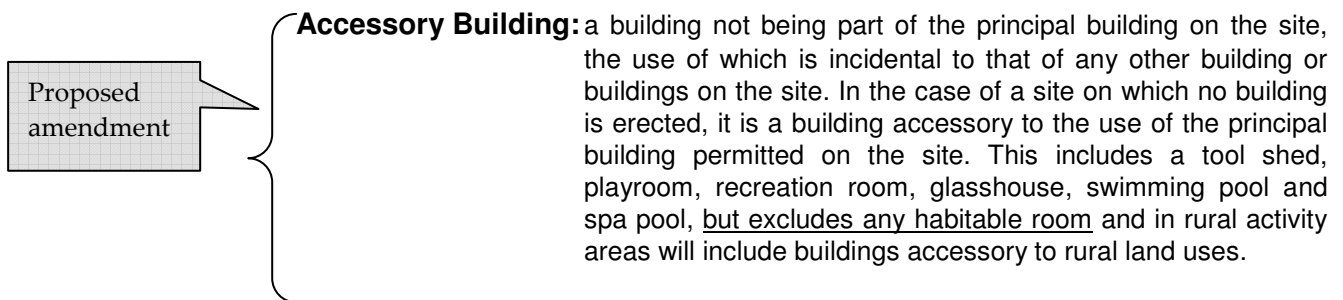
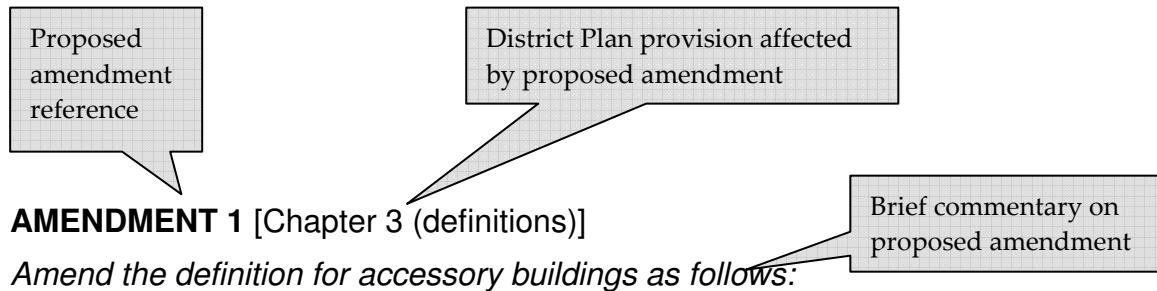

Part 3: Proposed Plan Change 12 amendments to Chapters 3, 4, 12 and 14

The following text identifies the amendments proposed.

A total of 40 amendments to both the provisions of the District Plan and the planning maps are proposed. Each of these amendments is listed in the following format:



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

AMENDMENT 1 [Chapter 3 (definitions)]

Amend the definition for accessory buildings as follows:

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, but excludes any habitable room and in rural activity areas will include buildings accessory to rural land uses.

AMENDMENT 2 [Chapter 3 (definitions)]

Amend the definition for building in relation to decks as follows:

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 20m² in area;~~
- (d) decks less than 500mm in height;
- (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.

AMENDMENT 3 [Chapter 3 (definitions)]

Delete the definition for comprehensive residential development:

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

AMENDMENT 4 [Chapter 3 (definitions)]

Delete the exclusion for comprehensive residential developments from the definition of Dwelling House:

Dwelling House: 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)~~(a) detention facilities;
- ~~(c)~~(b) visitor accommodation;
- ~~(d)~~(c) health care service; and
- ~~(e)~~(d) boarding houses.

AMENDMENT 5 [Chapter 3 (definitions)]

Amend a definition for permeable surfaces as follows:

Permeable Surface: any part of a site which is grassed or planted in trees or shrubs and is capable of absorbing water. It does not include any area which:

- (a) Falls within the definition of building coverage;
- (b) Is covered by decks which do not allow water to drain through to a permeable surface;
- (c) Is occupied by swimming pools; or
- (d) Is paved with a continuous surface.

AMENDMENT 6 [Chapter 3 (definitions)]

Delete the exclusion for comprehensive residential developments from the definition of Residential Facility:

Residential Facility: a building or buildings and activities providing:

- (a) residential support/care;
- (b) respite care; and
- (c) therapeutic/rehabilitation services;

but which excludes:

- (a) dwelling house (including residential facilities for up to and including seven people);
- ~~(b) comprehensive residential developments;~~
- ~~(c)(b)~~ detention facilities;
- ~~(d)(c)~~ visitor accommodation;
- ~~(e)(d)~~ health care service; and
- ~~(f)(e)~~ boarding houses.

AMENDMENT 7 [4A 1.1.2]

Add a new policy relating to the implementation of design guides for residential development:

Policies

- (c) That design guides be developed to direct and encourage higher density development which maintains and enhances onsite amenities and consistency with the surrounding residential character.**

AMENDMENT 8 [4A 1.1.2]

Add a new explanation and reason for the implementation of design guides for residential development:

Explanation and Reasons

Opportunity will be available for higher dwelling densities along major transport routes, around some commercial centres, and in the residential area between Jackson Street and The Esplanade, Petone, where existing residential dwelling densities are higher, and where amenity values will not be affected adversely.

This will encourage the use of public transport, promote the efficient use of resources, and takes into account the changing nature of the city's population.

These areas have been specifically chosen, as allowing densities to increase in all residential areas of the City may affect the character and amenity values associated with particular areas.

The Plan will manage the effects of higher density development by managing site layout, building height, bulk, and site coverage and landscaping through the use of permitted activity standards. Other aspects of design, such as quality of onsite amenity, landscaping, integration of buildings with open space and compatibility with surrounding development patterns, will be managed through the use of Design Guides.

AMENDMENT 9 [4A 1.2.1]

Add a new policy relating to minimum permeable service area:

Policies

- (g) To establish a minimum permeable surface area to assist with the sustainable management of stormwater.
- ~~(g)~~(h) That where practicable, the siting of accessory buildings be managed to maintain safety and visibility during manoeuvres.
- ~~(h)~~(i) Where a certificate of title has been issued for a site prior to 5 December 1995 or where a site has been created by a staged development whether under a stage unit plan or cross lease plan lodged with the District Land Registrar and where part of the development has been completed prior to 5 December 1995, it is recognised that it is reasonable to permit the erection of buildings/structures (as contemplated when the title was issued or plan lodged) even though the maximum site coverage may exceed that set out in 4A 2.1.1(e). Under such circumstances the scale, intensity, visual attractiveness of buildings and/or structures as well as the adverse effects on the amenity values of adjoining properties, and the streetscape be taken into account in assessing the suitability of the development.

AMENDMENT 10 [4A 1.2.1]

Add a new policy relating to the implementation of design guides for residential development:

Policies

- (i) To establish Design Guides to control other aspects of design, such as quality of onsite amenity, integration of buildings and landscaping in respect to open space and compatibility with surrounding development patterns.

AMENDMENT 11 [4A 1.2.1]

Amend the explanation and reasons with regards to building length as follows:

Explanation and Reasons

All buildings and structures have the potential to affect adversely the amenity values of adjacent sites if their height, location, intensity and scale is not managed.

Buildings can unnecessarily shade an adjacent property, or be out of scale with adjacent buildings if they are too tall, and can dominate adjacent sites if they are located too close to a site boundary ~~without some control on their length.~~

They also have the potential to affect adversely the character and amenities of the surrounding residential area. New development may be out of scale with existing

development, or affect adversely the visual amenity value of the streetscape, if the height, location and intensity of all buildings and structures is not managed.

In order to ensure that amenity values and residential character are maintained and enhanced, and that adverse effects are managed, minimum conditions are specified.

AMENDMENT 12 [4A 1.2.1]

Amend explanation (a) with regards to net site area as follows:

Explanation and Reasons

(a) Net Site Area

Within the General Residential Activity Area medium density residential development is encouraged to preserve the overall open character. ~~A specific net site area has been set to achieve this purpose. In addition, where provision is made for 3 or more dwellings on a site no minimum net area is required.~~

In specific areas of the City, opportunity is to be provided for higher density residential development. A specific net site area has been set to achieve this purpose also.

AMENDMENT 13 [4A 1.2.1]

Delete explanation (f) with regards to building length as follows:

Explanation and Reasons

~~(f) Length~~

~~— The length of a building is managed to control the adverse effects of a bulky building in close proximity to a site boundary.~~

AMENDMENT 14 [4A 1.2.1]

Amend explanation (g) with regards to allowing accessory building encroachments into side and rear yards as follows:

Explanation and Reasons

~~(g)~~**(f) Accessory Buildings**

Accessory buildings can be used for a variety of different purposes, including vehicle storage, additional living space, workshops or home occupations. Their location on a site can cause adverse effects on the amenity values of adjoining sites or the streetscape, and it is important that these adverse effects are managed, whilst allowing an individual to make the best use of the site.

Accessory buildings shall comply with the same height, recession plane, and site coverage, ~~side and rear yard~~ restrictions as those for a dwelling house.

Accessory buildings shall also be required to comply with the front yard requirement. This is to ensure the visual amenity values of the streetscape are maintained and enhanced.

Some flexibility will be provided to allow accessory buildings to encroach side and rear yards requirements where effects on adjacent properties will be minimal.

Where a site is vacant (for example in the case of greenfield subdivision), the site is being completely redeveloped, or an additional dwelling house is erected on the site, an additional set back from the street will be required where a carport or garage is to be erected perpendicular to the street. This is to enable a vehicle to park in front of the garage, and be off the street, and for convenience and

maintenance of both the vehicle and the building. It is also required for safety reasons, - visibility for the driver and pedestrians when cars enter or exit the site.

AMENDMENT 15 [4A 2.1.1(b)]

Amend permitted activity condition (b) relating to minimum yard requirements as follows:

Permitted Activities – Conditions

(b) Minimum Yard Requirements:

For all buildings on the net site area:

Front Yard 3.0m

All Other Yards ~~1.5m~~1.0m

Provided that:

- (i) In the case of a vacant site, or in the case of the erection of an additional dwelling unit on a site any garage or carport (whether it be part of the dwelling, attached to the dwelling or separate from the dwelling) must be a minimum distance of 5 metres from the front boundary if it has vehicular access directly from the street.
- (ii) In the case of a vacant site, or in the case of the erection of an additional dwelling unit on a site where a garage or carport (whether it be part of the dwelling, attached to the dwelling or separate from the dwelling) is parallel to the street, and the vehicle has the ability to turn on the site and drive off the site in a forward direction, such a set back is not required, and the normal front yard restriction shall apply.
- (iii) In all cases, for Through Sites and Corner Sites all road frontages shall be treated as front yards.
- (iv) For all yards an eave, chimney or exterior hot water cylinder may extend into any yard space by up to 0.6 metres.
- (v) One accessory building may be located in one yard except the front yard, provided that it does not extend more than 6m along the length of the boundary.

AMENDMENT 16 [4A 2.1.1(c)]

Amend permitted activity condition (c) relating to recession planes as follows:

Permitted Activities – Conditions

(c) Recession Planes:

For all buildings and structures, and from all site boundaries:

~~(i) From the north facing boundary: 2.5m + 45^o~~

~~(ii) From the north-east and north-west facing boundary: 2.5m + 41^o~~

~~(iii) From all other site boundaries: 2.5 m + 37.5^o~~

See Appendix General Residential 15 and 16. See Appendix General Residential 15 and 16.

Provided the recession plane shall not apply to television aerials, flagpoles and chimneys.

Where the net site area boundary is immediately adjacent to an access leg to a rear net site area then the recession plane shall be calculated from the furthest or outside boundary of the access leg.

AMENDMENT 17 [4A 2.1.1(e)]

Amend permitted activity condition (e) relating to maximum site coverage as follows:

Permitted Activities – Conditions

(e) Maximum Site Coverage: 35%, except where

~~Residential sites within this activity area have frontage to major or minor district distributor routes, surround certain suburban commercial centres, or are between Jackson Street and The Esplanade, (as that are identified on the planning maps as “higher density residential”), maximum site coverage shall be 40%.~~

In the calculation of site coverage, all buildings and structures on the net site area shall be included. The eaves of a building up to a maximum depth of 0.6m shall be excluded from this measurement.

~~Decks of less than 20m² shall not be included in the calculation of site coverage provided the deck does not exceed 1.2m in height.~~

AMENDMENT 18 [4A 2.1.1(f)]

Delete permitted activity condition (f) relating to maximum building length:

Permitted Activities – Conditions

~~**(f) Maximum Length for all Buildings and Structures:**~~

~~— No part of any building exceeding 20m in length may fall outside two arms meeting at a common point on the boundary and each making an angle of 20 degrees with that boundary.~~

~~See Appendix General Residential 18.~~

AMENDMENT 19 [4A 2.1.1]

Add a new permitted activity condition relating to permeable surfaces as follows:

Permitted Activities – Conditions

(f) Permeable Surface

A minimum of 30% of the net site area shall be of permeable surface. This includes decks provided the surface material of the deck allows water to drain through to a permeable surface.

AMENDMENT 20 [4A 2.1.1(g)]

Amend permitted activity condition (g) relating to home occupations as follows:

Permitted Activities – Conditions

(g) Home Occupations:

A commercial occupation, craft or profession established on the same site as a dwelling, which is used for residential purposes, provided that:

~~(i) At least one resident of that dwelling is employed in the home occupation;~~

~~(ii) Not more than two persons who do not reside on the site shall work on the site at any one time;~~

- (i) Not more than three persons (at least one of whom shall live on the site as their principal place of residence) at any one time shall work on the site in relation to any home occupation;
- ~~(iii)~~(ii) Home occupations shall not include:
 - the repair, alteration, restoration or maintenance of motor vehicles ~~not belonging to residents of the site~~; and
 - courier depots.
- (iii) One parking space shall be provided for each person working on the site in addition to the parking requirements for residential activities in accordance with Chapter 14A;
- (iv) No home occupation shall involve the use of trucks or other heavy vehicles;
- (v) No retail sales shall be permitted directly from the site except for goods or produce grown or produced on the site;
- (vi) Home occupations shall not involve visitors to the site between 8.00pm and 7.00am;
- ~~(vii)~~ Not more than 35% of the gross floor area of all the buildings on the site, and not more than 15% of any outdoor areas on the site may be used in association with the home occupation; and
- ~~(viii)~~(vii) Any external storage of materials associated with the home occupation shall be screened so as not to be visible from outside the site;
- (viii) No vehicles, caravans, or trailers in connection with home occupation activities shall be parked within the first five metres of the site, from the front boundary of the site, except on an access drive; and

AMENDMENT 21 [4A 2.3(a)]

Amend the wording for the restricted discretionary activity (a) as follows:

Restricted Discretionary Activities

- (a) ~~Comprehensive residential development~~ Residential development of 3 or more dwelling houses on any site, excluding sites located within Petone, Eastern Bays and Moera General Residential Activity Areas and Higher Density Residential Areas as shown in Appendix 17.

AMENDMENT 22 [4A 2.3]

Add a new restricted discretionary activity for childcare facilities:

Restricted Discretionary Activities

- (i) Childcare facilities for more than 5 children and up to a maximum of 30 children.

AMENDMENT 23 [4A 2.3.1(a)]

Amend the wording for the matters in which Council has its discretion for restricted discretionary activity (a) as follows:

Matter in which Council has Restricted its Discretion and Standard and Terms

- (a) ~~Comprehensive residential development~~ Residential development of 3 or more dwelling houses.
 - (i) Design Guidelines:

Consideration shall be given to how the proposal addresses the Higher Density Housing Design Guidelines.

AMENDMENT 24 [4A 2.3.1]

Add new matters in which Council restricts its discretion for residential development of three or more units outside the Higher Density Residential area:

Matter in which Council has Restricted its Discretion and Standard and Terms

(b) Residential development of 3 or more dwelling houses on sites located outside the Higher Density Residential area

- (i) In addition to the above, on any site located outside the Higher Density Residential area consideration shall be given to whether public transport facilities and non-residential services such as education facilities, places of assembly, medical and emergency facilities and retail activities which provide for residents daily needs, are accessible within reasonable walking distances.

AMENDMENT 25 [4A 2.3.1]

Add new matters in which Council restricts its discretion for childcare facilities:

Matter in which Council has Restricted its Discretion and Standard and Terms

(i) Child care facilities for more than 5 children and up to a maximum of 30 children.

- (i) Site Layout and Landscaping

Consideration shall be given to whether the site layout and any proposed landscaping ensure adverse effects will be retained within the site, thus avoiding or minimising impacts on the adjacent roadway or adjacent residential sites.

- (ii) Traffic Effects

The safe and efficient movement of all vehicle and pedestrian traffic needs to be ensured. It should be demonstrated that traffic generation and vehicles entering and leaving the site will not adversely affect normal traffic flows on the road, or cause a vehicle or pedestrian traffic hazard.

The proposal should comply with the access and manoeuvring controls contained in Chapter 14A.

- (iii) Parking Effects

The extent to which the proposal appropriately provides for the carparking needs of the activity, without adversely affecting the carparking requirements of the surrounding area.

The proposal should comply with the parking and loading controls contained in Chapter 14A.

- (iv) Noise

The proposal should comply with the maximum noise levels specified in Chapter 14C Noise.

With respect to non-compliances, consideration shall be given to any method or measure proposed to mitigate adverse noise effects of the proposal.

AMENDMENT 26 [4A 2.3.2]

Amend the other matters which restricted discretionary activity (a) must comply with as follows:

Other Matters

For Restricted Discretionary Activity (a): All Restricted Discretionary Activities must comply with Permitted Activity Conditions ~~(g)~~(b) - (m), and (n) excluding only Chapter 14A relating to Transport.

AMENDMENT 27 [4A 2.4.]

Add new Discretionary Activity with respect to development of 3 or more dwellings as follows:

Discretionary Activities

(m) Residential development of 3 or more dwelling houses on any site located within Petone, Eastern Bays and Moera General Residential Activity Areas and Higher Density Residential Areas as shown in Appendix 17.

AMENDMENT 28 [4A 2.4.1]

Add new assessment matters for Discretionary Activities with respect to development of 3 or more dwellings as follows:

Assessment Matters for Discretionary Activities

(c) With respect to residential development of 3 or more dwelling houses consideration shall be given to:

(i) How the proposal addresses the Higher Density Housing Design Guidelines.

(ii) The adverse effects on the amenity values of both adjacent properties and the surrounding residential area, including:

- Whether the proposal will cause significant loss of sunlight, daylight or privacy of adjoining residential properties.

- Whether the form, scale and character of the proposal is compatible with residential development of the surrounding area.

- Whether the proposal maintains or enhances existing streetscape.

(iii) Whether public transport facilities and non-residential services such as education facilities, places of assembly, medical and emergency facilities and small retail activities which provide for residents daily needs, are accessible within reasonable walking distances.

AMENDMENT 29 [4A Appendix 15]

Delete Appendix General Residential 15:

AMENDMENT 30 [4A Appendix 16]

Amend Appendix General Residential 16 as follows and change reference to Appendix 15:

AMENDMENT 31 [4A Appendix 17]

Change reference of Appendix General Residential 17 to Appendix 16:

AMENDMENT 32 [4A Appendix 17]

Insert areas referred to in Rules 4A 2.3 and 4A 2.4 as Appendix General Residential 17:

AMENDMENT 33 [4A Appendix 18]

Delete Appendix General Residential 18:

AMENDMENT 34 [4A Appendices]

Insert the Urban Design Guides as Appendix General Residential 18.

AMENDMENT 35 [4D 2.3(c)]

Delete discretionary activity (c) with respect to comprehensive residential developments:

Discretionary Activities

~~(c)~~—Comprehensive residential developments.

~~(d)~~(c) Places of assembly.

~~(e)~~(d) Dairies with a gross floor area of less than 100m².

~~(f)~~(e) Visitor accommodation.

~~(g)~~(f) Health care services.

~~(h)~~(g) Education facilities.

~~(i)~~(h) Emergency facilities.

~~(j)~~(i) Residential facility accommodating 11 or more persons.

~~(k)~~(j) Detention facilities.

~~(l)~~(k) Boarding houses.

AMENDMENT 36 [12.2.1.7(a)]

Amend the financial contributions rule in relation to reserves as follows:

Financial Contributions relating to reserves

- (a) Where the subdivision results or will result in an increase or an intensification of use of land, whether for residential or commercial or industrial activities, the reserve contribution shall be a maximum contribution in cash or land to an equivalent value equal to 7.5% of the value of each new allotment, to provide a maximum dollar contribution of \$10,000 per allotment created in residential activity areas or \$5,000 per allotment created in rural activity areas.

AMENDMENT 37 [Appendix Transport 3 - Minimum Parking Standards]

Amend the minimum parking standards for comprehensive developments under Appendix 3 of Chapter 14a as follows:

Minimum Parking Standards

Activity	Parks	Unit
Comprehensive developments	2	dwelling
<u>3 or more dwelling houses on any single site</u>	<u>1</u>	<u>dwelling</u>

AMENDMENT 38 [Chapter 4A 2.1.1 (j) to (y)]

Correct numbering of Chapter 4A 2.1.1 (j) to (y) to become Chapter 4A 2.1.1 (i) to (x).

AMENDMENT 39 [Chapter 4A 2.3.1 (b) to (h)]

Correct numbering of Chapter 4A 2.3.1 (b) to (h) to become Chapter 4A 2.3.1 (c) to (i)