) Safe and convenient movement for a range of transport modes in accessing the Central Commercial Activity Area.

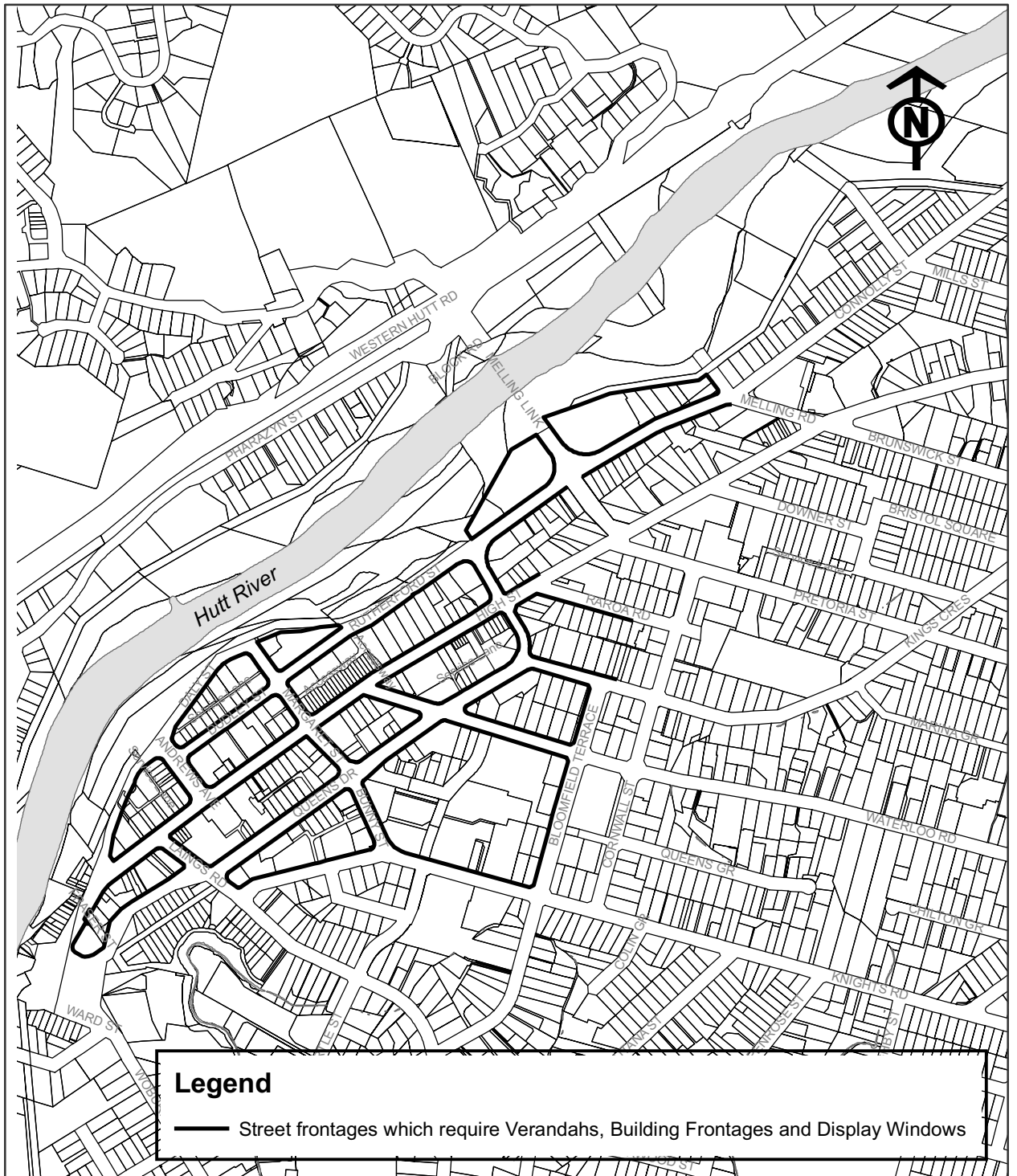
Appendix Central Commercial 1 - Precincts



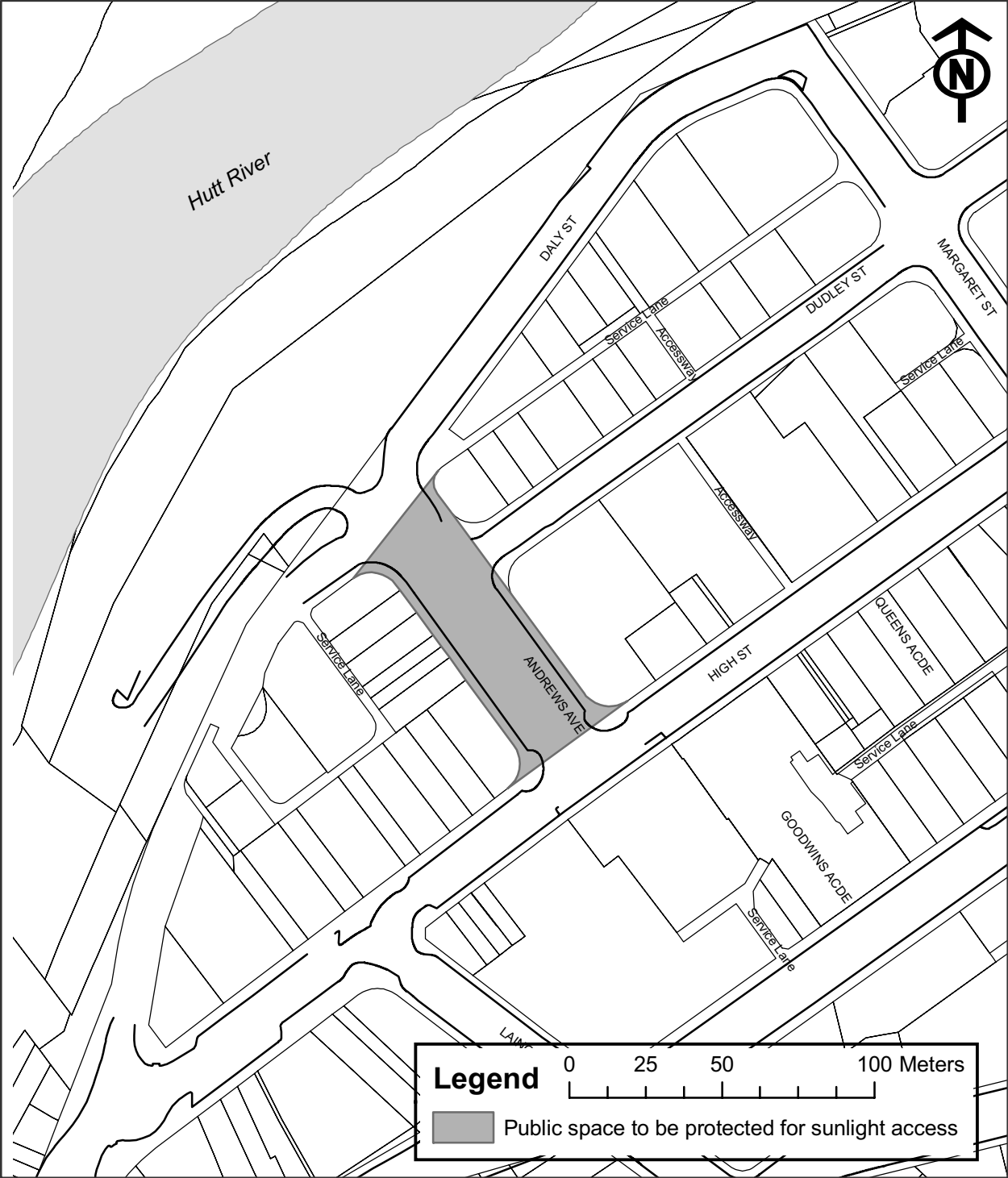
Appendix Central Commercial 2 - Maximum Height



Appendix Central Commercial 3 Verandahs, Building Frontages and Display Windows



Appendix Central Commercial 4 - Sunlight Protection



Appendix Central Commercial 5 - Wind Protection



Appendix Central Commercial 6 - Wind Report

Buildings above 12 metres require a wind assessment report to identify and describe measures for addressing the potential adverse of wind on public space, including streets.

Typically headings for a wind assessment report would be:

- Existing wind conditions/environment
- Existing built context and environment in terms of height and bulk of surrounding buildings
- Location of the site relative to public spaces
- Proposed building height and form
- Design features proposed to manage wind effects

*Amendment 80

Appendix Central Commercial 7 - Noise Insulation Construction Schedule

Under Rule 5A 2.2.2(b), any habitable room in a building used by a noise sensitive activities shall achieve a minimum external sound insulation level. This schedule describes the *minimum* requirements necessary to achieve an external sound insulation level of $DnT,w + Ctr > 30$ dB.

Building Element	Minimum Construction Requirement	
External Walls of Habitable Rooms	Stud Walls:	20 mm timber or 9mm compressed fibre cement sheet over timber frame (100 mm x 50 mm). *
	Exterior cladding:	
	Cavity infill:	Fibrous acoustic blanket (batts or similar of a minimum mass of 9 kg/m^3) required in cavity for all exterior walls. Minimum 90 mm wall cavity.
	Interior lining:	One layer of 12 mm gypsum plasterboard. Where exterior walls have continuous cladding with a mass of greater than 25 kg/m^2 (e.g. brick veneer or minimum 25 mm stucco plaster), internal wall linings need to be no thicker than 10 mm gypsum plasterboard.
	Combined superficial density:	Minimum not less than 25 kg/m^2 being the combined mass of external and internal linings excluding structural elements (e.g. window frames or wall studs) with no less than 10 kg/m^2 on each side of structural elements.
	Mass Walls:	190 mm concrete block, strapped and lined internally with 10 mm gypsum plaster board, or 150 mm concrete wall.
Glazed Areas of Habitable Rooms	Glazed areas up to 10% of floor area:	6 mm glazing single float
	Glazed areas between 10% and 35% of floor area:	6 mm laminated glazing
	Glazed areas greater than 35% of floor area:	Require a specialist acoustic report to show conformance with the insulation rule.
	Frames to be aluminium window frames with compression seals.	
Skillion Roof	Cladding:	0.5 mm profiled steel or 6 mm corrugated fibre cement, or membrane over 15mm thick ply, or concrete or clay tiles.
	Sarking:	17mm plywood (no gaps).
	Frame:	Minimum 100 mm gap with fibrous acoustic blanket (batts or similar of a mass of 9 kg/m^3).
	Ceiling:	Two layers of 10 mm gypsum plaster board (no through ceiling lighting penetrations unless correctly acoustically rated). Fibrous acoustic blanket (batts or similar of a minimum mass of 9 kg/m^3).
	Combined Superficial density:	Combined mass of cladding and lining of not less than 25 kg/m^2 with no less than 10 kg/m^2 on each side of structural elements.
Pitched Roof (all roofs other than skillion roofs)	Cladding:	0.5 mm profiled steel or tiles, or membrane over 15mm thick ply.
	Frame:	Timber truss with 100 mm fibrous acoustic blanket. (batts or similar of a minimum mass of 9 kg/m^3) required for all ceilings.
	Ceiling:	12 mm gypsum plaster board.
	Combined Superficial density:	Combined mass with cladding and lining of not less than 25 kg/m^2 .
Floor areas open to outside	Cladding:	Under-floor areas of non-concrete slab type floors exposed to external sound will require a cladding layer lining the underside of floor joists of not less than 12 mm ply
	Combined superficial density:	Floors to attain a combined mass not less than 25 kg/m^2 for the floor layer and any external cladding (excluding floor joists or bearers).
External Door to Habitable Rooms	Solid core door (min 25 kg/m^2) with compression seals (where the door is exposed to exterior noise).	

Notes:

* The table refers to common specifications for timber size. Nominal specifications may in some cases be slightly less than the common specifications stated in the schedule for timber size.

In determining the insulating performance of roof/ceiling arrangements, roof spaces are assumed to have no more than the casual ventilation typical of the jointing capping and guttering detail used in normal construction.

**Amendment 81*

Appendix Central Commercial 8 – Central Commercial Activity Area Design Guide

Proposed Plan Change to Chapter 14A (i)

See Amendment 82

14A(i) Rooding Hierarchy

14A(i) 1 Issue, Objective and Policies

14A(i) 1.1 Local Area Issue

14A(i) 1.1.1 Separation of Local and Through Traffic

Issue

Excessive traffic has an adverse effect on the quality of the local environment, causing congestion, noise and air pollution. Other adverse effects include the severance of communities and the safety risk associated with speeding or large volumes of traffic. It is necessary to protect the safety and amenity values of local areas while providing for an effective rooding network.

Objective

To accommodate a rooding network that is safe, convenient and efficient; and which avoids or mitigates any adverse effects on the community and the environment.

Policies

- (a) That adequate levels of service for access and movement are provided to meet the travel demand of pedestrians, cyclists and motorised traffic during the off-peak period, with maximum safety for all users and local residents at all times.
- (b) That the safety and amenity values of local access areas be protected from the intrusion of through traffic, particularly speeding vehicles, large volumes of traffic, and heavy commercial vehicles, using the Rooding Hierarchy.
- (c) That in the Central Commercial Activity Area provision be made for a rooding system that removes unnecessary through traffic.
- (d) That the location of high traffic generating activities be controlled to avoid adverse effects on the safety and amenity values of local areas.
- (e) That the location of activities with intense traffic generation characteristics be controlled to avoid adverse effects on the safety and efficiency of all Distributor Roads.

Explanation and Reasons

(a) The Rooding Network

The rooding network should meet the travel demands of pedestrians, cyclists and off peak levels of motorised traffic for access and mobility in a safe and orderly manner. The policies do not support increased dependency on the private vehicle as this tends to exacerbate the potential for congestion and travel delays, particularly during peak periods. An increased use of public transport is preferred. For example, commuters have a choice of public

transport or car pooling. However, the commercial and industrial sector depends on an adequate level of service from the roading network.

The policies seek to ensure that there is sufficient off-peak period capacity on the roading network for essential services (police, ambulance, fire service and civil defence), public transport (buses and taxis), and for the movement of people and goods in the course of commercial and industrial activity, and private business.

The potential for conflict between the different modes of transport is reduced through the provision of separate footpaths within road reserves. In most cases, cyclists are accommodated within the carriageway and traffic movements are controlled through the use of the Roding Hierarchy.

(b) The Roding Hierarchy

The roading network should provide for access into and across the City in a safe, convenient and efficient manner. This is achieved through the use of the Roding Hierarchy technique which identifies the function of each street. There are two main functions for roads: access and thoroughfare. The safety and efficiency of each road is maintained by determining which of these two functions should take precedence.

The predominant function of Access Roads is to provide access to properties and facilities. The predominant function of Distributor Roads is to provide for through traffic movements.

The Roding Hierarchy provides the following benefits:

- (i) Improved safety through segregation of through and local access traffic;
- (ii) Better capacity and traffic flow because of reduced conflict and rationalisation of routes; and
- (iii) Environmental improvements in residential areas as a result of concentrating traffic on well-defined routes instead of allowing dispersal throughout the network.

The Roding Hierarchy also provides a mechanism to control the safe location of property access and any on-street parking required. The appropriate location of high traffic generating activities can also be determined using the Roding Hierarchy. This helps to address any adverse effect on the safety and efficiency of the roading network from such high trip generators. For example, a high trip generator increases the volume of traffic on a road and introduces new turning movements which may create a conflict between through traffic and local access traffic.

The Plan also provides activity areas to control the location of those activities which are high trip generators. For example, a large scale supermarket is acceptable in commercial activity areas where the roads are designed to accommodate the large volume of traffic.

(c) Central Commercial Activity Area

Removing unnecessary through traffic from the Central Commercial Activity Area is important so as to ensure the viability and vitality of that area.

(d) State Highway Strategy

The highest level of the roading hierarchy is formed by the state highway network. The primary function of the state highway network is to provide for through traffic across the City, between cities within the region and to the rest of New Zealand. The State Highway network consists of State Highway No.2 and State Highway No.58.

Transit New Zealand is responsible for the upgrading of the state highway network to improve levels of safety and efficiency. Transit New Zealand will follow a comprehensive strategy for the upgrading of certain parts of State

Highway No.2 to motorway standard. This will involve future improvements along State Highway No.2 in the following areas:

- (i) Realignment of State Highway No.2 in the Cornish Street area, from south of the Petone overbridge and north to Koro Crescent.
- (ii) New interchange in the vicinity of Dowse Drive and Wakefield Street to assist east-west traffic movements and improve access to State Highway No.2 and the Central Commercial Activity Area.
- (iii) Upgrading of the Melling intersection.
- (iv) Roothing improvements at the Manor Park-Silverstream Bridge section.
- (v) Upgrading of the Kennedy Good intersection.

14A(i) 2 Rules

14A(i) 2.1 Provision of Roads - Conditions

In all activity areas, the following shall apply:

(a) Road Classification:

Existing roads shall be classified in the Roothing Hierarchy, as set out in Appendix Transport 1. Where a road is not listed in Appendix Transport 1, it shall be defined as an Access Road.

The Roothing Hierarchy consists of Distributor routes for through traffic and Access routes for local access purposes. The functions of each level in the Roothing Hierarchy are described in Table 1. Geometric standards are in Table 2.

Table 1 - Roothing Hierarchy

Hierarchy Level	Predominant Functions and Activities
Primary Distributor	Fast moving long distance traffic.
Major District Distributor	Medium distance traffic to Primary networks. Bus routes.
Minor District Distributor	Through traffic routes between suburbs. Bus routes.
Local Distributors	Traffic near beginning or end of journey. Bus stops. Minor volumes of through traffic.
Access Roads	Slow moving vehicles. Delivery of goods. Servicing. Access to car parks. Pedestrians.
Pedestrian Roads	Pedestrian servicing.

Table 2 - Geometric Standards

Hierarchy Level	Minimum Carriageway Width (m)	Maximum Gradient (%)	Minimum Design Vehicle
Primary Distributor	-	10	Max legal size
Major District Distributor	16	10	Max legal size
Minor District Distributor	16	10	Max legal size
Local Distributor	12	13	Max legal size
Access Road:			
Residential frontages serving more than 100 dwellings	8	13	Max legal size for rigid truck
Residential frontages serving less than 100 dwellings	7.2	13	Max legal size for rigid truck
Non-residential frontages	8	13	Max legal size
Pedestrian Road	6	13	Max legal size for rigid truck
Rural Roads - The guide to Geometric Standards for Rural Roads - Group 3 and higher, shall be taken into account.			

(b) Classification of New Roads:

Where a road is formed as the result of a subdivision or roading work, its hierarchy classification shall be assessed on the following criteria:

- (i) Consistency with Roding Hierarchy.
- (ii) Whether the road provides for the function, activities, and environment appropriate to the classification.
- (iii) Conformance of road, all associated intersections, carpark areas and property accesses with design standards.
- (iv) The classification shall have regard to the provisions of the Transit New Zealand Act 1989 where a road is declared as a State Highway under Section 11 of the National Roads Act 1953 or subsequently by Transit New Zealand Authority under the Transit New Zealand Act 1989.

The classification for new roads shall be added to Appendix Transport 1, through a plan change. In approving the classification of a road the Council may specify that it becomes effective at any time not more than five years in the future.

(c) Reclassification of an Existing Road:

Where the classification of an existing road is no longer appropriate, or is anticipated to become inappropriate, the road may be reclassified through a Plan Change.

Appendix Transport 1 shall be amended accordingly. Appendix Transport 1 shall be amended as necessary because of renaming or stopping of roads.

(d) Design Standards:

Every new or substantially reconstructed road shall be of a sufficient standard to fulfill its role within the Roding Hierarchy, and have a character and appearance in keeping with that role.

The geometric standards contained in Table 2 are based on the normal functional requirements applying to each hierarchy level for a straight two lane road, including provision for vehicles, cycles, pedestrians, parking and turning manoeuvres as appropriate. Where the Council is satisfied that different functional requirements apply then variations from these standards may be approved.

The criteria for assessment are based on the following:

- (i) Whether the design conforms with the standards of Table 2. (Minimum Carriageway width, maximum gradient and design vehicle standards).
- (ii) Constraints imposed by the nature of existing development or road construction.
- (iii) Constraints imposed by topography.
- (iv) The need to provide efficient and safe connections to the surrounding network, maintain the integrity of the entire network; the desirability of maintaining continuity of standard along a route; and of providing for the situation where the character of a road changes.
- (v) Likely future conditions at the site.
- (vi) Special operational or other characteristics at the site.

Every new road shall comply with the Street Design Standards. These standards provide for parking, cycle lanes, footpaths and carriageway widths.

The provisions of Chapter 11 - Subdivision and section 302 NZS 4404 1981 (Code of Practice for Urban Land Subdivision) must be taken into account.

In Rural Activity Areas, "Guide to Geometric Standards for Rural Roads" (National Roads Board 1985) must be taken into account.

(e) Distributor Road Network:

Distributor roads shall form a network providing for necessary traffic movement in a safe, convenient and efficient manner, and in accordance with the Roding Hierarchy.

The design of all intersections between two Distributor roads shall allow for construction of a roundabout or installation of traffic signals, either immediately or at a later date. The use of signals shall be avoided on any road expected to carry less than 10,000 vehicles per day, except in special circumstances.

Intersections between Distributor and Access Roads shall be designed to allow priority control.

(f) Access Roads:

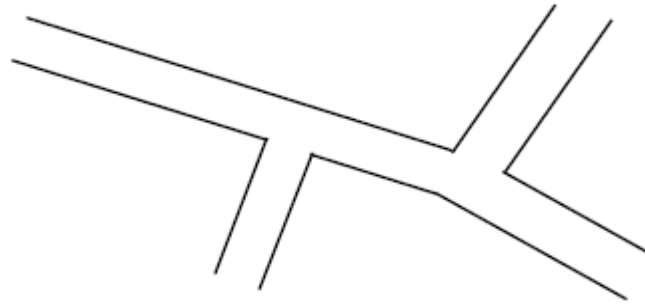
Access roads shall comply with the following requirements:

- (i) In residential areas the alignment and carriageway of access roads should be designed to discourage motorists from travelling above a speed appropriate to the residential environment.
- (ii) Access roads shall not have minor cross road intersections. Staggered tee intersections should be laid out as shown in Figure 1.

See Chapter 11 - Subdivision, for compliance standards.

***Amendment 82**

Figure 1 - Staggered Tee Intersection

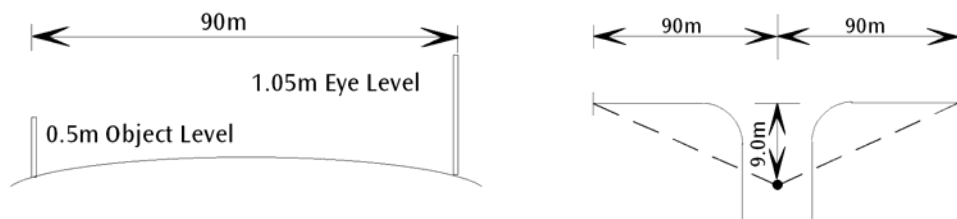


(g) Visibility Requirements:

All roads with a 50 km/h limit shall provide for 90 metres clear visibility between two points 1.05 metres and 0.5 metres respectively above the pavement, as shown in Figure 2. Roads with other speed limits shall provide equivalent stopping sight distance.

At all priority intersections where the speed limit is 50 km/h there shall be a clear line of sight from a point 9 metres back from the near kerb line of the priority road for a distance of 90 metres in either direction along the priority road, as shown in Figure 2. Roads with other speed limits shall provide equivalent visibility.

Figure 2 - Visibility Requirements



(h) Provision for Pedestrians:

All roads shall allow for the safe movement of pedestrians. Paved footpaths shall be provided on both sides of roads and shall be designed and located taking into account pedestrian amenity and likely use patterns. Pedestrian links shall provide a clear line of sight between ends unless special circumstances apply.

Provision of footpaths shall comply with the performance criteria in Chapter 11 - Subdivision.

(i) **Berms:**

Except for the Commercial Activity Areas, on each side of the road a landscaped or grassed strip of minimum width 2.0 metres shall be provided between the roadway and footpath, and 0.9 metres between the footpath and boundary.

14A(i) 2.2 Discretionary Activities

- (a) Failure to comply with the Provision of Roads - Conditions.

14A(i) 2.2.1 Assessment Matters for Discretionary Activities

- (a) The matters contained in sections 104 and 105, and in Part II of the Act shall apply.
- (b) The degree of compliance or non-compliance with any relevant Provision of Roads - Conditions.

Proposed Plan Change to Chapter 14A (iii)

See Amendments 83 to 91

14A(iii) Car and Cycle Parking

14A(iii) 1 Issues, Objectives and Policies

14A(iii) 1.1 Local Area Issues

14A(iii) 1.1.1 Adequate Car Parking Provision in the Central Commercial Activity Area

***Amendment 83**

Issue

The increased ownership of private vehicles and increased activity in the Central Commercial Activity Area in recent years has contributed to a high demand for long and short stay parking. Each activity should provide sufficient parking on site, however, the inner area sites are generally small which makes it difficult to provide on site parking. It is also desirable to maintain a continuous pedestrian frontage for shoppers.

Policies for the Central Commercial Activity Area have maintained the approach that sites within the inner area are not required to provide on site parking, as sufficient on and off street parking will be provided in the immediate vicinity. Sites in the outer area will be required to provide on site parking to meet the high demand for long and short stay parking. The provision of safe, adequate and well located parking contributes to the maintenance of amenity values, and the vitality and viability of the Central Commercial Activity Area.

Objective

To maintain the safety and amenity values, and support the vitality and viability of the Central Commercial Activity Area through the provision of sufficient long and short stay car parking.

Policies

- (a) That sufficient long and short stay off street parking be provided in the vicinity of the Inner Central Area Parking District to enhance the safe and efficient operation of the roading system.
- (b) That sufficient long and short stay on site parking be provided in the Outer Central Area Parking District to enhance the safe and efficient operation of the roading system.
- (c) That sufficient parking spaces be provided using a graduated scale for retailing activities, commercial services and licensed premises.

***Amendment 84**

Explanation and Reasons

The provision of sufficient on and off street parking for the inner area has been maintained over a number of years. The inner area is identified as the Inner Central Area Parking District and is shown in Appendix Transport 2. Sites in this area shall not be required to provide on site parking, as these sites are generally small, and it

would degrade the overall quality of the central area, such as breaking up the continuous pedestrian shopping frontage.

Parking within the Inner Central Area Parking District has been provided through two main public parking areas. There is on street parking for short stay purposes and both long and short stay parking is available at the Riverbank Carpark and the Centre City Plaza Car Park. Changes may occur in the future to these existing parking areas, as well as the provision of new parking facilities in other locations. This ensures that there is adequate long and short stay parking available for the central area workforce and retailers.

The Outer Central Area Parking District does require that adequate on site parking provision is made. The parking requirements for retail activities will be determined on the gross floor area of the building, using a graduated system. Where a comprehensive retail development involves a range in sizes of retail activities then the parking requirement will be determined on an aggregate basis.

There are also on site car parking requirements for other activities. The on site parking requirement for each activity is based on the type and scale of activity, and the associated trip generation factor. The criteria have been based on appropriate measures of the intensity of each activity, such as gross floor area. The Outer Central Area Parking District is shown in Appendix Transport 2.

The provision of adequate car parking in the Central Commercial Activity Area assists the safe and efficient operation of the roading system, thereby contributing to the vitality and viability of the commercial centre. However, large surface areas of car parking can detract from the streetscape and amenity values in the Central Commercial Activity Area. Therefore, standards are used to manage the location, extent and design of car parking areas to ensure they maintain and enhance the streetscape and amenity values.

14A(iii) 1.1.2 Adequate Car Parking Provision in the Petone Commercial Activity Area

Issue

The availability of short stay parking in close proximity to the retail shops of Jackson Street is an important factor for business viability. There is a need for additional parking provision in the Petone Commercial Activity Area, particularly between Victoria and Cuba Streets. However, it is undesirable to provide access to off street parking along Jackson Street, as this tends to break up the pedestrian frontage and the commercial properties lack depth.

If the on street parking is insufficient there is the potential for poor parking behaviour which creates a traffic hazard, visual detraction and an adverse impact on the amenity value of the area. Safe and adequate off street parking should be available in the vicinity of Jackson Street to accommodate the parking demand of the workforce and shoppers.

Objective

To provide adequate car parking in a safe and visually attractive manner, to maintain the safety and amenity values of the area.

Policies

- (a) That sufficient parking spaces be provided using a graduated scale for retailing activities, commercial services and licenced premises.

- (b) That on site parking be provided in a safe and visually attractive manner to enhance the safe and efficient operation of the roading system.
- (c) That on street parking be provided in a safe and visually attractive manner to enhance the safe and efficient operation of the roading system.

Explanation and Reasons

The objective and policies seek to ensure that the safety and efficiency of the road system is maintained, and that adverse effects on the amenity values or character of the area are mitigated. The sites along Jackson Street are small and it is difficult to provide on site parking or rear service lanes. It is not necessary for small retail shops to provide onsite parking as it is inappropriate to disrupt the commercial frontage. The needs of such small retail shops should be met by on street parking. However, larger retail premises would require on site parking provision, particularly where comprehensive development is proposed.

On street parking will be controlled by a traffic management plan as necessary to avoid the adverse effects of poor parking behaviour on both safety and efficiency of the roading network.

The parking requirements for retail activities, commercial services and licenced premises will be determined on the gross floor area of the building, using a graduated system. Where a comprehensive retail development involves a range in sizes of retail activities then the parking requirement will be determined on an aggregate basis.

14A(iii)1.1.3 Adequate Car Parking Provision in the Suburban Commercial Activity Areas

Issue

There should be an adequate provision for long and short stay parking to meet the parking demand of the local workforce and shoppers. Such parking should not disrupt the continuous pedestrian shop frontage, nor create adverse effects on amenity values of the commercial centre.

Objective

To provide adequate car parking in a safe and visually attractive manner, to maintain the safety and amenity values of the area.

Policies

- (a) That sufficient parking spaces be provided using a graduated scale for retailing activities, commercial services and licenced premises.
- (b) That on site parking be provided in a safe and visually attractive manner to enhance the safe and efficient operation of the roading system.
- (c) That on street parking be provided in a safe and visually attractive manner to enhance the safe and efficient operation of the roading system.

Explanation and Reasons

The objective and policies seek to ensure that the safety and efficiency of the road system are maintained, and that adverse effects on amenity values or character of the area is mitigated. It is not necessary for small retail shops to provide on site parking as

it is inappropriate to disrupt the commercial frontage. The needs of such small retail shops should be met by on street parking. However, larger retail premises would require on site parking provision, particularly where comprehensive developments are proposed.

On street parking will be controlled by the traffic management plan as necessary to avoid the adverse effects of poor parking behaviour on both safety and efficiency of the roading network.

The parking requirements for retail activities, commercial services and licenced premises will be determined on the gross floor area of the building, using a graduated system. Where a comprehensive retail development involves a range in sizes of retail activities then the parking requirement will be determined on an aggregate basis.

14A(iii) 1.1.4 Adequate Car Parking Provision in the Special Commercial Activity Areas

Issue

The Special Commercial Activity Area comprises Station Village and Boulcott Village. It is necessary to provide safe and adequate parking in these commercial centres to meet the needs for long and short stay parking purposes. Such parking provision should also maintain the amenity values of the area.

Objective

To maintain an adequate supply of parking spaces in a safe and attractive manner.

Policies

- (a) That the existing supply of car parking spaces be maintained to meet the parking demand for long and short stay purposes.
- (b) That additional parking spaces be provided in a safe and visually attractive manner to enhance the safe and efficient operation of the roading system, and to maintain the amenity value of the area.

Explanation and Reasons

The provision of sufficient parking is necessary to avoid an overspill of parking onto adjoining roads, which creates a traffic hazard, visual detraction and an adverse effect on the amenity values of the area. The present supply of car parking spaces must be maintained to meet the demand for long and short stay parking purposes.

Any additional parking spaces should be provided in a safe and attractive manner to maintain the safe and efficient operation of the roading network and maintain the amenity values of the area.

14A(iii) 1.1.5 Adequate Car Parking Provision in the Southern and Western Petone Business Activity Areas

Issue

Many of the sites in the southern and western areas of Petone, which are in the General Business Activity Area, are generally small sites. Some of these sites

are unable to provide sufficient space for parking and servicing. It is necessary to manage activities on these sites to ensure that adequate provision is made for car parking and servicing.

Objective

To provide for adequate car parking and servicing in the southern and western areas of Petone in the General Business Activity Area.

Policy

- (a) That activities in the southern and western areas of Petone in the General Business Activity Area be controlled to ensure that adequate provision is made for car parking and servicing.

Explanation and Reasons

There are some sites in the southern and western areas of Petone in the General Business Activity Areas which will find it difficult to provide on site parking and servicing areas, where the site is small and there is a narrow frontage. New development will be a controlled activity to ensure that sufficient provision is made for parking, loading and unloading facilities. On street parking may be used where this is appropriate.

14A(iii) 1.2 Site Development Issue

14A(iii) 1.2.1 On Site Parking Provision For Activities

Issue

The demand for parking is a generated effect of most activities. Poor parking behaviour on streets and footpaths in any activity area creates a traffic hazard, visual detraction and an adverse impact on the amenity values of the area. Attention needs to be given to the manner in which car parking is provided on site, as poor provision can have an adverse effect on the safe and efficient operation of the roading network, and on the amenity values of the area.

Objective

To provide adequate on site car parking in a safe and visually attractive manner, to maintain the safety and efficiency of the roading system, and the amenity values of the area.

Policy

- (a) That adequate on site parking space is provided for each type of activity in a safe and visually attractive manner.

Explanation and Reasons

The objective and policy seek to ensure that the safety and efficiency of the road system are maintained, and that any adverse effects on the amenity values or

character of an area are mitigated. The provision of adequate on site parking is an integral part of the safe and efficient operation of the roading system, linked strongly to both moving traffic and land use activities.

The demand for parking is a generated effect of most activities. Provision of sufficient parking is necessary to avoid overspill of parking onto the adjoining road and neighbouring properties. This situation creates a traffic hazard, visual detracting and an impact on the amenity values of the area. The policy requires that each activity provides sufficient parking spaces depending on their trip generation capacity and turnover characteristics.

The provision of numerous car parking spaces can have adverse effects on the amenity values of the area. Parking areas can create dust or mud if unsealed, and they can detract from the visual quality of the area. Attention to sealing, landscaping and screening will be required to reduce these adverse impacts.

14A(iii) 2 Rules

14A(iii) 2.1 Permitted Activities - Conditions

(a) Car Parking Requirements:

The following parking provisions shall apply in all activity areas where an activity is established on site; or there is a change in activity; or the building is constructed, substantially reconstructed, altered or added to. Except as provided for in this section and in Section (c) below (Special Parking Areas), all activities shall meet the minimum parking requirements set out in Appendix Transport 3.

Parking requirements are based on the type, scale and the associated trip generation factors for each activity. The minimum parking requirements are listed in Appendix Transport 3. Sufficient carparking shall be provided to meet the actual or 10th highest parking demand hour in any year during the life of the development. The parking standards in Appendix Transport 3 are deemed to meet this objective for parts of the City except as provided for in this section and in Section (c) below (Special Parking Areas).

In calculating the number of parking spaces to be provided, fractional numbers shall be rounded up to the next complete number.

If the proposed development will lead to the loss of public parking on an Access Road, either through additional length of kerb crossing, or through consequential parking prohibitions, then the number of parks lost shall be added to the requirement.

Space needed for manouevring, loading, unloading, queueing, or standing at a service booth, shall not be used for carparks counted towards meeting the requirement.

(b) Location of Parking Spaces:

Parking spaces must be provided on site.

(c) Special Parking Area:

(i) Central Commercial Activity Area -

The provision of long and short stay parking is controlled by the provisions of the Inner and Outer Central Area Parking Districts.

Inner Central Area Parking District:

***Amendment 85**

There shall be no on-site parking requirements within the Inner Central Area Parking District.

Outer Central Area Parking District:

Retail Activities and Licensed Premises: A graduated system will be used to determine the appropriate amount of car parking spaces required. Where a comprehensive development involves a range in sizes of retail activities then the parking requirement will be determined on an aggregate basis. Where the inner/outer parking area boundary separates a comprehensive development, any carparking provided within the inner area can be used in the calculation of the total carparking requirement.

The minimum parking requirement for retail activities and licensed premises shall be based on the following graduated scale:

Less than 500 m² GFA - Nil

More than 500 m² GFA but less than 1500 m² GFA - 1 space per 100 m² GFA

More than 1500 m² GFA but less than 3000 m² GFA - 2 spaces per 100 m² GFA

More than 3000 m² GFA - 3 spaces per 100 m² GFA

Note: The above graduated system does not apply in a systematic way, in that the first 500m² of a 1800m² development is not exempt from the standard requiring 2 spaces per 100m².

Residential Activities: The minimum parking requirement for residential activities is 1 space per single residential unit.

Other Activities: The minimum parking requirements for other Permitted Activities are listed in Appendix Transport 3.

(ii) Petone Commercial and Suburban Commercial Activity Areas -

A graduated system will be used to determine the appropriate amount of car parking spaces required for retailing activities, commercial services, and licenced premises. Where a comprehensive development involves a range in sizes of retail activities then the parking requirement will be determined on an aggregate basis.

The minimum parking requirement for retailing activities, commercial services, and licenced premises shall be based on the following graduated scale:

Less than 500 m² GFA - Nil

More than 500 m² GFA but less than 1500 m² GFA - 1 space per 100 m² GFA

More than 1500 m² GFA but less than 3000 m² GFA - 2 spaces per 100 m² GFA

More than 3000 m² GFA but less than 5000 m² GFA - 3 spaces per 100 m² GFA

More than 5000 m² GFA - 5 spaces per 100 m² GFA

The minimum parking requirements for other Permitted Activities are listed in Appendix Transport 3.

(iii) Special Commercial Activity Area -

Boulcott Village:

There shall be a minimum of 33 parking spaces maintained at Boulcott Village, comprising 23 on Lot 1 DP 69175, and 10 on Lot 2 DP 66201. Additional parking spaces shall be provided using the minimum parking requirements for Permitted Activities listed in Appendix Transport 3.

Station Village:

The existing supply of parking spaces shall be maintained. Additional parking spaces shall be provided using the minimum parking requirements for Permitted Activities listed in Appendix Transport 3.

(d) Design Standards:

The layout, design and detailing of all parking spaces shall be such as to ensure their convenient, safe and efficient use.

All parking shall be formed and maintained for use in all weathers. All parking shall be sealed or appropriately maintained at all times with a dust free surface. All parking spaces shall be kept clear at all times for the use of motor vehicles and shall not be used for the storage of goods, articles, materials or substances or for any other purpose.

Except where parking spaces are associated with a specific dwelling house, or for network utility operations it shall be possible to gain access to any space without shifting other vehicles.

Every parking space shall be provided with an access which is of a properly constructed motorcrossing; as is necessary for access of motor vehicles to and from a street. Sufficient space shall be allowed for vehicles to manoeuvre within the site. In determining the extent of area required for manoeuvring space, the provisions of Australian Standard AS2890 shall be taken into account.

Every parking space shall have such dimensions as to comply with the requirements of the Australian Standard AS2890 Part 1.

(e) Cycle Parking Requirements:

Space for the parking of bicycles shall be provided as follows:

For each building where there are 10 or more employees	Secure storage for cycles at the rate of 1 space for every 30 employees.
--	--

At every place of assembly or entertainment facility:	Space for cycles to be placed clear of footpaths and roadways, not more than 50 metres from the public entrance, at the rate of 1 space for each 100 m ² GFA.
---	--

Stands need not be provided but storage must be safe with the possibility of securing cycles to an immovable object.

14A(iii) 2.2 Discretionary Activities

- (a)** Where a Permitted Activity proposes to provide less than the required number of parking spaces.
- (b)** Where a Permitted Activity is unable to provide the required number of parking spaces on site.
- (c)** In the Outer Central Area Parking District of the Central Commercial Activity Area, where the number of parking spaces on site exceeds 90.
- (d)** Any other Permitted, Controlled or Restricted Discretionary Activity which fails to comply with any of the relevant Permitted Activity - Conditions.

***Amendment 86**

14A(iii) 2.2.1 Assessment Matters for Discretionary Activities

- (a) The matters contained in sections 104 and 105, and in Part II of the Act shall apply.
- (b) The degree of compliance or non-compliance with any relevant Permitted Activity Conditions.
- (c) In addition to the above the following matters will be taken into account:

- (i) Provision of car parking spaces:

Where a Permitted Activity proposes to provide less than the required number of parking spaces, the proposal shall be assessed on the following matters:

- Whether the nature of the activity is such that the demand for parking will be permanently lower than the requirement.
- Whether the timing of the parking demand is such that it can be met by using car parks normally used by other activities.
- Whether sufficient public parking is available for use without causing significant adverse effects on other activities in the vicinity. The use of on street parking on Access Roads may be considered for this purpose.
- Whether there is reasonable public transport or access to the site, and a likelihood of it being used.

- (ii) Location of parking spaces:

Where a Permitted Activity is unable to provide the required number of parking spaces on site, Council may approve spaces located elsewhere provided that:

- The fact that the spaces have been allocated to a different site is recorded as a Memorandum of Encumbrance on the title;
- Convenient pedestrian access between the development and the spaces is available and signposted;
- Parking shall be no more than 100 metres walking distance from doors of the development, except that this shall be reduced to 50 metres where it is necessary to cross a road, or ascend or descend a flight of steps more than 2 metres in height; and
- Pedestrians walking between the development and the spaces do not need to cross a road with a hierarchy classification higher than Access Road.

14A(iv) Loading and Unloading

14A(iv) 1 Issue, Objective and Policies

14A(iv) 1.1 Site Development Issue

14A(iv) 1.1.1 Safe and Adequate Provision for Servicing

Issue

Inadequate or poor provision of servicing areas for loading and unloading purposes will create a traffic hazard, visual detraction and adverse effects on the amenity values of the area. Attention needs to be given to the manner in which loading and unloading facilities are provided on site to avoid adverse effects on the safety and efficiency of the roading network and on the amenity values of the area.

Objective

To maintain the safety and efficiency of the roading network and the amenity values of the area.

Policy

- (a) That adequate on site loading and unloading provision be made in a safe and attractive manner.

Explanation and Reasons

The objective and policy seek to ensure that the safety and efficiency of the road network is maintained, and that any adverse effects on the amenity values or character of an area are mitigated.

Loading and unloading facilities are an integral part of the road network, linked strongly to both moving traffic and land use activities. Adequate on site servicing provision is necessary to enhance the safety and efficiency of the roading network. Such provision shall be made in an attractive manner to maintain and enhance the amenity value of the area.

It is recognised that it is not always possible to provide sufficient on site loading and unloading facilities. For example, some of the business premises in the western and southern areas of Petone have a small site and narrow frontage, which makes it difficult to provide on site parking, loading and unloading facilities. New development will, therefore be a controlled activity to ensure that sufficient provision is made for parking, loading and unloading facilities. On street provision may be used where this is appropriate.

***Amendment 87**

In the Central Commercial Activity Area, the objective is to increase residential development and the standard loading requirements for larger scale residential development would limit the efficient use of this land.

14A(iv) 2 Rules

14A(iv) 2.1 Permitted Activities - Conditions

(a) Loading and Unloading Requirements:

Every owner or occupier in all activity areas who constructs, substantially reconstructs or changes the use of a property, shall make adequate provision on the site for the loading of or unloading from vehicles of all goods and materials associated with the activity. No servicing activity may take place on road reserve.

***Amendment 88**

For residential developments having fewer than 20 dwelling units or accommodating fewer than 20 residents, all residential development in the Central Commercial Activity Area, and for network utility operations on sites less than 200 m² or for unstaffed network utility sites, the requirements of Chapter 14A - Transport, 14A(iii) Car Parking requirements are deemed sufficient.

(b) Loading and Unloading Requirements for Non-Residential Activities:

For retail and industrial activities (except in the Core, Riverfront and Residential Transition Precincts in the Central Commercial Activity Area), the number of loading spaces to be provided shall not be less than the following requirements:

Table 7 - Loading Space Requirements:

Gross Floor Area	No. of Spaces	Minimum Design Vehicle
Under 2000m ² GFA	1	Maximum rigid truck
2000 - 4000 m ² GFA	1	Maximum articulated truck Plus 1 Maximum rigid truck
more than 4000 m ² GFA	1	Maximum articulated truck Plus 2 Maximum rigid truck

For all other types of non-residential activity (including retail and industrial activities in the Central Commercial Activity Area), one loading space shall be provided in accordance with the design requirements in 14A(iv) 2.1(c).

(c) Design Requirements:

- (i) Loading spaces for light vehicles shall be a minimum of 6.0 metres long, 3.0 metres wide and 3.2 metres high.
- (ii) Loading platforms for heavy vehicles shall have a minimum width of 4.0 metres and minimum length of 8.5 metres, in addition to the space required for the vehicle. Where side loading or mechanical handling methods are proposed, additional space shall be provided in accordance with the particular methods and equipment contemplated.
- (iii) Where articulated vehicles are likely to be used, a greater depth shall be provided.

Design of all facilities, including access, manoeuvring and circulation space, shall take into account the provisions of Australian Standard AS2890 "Off-street Parking, Part 2: Commercial Vehicle Facilities (1989)."

14A(iv)2.2 Discretionary Activities

- (a) Any Permitted, Controlled or Restricted Discretionary Activity which fails to comply with any of the relevant Permitted Activity - Conditions.

14A(iv) 2.2.1 Assessment Matters for Discretionary Activities

- (a) The matters contained in sections 104 and 105, and in Part II of the Act shall apply.
- (b) The degree of compliance or non-compliance with any relevant Permitted Activity - Conditions.

Appendix Transport 1

(a) Roding Hierarchy Classification Schedule

1. PRIMARY DISTRIBUTORS

Street

State Highway No.2
State Highway No.58

2. MAJOR DISTRICT DISTRIBUTORS

Street

Bell Road
Cambridge Terrace
Clendon Street
Daysh Street
Eastern Hutt Road
Fairway Drive
Gracefield Road
Melling Bridge
Naenae Road
Parkside Road
Randwick Road
Seaview Road
The Esplanade
Wainui Road
Wainui Hill Road
Waione Street
Whites Line East

Start

Gracefield Road
Whites Line East
Cambridge Terrace
High Street
Cambridge Terrace
High Street
Wainuiomata Hill Road
Rutherford Street
Clendon Street
Bell Road
Seaview Road
Seaview Roundabout
Hutt Road
Whites Line East
Rishworth Street
East Street
Randwick Road

Finish

Parkside Road
Wingate Bridge
Naenae Road
Naenae Road
Reynolds Bach Drive
Western Hutt Road (SH No.2)
Bell Road
Western Hutt Road (SH No.2)
Daysh Street
Seaview Road
Whites Line East
Parkside Road
East Street
Rishworth Street
Parkway Roundabout
Seaview Roundabout
Wainui Road

3. MINOR DISTRICT DISTRIBUTORS

Street

Block Road
Cornwall Street
Cuba Street
Daly Street
Dudley Street
Ewen Bridge
Harcourt Werry Drive
High Street
Hutt Road
Kings Crescent
Knights Road
Koro Crescent
Laings Road
Ludlam Crescent
Marine Drive
Marsden Street
Melling Road
Melling Link
Naenae Road
Oxford Terrace
Pharazyn Street
Pretoria Street
Queens Drive

Start

Pharazyn Street
Knights Road
The Esplanade
Queens Drive
Margaret Street
Queens Drive
Taita Drive
Melling Road
The Esplanade
Cornwall Street
Laings Road
Western Hutt Road
Queens Drive
Whites Line East
Seaview Road
Pharazyn Street
High Street
Rutherford Street
Waiwhetu Road
Knights Road
Block Road
Cornwall Street
Woburn Road

Finish

Western Hutt Road (SH No.2)
Pretoria Street
Montague Street
Rutherford Street
Andrews Avenue
Victoria Street
Kennedy-Good Bridge
Eastern Hutt Road
Railway Avenue
High Street
Oxford Terrace
Hutt Road
Knights Road
Woburn Road
Ferry Road
Railway Avenue
Rutherford Street
High Street
Clendon Street
Waterloo Road
Marsden Street
High Street
Laings Road

3. MINOR DISTRICT DISTRIBUTORS (continued)

Street	Start	Finish
Railway Avenue	Hutt Road	Ewen Bridge
Rutherford Street	Melling Road	Margaret Street
Seaview Road	Parkside Road	Marine Drive
Taita Drive	High Street	Harcourt Werry Drive
Victoria Street	Montague Street	Ewen Bridge
Wainuiomata Road	Parkway Roundabout	Fitzherbert Street
Waiwhetu Road	Whites Line East	Naenae Road
Waterloo Road	Oxford Terrace	Waiwhetu Road
Wingate Overbridge	Eastern Hutt Road	High Street
Woburn Road	Ewen Roundabout	Bellevue Road

*Amendment 89

4. LOCAL DISTRIBUTORS

Street	Start	Finish
Bellevue Road	Woburn Road	Bloomfield Terrace
Bloomfield Terrace	Laings Road	Knights Road
Bridge Street	Parliament Street	Marsden Street
Connolly Street	Melling Road	Harcourt Werry Drive
Dowse Drive	Western Hutt Road	Miromiro Road
Fitzherbert Road	Main Road	Nelson Crescent
Harcourt Werry Drive	Connolly Street	Fairway Drive
London Road	Korokoro Road	Te Whiti Grove
Main Road	Fitzherbert Road R'bout	Hine Road
Major Drive	Western Hutt Rd (SH No.2)	Waipounamu Drive
Manuka Street	Ludlam Crescent	Puriri Street
Marine Drive	Muritai Road	Ferry Road
Miromiro Road	Dowse Drive	Poto Road
Muritai Road	Marine Parade	Muritai End
Normandale Road	Bridge Street	Poto Road
Oxford Terrace	Puriri Street	Knights Road
Oxford Terrace	Waterloo Road	Wingate Bridge
Parkway	Wainuiomata Road	Parkway
Parkway Extension	Parkway	Fitzherbert Road
Parliament Street	Railway Avenue	Bridge Street
Pharazyn Street	Marsden Street	Bridge Street
Poto Road	Normandale Road	Miromiro Road
Puriri Street	Manuka Street	Oxford Terrace
Stokes Valley Road	Eastern Hutt Road	Evans Street
Udy Street	Hutt Road	Cuba Street
Waterloo Road	Cornwall Street	Oxford Terrace

5. ACCESS ROADS

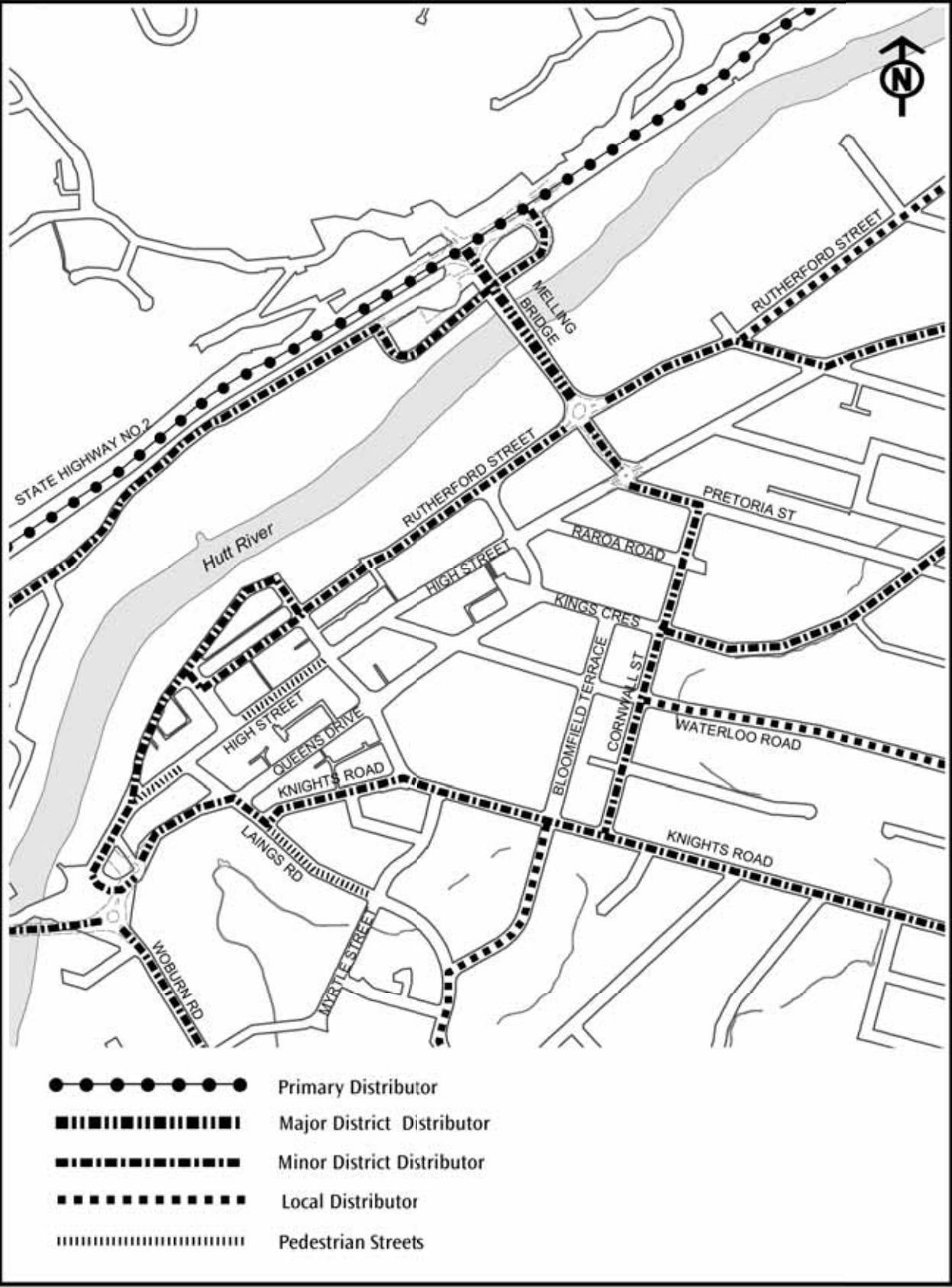
All formed roads not elsewhere listed in this Schedule are classified as Access Roads

6. PEDESTRIAN STREETS

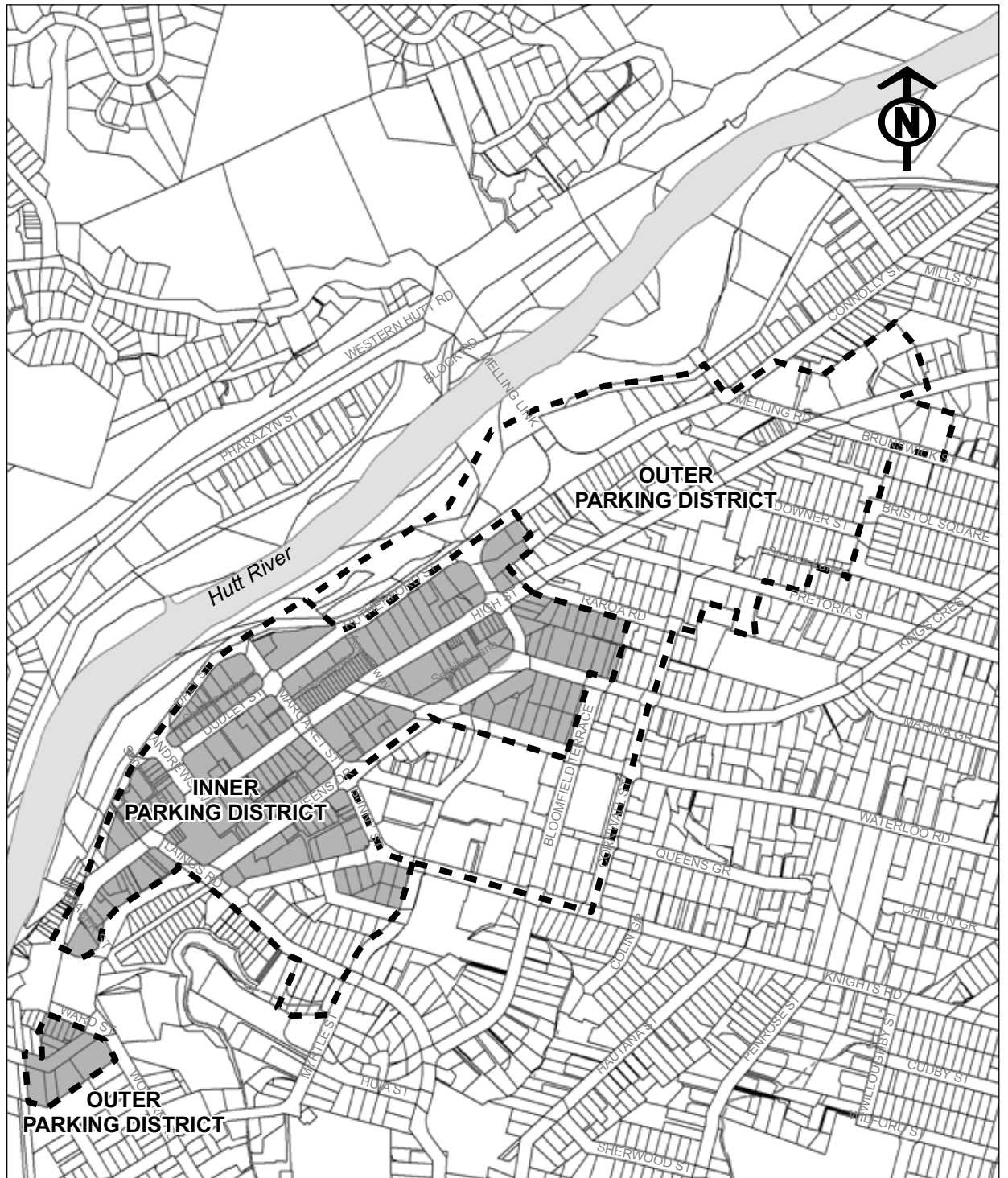
Street	Start	Finish
High Street	End High Street	Laings Road
High Street	Margaret Street	Andrews Avenue
Laings Road	Myrtle Street	Knights Road

Appendix Transport 1

(c) Central Commercial Area Inset



Appendix Transport 2



Proposed Plan Change to Chapter 14B

See Amendment 92

14B Signs

Introduction

Signs and advertising devices are an important form of communication. They provide information, identify places, control and direct traffic, and advertise products, goods and services.

Signs can enhance the visual amenity values of an area by introducing variety into the streetscape. Signs can also have adverse effects on the environment, particularly in terms of their visual appearance and effects on traffic safety and visibility.

Within a commercial or industrial environment where there is a significant demand for advertising, signs can be an accepted feature. Within a residential, rural or recreation environment, inappropriate signs can adversely affect the visual amenity values of these areas.

The Plan will manage the adverse effects of signs in each of the activity areas.

14B 1 Issues, Objectives and Policies

14B 1.1 Amenity Values

Issue

Although signs perform an important function, the appearance and nature of signs may affect adversely visual amenity values. It is important that the scale, location, design and frequency of signs are managed to maintain and enhance the visual amenity values of the City.

Objective

To provide for appropriate signs, while avoiding, remedying or mitigating any significant adverse effects on visual amenity values of the area in which they are located.

Policies

- (a) To allow a wide range of signs within the commercial and business activity areas, while protecting visual amenity values.
- (b) To restrict the size, location and frequency of signs in activity areas where visual amenity values are sensitive.
- (c) To manage the size, location, frequency and appearance of signs at the interface between commercial/industrial activity areas, and all other activity areas.
- (d) To manage illuminated signs to ensure the containment of light spill and glare within the boundaries of the site concerned.
- (e) To ensure that lettering on signs is neat in appearance, and legible.

- (f) To protect identified Urupa sites from inappropriate signs on neighbouring sites.
- (g) To manage the adverse effects of off site signs in residential areas.

Explanation and Reasons

In order to maintain or enhance visual amenity values present within the City, the management of signs is necessary.

The residential, rural, recreation and community activity areas are sensitive to the adverse effects of signs. Controls will be placed on the size, location and frequency of signs within these areas to ensure visual amenity values are protected.

Signs can be an accepted feature of industrial and commercial environments. Therefore a wide range of signs is permitted. However some signs may adversely affect visual amenity values, therefore the size, location and frequency of signs will be managed.

The residential activity areas are particularly sensitive to the effects of off site signs. Off site signs are signs which advertise a product or service not located on the site on which the sign is located. These signs can adversely affect residential amenity values, and undermine the identity and sense of place associated with a particular area. For these reasons permanent off site signs will be discouraged in all residential activity areas. However allowance will be made for temporary off site signs associated with local or central government elections and community events, as such signs play an important role in the functioning of the community.

14B 1.2 Traffic Safety and Visibility

Issue

Signs can have adverse effects upon traffic safety and visibility. It is important that signs be managed to ensure the safe and efficient use of roads, cycle ways and pedestrian ways.

Objective

To ensure that signs do not interfere with the safe and efficient use of all roads, cycle ways and pedestrian ways.

Policies

- (a) To discourage all signs being located where they will obstruct a roadway, pedestrian or cycle way, or obstruct drivers vision of an intersection or driveway.
- (b) To encourage the use of directory boards to avoid a visual clutter of signs on one site.
- (c) To manage the illumination of signs to ensure they do not distract drivers.

Explanation and Reasons

Advertising signs are a legitimate part of business activity. However, if left unrestricted, they have the potential to interfere with the efficient functioning of road, cycle and pedestrian networks within the city.

Signs can distract drivers, or obstruct drivers vision at or of an intersection or driveway. If there are too many individual signs on one site, this can cause confusion for an approaching motorist.

Signs located on the road reserve, berm, or footpath (other than traffic signs) may also physically obstruct the roadway, cycle and pedestrian ways. Examples of such signs include sandwich boards, and signs mounted on trailers parked on the road reserve.

It is important that road users and pedestrians are not distracted or put at risk from inappropriate signs. Restrictions are placed on the size, location, nature and frequency of signs to ensure the efficient and safe operation of the roading network.

14B 1.3 Main Entrance Routes

Issue

A number of distinct entrance routes to the city have been identified. It is important that the adverse effects of signs within these locations are managed to reinforce the identity of the City and to create a sense of place.

Objective

To ensure that signs do not affect adversely the visual amenity values and sense of place associated with the main entrance routes to the city.

Policy

- (a) To manage the location, appearance and frequency of signs along the main entrance routes to the city.

Explanation and Reasons

A number of distinct entrance routes to the city have been identified. These locations play an important role in reinforcing the identity of the city.

Signs can have significant effects upon these locations. Appropriate signs can give an indication of location and direction and signal the entrance way to the city.

Inappropriate signs, particularly those not relating to any of the activities on the site can affect adversely visual amenity values, legibility, and destroy the sense of place.

The appearance, location and frequency of signs within these locations will be managed.

14B 1.4 Temporary Signs

Issue

Temporary signs, erected for a variety of purposes can have adverse effects on visual amenity values and traffic safety. This can be caused by their location, appearance and frequency. It is important that the adverse effects of temporary signs are managed so that visual amenity values are maintained or enhanced, and traffic safety is not compromised.

Objective

To ensure that temporary signs do not affect adversely visual amenity values or traffic safety.

Policies

- (a) To manage the location, appearance and frequency of temporary signs.
- (b) To discourage the location of temporary signs where they may physically obstruct the roadway, cycle ways and pedestrian ways.

Explanations and Reasons

Temporary signs are erected for a variety of purposes ranging from those advertising sporting or community events to those erected for commercial purposes. They can be erected on private or public land, and are often erected within the road reserve.

Temporary signs can be of a lesser standard than permanent signs in terms of their visual appearance, and have the potential to affect adversely visual amenity values.

Temporary signs are often placed within the road reserve, and therefore also have the potential to obstruct traffic and pedestrians using the roads and pathways.

In order to manage the adverse effects of temporary signs, use is restricted to only those which directly relate to the activities on the site on which the sign is located, and local or central government elections. Size limits are set, and time limits placed on their removal.

The use of temporary off site signs advertising the sale of goods and services is discouraged throughout the City.

14B 2 Rules

14B 2.1 Permitted Activities

- (a) Signs in all Activity Areas.

14B 2.1.1 Permitted Activities - Conditions in all residential activity areas, and Community Iwi Activity Area 1 - Marae.

(a) Location:

- (i) All signs must be located on the site to which they relate with the exception of temporary signs erected for the purposes of a local or central government election.
- (ii) No sign is permitted on the roof of any building.

(b) Maximum Height:

- (i) Free standing signs - 3m
- (ii) Where a sign is attached to a building, the sign may not protrude above the eaves of the building.

(c) Maximum Face Area:

1.0 m² per site, with the exception of temporary signs erected for the purposes of a local or central government election, for which the maximum face area shall be 2.4 m².

(d) Temporary Signs:

(i) Electioneering signs shall not be displayed more than 42 days before the election, or 2 days after the election.

(ii) Any other temporary sign shall not be displayed more than 3 months prior to the purpose or event, and shall be removed within 2 days of the completion of the purpose or event for which the sign was erected.

(iii) No temporary sign (other than those for the purposes of advertising the sale of the property, or for the purposes of a local or central government election) may be erected on sites with frontage to:

The Esplanade and Waione Street, Petone.

Eastern Hutt Road from Reynolds Bach Drive to the Pomare Rail Overbridge.

Randwick Road.

Victoria Street, Ewen Bridge Roundabout, and Woburn Road.

Appendix Signs 1 - 4 identifies the sites subject to this provision.

(e) Illumination:

(i) If a sign is to be lit, they shall be lit by constant illumination, and shall not flash. Such signs may be lit by directional illumination or lit from within.

(ii) Artificial light shall not result in added illuminance in excess of 8 lux measured at the window of any dwelling house within a residential, rural or recreation activity area, the Community Iwi Activity Area 1 - Marae, or Community Health Activity Area.

(iii) All measures shall be taken to ensure there is no unreasonable light spill beyond the boundary of the site.

(f) Movement:

(i) No sign shall have any parts which are moving or carrying a variable message.

(ii) No sign shall be inflated by any means.

14B 2.1.2 Permitted Activities - Conditions in all recreation activity areas

(a) Location:

(i) No sign is permitted on the roof of any building.

(b) Maximum Height of Signs:

(i) Free standing signs - 3m

(ii) Where a sign is attached to a building, the sign may not protrude above the eaves of the building.

(c) Maximum Face Area and Frequency:

(i) 3m² total area of signs per site.

(ii) Any sign which denotes the name of any clubrooms may include sponsorship details.

(d) Temporary Signs:

- (i) Electioneering signs shall not be displayed more than 42 days before the election, or 2 days after the election.
- (ii) Any other temporary sign shall not be displayed more than 3 months prior to the purpose or event, and shall be removed within 2 days of the completion of the purpose or event for which the sign was erected.
- (iii) No temporary sign (other than those for the purposes of advertising the sale of the property, or a central or local government election) may be erected on sites with frontage to:

State Highway No.2, both at and south of the intersection of State Highway No.2, Hutt Road and The Esplanade.

The Esplanade, Petone.

Eastern Hutt Road from Reynolds Bach Drive to the Pomare Rail Overbridge.

Randwick Road.

Victoria Street, Ewen Bridge Roundabout, and Woburn Road.

Appendix Signs 1-5 identifies the sites subject to this provision.

(e) Illumination:

- (i) If a sign is to be lit, they shall be lit by constant illumination, and shall not flash. Such signs may be lit by directional illumination or lit from within.
- (ii) Artificial light shall not result in added illuminance in excess of 8 lux measured at the window of any dwelling house within a residential, rural or recreation activity area, Community Iwi Activity Area 1 - Marae, or Community Health Activity Area.
- (iii) All measures shall be taken to ensure there is no unreasonable light spill beyond the boundary of the site.

(f) Movement:

- (i) No sign shall have any parts which are moving, or carry a variable message.
- (ii) No sign shall be inflated by any means.

14B 2.1.3 Permitted Activities - Conditions in all rural activity areas

(a) Location:

- (i) No sign is permitted on the roof of any building.

(b) Maximum Height:

- (i) Free standing signs - 3.0m
- (ii) Where a sign is attached to a building, the sign may not protrude above the eaves of the building.

(c) Maximum Face Area: 3 m² total face area for all signs on the site.

(d) Temporary Signs:

- (i) Electioneering signs shall not be displayed more than 42 days before the election, or 2 days after the election.
- (ii) Any other temporary sign shall not be displayed more than 3 months prior to the purpose or event, and shall be removed within 2 days of the completion of the purpose or event for which the sign was erected.

- (e) Illumination:**
 - (i) If a sign is to be lit, they shall be lit by constant illumination, and shall not flash. Such signs may be lit by directional illumination or lit from within.
 - (ii) Artificial light shall not result in added illuminance in excess of 8 lux measured at the window of any dwelling house within a residential, rural or recreation activity area, Community Iwi Activity Area 1 - Marae, or Community Health Activity Area.
 - (iii) All measures shall be taken to ensure there is no unreasonable light spill beyond the boundary of the site on which the sign is located.
- (f) Movement:**
 - (i) No sign shall have any parts which are moving, or carry a variable message.
 - (ii) No sign shall be inflated by any means.

14B 2.1.4 Permitted Activities - Conditions in the Community Health Activity Area

- (a) Location:**
 - (i) No sign is permitted on the roof of any building.
- (b) Maximum Height:**
 - (i) Free standing signs - 3.0m
 - (ii) Where a sign is attached to a building, the sign may not protrude above the eaves of the building.
 - (iii) Free standing signs for emergency purposes only on the High Street main entrance of the Hospital site - 5.0m
- (c) Maximum Face Area:**
 - (i) The maximum area of any individual sign may not exceed 3m².
 - (ii) The maximum face area of any individual sign for emergency purposes only on the High Street main entrance of the Hospital site may not exceed 5 m².
- (d) Temporary Signs:**
 - (i) Electioneering signs shall not be displayed more than 42 days before the election, or 2 days after the election.
 - (ii) Any other temporary sign shall not be displayed more than 3 months prior to the purpose or event, and shall be removed within 2 days of the completion of the purpose or event for which the sign was erected.
- (e) Illumination:**
 - (i) If a sign is to be lit, they shall be lit by constant illumination, and shall not flash. Such signs may be lit by directional illumination or lit from within.
 - (ii) Artificial light shall not result in added illuminance in excess of 8 lux measured at the window of any dwelling house within a residential, or recreation activity area, Community Iwi Activity Area 1 - Marae or Community Health Activity Area.
 - (iii) All measures shall be taken to ensure there is no unreasonable light spill beyond the boundary of the site.
- (f) Movement:**
 - (i) No sign shall have any parts which are moving, or carry a variable message.

- (ii) No sign shall be inflated by any means.

14B 2.1.5 Permitted Activities - Conditions In all Commercial Activity Areas, Business Activity Areas, and Community Iwi Activity Area 3 - Kokiri Centres, excluding the Petone Commercial Activity Area 1.

(a) Location:

- (i) No sign shall be painted onto the roof of any building.

(b) Maximum Height :

- (i) The maximum height of any sign attached to a building may not project above the highest point of the highest building on the site by more than 20%.
- (ii) The maximum height of free standing signs shall be 8m.

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(c) Maximum Face Area:

- (i) Where any sign is painted on or attached in any way to the exterior of a building, the maximum face area of all signs visible in any one direction may not exceed 30% of the area of that wall up to a maximum face area of 20 m².
- (ii) Where a sign is erected within the Avalon Business Activity Area the maximum face area of all signs erected at the main entrance to the site shall not exceed 3 m².
- (iii) The maximum face area of free standing signs shall be 20 m².
- (iv) Where a sign is erected within the Core, Riverfront or Residential Transition Precincts of the Central Commercial Activity Area identified in Appendix Central Commercial 1 - Precincts, the maximum face area of all signs shall not exceed 5 m².
- (v) Where a sign is erected within the Commercial Precinct of the Central Commercial Activity Area identified in Appendix Central Commercial 1 - Precincts, the maximum face area of all signs shall not exceed 20 m².

(d) Illumination :

- (i) If a sign is to be lit, they shall be lit by constant illumination, and shall not flash. Such signs may be lit by directional illumination or lit from within.
- (ii) Artificial light shall not result in added illuminance in excess of 8 lux measured at the window of any dwelling house within a residential, recreation or rural activity area, Community Iwi Activity Area 1 - Marae, or Community Health Activity Area.
- (iii) All measures shall be taken to ensure there is no unreasonable light spill beyond the boundary of the site.

(e) Movement:

- (i) No sign shall have any parts which are moving. This shall not preclude however any sign with a variable message, suspended signs or flags.
- (ii) No sign shall be inflated by any means.

(f) Temporary Signs:

- (i) Electioneering signs shall not be displayed more than 42 days before the election, or 2 days after the election.

- (ii) Any other temporary sign shall not be displayed more than 3 months prior to the purpose or event, and shall be removed within 2 days of the completion of the purpose or event for which the sign was erected.

14B 2.1.6 Permitted Activities - Conditions for signs within all commercial and business activity areas where signs are within a 50m distance of the State Highway and the message is visible from the State Highway

(a) Location:

- (i) Only one sign shall be permitted per site, except that where a site has more than one road frontage, one sign shall be permitted on each road frontage.
- (ii) All signs must be located on the site to which they relate.
- (iii) No sign shall be located so that it conceals the visibility of an existing official sign or traffic controlling device.
- (iv) All signs must be located so as to provide an unrestricted view to the motorist for a minimum distance of 180m.

(b) Maximum Height:

- (i) The maximum height of free standing signs shall be 8m.
- (ii) The maximum height of any sign attached to a building may not project above the highest point of the building to which it is attached.

(c) Maximum Face Area and Design:

- (i) The maximum face area of any sign shall be 8 m².
- (ii) There shall be no more than six words or symbols, and no more than 40 characters.
- (iii) The minimum lettering height shall be 160mm.
- (iv) No sign shall imitate an official sign or traffic controlling device in terms of shape or text used.

(d) Illumination:

- (i) If a sign is to be lit, it shall be lit by constant illumination and shall not flash. Such signs shall be lit by directional illumination or lit from within.
- (ii) All measures shall be taken to ensure that there is no unreasonable light spill beyond the boundary of the site.

(e) Movement:

- (i) The sign and the sign message shall be static.
- (ii) No sign shall be inflated by any means.

14B 2.2 Controlled Activities

- (a)** In all Commercial Activity Areas excluding the Petone Commercial Activity Area 1, Business Activity Areas (except the Avalon Business Activity Area), and Community Iwi Activity Area 3 - Kokiri Centres; except sites included in 14B 2.2(d):
 - (i) Any sign on sites abutting a Residential, Recreation or Rural Activity Area, or Community Iwi Activity Area 1 - Marae.
- (b)** Any sign in the Avalon Business Activity Area, within 30 metres of the boundary with adjacent residential and recreation activity areas.

- (c) In all Commercial (except Petone Commercial Area 1) and Business Activity Areas:
 - (i) Any inflated sign.
 - (d) In all Commercial Activity Areas, Business Activity Areas, and Community Iwi Activity Area 3 - Kokiri Centres, excluding the Petone Commercial Activity Area 1:
 - (i) Any sign erected on sites with frontage to the following roads (except where 14B 2.3 (b) applies):
 - The Esplanade and Waione Street, Petone.
 - Eastern Hutt Road from Reynolds Bach Drive to Pomare Rail Overbridge.
 - Randwick Road.
 - Victoria Street, Ewen Bridge, Railway Avenue, Woburn Road and Queens Drive intersection.
 - State Highway No.2, both at and south of the intersection of State Highway No.2, Hutt Road and The Esplanade.
 - Hebden Crescent and State Highway No.2.
 - Melling Bridge and Melling Link Road.
- Appendix Signs 1-7 identifies the sites subject to this provision.

14B 2.2.1 Matters in which Council Seeks to Control and Standards and Terms

- (a) **In all commercial activity areas, business activity areas (except the Avalon Business Activity Area), and Community Iwi Activity Area 3 - Kokiri Centres, excluding the Petone Commercial Activity Area 1:**
 - Any sign on sites abutting a residential, recreation or rural activity area, or Community Iwi Activity Area 1 - Marae.**
- (b) **Any sign in the Avalon Business Activity Area, within 30 metres of the boundary with adjacent residential and recreation activity areas.**
 - (i) Design and Appearance:
 - The extent to which the design and appearance of the sign affects adversely visual amenity values of adjoining sites in a Residential, Recreation or Rural Activity Area, or Community Iwi Activity Area 1 - Marae.
 - Consideration should be given to the use of colour and clarity of lettering and layout.
 - (ii) Maximum Height:
 - The extent to which the height of the sign will affect adversely the visual amenity values of adjoining sites within the residential, rural or recreation activity areas, or the Community Iwi Activity Area 1 - Marae sites. Consideration shall be given to the height in relation to the height of buildings and structures within the immediate area.
 - (iii) Face Area:
 - The maximum area of any individual sign may not exceed 3 m².
- (c) **In all Commercial (except Petone Commercial Area 1) and Business Activity Areas:**
 - Any inflated sign**

- (i) **Maximum Height:**
The extent to which the height of the sign will affect adversely the visual amenity of adjoining sites and sites from which the proposed sign would be seen. Consideration shall be given to the height in relation to the height of buildings and structures within the immediate vicinity.
 - (ii) **Face Area:**
The extent to which the face area of the sign will affect adversely the visual amenity of adjoining sites and sites from which the proposed sign would be seen.
 - (iii) **Movement over Neighbouring Properties:**
The extent to which the movement of the sign will take the sign over neighbouring properties or adversely effect those properties.
 - (iv) **Traffic Safety:**
The extent to which the proposed sign will affect adversely traffic safety and the efficient functioning of the roading network. Signs should not distract motorists or obstruct the roadways, cycle and pedestrian ways.
Consideration should be had to the nature of illumination, location on the site, height, face area and movement.
 - (v) **Visual Amenities, Design and Appearance:**
The extent to which the design and appearance of the proposed sign will affect adversely visual amenity values of adjoining sites and sites from which the proposed sign would be seen. Consideration should be given to the use of colour and the clarity of lettering and layout.
- (d) **In all commercial activity areas, business activity areas, and Community Iwi Activity Area 3 – Kokiri Centres, excluding Petone Commercial Activity Area 1:**
- Any sign erected on sites with frontage to the following roads (except where 14B 2.3 (c) applies) -**
 - The Esplanade and Waione Street, Petone.**
 - Eastern Hutt Road from Reynolds Bach Drive to Pomare Rail Overbridge.**
 - Randwick Road.**
 - Victoria Street, Ewen Bridge, Railway Avenue, Woburn Road and Queens Drive intersection.**
 - State Highway No.2, both at and south of the intersection of State Highway No.2, Hutt Road and The Esplanade.**
 - Hebden Crescent and State Highway No.2.**
 - Melling Bridge and Melling Link Road.**

Appendix Signs 1-7 identifies the sites subject to this provision.

- (i) **Visual Amenity Values:**
The extent to which the sign affects adversely the visual amenity values of sites within a residential, recreation or rural activity area, or the Community Iwi Activity Area 1 - Marae.
Consideration should be given to -
 - the height of the sign in relation to buildings and structures on sites in adjacent activity areas.
 - the face area of the sign and the extent to which it is visually obtrusive from a site within a residential, recreation rural activity area, or Community Iwi Activity Area 1 - Marae.

- The extent to which the use of colour causes the sign to be visually obtrusive from a site within a residential, recreation or rural activity area, or the Community Activity Area 1 - Marae.
- The extent to which the frequency of signs on the site, and movement of signs detracts from visual amenity values of sites in the residential, recreation or rural activity areas, or the Community Iwi Activity Area 1 - Marae.
- The extent to which the illumination of the sign affects adversely amenity values. All measures are to be taken to ensure there is no unreasonable light spill beyond the boundaries of the site.
Artificial light shall not result in added illuminance in excess of 8 lux measured at the window of any dwelling house in a residential, recreation or rural activity area, or Community Iwi Activity Area 1 - Marae.
- The contribution the sign makes to enhancing the visual amenity values of the main entrance routes to the City.

(ii) Traffic Effects:

The extent to which the proposed sign will affect adversely traffic safety and the efficient functioning of the roading network. Signs should not distract motorists or obstruct the roadways, cycle and pedestrian ways.

Consideration should be had to the nature of illumination, location on the site, height, face area and movement.

14B 2.2.2 Other Matters

All Controlled Activities must comply with other relevant Permitted Activity Conditions.

14B 2.3 Restricted Discretionary Activities

- (a) In Petone Commercial Activity Area - Area 1 all signs subject to the provisions of 5B 2.1.2 (b), except those that are temporary for a period of 3 months which are Permitted Activities.
- (b) In all Recreation and Open Space, and Rural Activity Areas:
All signs located within a 50m distance of the State Highway where the message is visible from the State Highway.
- (c) In all Commercial and Business Activity Areas:
All signs which do not comply with one or more of the Permitted Activity Conditions in 14B 2.1.6
- (d) In all Activity Areas all signs advertising brothels and commercial sexual services.

14B 2.3.1 Matters in which Council has restricted its discretion and Standards and Terms

- (b) **In all Recreation and Open Space, and Rural Activity Areas:**
All signs located within a 50m distance of the State Highway where the message is visible from the State Highway.
- (c) **In all Commercial and Business Activity Areas:**
All signs which do not comply with one or more of the Permitted Activity Conditions in 14B 2.1.6

- Traffic Effects:

The extent to which the proposed sign will affect adversely traffic safety and the efficient functioning of the State Highway. Signs should not distract motorists or obstruct the State Highway, cycle and pedestrian ways.

Consideration should be had to the nature of illumination, location on the site, height, face area and movement.

- Visual amenity values only where the sign is erected on sites with frontage to the following roads:

State Highway No.2, both at and to the south of the intersection of State Highway No.2, Hutt Road and The Esplanade.

Melling Bridge and Melling Link Road.

Hebden Crescent and State Highway No.2

The extent to which the sign affects adversely the visual amenity values of sites within a residential, recreation or rural activity area, or the Community Iwi Activity Area 1 - Marae.

Consideration should be given to -

the height of the sign in relation to buildings and structures on sites in adjacent activity areas.

the face area of the sign and the extent to which it is visually obtrusive from a site within a residential, recreation rural activity area, or Community Iwi Activity Area 1 - Marae.

The extent to which the use of colour causes the sign to be visually obtrusive from a site within a residential, recreation or rural activity area, or the Community Activity Area 1 - Marae.

The extent to which the frequency of signs on the site, and movement of signs detracts from visual amenity values of sites in the residential, recreation or rural activity areas, or the Community Iwi Activity Area 1 - Marae.

The extent to which the illumination of the sign affects adversely amenity values. All measures are to be taken to ensure there is no unreasonable light spill beyond the boundaries of the site.

Artificial light shall not result in added illuminance in excess of 8 lux measured at the window of any dwelling house in a residential, recreation or rural activity area, or Community Iwi Activity Area 1 - Marae.

The contribution the sign makes to enhancing the visual amenity values of the main entrance routes to the City.

(d) In all Activity Areas all signs advertising brothels and commercial sexual services.

(i) Design, content, location, size, height and appearance of signs.

- The extent to which the design, content, location, size, height and appearance of signs will have adverse effects on the amenity values of the area.

- The extent to which the design, content, location, size, height and appearance of signs are likely to cause a nuisance or serious offence to ordinary members of the public using the area.

- Whether the design, content, location, size, height and appearance of signs are likely to be incompatible with the existing character or use of the area.

- (ii) Traffic effects

The extent to which the proposed signs will adversely affect traffic safety.

14B 2.3.2 Other Matters

All Restricted Discretionary Activities must comply with other relevant Permitted Activity Conditions.

14B 2.4 Discretionary Activities

- (a) In all activity areas, excluding the Petone Commercial Activity Area 1:
 - (i) Any Permitted, Controlled or Restricted Discretionary Activity which does not comply with any of the Permitted Activity Conditions.

14B 2.4.1 Assessment Matters for Discretionary Activities

- (a) The matters contained in Sections 104 and 105, and Part II of the Act shall apply.
- (b) The degree of compliance or non-compliance with any relevant Permitted Activity Conditions.

14B 2.5 Non-Complying Activities

- (a) In all activity areas
 - (i) All other activities not listed as a Permitted, Controlled or Restricted Discretionary, or Discretionary Activity.

14B 3 Anticipated Environmental Results

- (a) Signs which do not detract from the visual amenity values of the City.
- (b) Signs which do not interfere with the safe and efficient functioning of the roads and pedestrian ways.

Proposed Plan Change to Chapter 14C

See Amendment 93

14C Noise

Introduction

Noise has generally been accepted as unwanted sound. Noise can have both psychological as well as physiological effects on people. At the least, noise may be annoying, at worst excessive noise may cause damage to hearing and permanent changes in health. Across all activity areas noise can adversely affect amenity values.

Ambient noise surveys have been carried out throughout the City. The data obtained from these surveys has been utilised to establish rules. The concept of "noise areas" has been the basis of these rules in all residential activity areas. In other activity areas surveys and rules have been based on the individual locations.

14C 1 Issue, Objective and Policies

14C 1.1 Maintaining or Enhancing Health and Amenity Values

Issue

Noise can adversely affect health and amenity values in all activity areas. It is necessary to determine and establish noise levels that maintain or enhance health and amenity values.

Objective

To maintain or enhance the amenity value of all activity areas by ensuring that the adverse effects of excessive noise on the environment are avoided or mitigated.

Policies

- (a) To recognise that background noise levels are markedly different throughout the City.
- (b) To recognise that acceptable noise levels will vary according to the nature of the principal activities occurring within activity areas.
- (c) To ensure that residential activity areas are protected by establishing appropriate noise levels at the interface between residential activity areas and non residential activity areas.
- (d) That maximum noise levels are established within each activity area to ensure that amenity values are protected.
- (e) To make provision for those situations where there has already been considerable history to the establishment of specified noise conditions.
- (f) To recognise that noise levels may be different through a construction phase.
- (g) To recognise that Noise Management Plans may be appropriate to manage matters beyond those addressed in this District Plan.

Explanation and Reasons

Excessive noise is the most commonly experienced nuisance.

There is an explicit responsibility in the Act that noise not exceed a reasonable level (Section 16). The duty to avoid unreasonable noise falls on every individual and is regardless of any requirements placed through District Plans or resource consents. That there is such an explicit responsibility reflects the extent to which the creation of unreasonable noise is seen as an adverse effect on the environment. In addition the Act sets out very specific procedures for situations involving excessive noise.

The approach adopted in the Plan balances the desirability of having certainty for both developers and neighbours while also taking into account the background noise levels. Four "noise areas" have been identified and are the basis of rules in the residential activity areas. Specific conditions have been developed for other activity areas.

Noise associated with construction is of a temporary nature and often out of character with the noise levels which would normally be expected of the locality. NZS 6803P:1984 The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work relates specifically to construction noise and is a well accepted means of monitoring and managing noise specifically from construction.

There are a number of sources of excessive noise which the Act identifies as being outside the scope of its application. Alternative means of managing these are available outside this document. These noise sources specifically are - aircraft being operated during, immediately before or after, flight; vehicles being driven on a road (within the meaning of section 2(1) of the Transport Act 1962); a train, other than when at a railway station or in railway yards.

A Noise Management Plan is one method available to address matters of protocol and procedure between neighbours, interest groups and non-residential activity managers. Such a Plan would be a document independent from the District Plan but could be included within other formal documents for site management such as Standing Orders, Standard Operational Procedures, Operational or Business Plans, Best Practical Options, or other similar documents. A Noise Management Plan may work in conjunction with relevant provisions within this District Plan.

14C 2 Rules

14C 2.1 Permitted Activity - Conditions

In all Activity Areas

- (a) These rules are without prejudice to the powers of Council pursuant to the Act.
- (b) These rules are without prejudice to the powers of any Medical Officer of Health pursuant to the Health Act 1956.
- (c) The noise levels shall be measured in accordance with NZS 6801:1991 "Measurement of Sound", and assessed in accordance with NZS 6802:1991 "Assessment of Environmental Sound". The noise level is the L10 descriptor, as defined in NZS 6801:1991.
- (d) The lower levels shall apply between the commencement of the lower level on a Saturday evening and Monday morning, and Public Holidays, unless otherwise specified.
- (e) The maximum sound level shall not exceed L_{max}75dBA during the hours 10.00pm - 7.00am, measured anywhere within a residential activity area.

- (f) All construction, demolition, and maintenance work shall comply with NZS 6803P "Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work".
- (g) Sirens being used in response to an emergency (and routine testing and maintenance) are exempt from the Permitted Activity Condition standards.
- (h) Noise from electricity distribution transformers not exceeding 1.5 MVA capacity, which are designed, constructed, installed and maintained to good New Zealand industry practice, providing the maximum noise level, measured at a distance of two metres in front of any window of any living area or bedroom of any residential building, shall be less than 50dBA.

14C 2.1.1 All Residential Activity Areas

(a) Emergency Facilities

- (i) All emergency facilities (not otherwise provided for in these rules) must not exceed the conditions specified, measured anywhere within a residential activity area other than the site on which the activity takes place:

Maximum 55dBA	Monday to Sunday	7.00am – 10.00pm
Maximum 45dBA	Monday to Sunday	10.00pm – 7.00am

with the exception of Lot 2 DP 82046 (155 – 157 Waterloo Road, Lower Hutt - Central Fire Station).

- (ii) Sirens being used in response to an emergency (and routine testing and maintenance) are exempt from the Permitted Activity Condition standards.
- (iii) On Lot 2 DP 82046 (155 -157 Waterloo Road, Lower Hutt – Central Fire Station) the following conditions shall apply:

- The noise standard must not exceed the conditions specified, measured anywhere within a residential activity area other than the site on which the activity takes place:

Maximum 55dBA	Monday to Saturday	7.00am – 8.00pm
Maximum 45dBA	Monday to Saturday	8.00pm – 7.00am
Maximum 45dBA	Sundays and Public Holidays	

with the exception of noise from the following activities:

- Activities relating to an emergency situation or callout;
 - Movement of fire appliances and other equipment in the rear yard which is not reasonably avoidable; and
 - The carrying out of training activities in the rear yard between 8.00am and 6.30pm Monday - Friday and 8.00am - Midday Saturday.
- (iv) With respect to Lot 2 DP 82046 (155-157 Waterloo Road, Lower Hutt - Central Fire Station) the following additional conditions apply:
 - That there be no heavy vehicle (a vehicle requiring a hubometer) movements in the rear yard, including the covered vehicle wash area, between 8.00pm and 7.00am;
 - That no water tanks on fire appliances be filled on the site between 8.00pm and 7.00am;
 - That no breathing apparatus cylinders be filled on the site between 8.00pm and 7.00am; and
 - That civil defence equipment stored on the site be uplifted prior to 8.00pm and when it is necessary to return the equipment between 8.00pm and 7.00am, that the equipment be returned to the front of the workshop garage on the eastern side of the site.

- (b) All other non-residential activities must not exceed the conditions as specified, measured anywhere within a residential activity area other than the site on which the activity takes place.

All properties within Residential Activity Areas are in Noise Area 3 with the exception of properties identified within Appendix Noise 1 which are in the Noise Area specified in the Appendix.

Noise Area 1	Maximum 60dBA	7.00am - 10.00pm (Sun 9.00am - 4.00pm)
	Maximum 45dBA	10.00pm - 7.00am
Noise Area 2	Maximum 55dBA	7.00am - 10.00pm
	Maximum 45dBA	10.00pm - 7.00am
Noise Area 3	Maximum 50dBA	7.00am - 10.00pm
	Maximum 40dBA	10.00pm - 7.00am
Noise Area 4	Maximum 45dBA	7.00am - 8.00pm
	Maximum 40dBA	8.00pm - 7.00am

except for the following locations where activities must not exceed the standards specified.

14C 2.1.1.1 Bellevue Hotel, 140 Woburn Road, Pt Lot 2 DP 5877 and Pt Lot 1 DP 6028 -

- (a) The noise level shall not exceed the following levels when measured on adjoining land within a residential activity area, (other than on the site from which the noise is emanating)

Day	6.30am - 10.00pm	L10 55dBA
Night	10.00pm - 6.30am	L10 45dBA

Noise measurements shall be made in accordance with NZS 6801:1991 "Measurement of Sound" and assessed in accordance with NZS 6802:1991 "Assessment of Noise in the Environment". If the measured noise has special audible characteristics the performance levels shall be adjusted in accordance with paragraph 4.4 of NZS 6802:1991.

Noise measurement shall be taken on or within the boundaries of the residential site.

Night time levels shall also apply on Sundays, Christmas Day and Good Friday.

- (b) The noise from any form of electronically produced or amplified music shall be such that the noise level measured in any octave band between 31.5Hz and 8KHz, as measured inside any habitable room (other than on the site from which the noise is emanating) with windows open in their normal fashion, shall not exceed the background level measured in that octave band by more than 5dB, or the following values, whichever is the greater:

Octave Band(Hz)	31.5	63	125	250	500	1k	2k	4k	8k
Level (dB)	58	43	35	28	21	15	10	8	8

The background levels shall be determined by the statistical analysis as the L95 of the ambient noise in the absence of amplified music. The background levels shall be measured within 1 hour of the measurement of the music noise levels.

The music noise levels shall be measured as the equivalent continuous level, Leq. The sound level meter operator shall ensure that the measured level is due solely to the music noise. The music noise levels shall be measured over 15 cumulative minutes of music audible at the measurement location.

This condition shall apply during the hours 7.00pm to 6.30am and at all times on Sundays, Christmas Day and Good Friday.

The sound meter used for measurements of music noise shall comply with IEC Publication 651 for type 1 instruments. Octave band filters shall comply with IEC Publication 255. The time weighting characteristic "F" shall be used.

- (c) The sound meter used for measurements of noise shall comply with IEC Publication 651 (1970) "Sound Level Meters: Type 1".

14C 2.1.1.2 Corner Eastern Hutt Road and Reynolds Bach Drive, Part Section 742 Hutt District

All activities must not exceed the conditions as specified, measured anywhere within a residential activity area other than the site on which the activity takes place -

Maximum 58dBA	6.30am - 8.00pm
Maximum 45dBA	8.00pm - 6.30am

14C 2.1.1.3 Summit Road Nursery, Lot 1 DP 20206 and Lot 34 DP 31233; Moores Valley Road Depot, Part Lot 2 DP 88509; and Bracken Street Depot, Section 979 Hutt District -

All scheduled activities must not exceed, the conditions as specified, measured anywhere within a residential activity area other than the site on which the activity takes place -

Maximum 55dBA	7.00am - 8.00pm
Maximum 40dBA	8.00pm - 7.00am

14C 2.1.1.4 10 Bauchop Road, Lot 1 DP 10377

All activities must not exceed, the conditions as specified, measured anywhere within a residential activity area other than the site on which the activity takes place -

Maximum 57dBA	6.30am - 8.00pm
Maximum 45dBA	8.00pm - 6.30am

14C 2.1.1.5 Cnr Hutt and Te Mome Roads, Lot 26 DP 1984

All activities must not exceed, the conditions as specified, measured anywhere within a residential activity area other than the site on which the activity takes place -

Maximum 65dBA	6.30am - 8.00pm
Maximum 58dBA	8.00pm - 6.30am

14C 2.1.1.6 Oxford Terrace/Waterloo Road (Ambulance Station), Section 1 SO 36751

- (a) All activities must not exceed, the conditions as specified measured anywhere within a residential activity area other than the site on which the activity takes place -

Maximum 50dBA	7.00am - 8.00pm
Maximum 45dBA	8.00pm - 7.00am

- (b) No siren may be used when in the vicinity of the site between the hours of 8.00pm and 7.00am.

14C 2.1.1.7 Stokes Valley Bus Depot, cnr Stokes Valley Road and Kamahi Streets, Lot 1 DP 55258

All activities must not exceed the conditions as specified measured anywhere within a residential activity area other than the site on which the activity takes place -

Maximum 60dBA	5.30am - 10.00pm	Monday – Thursday
	5.30am - Midnight	Friday & Saturday
	5.30am - 9.00pm	Sunday
Maximum 45dBA	Any time outside those times specified above.	

14C 2.1.1.8 Wainuiomata Bus Depot, Main Road/Burden Avenue, Lot 3 DP 55256

All activities must not exceed the conditions as specified measured anywhere within a residential activity area other than the site on which the activity takes place -

Maximum 60dBA	5.30am - 10.00pm	Monday – Thursday
	5.30am - Midnight	Friday & Saturday
	5.30am - 9.00pm	Sunday
Maximum 45dBA	Any time outside those times specified above.	

14C 2.1.1.9 Waterloo Bus Depot - that area of Pt Sec 30 Hutt District located on the western side of the Wairarapa Railway Line between Knights Road and Wilford Street

All activities must not exceed the conditions as specified, measured anywhere within a residential activity area other than the site on which the activity takes place -

Maximum 60dBA	5.30am - 10.00pm	Monday – Thursday
	5.30am - Midnight	Friday & Saturday
	5.30am - 9.00pm	Sunday
Maximum 45dBA	Any time outside those times specified above.	

14C 2.1.2 Central Commercial Activity Area & Petone Commercial Activity Areas 1 & 2

(a) All activities must not exceed the conditions as specified measured anywhere within a residential activity area -

Maximum 60dBA	7.00am - 10.00pm (Sun 9am - 4pm)
Maximum 45dBA	10.00pm - 7.00am

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(b) All activities must not exceed the conditions as specified measured at the boundary of the site on which the activity takes place -

Maximum 65dBA	7.00am - 10.00pm
Maximum 60dBA	10.00pm - 7.00am

14C 2.1.3 Suburban Commercial Activity Area

(a) All activities must not exceed the conditions as specified measured anywhere within a residential activity area -

Maximum 60dBA	7.00am - 10.00pm (Sun 9am - 4pm)
Maximum 45dBA	10.00pm - 7.00am

14C 2.1.4 Special Commercial Activity Area

- (a) All activities must not exceed the conditions as specified measured anywhere within a residential activity area -

Area 1 - Station Village

Maximum 65dBA 6.30am - 9.00pm
Maximum 57dBA 9.00pm - 6.30am

Area 2 - Boulcott Village

Maximum 63dBA 6.30am 10.00pm
Maximum 45dBA 10.00pm - 6.30am

14C 2.1.5 General Business Activity Area

- (a) Within the General Business Activity Area, all activities must not exceed 65dBA, measured at the boundary of the site on which the activity takes place.
- (b) All activities must not exceed the conditions as specified measured anywhere within a recreation or residential activity area. Appendix Noise 2 identifies the locations -

Location Reference	Location Description	Performance Standards	
1	George Street	Maximum 56dBA Maximum 43dBA	6.30am - 10.00pm 10.00pm - 6.30am
2	Eastern Hutt Road	Maximum 60dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am
3	Taita	Maximum 58dBA Maximum 45dBA	6.30am - 10.00pm 10.00pm - 6.30am
4	Wingate	Maximum 57dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am
5	Hebden Crescent	Maximum 55dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am
6	Rata St/Norrie Gr	Maximum 51dBA Maximum 44dBA	7.00am - 10.00pm 10.00pm - 7.00am
7	Naenae	Maximum 65dBA Maximum 46dBA	7.00am - 10.00pm 10.00pm - 7.00am
8	Park Avenue	Maximum 60dBA Maximum 46dBA	6.30am - 10.00pm 10.00pm - 6.30am
9	Connolly Street	Maximum 50dBA Maximum 40dBA	7.00am - 10.00pm 10.00pm - 7.00am
10	Pharazyn Street	Maximum 65dBA Maximum 49dBA	6.30am - 10.00pm 10.00pm - 6.30am
11	Birch St/Knights Rd	Maximum 50dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am
12	Railway Ave/Marsden St	Maximum 58dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am
13	Wakefield St/Hutt Rd	Maximum 63dBA Maximum 45dBA	6.30am - 10.00pm 10.00pm - 6.30am
14	Victoria St/Cuba St	Maximum 58dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am

15	Bouverie Street	Maximum 55dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am
16	Hutt Road (Nevis Street to Udy Street)	Maximum 55dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am
17	Petone West (Victoria Street to Scholes Lane)	Maximum 60dBA Maximum 45dBA	6.00am - 10.00pm 10.00pm - 6.00am
18	Cornish Street	Maximum 55dBA Maximum 45dBA	6.00am - 10.00pm 10.00pm - 6.00am
19	Esplanade West	Maximum 55dBA Maximum 45dBA	6.00am - 10.00pm 10.00pm - 6.00am
20	Petone South	Maximum 55dBA Maximum 45dBA	6.00am - 10.00pm 10.00pm - 6.00am
21	Cuba Street	Maximum 55dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am
22	Petone East (Waione Street/Marine Parade)	Maximum 65dBA Maximum 50dBA	6.00am - 10.00pm 10.00pm - 6.00am
23	Hawkins Street	Maximum 58dBA Maximum 45dBA	6.30am - 10.00pm 10.00pm - 6.30am
24	Randwick Road	Maximum 53dBA Maximum 41dBA	6.30am - 10.00pm 10.00pm - 6.30am
25	Seaview Road/Port Road/Randwick Road	Maximum 62dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am
26	Bell Road/Gracefield Road/Wainui Road	Maximum 59dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am
27	Gracefield Road/Tunnel Grove	Maximum 59dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am
28	Parkway	Maximum 65dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am
29	Fraser St/Simmons Gr	Maximum 60dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am
30	Main Road (Rear of Gibbs Crescent)	Maximum 50dBA Maximum 40dBA	7.00am - 10.00pm 10.00pm - 7.00am
31	Burden Avenue	Maximum 60dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am
32	Moore's Valley Road	Maximum 60dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am
33	Point Howard	Maximum 60dBA Maximum 45dBA	7.00am - 11.00pm 11.00pm - 7.00am

Noise resulting from activities below mean high water springs, including from ships berthed at Seaview Wharf, is controlled within the Wellington Regional Coastal Plan

14C 2.1.6 Special Business Activity Area

- (a) All activities must not exceed the conditions as specified, measured anywhere within a residential activity area . Appendix Noise 2 identifies the location -

Location Reference	Location Description	Performance Standards	
34	Port Rd/Seaview Rd	Maximum 62dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am

- (b) Within the Special Business Activity Area, all activities must not exceed 65dBA, measured at the boundary of the site on which the activity takes place.

14C 2.1.7 Avalon Business Activity Area

All activities must not exceed the conditions as specified, measured anywhere within a residential activity area. Appendix Noise 2 identifies the locations -

Location Reference	Location Description	Performance Standards	
35	Percy Cameron St	Maximum 60dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am
36	Fairway Drive	Maximum 60dBA Maximum 45dBA	6.00am -10.00pm 10.00pm - 6.00am

14C 2.1.8 Extraction Activity Area

All activities must not exceed the conditions as specified, measured anywhere within a residential or rural activity area. Appendix Noise 2 identifies the locations-

Location Reference	Location Description	Performance Standards	
37	SH No.58	Maximum 70dBA Maximum 45dBA	6.00am - 10.00pm 10.00pm - 6.00am
38	SH No.2	Maximum 70dBA Maximum 45dBA	6.00am - 10.00pm 10.00pm - 6.00am

14C 2.1.9 Rural Residential Activity Area

All non-residential activities must not exceed the conditions as specified, measured anywhere beyond the site on which the activity takes place -

Maximum 45dBA	7.00am - 8.00pm
Maximum 40dBA	8.00pm - 7.00am

14C 2.1.10 General Rural Activity Area

All non-residential activities must not exceed the conditions as specified, measured anywhere beyond the site on which the activity takes place -

Maximum 50dBA	7.00am - 10.00pm
Maximum 40dBA	10.00pm - 7.00am

14C 2.1.11 Community Health Activity Area

All activities must not exceed the conditions as specified measured anywhere within a residential activity area -

Maximum 50dBA	7.00am - 10.00pm
Maximum 40dBA	10.00pm - 7.00am

14C 2.1.12 Community Iwi Activity Area 1 - Marae

The standards are those for the Residential Noise Zone in which each Marae is located in, except for the Puke Ariki Marae (Te Tatau O Te Po, Hutt Road) where the standard is -

Maximum 63dBA	6.30am - 9.00pm
Maximum 45dBA	9.00pm - 6.30am

14C 2.1.13 Community Iwi Activity Area 3 - Kokiri Centres

All activities must not exceed the conditions as specified for each location measured anywhere within a residential activity area -

Ngau-matau Kokiri (Seaview)

Maximum 62dBA	7.00am - 9.00pm
Maximum 45dBA	9.00pm - 7.00am

Pukeatua Kokiri (Wainuiomata)

Maximum 60dBA	7.00am - 8.00pm
Maximum 45dBA	8.00pm - 7.00am

14C 2.2 Discretionary Activities

- (a) Any activity not complying with the Permitted Activity - Conditions.

14C 2.2.1 Assessment Matters for Discretionary Activities

- (a) The matters contained in sections 104 and 105, and in Part II of the Act shall apply.
- (b) The degree of compliance or non-compliance with any relevant Permitted Activity Condition.

14C 3 Anticipated Environmental Results

- (a) Specific management conditions for sites and activity areas to ensure that the adverse effects of excessive noise are avoided or mitigated.
- (b) Maintenance and enhancement of the amenity values of activity areas.

Part 5: Section 32 Evaluation

The purpose of this report is to evaluate the options for the management of the Central Commercial Activity Area relating to Proposed Plan Change 14.

Introduction

The Hutt City Council (HCC) has prepared Proposed Plan Change 14 to the City of Lower Hutt District Plan (“the District Plan”) for notification under the provisions of the Resource Management Act 1991 (“the Act”). This report provides an analysis of the content of the Plan Change, in accordance with the requirements of Section 32 of the Act.

Background

The City of Lower Hutt District Plan became operative in March 2004. As set out under section 79(2) of the Act, District Plans are required to be reviewed no later than every 10 years. The Council has elected to undertake the review of its District Plan in components. The reasoning for this approach being to lessen the administrative burden of reviewing an entire District Plan within the statutory timeframes and to allow the public to comment on more manageable topics.

The Council has been reviewing the whole Central Commercial Activity Area, including all the Issues, Objectives, Policies and Rules for that chapter in the Plan. In reviewing these provisions, Council has found a number of issues that could be better accommodated in the District Plan. The review has been informed by a number of documents and other Council initiatives, particular the CBD Vision and CBD Making Places documents.

CBD Vision

The CBD “Vision 2030” document sets out the long term vision for the central area. The vision statement contained in this document states “*Shaped by the Hutt River, the Hutt CBD connects people and nature to create a lively and vibrant place*”. Vision 2030 is based on six broad themes, being:

- Liveable
- Unique
- Sustainable
- Growth
- Connected
- Quality

For each of the themes, a series of outcomes are listed to guide and measure progress towards achieving the vision. In addition, suggested initiatives are also listed and parties to be involved in their implementation are identified. Some of these initiatives include District Plan changes to provide for and support activities and developments which contribute towards achieving the vision. For example, under the theme of ‘Quality’, listed initiatives include reducing parking requirements for residential dwellings and ensuring the District Plan encourages sustainable urban form and quality urban design.

CBD Making Places

One of the primary tools for advancing the CBD Vision 2030 is the ‘Making Places’ project. ‘Making Places’ establishes an overall design framework for implementing the Vision, and includes key project strategies and design initiatives. These strategies and initiatives include various aspects which are related to the existing District Plan provisions, such as the mix of activities within the CBD, height limits and carparking. In addition, the strategies suggest new provisions may be required in the District Plan, including protection of sunlight to public places, maintenance of front yard qualities on specific streets and development of a river side promenade.

The research and consultation associated with this exercise has provided the basis for some of the provisions contained within this Proposed Change. As such, it is important that the

documents associated with the Making Places exercise be considered as part of this Section 32 document.

National Direction

New Zealand Urban Design Protocol

The Hutt City Council became a signatory to this protocol in early 2008. By becoming a signatory, the Council agreed to work to raise the standard and quality of the urban design of developments built in the city. The Plan Change seeks to implement the urban design principles contained in the Urban Design Protocol.

Regional Direction

There have been some recent developments in the policy direction at a regional level. Principally, these policy directions are contained in the Wellington Regional Strategy and the Proposed Wellington Regional Policy Statement.

Wellington Regional Strategy (Sustainable Economic Growth Strategy)

This Strategy provides direction on drivers and initiatives to support economic growth in the greater Wellington region. The Strategy has three main focus areas, one being investment in good regional form.

Within this focus area, the Lower Hutt City central area is recognised as a “sub-regional centre”. These sub-regional centres are recognised in the Strategy as areas which provide significant business, retailing and community services, and it is important to sustain economic growth in these locations. Another initiative in the Strategy is its support of quality urban design, as it recognises that a city which looks good, feels safe and is easy to get around attracts economic growth. Good regional form also supports more intensive residential activity within and around the sub-regional centres.

The District Plan can assist in implementing many of these initiatives related to good regional form, which helps contribute towards the economic wellbeing of Lower Hutt City and the wider greater Wellington region.

Proposed Wellington Regional Policy Statement

Notified in March 2009, the Proposed Regional Policy Statement for the Wellington Region sets out the resource management issues for the Wellington region, and outlines the policies and methods required for achieving the objectives in the Policy Statement. This Policy Statement has been prepared under the Resource Management Act, and the District Plan “must give effect to” the policy directions contained in the Regional Policy Statement.

The Proposed Regional Policy Statement includes a number of issues which are specifically relevant to the Lower Hutt City central area, including:

- Energy, infrastructure and waste
- Fresh water
- Historic heritage
- Indigenous ecosystems
- Natural hazards
- Regional form, design and function

The following is a list of policies in the Proposed Regional Policy Statement which this plan change gives effect to in relation to the Central Commercial Activity Area:

Policy 9: Promoting travel demand management – district plans and the Regional Land Transport Strategy

District plans and the Wellington Regional Land Transport Strategy shall include policies to promote travel demand management mechanisms that reduce:

(a) the use and consumption of non-renewable transport fuels; and

(b) carbon dioxide emissions from transportation.

Policy 10: Promoting energy efficient design and small scale renewable energy generation

District plans shall include policies that:

(a) promote energy efficient design and the use of small scale renewable energy generation; and

(b) provide for energy efficient alterations to existing buildings.

Policy 29: Maintaining and enhancing the viability and vibrancy of regionally significant centres – district plans

District plans shall include policies, rules and/or methods that encourage a range of land use activities that maintain and enhance the viability and vibrancy of the regional central business district in Wellington city and the following centres of regional significance:

(b) Lower Hutt city centre;

Policy 30: Identifying and promoting higher density and mixed use development – district plans

District plans shall:

(a) identify key centres suitable for higher density and/or mixed use development;

(b) identify locations, with good access to the strategic public transport network, suitable for higher density and/or mixed use development; and

(c) include policies, rules and/or methods that encourage higher density and/or mixed use development in and around these centres and locations,

so as to maintain and enhance a compact, well designed and sustainable regional form.

It is noted the Proposed Regional Policy Statement is currently at the submission stage at the time of preparing this plan change. If changes to the above policies are made to the Regional Policy Statement through the submission process, a future Plan Change to the District Plan may be required.

Review of the Current Provisions in the District Plan

A review of the current Central Commercial Activity Area and associated provisions was completed at the start of this process. This review entailed consideration of the effectiveness of the policies and methods in achieving the objectives in the Plan. It was informed by consideration of the background and research in developing the Plan provisions, what provisions are working well and what are not, and what are the future aspirations for the central area taking into account the strategic directions in the recent planning and visioning exercises.

Since the Plan became operative in March 2004, there have been a low number of resource consents in the Central Commercial Activity Area. This low number can be attributed to a number of factors, including the generally low rate of development in the central area, the generally permissive provisions in the District Plan, and the ability of proposals to comply with the standards (i.e. the outcomes desired by the standards are being achieved).

In assessing the rules which triggered the requirement for resource consent for proposals in the Central Commercial Activity Area, the majority of these related to non-compliance with parking and loading standards, as well as non-compliance with the earthworks standards. From discussions with landowners, developers and architects, the parking and loading standards and earthworks standards are the two requirements which are regularly identified in designing and constructing developments in the central area. This finding raises issues about the efficiency of these standards, and whether they are the most efficient in achieving the objectives in the Plan.

Complaints about activities and developments in the Central Commercial Activity Area also provide an insight into the effectiveness of the current Plan provisions. Over the last five years, Council has received a limited number of complaints in relation to the central area. There have been a few isolated complaints about excessive noise, including from specific events held in the central area. In addition, new or proposed buildings near the residential areas have received complaints. The majority of complaints received have been from residents who live in the residential area on the periphery of the central area. In response to complaints about proposed taller buildings near the adjoining residential area, Council prepared and notified Proposed Plan Change 8. Given the recent adoption of this Plan Change, it is too early to monitor its effectiveness.

In addition to the internal Council review of the current provisions, comments were sought from the public and parties regularly involved with the District Plan (e.g. architects, surveyors, builders, developers). These comments were received through a series of interviews with various individuals. This process identified issues with the current Plan provisions as well as identifying emerging trends and issues the District Plan may have to address in the future.

Discussion Document

Following the above background research and visioning and consultation process, a District Plan discussion document was prepared to scope the issues in the central area that can be addressed through the District Plan, and identify potential options for managing these issues. Ten topic areas were identified in the discussion document under which a range of issues and options were covered. The ten topic areas were:

- Activities and land use
- Urban form
- Urban amenity
- River
- Residential interface
- Public space
- Transport
- Historic heritage
- Infrastructure
- Urban ecology and energy efficiency

The options for each issue in the discussion document can be grouped into three categories. These categories are:

- No change – the provisions as they currently apply would remain
- New regulatory methods including amendment rules and other provisions
- New non-regulatory methods or other tools

The discussion document was released for public comment in December 2008. The discussion document and summary brochure were disseminated to a wide range of parties seeking their views on the issues and options for the central area. Parties specifically notified by letter of this review were land and building owners and occupiers in the central area and residents in the immediately surrounding residential area. In addition, other parties who previously expressed interest in the review were notified, such as developers, architects and surveyors. Letters were also sent to a range of statutory authorities and stakeholders such as New Zealand Historic Places Trust and Greater Wellington Regional Council.

The discussion document was available from a number of locations, including the Council office, libraries and Tradestart office. At the Tradestart office in High Street, a public display was set up with a series of posters summarising the issues and options for people to review. Four advertised public open days were held at the Tradestart office to provide an opportunity for any person to answer questions or discuss any matters associated with the review.

A public notice was also included in the Hutt News on 3 March 2009 to remind the community of the discussion document and the last open day, as well as the closing date for making comments.

A total of 24 feedback forms/comments were received on the discussion document. The parties who provided written comments ranged from owners of central area properties, workers in the central area, residents from the surrounding area and a network utility company. In addition to these written comments, verbal comments were received from people who attended the open days. The comments received covered the full range of issues in the discussion document. The comments received on the discussion document have informed the evaluation under Section 32 of the Act.

Pre-Consultation

Extensive consultation has been undertaken for the central area which has informed the Proposed Plan Change for the Central Commercial Activity Area. This consultation has been associated with the earlier visioning and strategic planning exercises over the last five years, and the more targeted consultation that was part of the Making Places process.

A more focused consultation approach was adopted in the preparation and evaluation of this Proposed Plan Change, given the nature of the Proposed Plan Change and the earlier consultation. The consultation process involved input from various Hutt City Council officers actively involved in managing the central area, as well as individuals from a range of organisations, including property owners, property consultants and local residents. In addition, the general public and landowners within the Central Commercial Activity Area and surrounding residential area were consulted via the discussion document process outlined above. Specific consultation with statutory agencies as required under Clause 3 of Schedule 1 of the Resource Management Act 1991 (RMA) was undertaken as part of the discussion document stage.

Further consultation will take the form of submissions to the Proposed Plan Change, as part of the formal Resource Management Act notification and submission processes.

Proposed Plan Change Provisions

As detailed in the actual Proposed Plan Change document, Proposed Plan Change 14 comprises the following amendments:

- Amendments to Section 1 of the District Plan amending the text relating to Commercial Activity in the whole city.
- Amendments to Section 3 Definitions amending the definition of dwelling house.
- Amendments to Section 5A 1 Central Commercial Activity Area replacing the existing issues, objectives and policies section with new issues, objectives and policies. The new provisions address the issues raised in the vision documents, other statutory plans and during consultation.
- Amendments to Section 5A 2 Central Commercial Activity Area deleting, adding and amending the rules to effectively and efficiently achieve the new objectives. The new provisions amend the activity status of various activities and add and amend the permitted activity standards. Revised maps for applying the Central Commercial Activity Area rules are also proposed, which are detailed in the Appendix in Section 5A 2.
- Amendments to Section 14A Transport by deleting, adding and amending the explanation text, rules, standards and accompanying maps. The on-site parking and loading standards for the Central Commercial Activity Area are proposed to be amended to address the issues raised during consultation with the existing standards. The roading hierarchy in the Central Commercial Activity Area is also proposed to be amended.
- Amendments to Section 14B Signs by amending the permitted activity standard managing the size of signs in the Central Commercial Activity Area.

- Introduce a Central Commercial Activity Area Design Guide.
-

Associated Documents/Research

The following documents were utilised in the preparation of Proposed Plan Change 14:

Wellington Regional Council (2009): Proposed Regional Policy Statement for the Wellington Region

Wellington Regional Council (2007): Wellington Regional Strategy

Wellington Regional Council (2001): Hutt River Floodplain Management Plan

Wellington Regional Council (1995): Operative Regional Policy Statement for the Wellington Region

Hutt City Council (2009): CBD Making Places Report

Hutt City Council (2009): Vision CBD 2030

Hutt City Council (2009): Hutt City Long Term Council Community Plan 2009 - 2019

Hutt City Council (2007): Central Area Parking Policy

Hutt City Council (2004): City of Lower Hutt Operative District Plan

Hutt City Council (2002): Economic Development Strategy

Ministry for the Environment (2005): New Zealand Urban Design Protocol

Ministry for the Environment website (www.mfe.govt.nz)

Quality Planning website (www.qp.org.nz)

Various earlier reports held in Council files on previous central area policy and projects

Statutory Requirements under the Resource Management Act

Section 32 requires:

Consideration of alternatives, benefits and costs

- (1) *In achieving the purpose of this Act, before a proposed plan, proposed policy statement, change, or variation is publicly notified, a national policy statement or New Zealand coastal policy statement is notified under section 48, or a regulation is made, an evaluation must be carried out by—*
 - (a) *The Minister, for a national policy statement or a national environmental standard; or*
 - (b) *The Minister of Conservation, for the New Zealand coastal policy statement; or*
 - (c) *The local authority, for a policy statement or a plan (except for plan changes that have been requested and the request accepted under clause 25(2)(b) of Part 2 of Schedule 1); or*
 - (d) *The person who made the request, for plan changes that have been requested and the request accepted under clause 25(2)(b) of Part 2 of the Schedule 1.*
- (2) *A further evaluation must also be made by—*
 - (a) *A local authority before making a decision under clause 10 or clause 29(4) of the Schedule 1; and*
 - (b) *The relevant Minister before issuing a national policy statement or New Zealand coastal policy statement.*

- (3) *An evaluation must examine—*
- (a) *The extent to which each objective is the most appropriate way to achieve the purpose of this Act; and*
 - (b) *Whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.*
- (3A) *n/a [relates to national environmental standards]*
- (4) *For the purposes of the examinations referred to in subsections (3) and (3A) an evaluation must take into account—*
- (a) *The benefits and costs of policies, rules, or other methods; and*
 - (b) *The risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules, or other methods.*
- (5) *The person required to carry out an evaluation under subsection (1) must prepare a report summarising the evaluation and giving reasons for that evaluation.*
- (6) *The report must be available for public inspection at the same time as the document to which the report relates is publicly notified or the regulation is made.*

In summary, a Section 32 evaluation is effectively a two tiered approach and must examine:

- *The extent to which each objective is the most appropriate way to achieve the purpose of the Act (i.e. sustainable management); and*
- *Whether the policies, rules and other methods are the most appropriate for achieving the objective(s).*

In doing so, the evaluation is required to “have regard to” efficiency and effectiveness and under Section 32(4) “must take into account” the benefits and costs of policies, rules or other methods and the risk of acting or not acting if there is uncertainty or insufficient information about the subject matter of the policies, rules or other methods.

Evaluation

Assessment 1 - Appropriateness of the Objectives

The evaluation below is structured based on the Issues identified in the above summarised background research and consultation. While other issues may exist in the Central Commercial Activity Area, it is not considered appropriate to included objectives in achieving the purpose of the Act for these other issues.

As detailed above, Section 32 (3) (a) requires an evaluation as to the extent to which the objectives are the most appropriate way to achieve the purpose of the RMA, being to promote the sustainable management of natural and physical resources. Below is an assessment of the objectives proposed to be added or amended in the Proposed Plan Change. All other objectives in the Operative District Plan are considered to be the most appropriate for the achieving the purpose of the Act in terms of this assessment, including the objectives in Section 14A: Transport and 14B: Signs.

Section 1: Introduction

For the commercial activity in the City as a whole, it is proposed to amend the existing objective in the Introduction Section of the District Plan as detailed below:

1.10.4 Objective

To promote an integrated and hierarchal approach to commercial centres as community focal points.

The existing objective recognises that an integrated approach to the commercial centres in the city is effective in promoting sustainable management. The structure of the existing District Plan also partially recognises a hierarchal approach for commercial centres in the city, by applying separate and targeted management frameworks for the central commercial area, Petone commercial area, the suburban commercial areas and special commercial areas. This existing structure and management frameworks recognise that different commercial centres have a different function and role in the city.

The existing Issue statement recognises the dispersed nature of commercial activity in the city, and how this commercial activity can adversely affect the integrated approach for commercial centres as community focal points. Amending the objective to promote a hierarchal approach for the commercial centres is an appropriate response to this issue, as it recognises the interrelationships between the commercial centres, and that they serve different functions and roles in the city. These functions and roles contribute to the economic and social wellbeing of the city, as the commercial centres each provide vital goods and services in meeting the needs of residents and visitors to the city.

The commercial centres also provide valuable community and social services for the city, such as public space and civic facilities. The hierarchal approach is most appropriate as it recognises that the greatest level and diversity of community and social services is provided in the central area commercial centre which caters for the whole city. While community and social services provided in the suburban commercial centres cater for local and neighbourhood requirements, with more targeted and less diverse services provided. This approach is the most appropriate in achieving the purpose of the Act in promoting sustainable management as it reinforces the historical and functional purpose of the commercial centres, and promotes that this approach continues.

Section 5A: Central Commercial Activity Area

The first existing Issue statement for the Central Commercial Activity Area focuses on the size of the area, specifically identifying the requirement to accommodate large sized retail activities. The proposed amended Issue statement changes the focus to the capacity of the

central area, and sustaining a wider range of activities in this area. These changes are in response to the existing condition of the central area and issues raised during the visioning documents and public consultation. To respond to this issue, the objective is proposed to be amended to read as follows:

5A 1.1.1 Objective
To promote the efficient use and development of the physical resources in the Central Commercial Activity Area, whilst sustaining its vitality and vibrancy as the commercial, civic and community focus of Hutt City.

The footprint (location and extent) of the Central Commercial Activity Area is not proposed to change in this Proposed Plan Change. Rather, increasing the capacity of the Central Commercial Activity Area is proposed to be provided for by utilising the existing area more efficiently, such as by allowing taller buildings and greater site coverage. The existing level of activity in the central area, including the number of vacant shops and buildings (in whole or part), demonstrates there is currently surplus capacity within the Central Commercial Activity Area for the current level of demand. Overtime, it is anticipated demand will increase associated with a greater diversity in land use and as demands for different goods and services change. The objective seeks to promote a Central Commercial Activity Area which is adaptable to this change through efficiently using and developing the existing area, including redevelopment of existing under-utilised sites.

The vitality and vibrancy of the Central Commercial Activity Area is contributed to by its role and function as the primary commercial, civic and community focus for the city. The objective of sustaining the vitality and vibrancy of this area contributes to the overall economic and social wellbeing of the city, by providing a central focal point for commercial, civic and community facilities and activities which benefits residents, visitors, enterprises and other organisations. This objective is considered the most appropriate for achieving the purpose of the Act of promoting sustainable management by more efficiently utilising and developing the physical resources in the Central Commercial Activity Area.

It is proposed to insert a new objective relating to all activities to read as follows:

5A 1.1.2 Objective:
To increase the mix and diversity of activities in the Central Commercial Activity Area in a way that increases the number of people living, working within, and visiting the area.

An issue with the current condition of the Lower Hutt City central area is the relative lack of diversity in the activities undertaken. Commercial, retail, civic and community activities predominate, which results in a relatively active area during the day, but which lacks 'life' in the evening and at night. This limited range of activities under-utilises the existing physical resources in the area. Therefore, the objective aims to increase the mix and diversity of activities in the Central Commercial Activity Area to broaden the nature and types of activities to more efficiently use and develop the physical resources in the central area, such as the land resource, community facilities and infrastructure.

Residential activities have been identified as a particular activity type which is currently underrepresented in the central area. An increase in residential activity would broaden the activity mix and have direct flow-on effects to other activity types in the central area to cater to the provision of the goods and services demanded by new residents. Residential activity would also introduce 'life' to the central area outside the typical commercial activity hours, which would contribute to an improved social environment in the central area. Therefore, increasing the number of residents in the central area would promote sustainable management by improving the social wellbeing of current and future generations in the city.

It is proposed to insert a new objective relating to retail activities to read as follows:

5A 1.1.3 Objective

To encourage a central public focused retail core and to recognise and provide for a mix of retail format sizes in some parts of the Central Commercial Activity Area.

The Issue statement for retail activities recognise these types of activities vary in nature and scale and degrade the sustainability and quality of the Central Commercial Activity Area. The proposed objective responds to this issue by encouraging a core retail precinct in the Central Commercial Activity Area to provide for complementary retail activities in a concentrated area. The traditional “High Street” concept of retail activities is recognised as an important feature and resource in the Lower Hutt City central area, therefore, the objective seeks to encourage a retail core around this area.

In addition, the objective recognises and provides for the mix of retail format sizes, as the larger format retail outlets contribute towards the economic value in the city. The objective recognises that certain sized retail activities are more appropriate in some locations than others. Therefore, the objective seeks to relate the size of the retail outlet to an appropriate location. The overall aim of this objective is considered the most appropriate for achieving the Act’s purpose by encouraging retail activities in locations which promote the overall economic, social and environmental wellbeing of the city.

It is proposed to insert a new objective relating to the incompatibility between different activities to read as follows:

5A 1.1.4 Objective

To encourage residential activity within the Central Commercial Activity Area and ensure that it recognises and provides for the potential effects of other activities in the area.

As discussed above, further residential activity in the central area is considered to make a positive contribution in promoting sustainable management in the city. However, as the Issue statement recognises, there is potential for this new residential activity to be incompatible with other activities in the central area. To minimise this potential incompatibility, the objective aims to manage residential activities by recognising and providing for the effects of other activities. This objective is appropriate as it continues to promote sustainable management by providing for a range of activities whilst avoiding, remedying or mitigating the adverse effects between activities.

It is proposed to insert a new objective relating to the Hutt River corridor to read as follows:

5A 1.1.5 Objective

To recognise the significant amenity, natural and recreational values of the Hutt River in the use in the Central Commercial Activity Area.

This objective recognises the important relationship of the use of land within the Central Commercial Activity Area to the Hutt River. The Hutt River corridor is a natural and physical resource highly valued by the community for its amenity, natural and recreational values. Recognising these values in the use of the Central Commercial Activity Area can promote sustainable management and contribute to matters of national importance such as protecting the natural character of the river margins and maintaining and enhancing public access to the river. Therefore, it is considered the proposed objective is the most appropriate for achieving the purpose of the Act.

It is proposed to insert a new objective relating to vehicle oriented activities to read as follows:

5A 1.1.6 Objective
To maintain and enhance convenient and safe access to and throughout the Central Commercial Activity Area.

The Issue statement for vehicle oriented activities identifies that these types of activities can affect the transport network and degrade the quality of the central area by creating large areas of carparking. The objective aims to maintain and enhance safe accessibility to and through the central area. The ease of movement into and through the central area contributes to the economic and social wellbeing of the city by providing for the efficient movement of goods and people. Convenient and safe access also provides for the health and safety of people in the central area. Therefore, it is considered this objective is appropriate for achieving the purpose of the Act of promoting sustainable management.

It is proposed to insert a new objective relating to the quality of buildings and open spaces to read as follows:

5A 1.2.1 Objective
To maintain and enhance the built character in the Central Commercial Activity Area by ensuring development addresses the attributes of the anticipated character for the area.

The Issue statement recognises that the quality of buildings and open spaces can affect (positively and negatively) the amenity values and qualities of the Central Commercial Activity Area. New buildings and open spaces contribute to the economic, social and environmental wellbeing of the area by providing places for people to live, work and play. It is important to ensure buildings and open spaces have an appropriate quality as they have a significant influence on the quality of the environment in the central area. Therefore, this objective is considered appropriate for achieving the purpose of the Act of promoting sustainable management.

It is proposed to insert a new objective relating to the relationship of buildings to streets and open spaces to read as follows:

5A 1.2.2 Objective
To ensure development maintains and enhances the amenity and safety of the Central Commercial Activity Area, in particular, maximising pedestrian comfort and safety.

New buildings and development can adversely affect the environment in the central area, particularly the environment at street level and in public spaces. These effects can include increased shading, changes in wind speed and direction, loss of amenity values through building dominance and noise, and loss of important qualities in the central area such as views to the surrounding hills. By ensuring the amenity and safety in the Central Commercial Activity Area is maintained and enhanced, this objective responds to the Issue statement and is appropriate in achieving the purpose of the Act of promoting sustainable management, which includes maintaining and enhancing amenity values and safety.

It is proposed to insert a new objective relating to managing the effects of development and use in the central area on adjoining residential areas to read as follows:

5A 1.2.3 Objective

To recognise and protect the amenity values of the nearby residential areas from use and development in the Central Commercial Activity Area.

The Issue statement for this objective recognises that the orientation and scale of buildings in the Central Commercial Activity Area can adversely affect the amenity values in the adjoining residential areas. These adverse effects can include increased shading, loss of privacy, building dominance, higher noise levels and an unattractive outlook. The proposed objective aims to recognise and protect the amenity values of the nearby residential areas from the adverse effects from use and development in the central area and contributes towards the social wellbeing of people in the residential area. This objective is considered appropriate in achieving the purpose of the Act, including effectively managing the amenity values of the urban environment.

It is proposed to insert a new objective relating to the Hutt River corridor to read as follows:

5A 1.2.4 Objective

To recognise the significant amenity, natural and recreational values of the Hutt River in the development in the Central Commercial Activity Area.

Similar to Objective 5A 1.1.5 above, this objective recognises the important relationship of the development of land within the Central Commercial Activity Area to the Hutt River. The Hutt River corridor is a natural and physical resource highly valued by the community for its amenity, natural and recreational values. Recognising these values in the development of the Central Commercial Activity Area can promote sustainable management and contribute to matters of national importance such as protecting the natural character of the river margins and maintaining and enhancing public access to the river. Therefore, it is considered the proposed objective is the most appropriate for achieving the purpose of the Act.

It is proposed to insert a new objective relating to carparking to read as follows:

5A 1.2.5 Objective

To promote carparking in locations and configurations which recognise and provide for their potential effects on streetscapes and the public environment.

As identified in the Issue statement, large surface carparking areas can significantly detract from the quality of the environment and amenity values in the Central Commercial Activity Area. The proposed objective recognises the adverse effects of carparking and aims to promote carparking in locations and configurations which contributes to the environmental wellbeing in the central area. This proposed objective is considered appropriate in achieving the purpose of the Act.

It is proposed to insert a new objective relating to energy efficient and low impact development to read as follows:

5A 1.2.6 Objective

To promote energy efficiency and environmental sustainability in development and use in the Central Commercial Activity Area.

The Issue statement recognises using energy more efficiently can reduce demand for resources and minimise effects on the environment. Low impact development or more environmentally sustainable development such as in the design and construction of new buildings or management of water and stormwater runoff can contribute to the economic,

social and environmental wellbeing of the city. This proposed objective of promoting energy efficiency and environmental sustainability would put less demand on natural and physical resources. Therefore, it is considered this objective is the most appropriate in achieving the purpose of the Act of promoting sustainable management.

Alternative Objectives

In addition to the above proposed objectives, alternative objectives were considered. These alternative objectives are listed below (including existing objectives proposed to be deleted):

<p>Size of the Central Commercial Activity Area</p> <p><i>To ensure that the Central Commercial Activity Area provides sites to accommodate large size retail activities on a readily available basis capable of meeting the dynamic needs and requirements of retailing, commercial activities, social and community facilities.</i></p> <p><i>No objective on the size or capacity of the Central Commercial Activity Area</i></p> <p>Residential Activity</p> <p><i>To permit residential activities in the Central Commercial Activity Area where the proper functioning of other activities will not be affected detrimentally and amenity values are protected.</i></p> <p><i>No specific objective on residential activities</i></p> <p>Service Stations</p> <p><i>To allow service stations in those parts of the Central Commercial Activity Area where the adverse effects are likely to be less significant than the parts of the area not shaded on Appendix Central Commercial 4 – Sunlight Protection.</i></p> <p>Traffic Effects of Large Scale Retail Activities</p> <p><i>To ensure that the detrimental effects on the transport network of large scale retail activities are managed and mitigated.</i></p> <p>Other Activities</p> <p><i>Separating out other specific activities with different and variable objectives for each activity.</i></p> <p>Weather Protection</p> <p><i>To ensure that those parts of the Central Commercial Activity Area with high pedestrian movements have adequate weather protection.</i></p> <p>Building Frontages and Display Windows</p> <p><i>To ensure that visual amenity values of buildings in more pedestrian oriented areas are protected and enhanced.</i></p> <p>Landscaping and Screening</p> <p><i>To ensure that the visual adverse effects arising from car parking areas are avoided or mitigated.</i></p> <p>Wind Protection</p> <p><i>To ensure that buildings are designed to minimise the adverse effects of wind on pedestrians.</i></p>

Sites Abutting Residential or Recreation Activity Areas

Where sites in the Central Commercial Activity Area abut residential or recreation activity areas adverse effects on these latter areas are avoided, remedied or mitigated.

Energy efficiency and Low Impact Development

Requiring minimum levels of energy efficiency or low impact development such as through green star ratings.

The above objectives are not considered the most appropriate objectives for the Central Commercial Activity Area as they do not apply an integrated approach to sustainably managing the natural and physical resources in the central area. Retail activities have been specifically identified as having particular issues in the central area and it is appropriate to have a specific objective for this type of activity. However, it is not considered appropriate to have individual objectives for a wide range of activities as it could be unclear as to which activities contribute to achieving the purpose of the Act in the central area compared to others.

The range of site development objectives listed above are not considered the most appropriate in achieving the purpose of the Act. Some of the objectives are unclear or uncertain in terms of the outcomes anticipated. In addition, the Council has made a commitment through being a signatory to the New Zealand Urban Design Protocol of improving urban design outcomes in the city. The suite of proposed objectives are considered to be an integrated approach to site development issues. The above separate objectives do not recognise the interrelationships between the site development issues. Therefore, overall, the above listed objectives are not considered to be the most appropriate in achieving the purpose of the Act.

Assessment 2 - Appropriateness of policies, rules and other methods for achieving the objectives

The evaluation is required to “have regard to” efficiency and effectiveness and under Section 32(4) “must take into account” the benefits and costs of policies, rules or other methods and the risk of acting or not acting if there is uncertainty or insufficient information about the subject matter of the policies, rules or other methods. The structure of the evaluation in this section relates to each objective evaluated above and contained in the Proposed Plan Change.

Section 1: Introduction

1.10.4 Commercial Activity

1.10.4 Objective

To promote an integrated and hierarchal approach to commercial centres as community focal points.

In addressing this objective, the primary focus is to determine the most appropriate way(s) to achieve the objective. In making this determination, different options have been considered and evaluated. The following is a list of options for the ways the objective could be implemented. Each option is assessed in the table below.

1. Identify the existing commercial centres and apply the integrated and hierarchal approach.

This option is based on identifying the existing commercial centres of the Central Business District, Petone, suburban centres and commercial centres with special characteristics. These existing centres have evolved and developed over time in response to historical planning and market conditions.

2. Identify existing and new commercial centres and apply the integrated and hierarchal approach.

Similar to option 1 above, except this approach would introduce new commercial centres. These new centres could be elevating or lower the position of an existing centre in the hierarchy, or introduce a new area as a commercial centre that is currently not identified as a commercial centre.

3. No identification of commercial centres in the District Plan

This third option would provide flexibility for the market to determine the hierarchy and integration of commercial centres. The hierarchy could fluctuate over time, such as the central area currently being the primary commercial centre. This position in the hierarchy may be replaced by Petone in response to recent development. Later, the central area may replace Petone as the primary area, or one of the existing suburban centres may expand to become the primary commercial centre.

Analysis

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
Identify hierarchy based on existing centres	<p>The existing commercial centres have an established hierarchy and integrated relationships based on historical planning and market conditions. This option is effectively the implied approach in the existing Plan provisions.</p> <p>Confirming this approach in the Plan would be effective in promoting the existing commercial centres as community focal points. This option would provide the effective and efficient use and development of the existing commercial centres, which are well serviced by infrastructure and community facilities.</p>	<ul style="list-style-type: none"> ▪ Provides a continuation of the existing District Plan approach which has a level of familiarity for Plan users. ▪ Utilising existing commercial centres would sustain and more efficiently use the existing infrastructure and facilities. ▪ Supports existing physical resources in the existing commercial centres, and would not constrain further development in these areas. ▪ No impacts on proposed or future development opportunities within existing commercial centres. 	<ul style="list-style-type: none"> ▪ May constrain commercial activity outside existing commercial centres, which may limit the ability to fully provide for all commercial development options. ▪ If sufficient provision for commercial activity is not provided for in the existing commercial centres, may unduly constrain commercial activity in the city.
Identify hierarchy	A combination of existing and new commercial	<ul style="list-style-type: none"> ▪ Provides significant capacity for a range of 	<ul style="list-style-type: none"> ▪ May constrain commercial activity

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
based on existing and new centres	centres would provide greater scope for commercial activities. This option would be effective in providing for the commercial development opportunities in the city. However, it would be inefficient as it could result in the duplication of infrastructure and services for multiple commercial centres.	<p>commercial development opportunities in different locations.</p> <ul style="list-style-type: none"> ▪ Flexibility in allowing for commercial activity to respond to market conditions. ▪ Opportunities for commercial activity in new locations, allowing for potential redevelopment of areas which currently may be under-utilised (depending on the location of the new commercial centres). 	<p>outside existing and new commercial centres, which may limit the ability to fully provide for all commercial development options.</p> <ul style="list-style-type: none"> ▪ If sufficient provision for commercial activity is not provided for in the existing commercial centres, may unduly constrain commercial activity in the city. ▪ Displacement effects associated with existing activities in the area(s) identified as new commercial centres having to move. ▪ Costs of constructing, upgrading and maintaining infrastructure and services to a higher number of commercial centres.
No identification of hierarchy in the District Plan	This option would be ineffective in promoting an integrated and hierarchical approach to commercial centres as community focal points as it could result in a fragmented pattern and distribution of commercial activity. This fragmentation and distribution would not efficiently use the existing infrastructure and other physical resources in the city.	<ul style="list-style-type: none"> ▪ Provides significant scope and opportunities for a wide range of commercial activity to develop in the city. ▪ Flexibility in allowing for commercial activity to respond to market conditions. 	<ul style="list-style-type: none"> ▪ Displacement effects associated with existing activities in the area(s) identified as new commercial centres having to move. ▪ Significant costs of constructing, upgrading and maintaining infrastructure and services to highly fragmented and dispersed commercial activities. ▪ Fragmented commercial centres which serve a limited purpose as community focal points, which do not contribute to the economic or social wellbeing of the city.

The above analysis identifies that identifying the existing commercial centres as the basis for the integrated and hierarchal approach is the most effective and efficient approach for achieving the objective. Identifying new commercial centres in the hierarchy or not identifying a hierarchy would be ineffective and inefficient, resulting in fragmentation and dispersed patterns of commercial activity. This fragmentation and dispersed pattern would not utilise the physical resources in the existing commercial centres which contribute to the economic, social and environmental wellbeing of the city.

Section 5A: Central Commercial Activity Area

5A 1.1.1 Capacity of the Central Commercial Activity Area

5A 1.1.1 Objective
To promote the efficient use and development of the physical resources in the Central Commercial Activity Area, whilst sustaining its vitality and vibrancy as the commercial, civic and community focus of Hutt City.

In addressing this objective, the primary focus is to determine the most appropriate way(s) to achieve the objective. In making this determination, different options have been considered and evaluated. The following is a list of options for the ways the objective could be implemented. Each option is assessed in the table below.

1. Retain the existing extent of the Central Commercial Activity Area, floor area ratio and permitting certain activities.
 This option is the “do nothing” option (i.e. retain existing District Plan provisions). The area identified as Central Commercial Activity Area would be unchanged, the floor area ratio approach would be retained, and the discrete list of permitted activities would be retained.
2. Retain the existing extent of the Central Commercial Activity Area, apply maximum building height limits and permit all activities unless otherwise specified.
 Similar to option 1 above, except this approach would replace the floor area ratio with maximum height limits. These heights could apply a “one size fits all” approach, with one height limit applying across the entire Central Commercial Activity Area, or an approach with variable height limits for different areas within the Central Commercial Activity Area. The taller the height limit, the greater the capacity of the Central Commercial Activity Area. In addition, the lower the number of activities listed as not permitted, the greater the capacity of the Central Commercial Activity Area.
3. Extend the extent of the Central Commercial Activity Area, apply no height controls and permit all activities.
 This third option would provide the greatest capacity by extending the area (footprint) identified as Central Commercial Activity Area, as well as no height limit and all activities being permitted.

Analysis

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
Retain existing extent, floor area ratio and permitted activities	The existing Plan provisions are effective in defining the extent of the Central Commercial Activity Area. The existing extent is considered to provide	<ul style="list-style-type: none"> ▪ Provides a continuation of the existing District Plan approach which has a level of familiarity for Plan users. ▪ Continues to provide 	<ul style="list-style-type: none"> ▪ May unduly constrain other activities (not permitted) from establishing in the Central Commercial Activity Area, reducing the vitality and

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
	<p>sufficient area to accommodate the current and anticipated future demand for Central Commercial Activity Area.</p> <p>Given the variable size, configuration and composition of land parcels in the Central Commercial Activity Area, a floor area ratio is not considered to be most effective or efficient approach for promoting use and development. Some smaller sites may be unduly constrained by a floor area ratio, resulting in the inefficient use and development of these sites.</p> <p>Providing for a limited range of permitted activities could also limit the efficient use of the Central Commercial Activity Area, by unduly limiting the type and nature of some activities which could contribute to the vitality and vibrancy of this area.</p>	<p>opportunities for commercial activities and development within the existing area.</p> <ul style="list-style-type: none"> ▪ Larger sites have the potential to develop tall buildings providing for more efficient use of the existing land area. ▪ Consolidates new development in a defined area supporting existing physical resources, including infrastructure and other facilities. 	<p>vibrancy of the area.</p> <ul style="list-style-type: none"> ▪ Smaller sites would be limited to shorter buildings resulting in less efficient use of the land.
<p>Retain existing extent, maximum building height limits and permit all activities unless otherwise specified</p>	<p>The existing Plan provisions are effective in defining the extent of the Central Commercial Activity Area. The existing extent is considered to provide sufficient area to accommodate the current and anticipated future demand for Central Commercial Activity Area.</p> <p>Given the variable size, configuration and composition of land parcels in the Central</p>	<ul style="list-style-type: none"> ▪ Provides opportunities for a wide range of activities and development within the existing area in response to market demands. ▪ Diversity of activities increases the capacity of the area, and greater utilisation of existing and new developments. ▪ Set building height limits would allow all sites to provide capacity through the provision of taller 	<ul style="list-style-type: none"> ▪ May limit specific activities from establishing in the Central Commercial Activity Area. ▪ Some larger sites may have reduced development opportunities compared to the existing provisions.

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
	<p>Commercial Activity Area, a maximum building height limit is considered to be the most effective and efficient approach in promoting use and development across the whole area. Some larger sites may have reduced development opportunities compared to the existing provisions.</p> <p>Permitting all activities unless otherwise specified provides for the efficient use of the land. This approach is effective in sustaining the vitality and vibrancy of the area, by broadening the range of activities within the Central Commercial Activity Area.</p>	<p>buildings.</p> <ul style="list-style-type: none"> ▪ Consolidates new development in a defined area supporting existing physical resources, including infrastructure and other facilities. 	
<p>Extend extent of the Central Commercial Activity Area, apply no height controls and permit all activities</p>	<p>Extending the extent of the Central Commercial Activity Area would increase the capacity of this area. However, it could dilute the intensity of activity within the Central Commercial Activity Area, which would not be effective in sustaining the vitality and vibrancy of the area. Based on economic forecasts, the existing extent of the Central Commercial Activity Area has sufficient capacity for the current and anticipated future requirements.</p> <p>Applying no maximum height limit would be effective in providing capacity and efficiently using the land resource.</p>	<ul style="list-style-type: none"> ▪ Provides opportunities for a wide range of activities and development within the existing area in response to market demands. ▪ Diversity of activities increases the capacity of the area, and greater utilisation of existing and new developments. ▪ No building height limit would allow all sites to provide capacity through the provision of taller buildings. 	<ul style="list-style-type: none"> ▪ Need to upgrade and expand infrastructure and services for a larger area. ▪ Dilutes the intensity of development across a wider area, reducing the potential for a vibrant and viable central area. ▪ Adverse effects on the existing character and amenity values in the areas where the Central Commercial Activity Area is expanded into.

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
	In addition, permitting all activities also provides for the efficient use of the land.		

The above analysis identifies that the existing Plan provisions do not provide the most efficient or effective approach for achieving the objective of promoting the efficient use and development of the physical resources in the Central Commercial Activity Area, whilst sustaining its vitality and vibrancy as the commercial, civic and community focus of Lower Hutt City. Specifically, limiting the nature and type of permitted activities is not effective or efficient in utilising the land resource for a range of activities which can contribute to the vitality and vibrancy of the area. As described in the background information, the current condition of the central area in terms of activity levels is relatively low.

Extending the Central Commercial Activity Area and applying no height limit would result in adverse effects on the areas which currently adjoin this area. In addition, an expanded area would dilute the concentration of activities, which would not be effective in sustaining a vibrant and viable central area. Therefore, the third option is not considered the most appropriate for achieving the above objective.

The second option of retaining the existing extent, applying maximum building height limits and permitting all activities unless otherwise specified would be similar to the existing Plan provisions, but addresses the ineffective and inefficient aspects identified in Option 1. A maximum height limit would promote capacity in the Central Commercial Activity Area to meet current and future anticipated levels. Permitting a greater range of activities would also contribute to more efficiently using the land resource, including existing buildings, by converting them to alternative uses. The second option is considered the most efficient and effective approach for achieving the above objective.

5A 1.1.2 Activities

5A 1.1.2 Objective:

To increase the mix and diversity of activities in the Central Commercial Activity Area in a way that increases the number of people living, working within, and visiting the area.

In addressing this objective, the primary focus is to determine the most appropriate way(s) to achieve the objective. In making this determination, different options have been considered and evaluated. The following is a list of options for the ways the objective could be implemented. Each option is assessed in the table below.

1. Permit all activities except as otherwise listed as restricted discretionary or discretionary activities, subject to compliance with standards.

This option would provide for a wide range of activities subject to them complying with minimum standards to avoid, remedy or mitigate the adverse effects. Where particular activities may be incompatible with the majority of activities or may generate adverse effects which may degrade the values and character of the Central Commercial Activity Area, these specific activities would not be permitted. These specific activities would be listed as either restricted discretionary or discretionary depending on the nature and magnitude of actual or potential adverse effects.
2. List permitted activities, controlled activities, restricted discretionary and discretionary activities, with all non-listed activities a discretionary activity.

This option is similar to the existing provisions, with specific activities listed as different activity status (i.e. permitted, controlled, restricted discretionary and discretionary). Activities which are compatible and have acceptable adverse effects would be listed as permitted, while activities which may be incompatible and result in adverse effects would be listed as controlled, restricted discretionary or discretionary activities.

Analysis

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
<p>Permit all activities except as otherwise listed</p>	<p>Permitting all activities except as otherwise listed is effective in increasing the mix of activities. Providing for mixed uses within the Central Commercial Activity Area is effective in providing for an environment where people can work, live and visit to meet their needs.</p> <p>This increase in the mix of activities efficiently utilises the physical resources in the Central Commercial Activity Area, including land, infrastructure and other facilities.</p> <p>For specific activities which are not permitted, the resource consent process is an effective mechanism for assessing the appropriateness of a particular activity in the Central Commercial Activity Area.</p>	<ul style="list-style-type: none"> ▪ Flexible opportunities for land and buildings to be used for a wide range of activities. ▪ Greater choice in residential living, retail, commercial and other activities for people living or visiting the Central Commercial Activity Area. ▪ Activities which may be inappropriate in the Central Commercial Activity Area are restricted. 	<ul style="list-style-type: none"> ▪ Potential for some incompatibility between some activities (e.g. residential and entertainment activities), ▪ Costs of complying with minimum standards. ▪ Some adverse effects may be experienced which would generally be unacceptable in other areas (e.g. shading, privacy, noise).
<p>List permitted activities, controlled activities, restricted discretionary and discretionary activities</p>	<p>Listing permitted activities would require a detailed list of all activities considered acceptable in the Central Commercial Activity Area. There is potential for legitimate activities not to be included on the list. Therefore, these activities would</p>	<ul style="list-style-type: none"> ▪ Provides opportunities for sites within the Central Commercial Activity Area to be used for specifically listed activities. ▪ Certainty as to the types of activities acceptable in the Central Commercial Activity Area. 	<ul style="list-style-type: none"> ▪ May limit specific activities from establishing in the Central Commercial Activity Area. ▪ Costs of applying for resource consent for activities not listed.

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
	unnecessarily require resource consent. This approach is not an effective manner of managing activities in the central area to achieve the objective in increasing the mix of activities providing working, living and visiting opportunities.		

The above analysis identifies that listing permitted activities is not the most efficient or effective approach for achieving the objective of increasing the mix of activities in the Central Commercial Activity Area. By permitting all activities unless otherwise listed would be the most effective and efficient approach for achieving the objective. Minimum standards would need to be applied to effectively manage the effects of the activities on the environment.

5A 1.1.3 Retail Activities

5A 1.1.3 Objective

To encourage a central public focused retail core and to recognise and provide for a mix of retail format sizes in some parts of the Central Commercial Activity Area.

In addressing this objective, the primary focus is to determine the most appropriate way(s) to achieve the objective. In making this determination, different options have been considered and evaluated. The following is a list of options for the ways the objective could be implemented. Each option is assessed in the table below.

1. Retain the existing approach based on the location and size of retail activities, permitting retail activities below 3,000m² throughout the Central Commercial Activity Area, and restrict retail activities below 500m² in the area to the north of Melling Link/Pretoria Street.

This option is the “do nothing” option (i.e. retain existing District Plan provisions). The two sub-areas identified within the Central Commercial Activity Area (Appendix Central Commercial 1 and 2) would be retained, as well as the floor area dimensions.

2. Refine the existing approach based on the location and size of retail activities, permitting retail activities below 500m² in the central core area and below 3,000m² in the northern area of the Central Commercial Activity Area.

This option is a refinement to the existing approach, where the location and extent of the areas managed for retail activities is modified and activity status for the size thresholds are also changed. The location and extent of the core retail area is refined to concentrate small scale (less than 500m²) in the southern end of the Central Commercial Activity Area. Larger scale retail activities in this southern end would be restricted and require resource consent. The larger scale retail activities (up to 3,000m²) would be permitted in the commercial northern end of the Central Commercial Activity Area. Retail activities over 3,000m² would require resource consent.

- Limit retail activities based on size throughout the entire Central Commercial Activity Area, such as permitting retail activities up to 500m². Any retail activity larger than 500m² would require resource consent.

This option does not apply a location based approach. Instead, this option would permit small scale (less than 500m²) retail throughout the Central Commercial Activity Area. Larger retail activities would be managed via the resource consent process, to manage the effects of this type of activity.

- No restrictions or controls on retail activities.

This option would permit retail activities throughout the entire Central Commercial Activity Area with no size thresholds. No resource consent would be required for any retail activities, unless there was non-compliance with other standards in the District Plan (e.g. on-site carparking standard).

Analysis

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
<p>Retain existing location and extent for retail activities, and existing activity status and floor area thresholds</p>	<p>The existing Plan provisions are effective in defining the location and extent of different retail activities in the Central Commercial Activity Area. The existing provisions define two areas for managing retail activities, between small format and large format retail activities.</p> <p>Restricting small format retail activities (500m²) at the northern end is not considered effective in encouraging a mix of size of retail activities in the central area. In addition, permitting large format retail activities (up to 3,000m²) in the central core area is not effective in promoting a public focused core, as they may result in long facades with limited public interaction and relationship. Furthermore, permitted large format retail activities in the central core area may result in less efficient use of this core area, by reducing the number of retail and other activities in this</p>	<ul style="list-style-type: none"> ▪ Provides a continuation of the existing District Plan approach which has a level of familiarity for Plan users. ▪ Continues to provide opportunities for retail activities and development within the Central Commercial Activity Area. ▪ Provides for a mix in the size of retail activities in different areas of the Central Commercial Activity Area. 	<ul style="list-style-type: none"> ▪ Would constrain small format retail activities from developing in the northern area. ▪ Costs of obtaining resource consent for small format retail activities proposed in the northern area. ▪ Inefficient use of the core area with large format retail activities displacing small format retail activities. ▪ Fewer choices in retail activities if large format activities dominate. ▪ Lack of vibrancy and vitality in the core central area, with limited levels of activity.

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
	location.		
<p>Permit retail activities below 500m² in the central core area and below 3,000m² in the northern area</p>	<p>Refining the location and extent of retail activities would identify a specific central core. Defining this central core area would be effective in achieving the objective.</p> <p>Managing the size of retail activities in the defined central core area, by limiting them to small format retail activities (less than 500m²), would be effective in achieving the objective of a central public focus core area. Small format retail activities are more public focused than large format retail activities. Small format retail activities would also be an efficient use of the existing physical resources in the central core area.</p> <p>Permitting retail activities for the entire Central Commercial Activity Area would be effective in providing for a mix in the size of retail activities. Managing larger format retail activities (greater than 3,000m²) is effective in assessing the effects of these activities, such as traffic and urban design.</p>	<ul style="list-style-type: none"> ▪ As it is similar to the existing approach, there is some continuity and familiarity for Plan users. ▪ Provide opportunities for retail activities and development within the Central Commercial Activity Area. ▪ Provides for a mix in the size of retail activities in different areas of the Central Commercial Activity Area. ▪ Consolidates and encourages small format retail activities in a confined area which contribute to the vitality and vibrancy of the central area through speciality and comparative shops. ▪ Utilises existing buildings and infrastructure which are designed for small format retail activities in the central core area. 	<ul style="list-style-type: none"> ▪ Would constrain large format retail activities from developing in the central core area. ▪ Costs of obtaining resource consent for large format retail activities proposed in the central core area or which are larger than 3,000m² in the entire area.
<p>Limit retail activities based on size throughout the entire Central Commercial Activity Area</p>	<p>This option would be effective in providing for retail activities in the entire Central Commercial Activity Area. However, the size limitation applying to the entire Central Commercial Activity Area would be ineffective in</p>	<ul style="list-style-type: none"> ▪ Provide opportunities for small format retail activities and development within the Central Commercial Activity Area. ▪ Effects of large format retail activities are assessed on a case- 	<ul style="list-style-type: none"> ▪ Would constrain large format retail activities from developing in the entire Central Commercial Activity Area. ▪ Costs of obtaining resource consent for large format retail activities proposed in

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
	<p>promoting a central core area and encouraging a mix in the size of retail activities. By limiting the size it could result in a dispersed location and pattern of small format retail activities throughout the Central Commercial Activity Area, which may not focus on the core area.</p> <p>The size limitation may also lead to the inefficient use and development of the land and physical resources, with larger sites not being fully developed or infrastructure not being fully utilised.</p>	<p>by-case basis through the resource consent process.</p> <ul style="list-style-type: none"> ▪ Utilises existing buildings and infrastructure which are designed for small format retail activities in the central core area. 	<p>the northern area.</p> <ul style="list-style-type: none"> ▪ Potential inefficient use of the large sites in the Central Commercial Activity Area. ▪ Fewer choices in retail activities in that large format activities may not be present. ▪ Lack of vibrancy and vitality in the core central area, with dispersed levels of activity throughout the Central Commercial Activity Area.
<p>No restrictions or controls on retail activities</p>	<p>This option would be effective in providing for retail activities in the entire Central Commercial Activity Area, including a mix in the size of the retail activities.</p> <p>However, not managing the size of retail activities would be ineffective in achieving the objective of promoting a public focused core, as large format retail activities may result in long facades with limited public interaction and relationship. Furthermore, permitted large format retail activities in the central core area may result in less efficient use of this core area, by reducing the number of retail and other activities in this location.</p>	<ul style="list-style-type: none"> ▪ Provide opportunities for retail activities and development within the Central Commercial Activity Area. ▪ Provides for a mix in the size of retail activities in different areas of the Central Commercial Activity Area. ▪ Utilises existing buildings and infrastructure which are designed for small format retail activities in the central core area. 	<ul style="list-style-type: none"> ▪ Inefficient use of the core area with large format retail activities displacing small format retail activities. ▪ Lack of vibrancy and vitality in the core central area, with limited levels of activity.

The above analysis identifies that the existing Plan provisions do not provide the most efficient or effective approach for achieving the objective of encouraging a central public

focused retail core. Large format retail activities in the core area could compromise the achievement of this objective by constraining the development and use of smaller format retail outlets which are more consistent with the public focused retail area.

Not managing the nature and scale of retail activities would also not be the most efficient or effective approach for achieving the objective, as it does not provide certainty that the core area would be public focused or provide a mix in the size of retail activities. Applying a ‘one size fits all’ approach across the entire Central Commercial Activity Area in terms of the size of retail activities would also be ineffective in achieving the objective.

The second option of refining the existing approach of managing the location and size of retail activities is considered to be the most efficient and effective approach through requiring small format retail activities in the central core area. These small format retail activities would create a public focused area. In addition, providing for large format retail activities in other areas of the Central Commercial Activity Area would recognise and provide for a mix of size in retail activities for the Central Commercial Activity Area overall.

5A 1.1.4 Incompatibility Between Different Activities

5A 1.1.4 Objective
To encourage residential activity within the Central Commercial Activity Area and ensure that it recognises and provides for the potential effects of other activities in the area.

In addressing this objective, the primary focus is to determine the most appropriate way(s) to achieve the objective. In making this determination, different options have been considered and evaluated. The following is a list of options for the ways the objective could be implemented. Each option is assessed in the table below.

1. No specific provisions to manage the incompatibility between activities.
 This option is the “do nothing” option (i.e. retain existing District Plan provisions). The existing provisions identify locations where residential activity (a noise sensitive activity) may be appropriate, but no specific provisions apply.
2. Add specific policies and rules to manage incompatibility between activities, particularly to require noise sensitive activities (e.g. residential) to incorporate on-site measures to mitigate the effects.
 This option proposes to add specific requirements to require noise sensitive activities (such as residential) to incorporate minimum standards (e.g. noise insulation standards) to mitigate the effects from other activities. If proposals did not comply with these minimum standards, resource consent would be required.
3. Add specific policies and design guidance to encourage sensitive activities (such as residential) to incorporate minimum standards (e.g. noise insulation standards) to mitigate the effects from other activities.
 This option does not require compliance with minimum standards. Instead, it is based on encouragement and voluntary compliance through the provision of design advice and information.

Analysis

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
No specific provisions to manage the	Applying no specific provisions to manage incompatibility between activities would be	<ul style="list-style-type: none"> ▪ Provides certainty and flexibility for activities in the Central Commercial Activity 	<ul style="list-style-type: none"> ▪ Some residents may experience excessive noise levels and other adverse effects.

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
incompatibility between activities.	<p>ineffective in achieving the objective of encouraging residential activities as it would create environments which are undesirable for residential living.</p> <p>While there is some efficiency in having no specific controls, by resulting in poor quality living environments, it leads to inefficient use of the physical resources in the Central Commercial Activity Area.</p>	<p>Area.</p> <ul style="list-style-type: none"> ▪ No costs associated with complying with minimum standards. 	<ul style="list-style-type: none"> ▪ Unattractive environment which does not encourage residential activity in the Central Commercial Activity Area.
Add specific policies and rules to require activities to manage the incompatibility between activities	<p>Requiring compliance with minimum standards is an effective approach for creating residential living environments. By creating suitable residential living environments, this encourages residential development and use, while not unduly constraining other legitimate activities in the Central Commercial Activity Area. This approach would result in the efficient use and development of the Central Commercial Activity Area physical resources.</p>	<ul style="list-style-type: none"> ▪ Creates residential living environments which are fit for purpose. ▪ Provides for a diversity of activities, by protecting noise sensitive activities from the adverse effects of other activities, as well as protecting the ongoing operation of other activities. 	<ul style="list-style-type: none"> ▪ Costs of complying with minimum standards. ▪ Some activities (non-noise sensitive activities) may be incompatible which can not be managed by specific standards.
Add specific policies and design guidance to encourage sensitive activities (such as residential) to incorporate minimum standards	<p>Encouraging compliance with minimum standards is not as effective as requiring compliance, as noise sensitive activities (e.g. residential) may develop without suitable on-site mitigation measures. In turn, this poor level of noise insulation could result in increased complaints about other activities, which may be unduly constrained from</p>	<ul style="list-style-type: none"> ▪ Provides flexibility in implementing measures to incorporate on-site mitigation measures. ▪ Lower costs of compliance. 	<ul style="list-style-type: none"> ▪ Greater potential for incompatibility issues to arise between noise sensitive activities and other activities in the Central Commercial Activity Area. ▪ Some residents may experience excessive noise levels and other adverse effects. ▪ Unattractive environment which does not encourage residential activity in

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
	effectively operating in the Central Commercial Activity Area.		the Central Commercial Activity Area. <ul style="list-style-type: none"> ▪ Some activities may be constrained from efficiently operating due to restrictions imposed in response to complaints.

The above analysis identifies that no provisions or encouraging Plan provisions do not provide the most efficient or effective approach for achieving the objective of encouraging residential activity while avoiding incompatibility issues with other activities. These two options could result in increased complaints about existing activities from new residents. This issue has arisen in other city central areas where residential living has been encouraged without satisfactory internal noise insulation standards in the residential buildings.

The most effective and efficient approach is requiring compliance with minimum standards to ensure noise sensitive activities (e.g. residential) implement mitigation measures. This approach also assists in achieving other objectives of promoting a greater mix of activities, as it would protect these other activities from increased complaints from new residents living in close proximity.

5A 1.1.5 Hutt River Corridor

5A 1.1.5 Objective
To recognise and enhance the significant amenity, natural and recreational values of the Hutt River, and its relationship to activities in the Central Commercial Activity Area.

In addressing this objective, the primary focus is to determine the most appropriate way(s) to achieve the objective. In making this determination, different options have been considered and evaluated. The following is a list of options for the ways the objective could be implemented. Each option is assessed in the table below.

1. No specific provisions to recognise the relationship of the use of activities adjacent to the Hutt River corridor.
 This option is the “do nothing” option (i.e. retain existing District Plan provisions). The existing provisions do not specifically identify the relationship to the river corridor as an issue, therefore, no specific provisions apply.
2. Add specific policies and rules to manage the relationship of the use of activities adjacent to the Hutt River corridor.
 This option proposes to add specific requirements to require activities on land adjacent to the Hutt River corridor to be subject to additional requirements and minimum standards, such as the type of activities. These additional requirements and minimum standards could require resource consent for particular types of activities and effects.
3. Add specific policies and design guidance to encourage activities adjacent to the Hutt River corridor to recognise the values of this corridor.
 This option does not require compliance with minimum standards. Instead, it is based on encouragement and voluntary compliance through the provision of design advice and information.

Analysis

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
<p>No specific provisions to recognise the relationship of the use of activities adjacent to the Hutt River corridor.</p>	<p>The relationship to the Hutt River corridor has been identified as a special feature for the central area. Not providing any specific provisions to recognise the relationship to the Hutt River corridor would not be effective in achieving the objective of recognising the specific values of this area. The activities in the Central Commercial Activity Area, especially activities adjacent to the river corridor can influence the natural, recreational and amenity values of this area.</p>	<ul style="list-style-type: none"> ▪ Provides certainty and flexibility for activities adjacent to the river corridor in the Central Commercial Activity Area. ▪ No costs associated with complying with minimum standards. 	<ul style="list-style-type: none"> ▪ The long term vision for the relationship of uses adjacent to the river corridor may be compromised or degraded. ▪ Limited ability for adaptive change in the future if the relationship changes in association with upgrading flood protection works and/or roading changes.
<p>Add specific policies and rules to manage the relationship of the use of activities adjacent to the Hutt River corridor.</p>	<p>Requiring compliance with minimum standards is an effective approach for managing activities and their relationship to the river corridor. However, as the long term future of this relationship is subject to change associated with upgrades to flood protection works and roading changes, minimum standards could be counter-productive and ineffective in managing this relationship. This approach could result in activities inefficiently developing and using this adjacent area, which in turn could result in the inefficient use of the physical resources in this area of the Central Commercial Activity Area.</p>	<ul style="list-style-type: none"> ▪ Provides certainty to the nature and type of activities adjacent to the river. ▪ Future proofs the area adjacent to the river to provide for the long term vision for the river corridor. 	<ul style="list-style-type: none"> ▪ Costs of complying with minimum standards. ▪ Unduly constrains activities adjacent to the river corridor until the long term visions have been committed.
<p>Add specific policies and</p>	<p>Encouraging compliance with minimum standards</p>	<ul style="list-style-type: none"> ▪ Provides flexibility in using the Central 	<ul style="list-style-type: none"> ▪ The long term vision for the relationship of

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
<p>design guidance to encourage activities adjacent to the Hutt River corridor to recognise the values of this corridor.</p>	<p>is not as effective as requiring compliance. However, as the long term future of the relationship of uses in the Central Commercial Activity Area to the river corridor is subject to change associated with upgrades to flood protection works and roading changes, providing encouragement and flexibility would be effective in managing this relationship in the short term. This approach would provide flexibility to efficiently use physical resources in this area, including land and infrastructure.</p>	<p>Commercial Activity Area until the long term vision is determined.</p> <ul style="list-style-type: none"> ▪ Lower costs of compliance. ▪ Provides for adaptive re-use in the future which can respond to changes in river corridor plans. 	<p>uses adjacent to the river corridor may be compromised or degraded.</p>

The above analysis identifies that no provisions or requiring Plan provisions do not provide the most efficient or effective approach for achieving the objective of recognising the amenity, natural and recreational values of the Hutt River corridor in the use of the Central Commercial Activity Area. These two options could result in the relationship with the river corridor being significantly compromised or degraded, or sites within the Central Commercial Activity Area being unduly constrained until the long term visions for the river corridor have been determined.

The most effective and efficient approach is encouraging the appropriate use adjacent to the river corridor to provide flexibility for the adaptive re-use of sites and buildings in the future once the long term vision has been determined.

5A 1.1.6 Vehicle Oriented Activities

5A 1.1.6 Objective

To maintain and enhance convenient and safe access to and throughout the Central Commercial Activity Area.

In addressing this objective, the primary focus is to determine the most appropriate way(s) to achieve the objective. In making this determination, different options have been considered and evaluated. The following is a list of options for the ways the objective could be implemented. Each option is assessed in the table below.

1. Specifically manage the transport effects of retail activities.

This option is the “do nothing” option (i.e. retain existing District Plan provisions). The existing provisions focus solely on managing the traffic effects of large format retail activities. Large format retail activities over 3,000m² are specifically managed through the resource consent process to assess the traffic effects.

2. Refine the existing approach applying to all types of activities and specifically provide for other modes of transport.

This option proposes to manage all types of activities which generate significant amounts of traffic to be examined through the resource consent process. In addition, promotion of other modes of transport would be supported.

3. No specific provisions to manage the effects of vehicle oriented activities.

This option does not apply any specific requirements on vehicle oriented activities. Instead, it would be responded to through encouragement and voluntary initiatives of developers and landowners.

Analysis

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
<p>Specifically manage the transport effects of retail activities.</p>	<p>The existing Plan provisions are effective in establishing a threshold for managing the effects of large format retail activities in the Central Commercial Activity Area. However, they are not effective in managing the traffic effects of other activities which may be significant.</p> <p>The existing Plan provisions also focus on private motor vehicles as the primary mode of transport. For the city as a whole, this approach to transport results in the inefficient use and development of land and transport infrastructure. A more integrated land use and transportation approach would be more efficient.</p>	<ul style="list-style-type: none"> ▪ Provides a continuation of the existing District Plan approach which has a level of familiarity for Plan users. ▪ Focuses on one of the primary activity types which generate significant traffic volumes, while not managing other types of activities. 	<ul style="list-style-type: none"> ▪ Does not manage the traffic effects from non-retail activities which may reduce efficiency and functionality of the transport network. ▪ Costs of compliance with minimum standards and obtaining resource consent for non-compliance. ▪ Transport infrastructure costs of upgrades which may not be required if other modes of transport were available.
<p>Refine the existing approach applying to all types of activities and specifically provide for other modes of transport.</p>	<p>The refined approach would be effective in managing the traffic effects from large scale activities which provide significant areas of on-site carparking. Assessing each proposal through the resource consent process is an effective approach.</p> <p>Providing for other modes of transport is</p>	<ul style="list-style-type: none"> ▪ Manages all types of activities which may generate significant traffic volumes. ▪ Support for other modes of transport which would more efficiently use the transport infrastructure, resulting in less congestion. ▪ More convenient and safe access into and through the Central 	<ul style="list-style-type: none"> ▪ Costs of providing and supporting other modes of transport. ▪ Costs of compliance with minimum standards and obtaining resource consent for non-compliance.

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
	also effective as it supports a more integrated land use and transport approach. This integrated approach provides for more efficient use and development of land and transport infrastructure.	Commercial Activity Area.	
No specific provisions to manage the effects of vehicle oriented activities.	Applying no specific provisions to manage the effects of vehicle oriented activities would not be effective in achieving the objective of convenient and safe access to and through the Central Commercial Activity Area. This approach would result in conflict between traffic, including increased congestion and parking difficulties. In turn, this could result in the inefficient use and development of the Central Commercial Activity Area due to poor transport planning.	<ul style="list-style-type: none"> ▪ Greater flexibility in using and developing land in the Central Commercial Activity Area. ▪ No compliance costs. 	<ul style="list-style-type: none"> ▪ Increased congestion and travel delays. ▪ Significant costs of upgrading transport infrastructure in response to congestion.

The above analysis identifies that no provisions or the existing Plan provisions do not provide the most efficient or effective approach for achieving the objective of maintaining and enhancing convenient and safe access to and through the Central Commercial Activity Area. The existing Plan provisions focus on retail activities which is not effective in managing all types of activities which may generate significant traffic volumes. No specific provisions would result in congestion and incur significant costs in upgrading transport infrastructure.

The most effective and efficient approach is refining the existing approach to apply to all types of activities to ensure convenient and safe access is maintained and enhanced.

5A 1.2.1 Quality of Buildings and Open Spaces

5A 1.2.1 Objective

To maintain and enhance the built character in the Central Commercial Activity Area by ensuring development addresses the attributes of the anticipated character for the area.

In addressing this objective, the primary focus is to determine the most appropriate way(s) to achieve the objective. In making this determination, different options have been considered and evaluated. The following is a list of options for the ways the objective could be implemented. Each option is assessed in the table below.

1. Require new buildings, and additions and alterations to existing buildings to meet design standards.

This option requires all new buildings, and additions and alterations to existing buildings to be assessed against specific design guidance. The assessment against the design guidance would be undertaken through the resource consent process.

2. Encourage new buildings, and additions and alterations to existing buildings to meet design standards.

This option is similar to Option 1, except rather than requiring compliance with design guidance, compliance would be encouraged through non-regulatory techniques such as provision of information and advice. No resource consent would be required or compliance with regulatory design performance standards.

3. No specific requirements or encouragement to meet design standards.

This option is the “do nothing” option. The District Plan currently does not include any specific design guidance or provisions in the Central Commercial Activity Area.

Analysis

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
<p>Require new buildings, and additions and alterations to existing buildings to meet design standards.</p>	<p>Requiring assessment against design standards and criteria would allow the Council to more effectively manage issues of urban design for buildings and the development of quality open spaces in the Central Commercial Activity Area. The form of a Design Guide provides a specific set of provisions by which applications would be assessed – this limits the consideration to those provisions and ensures all parties are clear of the expectations from the outset.</p> <p>This approach is based on requiring resource consent and applying a design guide for assessing the design of new buildings and additions and alterations to existing buildings. The non-notified consent process provides an expedient and effective</p>	<ul style="list-style-type: none"> ▪ Improvement to the quality and design of buildings and development which results in a more attractive and higher quality environment in the Central Commercial Activity Area. ▪ A high level of certainty in the process in terms of a design guide clearly identifying the design matters to be assessed and so providing potential investors in the Central Area with the confidence in their own investment not being degraded by poor quality development. ▪ Flexibility in the design solutions by identifying the design matters to be assessed which allows for the opportunities of each site to be explored. ▪ Clear, concise, and 	<ul style="list-style-type: none"> ▪ Costs associated with applying for resource consent, including any specialist design advice to ensure that development will achieve the desired design outcomes. ▪ Costs of training Council staff on urban design matters or obtaining external advice. ▪ Some developments may be declined due to not achieving the design requirements.

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
	<p>process for enabling assessment of each development proposal on a case-by-case basis. The process recognises and assesses the site specific context and opportunities to be responded to and so enabling the most efficient use of the site.</p> <p>The Consent process is also the most effective way to ensure that proposals which are appropriate in terms of meeting Councils objectives for the Central Area as set out in the Vision and Making Places are provided for.</p>	<p>well illustrated design guide demonstrates desired outcomes which will assist applicants in the preparation of development designs, and the Council and its external urban design advisers to consistently assess applications within some clear parameters.</p> <ul style="list-style-type: none"> ▪ Ability to decline inappropriately designed development which would detract from the safety, convenience, character and streetscape amenity of the central area. ▪ Non-notified application process provides applicants reasonable certainty that it would not be subject to the hearing process. ▪ Economic benefit to the community as better design and amenity in the central area may contribute to the economic success of the city. 	
<p>Encourage new buildings, and additions and alterations to existing buildings to meet design standards.</p>	<p>Encouraging compliance with design standards is not as effective as requiring compliance, as some new buildings or additions and alterations to existing buildings may occur with outcomes which degrade the attractiveness and quality of the Central Commercial Activity Area.</p>	<ul style="list-style-type: none"> ▪ Baseline minimum standards which provide certainty. Associated reduced compliance costs with the ability to avoid resource consent process and engaging specialist design advice. ▪ Potential for improvement to the quality and design of buildings and open spaces which results in a more attractive 	<ul style="list-style-type: none"> ▪ Potential for poor quality urban design outcomes resulting in an unattractive Central Commercial Activity Area. This poor quality may negatively affect the vitality and vibrancy of the area. ▪ No certainty that applicants would take cognisance of and /or incorporate design changes to reflect the voluntary Design Guide.

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
		<p>and higher quality environment in the Central Commercial Activity Area.</p> <ul style="list-style-type: none"> ▪ The voluntary Design Guide would provide at least some guidance as direction on the Council’s aim in respect of quality design outcomes in central area. 	<ul style="list-style-type: none"> ▪ Low implementation and compliance costs.
<p>No specific requirements or encouragement to meet design standards.</p>	<p>Applying no specific provisions to manage the design of buildings would not be effective in achieving the objective of maintaining and enhancing the built character in the Central Commercial Activity Area. This approach is the status quo, which is resulting in variable built character. Overall, the existing built character is poor.</p>	<ul style="list-style-type: none"> ▪ Greater flexibility and certainty in building in the Central Commercial Activity Area. ▪ No compliance costs. 	<ul style="list-style-type: none"> ▪ Poor quality urban design outcomes resulting in an unattractive Central Commercial Activity Area. This poor quality may negatively affect the vitality and vibrancy of the area.

The above analysis identifies that no provisions or encouraging Plan provisions do not provide the most efficient or effective approach for achieving the objective of maintaining and enhancing the built character in the Central Commercial Activity Area. These two options could result in poor quality urban design outcomes, which would not create an attractive environment for people to work, live or visit. These options may also inhibit the investment in quality design by investors concerned about the devaluing effects of poor quality development occurring in the vicinity. Recent developments in the Central Commercial Activity Area have highlighted the shortcomings with the existing approach, resulting in variable quality in the urban design outcomes.

The option of requiring compliance with design guidance for new buildings and additions and alterations to existing buildings is a more efficient and effective approach in achieving positive urban design outcomes. However, the additional costs (in terms of the resource consent process and design requirements to developers) for Option 1 may unduly restrict or limit development opportunities in the central area.

Given the above, a combination of Options 1 and 2 is considered the most effective and efficient approach for achieving the objective. Permitting building alterations which do not change the building form (i.e. height and footprint) and additions to existing buildings up to 5% of the gross floor area and encouraging good quality building design is considered to facilitate a base level of development without imposing significant costs. New buildings and additions to existing buildings larger than 5% of the gross floor area would be assessed through the consent process to provide a high level of certainty about quality design outcomes. In terms of those additional process costs for new buildings and larger building additions, Council could also employ parallel and alternative methods to incentivise quality development or cover aspects of application costs. This approach is effective in maintaining

and enhancing the built character of the Central Commercial Activity Area in creating an attractive and high quality urban environment.

5A 1.2.2 Relationship of Buildings to Streets and Open Spaces

5A 1.2.2 Objective
To ensure development maintains and enhances the amenity and safety of the Central Commercial Activity Area, in particular, maximising pedestrian comfort and safety.

In addressing this objective, the primary focus is to determine the most appropriate way(s) to achieve the objective. In making this determination, different options have been considered and evaluated. The following is a list of options for the ways the objective could be implemented. Each option is assessed in the table below.

1. Manage the relationship of buildings to streets and open spaces by requiring compliance with standards and design guidance.
 This option requires all new buildings, and additions and alterations to existing buildings to meet performance standards and be assessed against specific design guidance. The performance standards could be mix of permitted activities standards and assessment of the design guidance through the resource consent process.
2. Manage the relationship of buildings to streets and open spaces by encouraging positive outcomes through non-regulatory techniques.
 This option is similar to Option 1, except rather than requiring compliance with performance standards and design guidance, compliance would be encouraged through non-regulatory techniques such as provision of information and advice. No resource consent would be required or compliance with regulatory design performance standards.
3. No specific requirements or encouragement to meet design standards.
 This option is the “do nothing” option. The District Plan currently does not include any specific design guidance or provisions in the Central Commercial Activity Area.

Analysis

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
Manage the relationship of buildings to streets and open spaces by requiring compliance with standards and design guidance.	Requiring compliance with design standards and criteria would allow the Council to more effectively manage issues of urban design for managing the relationship of buildings to streets and open spaces in the Central Commercial Activity Area. This approach is based on requiring resource consent and applying a design guide which would provide an	<ul style="list-style-type: none"> ▪ Improvement to the relationship of buildings to streets and open spaces which results in a more attractive and higher quality environment in the Central Commercial Activity Area. ▪ A level of certainty in the process in terms of a design guide clearly identifying the design matters to be assessed. 	<ul style="list-style-type: none"> ▪ Costs of complying with design requirements. ▪ Costs of applying for resource consent. ▪ Some developments may not proceed due to design requirements.

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
	effective process for assessing the design of new buildings and additions and alterations to existing buildings and their relationship to the street and open spaces.	<ul style="list-style-type: none"> ▪ Flexibility in the design solutions by identifying the design matters. 	
Manage the relationship of buildings to streets and open spaces by encouraging positive outcomes through non-regulatory techniques.	Encouraging compliance with design standards is not as effective as requiring compliance, as some new buildings or additions and alterations to existing buildings may occur with outcomes which degrade the relationship to streets and open spaces in the Central Commercial Activity Area.	<ul style="list-style-type: none"> ▪ Potential for improvement to the relationship of buildings to streets and open spaces which results in a more attractive and higher quality environment in the Central Commercial Activity Area. ▪ A high level of certainty in the process in terms voluntary compliance with the design guide. ▪ High degree of flexibility in the design solutions for buildings. 	<ul style="list-style-type: none"> ▪ Potential for poor quality urban design outcomes resulting in an unattractive Central Commercial Activity Area. This poor quality may negatively affect the vitality and vibrancy of the area.
No specific requirements or encouragement to meet design standards.	Applying no specific provisions to manage the relationship of buildings to streets and open spaces would not be effective in achieving the objective of maintaining and enhancing the amenity and safety in the Central Commercial Activity Area. This approach is the status quo, which is resulting in variable conditions in the relationship of buildings to streets and open spaces.	<ul style="list-style-type: none"> ▪ Greater flexibility and certainty in building in the Central Commercial Activity Area. ▪ No compliance costs. 	<ul style="list-style-type: none"> ▪ Poor quality urban design outcomes resulting in an unattractive Central Commercial Activity Area. This poor quality may negatively affect the vitality and vibrancy of the area.

The above analysis identifies that no provisions or encouraging Plan provisions do not provide the most efficient or effective approach for achieving the objective of maintaining and enhancing the amenity and safety in the Central Commercial Activity Area. These two options could result in poor quality urban design outcomes, which would not create an attractive environment for people to work, live or visit. Recent developments in the Central Commercial Activity Area have highlighted the shortcomings with the existing approach, resulting in variable quality in the urban design outcomes for the relationship of buildings to streets and open spaces.

The option of requiring compliance with design guidance for new buildings and additions and alterations to existing buildings is a more efficient and effective approach in achieving a good relationship of buildings to streets and open spaces. However, the additional costs (in terms of the resource consent process and design requirements to developers) for Option 1 may unduly restrict or limit development opportunities in the central area.

Given the above, a combination of Options 1 and 2 are considered the most effective and efficient approach for achieving the objective. Permitting building alterations which do not change the building form (i.e. height and footprint) and additions to existing buildings up to 5% of the gross floor area and encouraging good quality building design is considered to facilitate a base level of development without imposing significant costs. New buildings and additions to existing buildings larger than 5% of the gross floor area would be assessed through the consent process to provide a high level of certainty about quality design outcomes. In terms of those additional process costs for taller buildings, Council could also employ parallel and alternative methods to incentivise quality development or cover aspects of application costs. This approach is effective in maintaining and enhancing the safety and amenity of the Central Commercial Activity Area in creating an attractive and high quality urban environment.

5A 1.2.3 Adjoining Residential Areas

5A 1.2.3 Objective

To recognise and protect the amenity values of the nearby residential areas from use and development in the Central Commercial Activity Area.

In addressing this objective, the primary focus is to determine the most appropriate way(s) to achieve the objective. In making this determination, different options have been considered and evaluated. The following is a list of options for the ways the objective could be implemented. Each option is assessed in the table below.

1. Retain existing provisions of managing the height and distance of buildings near residential areas and activities.

This option is the “do nothing” option (i.e. retain existing District Plan provisions). The height of buildings would be restricted to 12 metres within 50 metres of a Residential Activity Area, a recession plane of 31 degrees from ground level at the residential edge further than 50 metres from the Residential Activity Area, and building setbacks from the Residential Activity Area boundary. Non-compliance with these standards would be assessed through the resource consent process.

2. Refine the existing provisions of managing the height and distance of buildings near residential areas and activities.

This option modifies the existing provisions by applying the 12 metre height limit across a wider area of the Central Commercial Activity Area, applying maximum height limits in other areas of the Central Commercial Activity Area, removing the recession plane and increasing the building setbacks. Non-compliance with these standards would be assessed through the resource consent process.

3. Manage use and development in the Central Commercial Activity Area on areas near to residential areas through design guidance.

This option requires use and development to be assessed against specific design guidance in terms of the relationship to nearby residential areas. Assessment against this design guidance would be through the resource consent process.

Analysis

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
<p>Retain existing provisions of managing the height and distance of buildings near residential areas and activities.</p>	<p>The existing Plan provisions are relatively effective in protecting the amenity values of the residential areas adjoining the Central Commercial Activity Area. The existing height, recession plane and activities standards provide specific standards which relate to different aspects of development and activities in the Central Commercial Activity Area.</p> <p>However, the existing provisions do not recognise or manage the variable nature and issues between the Central Commercial Activity Area and residential area boundary. On the northern boundary, building height is not as significant an issue compared to the eastern and southern boundaries.</p>	<ul style="list-style-type: none"> ▪ Provides a continuation of the existing District Plan approach which has a level of familiarity for Plan users. ▪ Continues to provide opportunities for commercial activities and development within the Central Commercial Activity Area, whilst protecting the amenity values in the residential areas. 	<ul style="list-style-type: none"> ▪ May constrain some types of development and activity in the Central Commercial Activity Area. ▪ Taller buildings setback from the residential area boundary may result in adverse effects on residential areas, such as shading and building dominance. ▪ Costs of complying with minimum standards, and obtaining resource consent for non-compliances.
<p>Refine the existing provisions of managing the height and distance of buildings near residential areas and activities.</p>	<p>The refined approach would be effective in protecting the amenity values of the residential areas adjoining the Central Commercial Activity Area. Restricting the maximum height to 12 metres and other maximum height limits in the Central Commercial Activity Area are more effective in protecting the amenity values of the adjoining residential areas. Increasing the building setbacks is effective in managing building dominance</p>	<ul style="list-style-type: none"> ▪ Provides a level of continuation with the existing District Plan approach which has a level of familiarity for Plan users. ▪ Continues to provide opportunities for commercial activities and development within the Central Commercial Activity Area, whilst protecting the amenity values in the residential areas. ▪ Clearer guidance on positive outcomes for managing the interface issues 	<ul style="list-style-type: none"> ▪ May constrain some types of development and activity in the Central Commercial Activity Area. ▪ Costs of complying with minimum standards, and obtaining resource consent for non-compliances.

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
	<p>issues for adjoining residential areas.</p> <p>Through the provision of design guidance, the variable nature and issues between the Central Commercial Activity Area and residential area boundary are recognised and managed. This design guidance recognises different responses can be applied to different areas dependent on the issues for that particular length of the boundary. This approach is effective in achieving the objective.</p>	<p>between the Central Commercial Activity Area and residential areas.</p>	
<p>Manage use and development in the Central Commercial Activity Area on areas near to residential area through design guidance.</p>	<p>This option relies on a voluntary approach to protecting the amenity values of the adjoining residential areas through the provision of design guidance. This approach is not considered effective as it could result in tall buildings or activities operating in a manner which degrades the amenity values in the residential areas (e.g. excessive noise or shading).</p>	<ul style="list-style-type: none"> ▪ A high level of certainty in the process in terms of voluntary compliance with the design guide. ▪ High degree of flexibility in terms of development and activities in the Central Commercial Activity Area near residential areas. 	<ul style="list-style-type: none"> ▪ Potential for significant adverse effects on the amenity values of the adjoining residential areas.

The above analysis identifies that the existing Plan provisions do not provide the most efficient or effective approach for achieving the objective of protecting the amenity values of the nearby residential areas. There is potential for buildings to be constructed which could dominate and shade the residential areas, due to their height and proximity to the residential areas.

Managing this interface between the Central Commercial Activity Area and the residential areas through only design guidance is also not the most efficient or effective approach for achieving the objective. The potential for significant adverse effects on the amenity values of the residential areas would not achieve the objective.

The second option of refining the existing provisions is considered to be the most efficient and effective approach for achieving the objective. This approach provides the ability to continue to develop and undertake activities in the Central Commercial Activity Area whilst protecting the amenity values of the nearby residential area.

5A 1.2.4 Hutt River Corridor

5A 1.2.4 Objective

To recognise and enhance the significant amenity, natural and recreational values of the Hutt River and its relationship to the development in the Central Commercial Activity Area.

In addressing this objective, the primary focus is to determine the most appropriate way(s) to achieve the objective. In making this determination, different options have been considered and evaluated. The following is a list of options for the ways the objective could be implemented. Each option is assessed in the table below.

1. No specific provisions to recognise the relationship of development adjacent to the Hutt River corridor.

This option is the “do nothing” option (i.e. retain existing District Plan provisions). The existing provisions do not specifically identify the relationship to the river corridor as an issue, therefore, no specific provisions apply.

2. Add specific policies and rules to manage the relationship of development adjacent to the Hutt River corridor.

This option proposes to add specific requirements to require development on land adjacent to the Hutt River corridor to be subject to additional requirements and minimum standards, such as building requirements and design guidance. These additional requirements and minimum standards could require resource consent for particular developments.

3. Add specific policies and design guidance to encourage development adjacent to the Hutt River corridor to recognise the values of this corridor.

This option does not require compliance with minimum standards. Instead, it is based on encouragement and voluntary compliance through the provision of design advice and information.

Analysis

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
No specific provisions to recognise the relationship of development adjacent to the Hutt River corridor.	The relationship to the Hutt River corridor has been identified as a special feature for the central area. By not providing any specific provisions to recognise the relationship to the Hutt River corridor would not be effective in achieving the objective of recognising the specific values of this area. Development of sites in the Central Commercial Activity Area, especially development immediately adjacent to the river corridor can influence the natural,	<ul style="list-style-type: none"> ▪ Provides certainty and flexibility for development adjacent to the river corridor in the Central Commercial Activity Area. ▪ No costs associated with complying with minimum standards. 	<ul style="list-style-type: none"> ▪ The long term vision for the relationship of development adjacent to the river corridor may be compromised or degraded. ▪ Limited ability for adaptive change in the future if the relationship changes in association with upgrading flood protection works and/or roading changes.

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
	recreational and amenity values of the Hutt River.		
Add specific policies and rules to manage the relationship of development adjacent to the Hutt River corridor.	Requiring compliance with minimum standards is an effective approach for managing development and its relationship to the river corridor. However, as the long term future of this relationship is subject to change associated with upgrades to flood protection works and roading changes, minimum standards could be counter-productive and ineffective in managing this relationship. This approach could result in sites being inefficiently developed, which in turn could result in the inefficient use of the physical resources in this area of the Central Commercial Activity Area.	<ul style="list-style-type: none"> ▪ Provides certainty to the nature and type of activities adjacent to the river. ▪ Future proofs the area adjacent to the river to provide for the long term vision for the river corridor. 	<ul style="list-style-type: none"> ▪ Costs of complying with minimum standards. ▪ Unduly constrains development adjacent to the river corridor until the long term visions have been committed.
Add specific policies and design guidance to encourage development adjacent to the Hutt River corridor to recognise the values of this corridor.	Encouraging compliance with minimum standards is not as effective as requiring compliance. However, as the long term future of the relationship of development in the Central Commercial Activity Area to the river corridor is subject to change associated with upgrades to flood protection works and roading changes, providing encouragement and flexibility would be effective in managing this relationship in the short term. This approach would provide flexibility to efficiently develop the physical	<ul style="list-style-type: none"> ▪ Provides flexibility in developing the Central Commercial Activity Area until the long term vision is determined. ▪ Lower costs of compliance. ▪ Provides for adaptive re-use in the future which can respond to changes in river corridor plans. 	<ul style="list-style-type: none"> ▪ The long term vision for the relationship of development adjacent to the river corridor may be compromised or degraded.

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
	resources in this area, including land and infrastructure.		

The above analysis identifies that no provisions or requiring Plan provisions do not provide the most efficient or effective approach for achieving the objective of recognising the amenity, natural and recreational values of the Hutt River corridor in the development of the Central Commercial Activity Area. These two options could result in the relationship with the river corridor being significantly compromised or degraded, or sites within the Central Commercial Activity Area being unduly constrained until the long term visions for the river corridor have been determined.

The most effective and efficient approach is encouraging appropriate development adjacent to the river corridor to provide flexibility for the adaptive re-use of sites and buildings in the future once the long term vision has been determined.

5A 1.2.5 Carparking

5A 1.2.5 Objective

To promote carparking in locations and configurations which recognise and provide for their potential effects on streetscapes and the public environment.

In addressing this objective, the primary focus is to determine the most appropriate way(s) to achieve the objective. In making this determination, different options have been considered and evaluated. The following is a list of options for the ways the objective could be implemented. Each option is assessed in the table below.

1. Retain existing provisions managing on-site carparking through minimum standards.

This option is the “do nothing” option (i.e. retain existing District Plan provisions). The on-site parking standards would retain the two parking districts (inner and outer). In the Inner Parking District, no car parking on site is required, and for the Outer Parking District, the number of on-site carparks would depend on the type of activity and the size of the development. Non-compliance with these standards would be assessed through the resource consent process.

2. Refine the existing provisions managing on-site carparking by amending the minimum standards and adding specific performance standards regarding the location, design and appearance of carparking areas.

This option modifies the existing provisions by amending the thresholds and standards for on-site carparking in the Outer Parking District. In addition, add performance standards about the location (such as no ground floor level parking), design (maximum road frontage of on-site parking area) and appearance (landscaping). Design guidance would also apply for the design of carparking areas and facilities. Non-compliance with the standards and design guidance would be assessed through the resource consent process.

3. No specific on-site carparking standards, with large carparking areas being managed.

This option would not require any minimum on-site parking areas (e.g. providing on-site carparks would be at the discretion of the developer). If large carparking areas were proposed (e.g. 90 carparks), these areas would be assessed through the resource consent process as a discretionary activity to manage the traffic and amenity effects of these large areas.

Analysis

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
<p>Retain existing provisions managing on-site carparking through minimum standards.</p>	<p>The existing Plan provisions are effective in defining the extent of parking districts where different on-site parking requirements apply. Requiring no-site parking in the Inner Parking District is effective in promoting carparking in other locations. In the Outer Parking District, the minimum on-site parking requirements are generally effective in ensuring sufficient carparking is available.</p> <p>However, the existing provisions are not effective in promoting carparking in locations and configurations resulting in an attractive streetscape and public environment. In particular, recent developments in the northern end of the Central Commercial Activity Area have resulted in large areas of surface carparking which dominate the streetscape and detract from the public environment.</p> <p>The existing carparking requirements also may limit the efficient use and development of physical resources in the Central Commercial Activity Area, including land and transport infrastructure.</p>	<ul style="list-style-type: none"> ▪ Sufficient on-site parking is provided to meet the needs of future occupiers. ▪ Less demand on the provision of alternative parking areas, such as on-street parking or dedicated parking facilities/buildings. ▪ Provides a continuation of the existing District Plan approach which has a level of familiarity for Plan users. ▪ A high level of certainty as to the on-site parking requirements. 	<ul style="list-style-type: none"> ▪ Some areas of poor quality urban environment dominated by surface carparking. ▪ Potentially reduced level of development due to requirement to provide high number of on-site carparks. ▪ Costs of constructing large areas of carparking. ▪ Costs of complying with minimum standards, and obtaining resource consent for non-compliances. ▪ Does not manage the traffic effects from non-retail activities which may reduce efficiency and functionality of the transport network. ▪ Transport infrastructure costs of upgrades which may not be required if other modes of transport were available.
<p>Refine the existing provisions by amending the minimum</p>	<p>The refined approach adjusts the extent of the Inner and Outer Parking Districts. These adjustments are effective in continuing the existing approach of two parking</p>	<ul style="list-style-type: none"> ▪ Sufficient on-site parking is provided to meet the needs of some of the future occupiers. ▪ Less demand on the provision of alternative 	<ul style="list-style-type: none"> ▪ Some frustration associated with lack of available carparking at times. ▪ Potentially less development due to requirement to provide

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
<p>standards and adding specific performance standards regarding the location, design and appearance of carparking areas</p>	<p>districts, which recognise the different functions and characters within the Central Commercial Activity Area.</p> <p>Not requiring on-site carparking or loading within the Core Precinct provides for sites to be more fully utilised for productive uses instead of carparking, making efficient use of the land resource. The more efficient land utilisation is effective in achieving the objectives of increasing the number and type of land uses in the central area.</p> <p>In addition, the refined approach would be effective in managing the effects of carparking areas on the streetscape and public environment. Large areas of carparking would be internalised within the site to provide a more attractive and higher quality urban environment.</p> <p>Through the provision of design guidance, carparking areas would be well-designed to ensure they serve their function while managing the adverse effects on the quality of the urban environment. This design guidance also recognises the different character in the precincts in the Central Commercial Activity Area. This approach is effective in achieving the objective.</p>	<p>parking areas, such as on-street parking or dedicated parking facilities/buildings.</p> <ul style="list-style-type: none"> ▪ Provides a level of continuation with the existing District Plan approach which has a level of familiarity for Plan users. ▪ Provides some flexibility in designing and developing on-site carparking. ▪ Improves the quality and attractiveness of the streetscape and public environment in the Central Commercial Activity Area, which may contribute to a more vibrant area. ▪ Clearer guidance on positive outcomes for managing carparking in the Central Commercial Activity Area. 	<p>on-site carparking.</p> <ul style="list-style-type: none"> ▪ Costs of constructing areas of carparking. ▪ Costs associated with resource consents for proposals which do not comply with the on-site requirements

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
<p>No specific on-site carparking standards, with large carparking areas being managed.</p>	<p>Applying no specific provisions for on-site carparking requirements would not be effective in achieving the objective of promoting carparking in appropriate locations and configurations and a safe and efficient transport network. This approach could lead to congestion with the lack of available on-site parking and loading areas. Greater reliance would be placed on on-street parking and loading facilities, which may not be able to cater for the traffic demands.</p> <p>In turn, this congestion could discourage further development, resulting in the inefficient use of the central area land and transport infrastructure. This approach could result in the inefficient use and development of the Central Commercial Activity Area, with either an under or over supply of carparking areas, which could degrade the vibrancy and vitality of the area.</p>	<ul style="list-style-type: none"> ▪ Maximise the developable area of sites with no required parking or loading areas. ▪ High flexibility in the provision of on-site parking and loading areas. ▪ A high level of certainty for developers and ease of administering the District Plan with no requirements. 	<ul style="list-style-type: none"> ▪ Frustration associated with lack of available carparking and loading areas. ▪ Congestion associated with vehicles using on-street facilities and spill over into movement areas. ▪ Poor quality urban design outcomes resulting in an unattractive Central Commercial Activity Area. This poor quality may negatively affect the vitality and vibrancy of the area. ▪ Significant costs of upgrading transport infrastructure in response to congestion.

The above analysis identifies that no provisions or the existing Plan provisions do not provide the most efficient or effective approach for achieving the objective of promoting carparking in locations and configurations which recognise and provide for the potential effects on streetscapes and the public environment in the Central Commercial Activity Area. Removing the on-site carparking and loading requirements from the whole Central Commercial Activity Area could lead to significant impacts in terms of traffic congestion associated with the lack of parking and loading facilities. This congestion could lead to demand for significant costs associated with upgrading transport infrastructure.

The nature of activities in the Commercial Precinct are generally focused on vehicle oriented activities which rely on good access and available on-site carparking. Activities in the Core Precinct are more pedestrian focused, where on-street loading or service lanes are available, as well as on-street or large dedicated parking areas within walking distance. This differentiation between the nature of activities is a continuation of the existing approach which is relatively effective in terms of parking demand and supply. However, the existing Plan provisions focus on the number of on-site carparks with no regard to the streetscape or

public environment relationship. Therefore, targeted provisions are proposed to address these elements of on-site carparking areas.

The most effective and efficient approach is refining the existing approach to manage the number of on-site carparks and the location and configuration of these carparks to achieve the objective.

5A 1.2.6 Energy Efficient and Low Impact Urban Development

5A 1.2.6 Objective
To promote energy efficiency and environmental sustainability in development and use in the Central Commercial Activity Area.

In addressing this objective, the primary focus is to determine the most appropriate way(s) to achieve the objective. In making this determination, different options have been considered and evaluated. The following is a list of options for the ways the objective could be implemented. Each option is assessed in the table below.

1. Manage energy efficiency and low impact urban development by requiring compliance with standards and design guidance.
 This option requires all new buildings, and additions and alterations to existing buildings to meet performance standards and be assessed against specific design guidance in relation to energy efficiency and low impact urban development. The performance standards could be a mix of permitted activities standards and assessment of the design guidance through the resource consent process.
2. Manage energy efficiency and low impact urban development by encouraging positive outcomes through non-regulatory techniques.
 This option is similar to Option 1, except rather than requiring compliance with performance standards and design guidance, compliance would be encouraged through non-regulatory techniques such as provision of information and advice. No resource consent would be required or compliance with regulatory design performance standards.
3. No specific requirements or encouragement for energy efficient and low impact urban development.
 This option is the “do nothing” option. The District Plan currently does not include any specific design guidance or provisions relating to energy efficiency and low impact urban design in the Central Commercial Activity Area.

Analysis

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
Manage energy efficiency and low impact urban development by requiring compliance with standards and design	Requiring compliance with minimum standards is an effective approach for managing energy efficiency and low impact urban development. By requiring buildings and developments to achieve minimum standards of environmental performance, this could ensure the efficient use of natural and physical	<ul style="list-style-type: none"> ▪ Creates buildings and development which efficiently use resources. 	<ul style="list-style-type: none"> ▪ Significant costs of complying with minimum standards. ▪ May unduly constrain some buildings and developments which do not comply with minimum standards or are not cost effective.

OPTIONS	EFFECTIVENESS & EFFICIENCY	BENEFITS	COSTS
guidance.	resources.		
Manage energy efficiency and low impact urban development by encouraging positive outcomes through non-regulatory techniques.	<p>Encouraging compliance with minimum standards is not as effective as requiring compliance, as it depends on the willingness of the developer to incorporate such standards.</p> <p>However, encouraging compliance can result in innovative design solutions which may have similar outcomes to minimum standards.</p>	<ul style="list-style-type: none"> ▪ Provides flexibility in implementing measures to incorporate energy efficiency and low impact development measures. ▪ Allows for energy and other resources to be used more efficiently. ▪ Lower costs of compliance. 	<ul style="list-style-type: none"> ▪ Potentially lower level of efficiently using energy. ▪ Costs of providing information and advocacy.
No specific requirements or encouragement for energy efficient and low impact urban development.	<p>This option is neither effective nor efficient as energy efficiency and low impact urban development can utilise natural and physical resource more sustainably.</p>	<ul style="list-style-type: none"> ▪ Greater flexibility and certainty in developing and undertaking activities in the Central Commercial Activity Area. ▪ No compliance costs. 	<ul style="list-style-type: none"> ▪ May need to upgrade and expand infrastructure and other services where they are not efficiently used. ▪ Poorer quality buildings which may degrade the public environment and may not provide a suitable level of amenity or attraction for residential living and other forms of occupation. ▪ Long term environmental costs of using more energy.

The above analysis identifies that no provisions or requiring Plan provisions do not provide the most efficient or effective approach for achieving the objective of promoting energy efficiency and environmental sustainability in development and use in the Central Commercial Activity Area. Requiring compliance would impose significant costs which outweigh the benefits, while having no specific standards or encouragement would be ineffective.

The most effective and efficient approach is encouraging energy efficiency and low impact urban development through the provision of information and advocacy.

The Risk of Acting or Not Acting

It is considered that there is sufficient information and certainty for the majority of the subject matter to make a full evaluation pursuant to Section 32 (iv) of the Act. However, limited detailed information is available about the effects of the Making Places actions on the traffic and parking environment in the central area, and work on a traffic and parking model is proposed. This modelling work may provide additional information about the on-site parking and loading requirements for different types of activities which may require further consideration of these issues.

In addition, Greater Wellington Regional Council is proposing to upgrade the flood protection works in the vicinity of the Central Commercial Activity Area. At this time, the specific design details of these upgrade works are unknown. These upgrade works may significantly influence development and use adjacent to the river corridor. Therefore, the proposed plan change provisions provide for the adaptive use and development along and adjacent to the river corridor to respond to any changes associated with these upgrade works in the future.

In terms of risks of acting or not acting, the principal risk of not acting is that the outcomes envisaged in the CBD Vision 2030 and Making Places documents may not be achieved. The vision for the CBD is “shaped by the Hutt River, the Hutt CBD connects people and nature to create a lively and vibrant place”. The Vision is based on the six themes of: Liveable, Unique, Sustainable, Connected, Growth, and Quality. The risk of not acting is that the outcomes sought under each of these themes will not be achieved, which would not contribute to achieving the purpose and principles in the Resource Management Act.

The risk of not acting in the way proposed is that the central area’s quality and amenity values would be of a poorer quality, not providing a vibrant and liveable central area, that provides for the social and economic wellbeing of the community. There is a risk that poor quality urban design would come to dominate, with consequent adverse affects on poor streetscapes, public open spaces would contribute to poor standards of amenity, poor quality provision and access to civic services, and limited sustainable use and provision of transport opportunities.

Conclusion

Proposed District Plan Change 14 is a Council initiated plan change and the purpose of the plan change is to provide a complete review of the District Plan provisions that apply to land within the Central Commercial Activity Area. All aspects of the Central Commercial Activity Area chapter and associated provisions in other chapters (e.g. signs standards in Chapter 14B relating to the Central Commercial Activity Area) have been reviewed.

The plan change seeks to implement the strategic directions contained in the CBD Vision 2030 and CBD Making Places documents. These documents focus on making the central area a more liveable, unique, sustainable, connected, growing and quality area.

The review concluded retaining or reaffirming some of the existing Plan provisions, including:

- Retained the spatial extent (boundary) of the Central Commercial Activity Area
- Provide for a wide range of activities in the central area
- Pedestrian focused development and activities in the core area and larger scale vehicular focused development in the northern/outer area
- No requirement for on-site carparking in the core part of the central area

The proposed plan change includes a number of significant new provisions designed to provide for a greater diversity of land use activities and allow the Council to better manage the effects of new development within the central area. These new proposed provisions include:

- Permitting all activities unless specifically listed
- Managing development based on defined precincts within the Central Commercial Activity Area
- Managing the design and effects of buildings to ensure they relate to the street, context and character of the particular Precinct, with a design guide to provide direction for achieving good quality outcomes
- Managing the overall building height which relates to a defined urban form (taller buildings in centre, lower buildings on the periphery) and protects the amenity values of adjoining residential areas
- Revising the on-site carparking and loading requirements for residential and retail activities

This evaluation has been undertaken in accordance with Section 32 of the Act in order to identify the need, benefits and costs arising from the proposed plan change and the appropriateness of the proposed methods and rules having regard to their effectiveness and efficiency relative to other means in achieving the purpose of the Act and the desired outcome for the Lower Hutt City central area. The evaluation demonstrates that the proposed plan change meets the requirements of Section 32 of the Act and is appropriate in achieving the desired outcomes for the Lower Hutt City central area.

Part 6: Copy of Submission Form

Submission on publicly notified proposed District Plan Change

Clause 6 of the First Schedule, Resource Management Act 1991



Environmental Policy
30 Laings Road
Private Bag 31912
Lower Hutt 5040
New Zealand
<http://www.huttcity.govt.nz>
(04) 570 6666

To: Chief Executive, Hutt City Council

1. **Name of submitter** (state full name):

2. This is a submission on the following proposed change to the City of Lower Hutt District Plan (the proposal):

Proposed District Plan Change No:

Title of Proposed District Plan Change:

3. The specific provisions of the proposal that my submission relates to are: (give details)

(please use additional pages if you wish)

4. My submission is: (include whether you support or oppose the specific provisions or wish to have them amended; and reasons for your views)

(please use additional pages if you wish)

5. I seek the following decision from Hutt City Council: (give precise details)

(please use additional pages if you wish)

6. I wish do not wish to be heard in support of my submission

7. If others make a similar submission, I will consider presenting a joint case with them at a hearing.

Yes No

Signature of submitter:

(or person authorised to sign on behalf of submitter)

Date:

(a signature is not required if you make your submission by electronic means)

Address for service of submitter:

Tel No (day):

Tel No (night):

Fax No:

E-mail:

Contact person: (name and designation, if applicable)