

Appendix 1: Officers' recommended amendments to Plan Change 56

This appendix includes chapters of the District Plan that include amendments recommended by the authors of the Council Officer Report. Recommended amendments are shown in red underline and ~~struckthrough~~.

Chapters that would not be amended by the recommendations of the Council Officer Report are not included in this appendix.

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.

Policy

- (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.

AMENDMENT 2 - Add New Issue
Issue

The urban environment of Lower Hutt is home to most of the city's residents, businesses, and community services, and much of the city's infrastructure. Ensuring that the urban environment is well-functioning is of key importance to providing for the needs of people and communities. In addition, urban development is recognized as a matter of national significance in the National Policy Statement on Urban Development. The plan will influence the future urban form of the city.

AMENDMENT 3 - Add new Objective
Objective

A well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

AMENDMENT 4 - Add new Policy 1
Policy 1

Provide for building height and density of urban form that enables:

- (a) as much development capacity as possible within the Central Commercial Activity Area and Petone Commercial Activity Area 2,
- (b) building heights of at least 6 storeys:
 - (i) within the Petone Commercial Activity Area 1,
 - (ii) within a walkable catchment of the Central Commercial and Petone Commercial Activity Areas,
 - (iii) within a walkable catchment of rapid transit stops,
 - (iv) within and adjacent to the suburban centres of Avalon, Eastbourne, Moera, Stokes Valley and Wainuiomata, and
 - ~~(v) adjacent to the suburban centres of Avalon and Moera~~
- ~~(c) building heights of at least 4 storeys adjacent to the suburban centres of Eastbourne, Stokes Valley, and Wainuiomata, and~~
- (d) building heights of at least 3 storeys in the remainder of the urban environment, excluding Recreation, Hill Residential and Landscape Protection Residential Activity Areas.

AMENDMENT 5 - Add new Policy 2
Policy 2

The building heights and density of urban form in Policy 1 are modified only to the extent necessary to provide for the following qualifying matters:

- (a) recognize and provide for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga,
- (b) recognize and provide for the protection of historic heritage from inappropriate subdivision, use, and development,
- (c) recognize and provide for the management of significant risks from natural hazards,
- (d) ensure the safe and efficient operation of nationally significant infrastructure,
- (e) protect the purpose of open space provided for public use, but only in relation to land that is open space,
- (f) give effect to a designation or heritage order, but only in relation to the land that is subject to the designation or heritage order.

AMENDMENT 6 - Add new Policy 3
Policy 3

Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.

AMENDMENT 7 - Add new Policy 4
Policy 4

Enable housing to be designed to meet the day-to-day needs of residents.

AMENDMENT 8 - Add new Explanations and Reasons
Explanations and Reasons

Lower Hutt includes both urban and rural areas. Most residential, commercial and industrial areas are within the urban environment. The objectives, policies and rules of the District Plan play a key role in how the urban form of Lower Hutt will develop over time. The locations for future residential growth (including areas for intensification and greenfield development) are key components of the urban form of Lower Hutt. However, the urban form of Lower Hutt will also be influenced by areas that should be protected from potential effects of development or where future development should be discouraged.

The Resource Management Act 1991 and National Policy Statement on Urban Development 2020 set minimum requirements for providing for growth in urban environments. This includes requirements for identifying areas where medium and high-density development must be provided for and building heights and density requirements for these areas. The objectives and policies above respond to these requirements.

Where the building heights and densities in Policy 1 are modified in response to qualifying matters, this will be through overlays, precincts and corresponding provisions that are specific to the qualifying matter in question rather than changes to the general height limits or density controls that apply in the Activity Area chapter. This means that resource consent applications for proposals that would otherwise be provided for by Policy 1 only consider the relevant qualifying matters when the building height and density controls are exceeded. These provisions are generally located in Chapter 14 – General Rules, including:

- 14E Significant Natural, Cultural, and Archaeological Resources
- 14F Heritage Buildings and Structures
- 14H Natural Hazards

Other limits on building height and density to protect qualifying matters that apply in more limited situations are found within other general rules chapters and the activity area chapters, and typically provide for assessment criteria and matters of discretion directing assessment to cover the qualifying matter.

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.

AMENDMENT 9 - Add new Objective 1
Objective 1

The amenity values within the urban environment develop and change over time to support a well-functioning urban environment and meet the diverse and changing needs of people, communities, and future generations.

AMENDMENT 10 - Amend and number Objective 2
Objective 2

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

AMENDMENT 11 - Amend Policy
Policy

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

Explanation and Reasons

Residential Activity Areas

AMENDMENT 12 - Delete Explanation and Reasons – General 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 multiunit developments. Semi detached and multiunit 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.~~

Amendment 13 - Amend Explanation and Reasons – Medium Density Residential Activity Area

Medium Density Residential Activity Area

The Medium Density Activity Area is typically located around local shops and with good access to public transport. It provides for medium density residential development and a variety of housing types.

The Medium Density Residential Activity Area includes areas in the Hutt Valley floor, Western Hills, Stokes Valley, Wainuiomata and Eastern Bays. The Activity Area typically covers areas that have a lower level of access to commercial centres, community facilities and rapid transit services than the High Density Residential Activity Area.

Currently, one to two storey, standalone house are the predominant dwelling type within the Activity Area, with the occasional multi-unit development. However, the District Plan anticipates that the scale and form of residential development will change in this area in response to housing demand. A range of low to medium density development is provided for within the Medium Density Residential Activity Area, including standalone houses, detached dwellings, terraced housing and low rise apartments.

The objectives, policies and rules of the Medium Density Residential Activity Area recognize that amenity values across this area vary and will develop and change over time in response to the diverse and changing needs of people, communities and future generations. This will include changes to the amenity of residential sites as well as amenity provided through public spaces and community/commercial centres.

AMENDMENT 14 - Delete Explanation and Reasons – Special Residential Activity Area

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.~~

AMENDMENT 15 - Delete Explanation and Reasons – Historic Residential Activity Area

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 semidetached 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 16 - Add new Explanation and Reasons – High Density Residential Activity Area

High Density Residential Activity Area

The High Density Residential Activity Area covers residential areas with a higher level of access to commercial activities and community facilities. This includes areas surrounding train stations, the Lower Hutt city centre, Petone metropolitan centre and other centres with similar levels of access to commercial activities and community services.

Currently, development in neighbourhoods in the High Density Residential Activity Area is predominantly standalone housing with some multi-unit developments. However, the District Plan anticipates that the scale and form of residential development will change in this area in response to demand for housing in close proximity to employment, public transport, and other key services. As a result, low to high density development, including a mix of standalone houses, detached dwellings, terraced housing and low rise apartments of at least six storeys are provided for.

As with the Medium Density Residential Activity Area, amenity values within the High Density Residential Activity Area vary and will develop and change over time in response to the diverse and changing needs of people, communities and future generations. This will include changes to the amenity of residential sites as well as amenity provided through public spaces and community/commercial centres.

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. New private development or significant redevelopments are expected to contribute to such amenity values, while still remaining commercially workable or viable.

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 Hutt Road, Petone Avenue, Campbell Terrace, Victoria Street, Sydney Street and The Esplanade: This part of Petone is currently characterised by a range of retail, commercial and industrial activities. It is intended that this area is to be transformed into an attractive and vibrant mixed use area, with higher amenity levels than present. This area is intended to accommodate a wide mix of activities including residential, commercial, large format retail, community and some light industrial and service activities.

The future character of the area is of attractive entrance gateway routes into the City and buildings, structures and associated areas which are functional, attractive and contribute to the quality of the environment.

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.

AMENDMENT 17 - Delete Explanation and Reasons – Suburban Commercial Activity Area

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.

AMENDMENT 18 - Delete Explanation and Reasons – Special Commercial Activity Area

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.

AMENDMENT 19 - Amend Explanation and Reasons – Suburban Mixed Use Activity Area

Suburban Mixed Use Activity Area

The Suburban Mixed Use Activity Area provides for commercial activities including retail as well as residential activities above ground floor in a medium density environment. It caters for the local convenience needs of surrounding residential areas.

Larger Suburban Mixed Use centres will likely have a local identity and provide for a vibrant mix of activities. Some smaller centres or individual sites provide for very local needs or primarily reflect the setting surrounding them, particularly when surrounded by a residential area.

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.

AMENDMENT 20 - Delete policy of section 1.10.3

Policy

- ~~(a) To provide opportunities for gradual intensification of residential densities by:-~~
- ~~(i) Enabling higher densities in targeted areas around suburban centres and close to public transport hubs,~~
 - ~~(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.~~

AMENDMENT 21 - Add new Policy 1 – Residential Activity

Policy 1

Except in circumstances where a qualifying matter is relevant:

- (a) Apply the Medium Density Residential Standards, or more enabling standards, across the Medium Density Residential and High Density Residential Activity Areas.
- ~~(b) For the areas of Eastbourne, Stokes Valley and Wainuiomata in the High Density Residential Activity Area, enable buildings of at least four storeys.~~
- ~~(c) In all other areas in the High Density Residential Activity Area, enable buildings of at least six storeys.~~
- (b) Apply the High Density Residential Activity Area in areas covered by Policy 1.10.1A.1(b) to provide for buildings of at least 6 storeys
- (c) Apply the Hill Residential and Landscape Protection Residential Activity Areas to areas with significant topographic constraints or amenity landscape values
- (d) Apply the Medium Density Residential Activity Area in other urban residential areas

AMENDMENT 22 - Add new Policy 2 – Residential Activity

Policy 2

Manage the rate at which land at the periphery of the urban area is developed for residential purposes.

AMENDMENT 23 - Amend Explanation and Reasons

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.~~
- (d) Implementing the intensification provisions of the National Policy Statement on Urban Development, including the Medium Density Residential Standards set out in the Act.

This approach ensures that the District Plan enables an increase in housing supply to provide for sufficient residential development capacity through intensification in the existing urban environment. This approach also provides for a range of housing types and densities throughout Lower Hutt. It is important that the Plan not only enables an increase in the quantity of housing but also enables and supports the provision of a range of housing types. This ensures that there is housing choice for residents of Lower Hutt. Addressing the issues of housing supply and choice can support the provision of more affordable housing in Lower Hutt.

In some areas, intensification may be modified or limited by the need to accommodate qualifying matters. This is generally applied through provisions in Chapter 14 – General Rules, but sometimes through activity area provisions as well or instead.

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.

1.10.3A Housing Bottom Lines

Issue

Policy 7 of the National Policy Statement on Urban Development requires local authorities to set housing bottom lines in their district plans, which are sufficient to meet expected housing demand as determined periodically in the Housing and Business Development Capacity Assessment.

Objective

The district plan provides sufficient development capacity for at least the number of residential units necessary to meet expected housing demand, including the required competitiveness margin, as shown in the table below:

| Short-medium term (2021-2031) | Long term (2031-2051) | Total |
|----------------------------------|--------------------------|------------------|
| 9,709 dwellings | 15,064 dwellings | 24,773 dwellings |

AMENDMENT 24 - Delete paragraph – Explanation and Reasons

The National Policy Statement on Urban Development 2020 (NPS-UD) requires Tier 1 local authorities to set housing bottom lines over the short-medium (next 10 years) and long term (10 to 30 years). The Wellington Tier 1 urban environment is described in the Appendix of the NPS-UD and includes the entire urban area of the City of Lower Hutt.

Housing bottom lines must be set in both regional policy statements and district plans. Objective 23a of the Regional Policy Statement for the Wellington Region provides housing bottom lines for the region as a whole. The figures in this district plan are the proportion of those housing bottom lines that are attributable to the City of Lower Hutt.

The housing bottom lines refer to the development capacity that must be provided for by Hutt City Council within the given timeframes, rather than the amount of housing that is to be built in in that time. Under other provisions of the NPS-UD, Tier 1 local authorities must provide at least sufficient development capacity to meet expected housing demand over the short, medium, and long term, including by ensuring housing development is plan-enabled and infrastructure-ready.

~~This Plan does not yet give effect to this objective. The shortfall in capacity is set out in the Housing and Business Development Capacity Assessment Residential Update 2021. The Act requires Hutt City Council to progress an intensification planning instrument to implement the National Policy Statement on Urban Development and the Medium Density Residential Standards. Council expects that the changes introduced by that instrument will implement this objective.~~

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.

Objective

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

AMENDMENT 25 - Amend Policy (c) **Policy**

- (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 Mixed Use, ~~Suburban commercial 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 26 - Amend Explanation and Reasons **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 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 functions 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. It is also important that the urban design and amenity goals for the commercial centres and the Central Area are consistent with the goal of encouraging economic activity in those 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.

Policy

- (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.

Policy

- (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.

Policy

- (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.

Policy

- (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.

AMENDMENT 27 - Add Policy (c) Policy

- (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.
- (c) To limit building heights and densities in areas where intensification is required by the National Policy Statement on Urban Development, but are identified as having significant historic heritage value, in order to discourage incompatible development.

Explanation 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.

AMENDMENT 28 - Amend Objective

Objective

~~To avoid or mitigate the vulnerability and risk of people and development to natural hazards.~~ reduce the risk to people, property and infrastructure from natural and coastal hazards.

AMENDMENT 29 - Delete Policies (a), (c) and (d) and add new Policies (aa), (ca), (cb), (cc), (da) and (db) Policy

- (a) ~~To manage the siting of buildings and structures within the Wellington Fault Special Study Area.~~
- (aa) To ~~manage~~ limit subdivision, use and development ~~that results in buildings~~ 20m either side of the Wellington Fault.
- (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.~~
- (ca) To avoid subdivision, ~~use, and~~ development ~~and use~~ in high flood hazard areas
- (cb) To manage subdivision, ~~use and~~ development ~~and use~~ in medium flood hazard areas
- (cc) To require mitigation for new development in low flood hazard areas.
- (d) ~~To manage areas susceptible to coastal hazards such as coastal erosion and sea level rise.~~
- (da) To ~~manage~~ limit subdivision, ~~use and~~ development ~~and use~~ in ~~medium and~~ high coastal hazard areas.
- (db) To ~~limit~~ ~~manage~~ subdivision, ~~use and~~ development ~~the density of development~~ in medium ~~and high~~ coastal hazard areas.
- (dc) To require mitigation for subdivision, use and development in low coastal hazard areas.

Explanation and Reasons

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

AMENDMENT 30 - Amend Explanation and Reasons – Seismic Induced Hazards

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. In this area it is expected that there would be permanent ground deformation following the next Wellington Fault rupture event. During such an event, accompanied by a very large earthquake, the ground on the west side of the Wellington Fault is predicted to move horizontally up to 4m relative to the east side, and there will be up to 0.5m vertical movement. This movement would be concentrated at discrete breaks at the ground surface, such as along the mapped fault traces, but will also be distributed across the immediate vicinity. Further fault rupture has a moderate to high probability of taking place within the next 100 years. The fault trace ~~This area~~ has been identified as the Wellington Fault Special Study Area through the Wellington Fault Overlay 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.

AMENDMENT 31 - Amend Explanation and Reasons – Flood Hazard

Flood Hazard

The Hutt River, Wainuiomata River and local streams have the potential to overflow their banks during long continuous periods of rainfall. Three flood hazard overlays have been identified to inform areas at risk to flooding. These are Stream Corridor, Overland Flowpath and Inundation Areas.

- The Inundation Area Overlay identifies the modelled extent of inundation expected in a 1:100 year flood event. In these areas it may be necessary to mitigate the impacts of flooding.
- The Overland Flowpath Overlay identifies the modelled path followed by rainwater during a 1:100 year storm event. In these areas it is necessary to manage development to ensure overland flowpaths are not impeded.
- The Stream Corridor Overlay identifies the modelled extent of rivers and streams during a 1:100 year storm event. It is necessary to avoid development in these areas due to the risks associated with the velocity and volume of water flow during the storm event.

The overlays applied incorporate the anticipated effects of climate change such as sea level rise and increased rainfall intensity.

~~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.~~

AMENDMENT 32 - Amend Explanation and Reasons – Coastal Hazard

Coastal Hazard

Coasts are dynamic areas which are susceptible to such threats as tsunami, sea level rise, storm waves and erosion. Coastal hazard overlays have been identified to inform areas at risk to tsunami and coastal inundation.

The Tsunami Coastal Hazard Overlays include Low, Medium and High hazard areas and incorporate the anticipated effects of climate change by including 1m sea level rise. These represent the modelled extent of the following:

| | |
|--|----------------------------------|
| <u>Low Coastal Hazard Area Overlay</u> | <u>1:1000 year tsunami event</u> |
| <u>Medium Coastal Hazard Overlay</u> | <u>1:500 year tsunami event</u> |
| <u>High Coastal Hazard Overlay</u> | <u>1:100 year tsunami event</u> |

The Coastal Inundation Overlays include Medium and High hazard areas. These represent the modelled extent of the following:

| | |
|--------------------------------------|--|
| <u>Medium Coastal Hazard Overlay</u> | <u>1.5m Relative Sea Level Rise in addition to inundation from a 1:100 year storm tide and wave setup (average raised elevation of sea level at the shore caused by breaking waves).</u> |
| <u>High Coastal Hazard Overlay</u> | <u>Inundation from a 1:100 year storm tide and wave setup.</u> |

It is necessary to manage development in Medium and High Coastal Hazard Areas to ensure that the risk to people and property from coastal hazards is not increased and that occupants can safely evacuate from the coastal hazard.

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 risk to people, the frequency of occurrence, the likely economic impacts on property owners and the effectiveness of mitigation measures.

Chapter 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 1900 cubic metres of water per second measured at 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, but excludes self-contained residential accommodation 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.

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.

Anemometer

means a mast and supporting sensors for the purpose of wind resource measurement. This includes guy wires and various meteorological instruments to be erected at varying heights, including:

- (a) anemometers to measure the average wind speed, wind gust speeds, turbulence intensity and wind shear;
- (b) wind vanes to measure wind direction; and
- (c) other meteorological instruments to measure temperature, air pressure, humidity and rainfall.

Antenna

means antenna as defined in the Resource Management (National Environmental Standard for Telecommunications Facilities) Regulations 2008.

An antenna does not include:

- (a) devices used in amateur radio configurations;
- (b) devices used only for television reception; and
- (c) any other device not otherwise defined above that is less than 1.5m² in area.

Notes:

- The mountings of any antenna and any radiofrequency equipment or similar device shall not be included in the measurement of area of diameter of each antenna, provided that the radiofrequency unit or similar device is smaller in area or diameter than the antenna itself.
- Any antenna only need meet the area or diameter measurement, as appropriate to the type of antenna and the measurement is of each individual antenna and is not a cumulative measurement.

Archaeological Site

as defined in the Historic Places Act 1993.

Boarding House

as defined in Section 66B of the Residential Tenancies Act 1986.

Boundary

The legal boundary of a site.

Brothel

as defined in the Prostitution Reform Act 2003.

Building / Structure

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

- (a) any fence or wall 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;
- (d) decks less than 500mm in height;
- (e) all structures less than 1.2 metres in height;
- (f) all signs, as defined in this Plan;
- (g) any scaffolding or falsework erected temporarily for construction or maintenance purposes.

AMENDMENT 33 - Add new definition – Building Coverage **Building coverage**

Means the percentage of the net site area covered by the building footprint.

Building Floor Level

(in relation to flooding) means the underside of floor joist for timber structures or, for concrete slabs, shall be 150mm below the finished top of the slab.

AMENDMENT 34 - Add new definition – Building Footprint **Building footprint**

Means, in relation to building coverage, the total area of buildings at ground floor level together with the area of any section of any of those buildings that extends out beyond the ground floor level limits of the building and overhangs the ground.

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.

Building Setback Line

land on the landward side of the building setback line is protected by flood protection structures up to a 100-year flood event. Land on the riverside of the line is at risk of erosion from the Hutt River.

Cabinet

means a box-shaped structure which houses radio and telecommunication equipment, electrical equipment, equipment associated with the continued operation of network utilities, which includes single transformers and associated switching gear distributing electricity at a voltage up to, and including, 110KV.

It also has the same meaning as in the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008 and means a casing around equipment that is necessary to operate a telecommunication network.

Care Facility

The use of land and buildings for activities which provide small scale residential care, including:

- (a) foster homes;
- (b) women's refuge;
- (c) accommodation for up to five boarders/lodgers;
- (d) residential support/care for up to and including seven people;
- (e) respite care for up to and including seven people; and
- (f) therapeutic/rehabilitation services for up to and including seven people;

but excluding:

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

Childcare Facility

the use of land or buildings 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 accommodation, 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 of 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).

Commercial Scale Renewable Energy Generation Activities

means the land, buildings, substations, turbines, structures, underground cabling earthworks, access tracks and roads associated with the generation of electricity from a renewable energy source and the operation of the renewable energy generation activity. It does not include:

- (a) small scale wind turbines of less than 5kW
- (b) community scale renewable energy generation activities
- (c) any cabling required to link the wind energy facility to the point of entry into the electricity network, whether transmission or distribution in nature.

Commercial Sexual Services

as defined in the Prostitution Reform Act 2003.

Communal Carparking

means an area or building providing carparking for the exclusive use of residents, visitors and customers of a mixed use, multi-unit, or comprehensive residential development, where those residents have direct and legal access.

Community Facility

the use of land or buildings for activities which provide for the social and cultural needs of the community; and includes libraries, halls, plunket rooms and childcare facilities.

Community Scale Renewable Energy Generation

means renewable energy generation for the purpose of supplying electricity to a whole community which is not connected to the distribution network ('off grid'); or to supplying an immediate neighbourhood in an urban area with some export back into the distribution network.

Competitiveness margin

in relation to housing bottom lines, has the meaning defined in the National Policy Statement on Urban Development

Comprehensive Residential Development

a development of three or more dwellings that is designed and planned in an integrated manner, on a site of at least 1400m². The development may incorporate accessory buildings, infrastructure, landscaping, communal open

space and communal carparking.

AMENDMENT 35 - Add new definition – Construction

Construction

Includes construction and conversion, and additions and alterations to an existing building

Construction and Commissioning Activities

in respect of renewable electricity generation activities includes those activities directly involved with the building and operation of a new renewable electricity generation activity. This includes site preparation, earthworks, quarrying, concrete batching, plant construction, road construction and widening, traffic generation, reservoir formation, clearance or inundation of vegetation, but specifically excludes investigative activities such as geological sampling, surveys and geotechnical investigations.

Activities associated with “construction and commissioning” includes rapid and temporary population increases and the associated effects on infrastructure and community facilities; the need to reroute or relocate network utilities and community facilities; the need to construct new infrastructure including the system of electricity conveyance transmission (including substations) required to convey electricity to the distribution network and/or the national grid as provided for in the definition of ‘renewable electricity generation activity’.

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.

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.

Distribution Network

for the purpose of Chapter 14L, has the same meaning as in the National Policy Statement for Renewable Electricity Generation and means a distributor’s lines and associated equipment used for the conveyance of electricity on lines other than lines that are part of the national grid.

Distributor

for the purpose of Chapter 14L, has the same meaning as in the National Policy Statement for Renewable Electricity Generation and means a business engaged in distribution of electricity.

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.

Dwelling

a building or unit within a building that is used or designed to be used as a single household residence and:

- (a) is a self-contained unit;
- (b) includes kitchen and bathroom facilities.

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

the use of land or buildings for activities which provide critical services including fire, ambulance and police stations, and emergency management facilities.

Environmentally Damaging Substance

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

Exotic vegetation

means vegetation or trees not occurring naturally in New Zealand.

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.

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.

Filming Activity

Is the recording of images (whether on film or video tape or electronically or by other means) for exhibition or broadcast (such as by cinema, television or the internet or by other means) and the use of land associated with the filming activity including temporary construction, use and dismantling of structures and sets and all associated setting up and packing up of structures, equipment and materials, clean up and restoration of the site, but does not include:

- (a) still photography;
- (b) recording images of a wedding ceremony or other private celebration or event principally for the purpose of making a record for the participants in the ceremony, event or celebration;
- (c) recording images as a visitor or tourist for non commercial purposes;
- (d) recording for the immediate purposes of a television program that provides information by way of current affairs or daily news.

Flood Hazard

the potential for damage to property or people due to flooding and associated erosion.

Flood Hazard Effects

the negative impacts of flooding caused by fast flowing or deep-ponded flood waters. Fast-flowing or ponded flood waters are dangerous for people, becoming more severe where floods affect urban areas. These effects also include damage to the flood protection system, and other structures and buildings by water and debris, or by erosion.

Flood Protection Structure

physical assets (including land) managed and maintained by the Wellington Regional Council or approved (including managed and maintained) by the Wellington Regional Council for the purpose of flood protection, such as stopbanks, flood gates, debris traps, river berms, bank-edge works and plantings.

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.

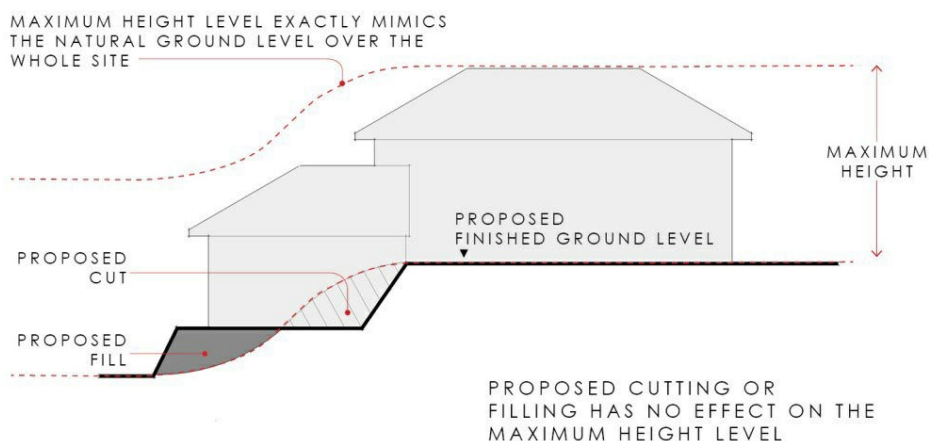
Health Care Services

any activity which provides services relating to physical and mental health and welfare and includes acupuncturists, chiropodists, 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

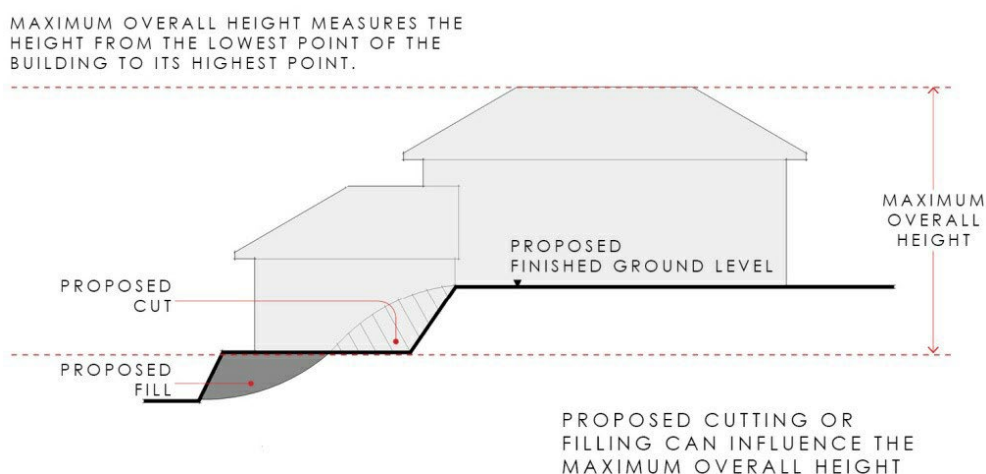
Maximum Height in relation to buildings and structures shall be the vertical distance between the ground level at any point and the highest part of the building or structure immediately above that point (rolling height method).

- (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) satellite dishes with a diameter not exceeding 0.6m, flagpoles, finials or other similar decorative features, chimneys, flues and ventilation shafts where the maximum height is not more than 1.5m above the maximum height permitted for the activity area.
 - (ii) lightning rods attached to network utilities.



Maximum Overall Height in relation to buildings and structures shall be the vertical distance between the lowest ground level of the building or structure and the highest part of the building or structure.

- (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) satellite dishes with a diameter not exceeding 0.6m, flagpoles, finials or other similar decorative features and chimneys, flues and ventilation shafts where the maximum height is not more than 1.5m above the maximum height permitted for the activity area.
 - (ii) lightning rods attached to network utilities.



Note: Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

AMENDMENT 36 - Add new definition – Height in relation to boundary

Height in relation to boundary

Means the height of a structure, building or feature, relative to its distance from either the boundary of:

- (a) a site; or
- (b) another specified reference point.

Historic Area

as defined in the Historic Places Act 1993.

Historic Place

as defined in the Historic Places Act 1993.

Home Occupation

any occupation, profession, business, or service undertaken within a residential house or accessory building by a person who permanently resides in that residential house, and which is secondary to the use of the site for residential purposes.

Housing for the Elderly

See Retirement Village.

Indigenous vegetation

means vegetation or trees that occur naturally in New Zealand or arrived in New Zealand without human assistance.

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.

Integrated Retail Developments

an individual retail development, or a collection of any two or more retail activities that are developed and operate as a coherent entity (whether or not the activities are located on separate legal titles), and share one or more of the following:

- (a) servicing and/or loading facilities;
- (b) vehicle and/or pedestrian access;
- (c) car parking;
- (d) public spaces and/or facilities.

This definition includes shopping malls and large-format retail parks, but does not include trade supply retail, wholesale retail, yard-based retail or building improvement centres.

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.

Line

means 'line' as defined in section 5 of the Telecommunications Act 2001 or in section 2 of the Electricity Act 1992.

Long term

in relation to housing bottom lines, has the meaning defined in the National Policy Statement on Urban Development

Maintenance

as it applies to network utilities, means the replacement, repair or renewal of existing network utilities and where the effects of that utility remain the same or similar in character, intensity and scale, and excludes 'minor upgrading' and 'upgrading'.

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 pole, tower or similar structure which is fixed to the ground and specifically designed to carry an antenna to facilitate the transmission of telecommunication and radiocommunication signals.

Minor Above Ground Line

means a line that provides an above ground connection to a site, including any connection to a building within that site, from an existing or permitted new above ground line provided that no more than one new support structure is required for that connection.

Minor Additional Dwelling

a dwelling that is located on the same site as and secondary to a primary dwelling and has a gross floor area that does not exceed 50m².

Minor Boundary Adjustment

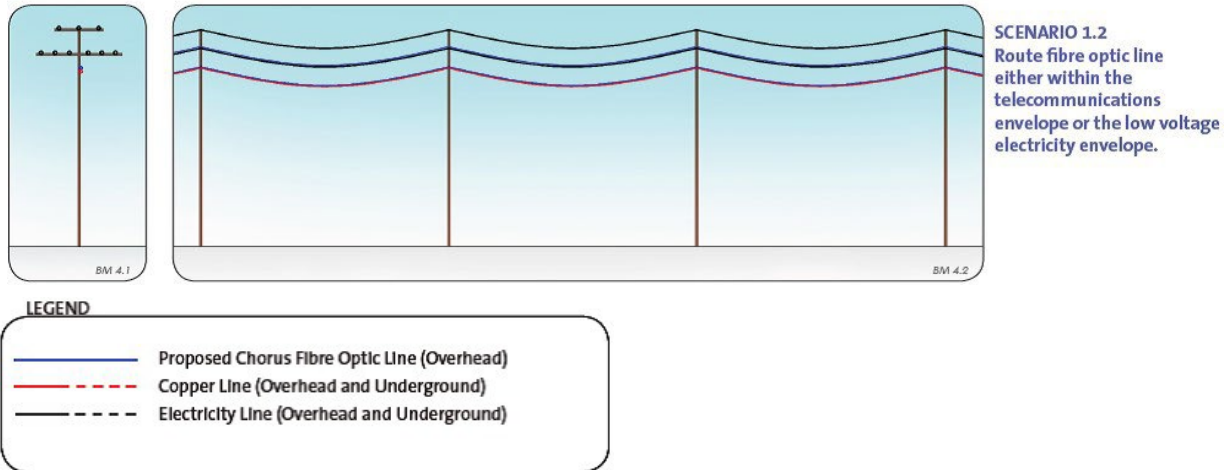
an adjustment or relocation of allotment boundaries which is desirable in order to improve the practicality of existing boundaries providing the number of titles and the general area and use of the allotments remains the same.

Minor Upgrading

means an increase in the carrying capacity, efficiency or security of electricity and telecommunication lines, which utilise the existing or replacement support structures and includes:

- (a) the reconductoring of the line with higher capacity conductors; and
- (b) the resagging of conductors; and
- (c) the addition of longer and more efficient insulators; and
- (d) a support structure replacement within 5m of the support structure that is to be replaced; and
- (e) the addition of earthwires, which may contain telecommunication lines, earthpeaks and lightning rods; and
- (f) the addition of electrical or telecommunication fittings, excluding antenna; and
- (g) support structure replacement in the same location or within the existing alignment of the transmission line corridor; and
- (h) the replacement of existing cross arms, including with cross arms of an alternative design; and
- (i) an increase in support structure height to achieve compliance with the clearance distances specified in NZECP34:2001;
- (j) an increase in the height of replacement poles in the road reserve by a maximum of 1m, for the purpose of achieving road controlling authority clearance requirements, provided the permitted height in Rule 13.4.2.1 is not exceeded;
- (k) an increase in voltage of electricity lines from 11kV to no more than 33Kv; and
- (l) the addition of a new overhead telecommunication fibre optic line provided that:
 - (i) the maximum number of fibre optic lines on existing support structures does not exceed two lines;
 - (ii) the diameter of new fibre optic lines does not exceed 25mm; and
 - (iii) the location of the new fibre optic line is consistent with the following figure.

Figure 1: Location of new fibre optic line



Except where provided for above, minor upgrading shall not include:

- (a) any increase in the voltage of the line unless the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage; or
- (b) any increase in any individual wire, cable, or other similar conductor to a diameter that exceeds 35mm; or
- (c) the bundling together of any wire, cable, or other similar conductor so that the bundle exceeds 43mm in diameter; or
- (d) the addition of any new circuits, lines or utility structures, where this results in an increase in the number of new circuits, lines or utility structures except as provided for in (l) above.

Note: The Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 applies to all existing National Grid Transmission Lines were operational, or able to be operated, on 14 January 2010.

National Grid

means 'National Grid' as defined in the National Policy Statement on Electricity Transmission.

National Grid Corridor

means the area located within:

- (a) 32m of a 110kV National Grid transmission line;
- (b) 37m of a 220kV National Grid transmission line;
- (c) 39m of a 350kV National Grid transmission line

measured either side of the centreline of the transmission line, as depicted in Diagram 1 of the definition of National Grid Yard. The measurement of setback distances from National Grid transmission lines shall be taken from the centre line of the National Grid transmission line and the outer edge of any support structure. The centre line at any point is a straight line between the centre points of the two support structures at each end of the span.

Note: The National Grid Corridor does not apply to underground cables or any transmission lines (or sections of line) that are designated.

National Grid Yard

means

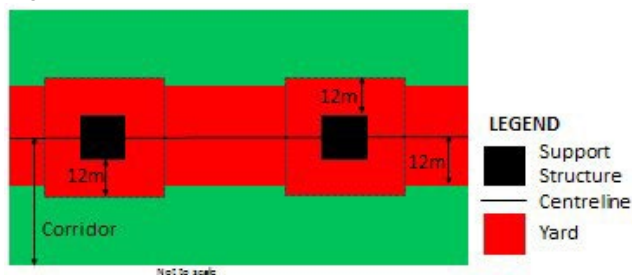
- (a) the area located 12 metres either side of the centreline of an above ground a National Grid transmission line which is 110kV or greater;
- (b) the area located 12 metres in any direction from the edge of a National Grid support structure which supports a National Grid transmission line which is 110kV or greater

as depicted in Diagram 1 below.

The measurement of setback distances from National Grid transmission lines shall be taken from the centre line of the National Grid transmission line and the outer edge of any support structure. The centre line at any point is a straight line between the centre points of the two support structures at each end of the span.

Note: The National Grid Yard does not apply to underground cables or any transmission lines (or sections of line) that are designated.

Diagram 1: National Grid Yard and National Grid Corridor



Natural Hazards

as defined in section 2 of the Resource Management Act 1991.

AMENDMENT 37 - Amend definition – Net site area

Net site area

For the Medium Density Residential and High Density Residential Activity Areas, means the total area of the site, but excludes:

- (a) any part of the site that provides legal access to another site;
- (b) any part of a rear site that provides legal access to that site;
- (c) any part of the site subject to a designation that may be taken or acquired under the Public Works Act 1981.

For all other zones, means 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.

Network Utility

means any activity undertaken by a network utility operator as defined in section 166 of the RMA, relating to:

- (a) distribution or transmission by pipeline of natural or manufactured gas, petroleum, biofuel or geothermal energy; or
- (b) telecommunication as defined in section 5 of the Telecommunications Act 2001;
- (c) or radiocommunications as defined in section (2)(1) of the Radiocommunications Act 1989; or
- (d) works as defined in section 2 of the Electricity Act 1992 for the conveyancing of electricity; or the distribution of water for supply including irrigation; or
- (e) sewerage or drainage reticulation; or
- (f) construction, and operation of roads and railway lines; or
- (g) the operation of an airport as defined by the Airport Authorities Act 1966; or
- (h) the provision of any approach control service within the meaning of the Civil Aviation Act 1990; or
- (i) undertaking a project or work described as a 'network utility operation' by regulations made under the Resource Management Act 1991

and includes:

- (a) lighthouses, navigation aids, beacons, signal and trig stations and natural hazard emergency warning devices;
- (b) meteorological services;
- (c) all associated structures; and
- (d) regionally significant network utilities.

Network Utility Structure

means any structure associated with a network utility and includes, but is not limited to, pipes, valves, meters, regulator stations, support poles and towers, transformers (other than pole mounted transformers), substations (other than overhead substations), compressor stations, pumping stations, navigational aids, meteorological installations, containers, cabinets and similar built structures. It does not include lines, antennas and masts.

Noise Sensitive Activity

means any:

- (a) residential activity;
- (b) 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
- (c) childcare facility.

Notable Tree

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

AMENDMENT 38 - Add new definition – Outdoor living space

Outdoor living space

Means an area of open space for the use of the occupants of the residential unit or units to which the space is allocated.

~~an area of open space which is set aside for the exclusive use of the occupants of the dwelling to which it relates and which is required to be unoccupied and unobstructed by buildings, pedestrian accessways or parking or manoeuvring areas.~~

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.

Permeable Surface

Any part of a site with a surface which allows for the soakage of water into the ground, including:

- (a) areas grassed or planted in trees or shrubs, gardens and other vegetated areas;

- (b) porous or permeable paving;
- (c) living roofs; and
- (d) decks which allow water to drain through to a permeable surface.

But excluding:

- (a) any area which falls within the definition of site coverage except for decks and living roofs, as above;
- (b) swimming pools; and
- (c) any area paved, sealed or compacted to a continuous, non-permeable surface.

Pesticide

any substance used for the prevention or control of any pest including herbicides, fungicides, defoliant and desiccants, but not including any fertiliser or animal remedies.

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.

Plan

this District Plan.

Primary River Corridor

contains fast flowing water and includes areas that are prone to erosion

Public Access

the right or opportunity of the public to use or visit an area of land.

AMENDMENT 39 - Add new definition – Qualifying matter

Qualifying matter

Has the meaning in [the National Policy Statement on Urban Development section 2 of the Resource Management Act 1991.](#)

AMENDMENT 40 - Add new definition – Rapid Transit Stop

Rapid Transit Stop

Has the meaning in the National Policy Statement on Urban Development, and for the avoidance of doubt includes any railway station with regularly scheduled passenger services.

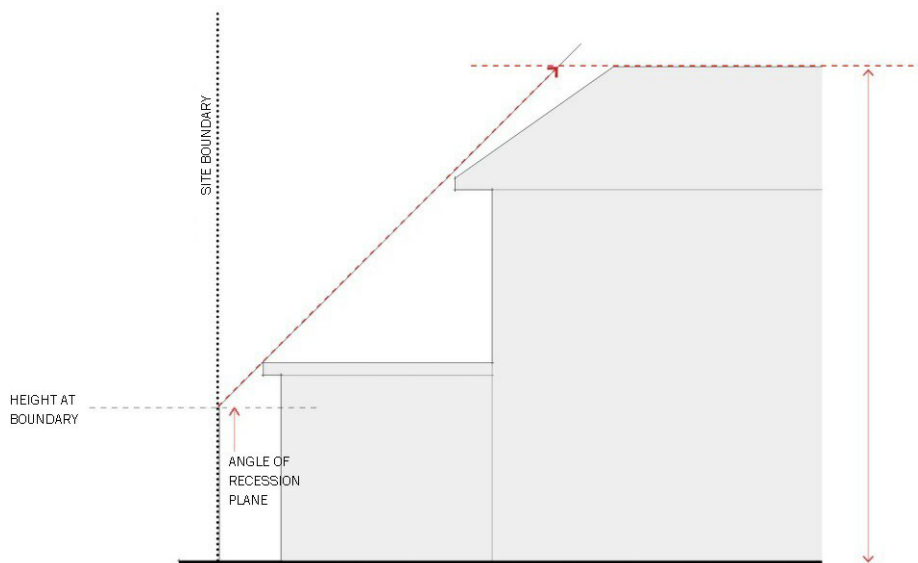
Recession Plane

controls the height of a building or structure relative to its distance from the boundary of the site. The allowable height increases as the distance from the boundary increases up to the maximum height allowed.

The Recession Plane is measured by lines that proceed at a prescribed angle (e.g. 45°) from the horizontal, measured from any point at a prescribed height (e.g. 2.5m) vertically above ground level along site boundaries. The angle of the recession plane and the height of the starting point vary by Activity Area.

This control does not apply to chimneys, finials or other similar decorative features, flues and ventilation shafts, antennas, satellite dishes with a diameter not exceeding 0.6m and flagpoles.

Where the site boundary is immediately adjacent to an access leg to a rear site the Recession Plane is calculated from the outside boundary of the access leg.



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.

Regionally Significant Network Utilities

means:

- (a) pipelines for the distribution or transmission of natural or manufactured gas or petroleum;
- (b) the National Grid;
- (c) facilities for the generation and transmission of electricity where it is supplied to the network, as defined by the Electricity Industry Act 2010;
- (d) the local authority water supply network and water treatment plants;
- (e) the local authority wastewater and stormwater network, systems and wastewater treatment plants; and
- (f) the Strategic Transport Network, as detailed in Appendix 1 to the Wellington Regional Land Transport Strategy 2010-2040.

Registered Place

a place registered under Part II of the Historic Places Act 1993.

Regulations

the Resource Management Regulations 1992 and including any amendments.

Renewable Electricity Generation

means generation of electricity from solar, wind, hydro, geothermal, biomass, tidal, wave, or ocean current sources.

Renewable Electricity Generation Activities

has the same meaning as under the National Policy Statement for Renewable Electricity Generation and means the construction, operation and maintenance of structures associated with renewable electricity generation. This includes small and community-scale distributed renewable generation activities and the system of electricity

conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity.

Renewable Energy

as defined in section 2 of the Resource Management Act 1991.

Residential Activity

the use of land and buildings by people for living purposes.

Residential Facility

the use of land and buildings for activities providing:

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

but which excludes:

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

AMENDMENT 41 - Add new definition – Residential unit **Residential unit**

Means a building(s) or part of a building that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities.

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, and car sales yards.

Retirement Village / Housing for the Elderly

a managed comprehensive residential development used to provide accommodation for aged people, including recreation, leisure, supported residential care, welfare and medical facilities and other related non-residential activities.

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.

River Corridor

includes land immediately adjacent to the river. It is the minimum area able to contain a major flood and enable the water to pass safely to the sea. Due to its location, the river corridor represents a significant flooding and erosion hazard to people, buildings and structures, including the flood defences, sited in the corridor. The river corridor comprises both primary and secondary areas.

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.

Secondary River Corridor

contains fast flowing water, but the erosion risk is not as significant as the Primary River Corridor.

Sensitive Activity

as it applies to the National Grid Yard, means the following activities:

- (a) residential buildings
- (b) the accommodation or care of people, including hospitals
- (c) childcare facilities, kohanga reo, primary, intermediate and secondary schools.

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

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 150m² 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.

Short-medium term

in relation to housing bottom lines, has the meaning defined in the National Policy Statement on Urban Development

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.

AMENDMENT 42 - Amend definition – Site

Site

For the Medium Density Residential and High Density Residential Activity Areas, means:

- (a) an area of land comprised in a single record of title under the Land Transfer Act 2017; or
- (b) an area of land which comprises two or more adjoining legally defined allotments in such a way that the allotments cannot be dealt with separately without the prior consent of the council; or
- (c) the land comprised in a single allotment or balance area on an approved survey plan of subdivision for which a separate record of title under the Land Transfer Act 2017 could be issued without further consent of the Council; or
- (d) despite paragraphs (a) to (c), in the case of land subdivided under the Unit Titles Act 1972 or the Unit Titles Act 2010 or a cross lease system, is the whole of the land subject to the unit development or cross lease.

For all other zones, means any area of land which meets one of the descriptions set out below:

- 1. an area of land comprised in:
 - (a) a single ~~computer freehold register~~ record of title; or
 - (b) a single allotment for which a separate ~~computer freehold register~~ record of title could be issued without further involvement of, or prior consent from, the Council; whichever is the smaller.
- 2. an area of land comprised in two or more contiguous allotments:
 - (a) that are subject to a certificate issued under Section 75(2) of the Building Act 2004, Section 37(2) of the Building Act 1991, Section 643(2) of the Local Government Act 1974, or any equivalent legislation; or
 - (b) that cannot be transferred or leased independently of each other without the Council's prior consent.
- 3. an area of land:
 - (a) comprised in two or more ~~computer freehold registers~~ records of title; and
 - (b) for which two or more separate ~~computer freehold registers~~ records of title could be issued without further involvement of, or prior consent from, the Council; where the land will be amalgamated into a single ~~computer freehold register~~ record of title as part of the resource consent process.
- 4. in the case of land that is subject to a unit title, cross-lease, or company lease development, the area of land comprising the original parcel that was subdivided, leased or licenced (as the case may be) to create the unit title, cross-lease or company lease development.

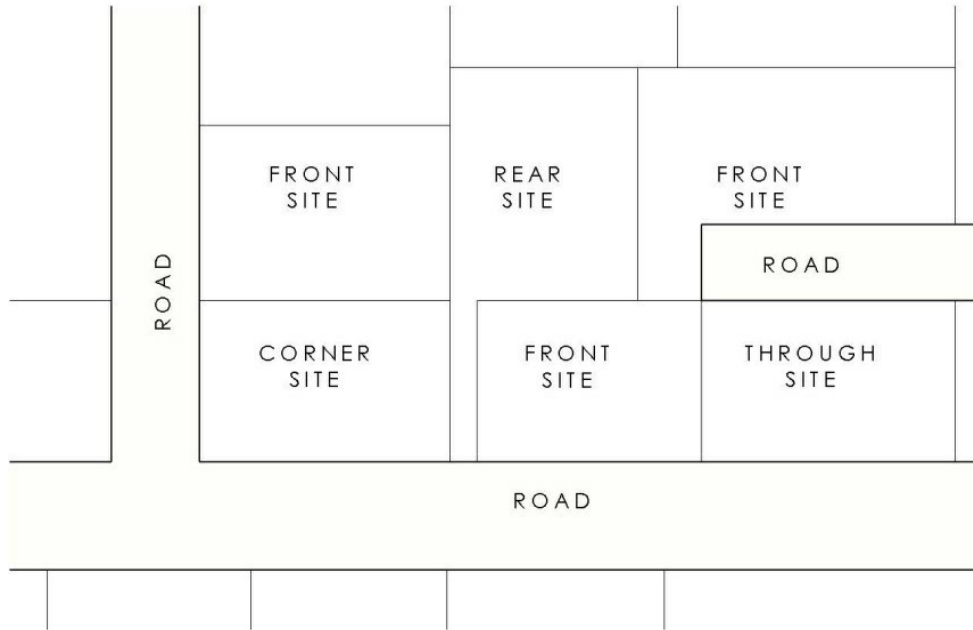
Site shall also include the access to the site.

Front Site: a site having frontage to a legal road of not less than 6m.

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 and having a frontage of less than 6m.



Site Coverage

the portion of a site which is covered by any buildings, accessory buildings and overhanging or cantilevered parts of buildings. The eaves of a building up to a maximum depth of 0.6m shall be excluded from this measurement.

Small Scale Renewable Energy Generation

means small scale renewable energy generation development for the purpose of using or generating electricity on a particular site (single household or business premise) with or without exporting back into the distribution network.

Small Scale Wind Turbines

means wind turbines that are capable of generating up to 10kW of electricity.

Solar Panel

means a panel exposed to radiation from the sun, used to heat water or, when mounted with solar cells, to produce electricity directly.

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.

Stormwater Neutrality

the maximum peak stormwater flow in a 10 year and 100 year (ARI) flood event from the site is no greater than it was pre-development.

Structure

see Building / Structure.

Supermarket

the use of a building, having a floor area exceeding 350m², 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.

Temporary Activity

Is any activity provided (on a site or sites) of a temporary nature and duration and includes, but is not limited to, festivals, parades, concerts, fairs, markets, circus, carnivals, outdoor exhibitions and displays, cultural and sporting events, public meetings and gatherings and other community and special events and includes associated temporary buildings and structures but excludes recreation activities and emergency facilities and associated services and operations.

Tertiary Education Activities

Principal Tertiary Education Activities means the use of land and buildings for the provision of regular instruction, teaching, learning or training by an Institution (as defined in Section 159(1) of the Education Act 1989), and includes administrative, recreational, cultural, health, childcare, social and retail activities and facilities and related surface carparking, provided such activities are exclusively servicing the needs of students and staff.

Ancillary Tertiary Education Activities means the use of land and buildings for residential accommodation and carparking structures for students and staff and those recreational, cultural, health, childcare, social and retail activities and facilities that are focused towards but not exclusively servicing the needs of students and staff.

Taonga

treasure; property.

Temporary Renewable Energy Assessment and Research Structures

means structures for the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation by existing and prospective generators and includes the following activities:

- (a) erecting an anemometer mast;
- (b) digging test pits, drilling boreholes, constructing investigation drives and removing samples to investigate geological conditions;
- (c) installing instruments into drill holes for monitoring groundwater levels and land movement;
- (d) erecting survey monuments and installing instruments to monitor land movement;
- (e) erecting telemetry stations for the transmission of instrument data;
- (f) installing microseismic stations to measure microseismic activity and ground noise; and
- (g) erection of signs or notices giving warning of danger.

AMENDMENT 43 - Add new definition – Tikanga

Tikanga

Means Māori customary values and practices.

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.

Transmission Line

means the facilities and structures used for, or associated with, the overhead or underground transmission of electricity in the National Grid; and

- (a) includes transmission line support structures, telecommunication cables, and telecommunication devices to which paragraph (a) applies; but
- (b) does not include an electricity substation.

Transport Network:

The transport network comprises the following components and transport modes:

- All road corridors (including both State Highways and Local Roads);
- Pedestrian and cycling facilities within the road corridor, and off-road where primarily for transport purposes;
- All railway corridors;
- Car and cycle parking facilities;
- Loading facilities; and
- Public transport services and their associated infrastructure (including bus, train and ferry services, and their associated train stations, harbour ferry wharfs, bus stops and Park and Ride car parks at train stations).

Transport Network Hierarchy:

A classification of roads which consists of distributor routes for through traffic and access routes for local access purposes.

Tree

means, for the purpose of Rules 4A 4.1.11(c), 4B 2.1(h), 4D 2.1(l) and 4E 2.1(i), a perennial woody plant species that is at least 3 metres in height or 300mm diameter at breast height.

Trimming of vegetation

means, for the purpose of the rules in Chapters 4A, 4B, 4D and 4E, the pruning of vegetation and trees, including:

- (i) the removal of broken branches, deadwood or diseased vegetation, and
- (ii) selective branch removal to increase light and air movement or to improve health.

Upgrading

As it applies to network utilities, upgrading means the improvement or physical works that result in an in carrying capacity, operational efficiency, security or safety of existing network utilities but excludes:

- (a) 'maintenance' (as it relates to network utilities);
- (b) 'minor upgrading'; and
- (c) any activity specifically provided for under Rules 13.3.1.9 to 13.3.1.41.

Urban Environment Allotment

Has the same meaning as in section 76(4C) of the RMA as set out below:

an allotment within the meaning of section 218-

- (a) that is no greater than 4,000m²; and
- (b) that is connected to a reticulated water supply system and a reticulated sewerage system; and
- (c) on which there is a building used for industrial or commercial purposes or as a dwellinghouse; and
- (d) that is not reserve (within the meaning of section 2(1) of the Reserves Act 1977) or subject to a conservation management plan or conservation management strategy prepared in accordance with the Conservation Act 1987 or the Reserves Act 1977.

Urupa

burial ground.

Vegetation

means exotic and/or indigenous vegetation.

Vegetation removal

means, for the purpose of the rules in Chapters 4A, 4B, 4D and 4E, the felling, clearing or destruction of vegetation by cutting, crushing, chemical application or burning, but excludes trimming.

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

the commercial use of land and buildings for the accommodation of tourists and short stay visitors away from their normal place of residence.

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 site which must be kept clear and unobstructed by buildings except as otherwise provided by this Plan. Yards shall be measured in a horizontal plane and at right angles to the boundaries.

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

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

Side Yard: the area of land between a side boundary of the site and a line parallel to that boundary extending across the full length of the site but excluding those areas comprised by a front or rear yard:

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

4F Medium Density Residential Activity Area

AMENDMENT 53 - Amend section 4F 1 Introduction / Zone Statement

4F 1 Introduction / Zone Statement

~~The Medium Density Residential Activity Area provides for a variety of residential developments enabling a greater intensity of development than currently provided for.~~

~~It is anticipated that the appearance of the neighbourhood will change over time with increased opportunities for detached dwellings, terraced housing and low-rise apartments.~~

~~The area is mainly located around suburban centres and close to public transport hubs and acts as a transitional area between medium density mixed-use areas and lower density residential areas.~~

~~The Medium Density Residential Activity Area aims to increase the capacity and choice of housing within certain identified neighbourhoods as well as increasing the vitality of suburban centres. It recognises the needs of people in medium density living environments in particular to be close to amenities such as open space, public transport and day-to-day shopping.~~

~~The Medium Density Residential Activity Area provides for growth through a range of permitted activity standards which enable medium density residential developments. Where those development standards for permitted activities are not met guidance on how to manage potential effects is provided through the Medium Density Design Guide.~~

~~More restrictive standards apply along the boundaries of the Medium Density Residential Activity Area with other Residential Activity Areas to protect the amenity values of those adjoining residential areas.~~

~~The Medium Density Residential Activity Area covers a significant portion of Lower Hutt's residential areas, including areas in the Hutt Valley floor, Western Hills, Stokes Valley, Wainuiomata and Eastern Bays. The Medium Density Residential Activity Area typically covers areas that have a lower level of access to commercial centres, community facilities and rapid transit services than the High Density Residential Activity Area.~~

~~While areas in the Medium Density Residential Activity Area are predominantly residential in nature, non-residential activities are provided for where they are compatible with the residential character of the area and serve the local community.~~

~~The planned urban built character for the Medium Density Residential Activity Area is a mix of low to medium density development, including detached dwellings, terraced housing and low-rise apartments. The urban built character of an area will arise from the flexibility provided for by the Plan for individual development to take any low to medium density form. This supports increasing the capacity and choice of housing within neighbourhoods. It is anticipated that the appearance of neighbourhoods in the Activity Area will change over time, including through increased opportunities for terraced housing and low-rise apartments.~~

~~Built development is provided for in the Medium Density Residential Activity Area through a range of permitted activities and development standards that permit three residential units per site and buildings of up to three storeys. **Standards for built development may be modified and/or limited by qualifying matters.** Development standards also address:~~

- ~~i. the impacts of built development on adjoining sites and the streetscape,~~

- ii. stormwater management, and
- iii. provision of open space for residents.

If a proposed development does not meet the development standards, resource consent is required in order to:

- i. achieve a high quality built environment;
- ii. manage the effects of development on neighbouring sites;
- iii. achieve high quality onsite living environments; and
- iv. achieve attractive and safe streets and public space.

For developments requiring resource consent, these will be assessed against the policy framework set out by the relevant residential and overlay chapters. The resource consent process enables the design and layout of development to be assessed, recognising that quality design is increasingly important as the scale and density of development increases. Council provides design guidance for residential developments through design guides that sit outside the plan.

Precincts and scheduled sites are listed under 4F 5 at the end of the chapter.

4F 2 Objectives

AMENDMENT 54 - Add new Objective 4F 2.1AA

Objective 4F 2.1AA

A well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

Objective 4F 2.1

Residential Activities are the dominant activities in the Medium Density Residential Activity Area.

Non-residential activities are compatible with the amenity levels associated with medium density residential development anticipated by the zone.

AMENDMENT 55 - Delete Objective 4F 2.2

~~Objective 4F 2.2~~

~~Land near the Suburban Mixed Use Activity Area and Central Commercial Activity Area and close to the public transport network that has been identified as suitable for medium density development is used efficiently.~~

AMENDMENT 56 - Amend Objective 4F 2.3

Objective 4F 2.3

~~Housing capacity and variety are increased.~~

The Medium Density Residential Activity Area provides for a variety of housing types and sizes that respond to:

- i. Housing needs and demand, and
- ii. The neighbourhood's planned urban built character, including three-storey buildings.

AMENDMENT 57 - Add new Objective 4F 2.3A

Objective 4F 2.3A

Recognise that the neighbourhood's planned urban built character is defined through the flexibility of individual developments to take any low to medium density form of up to three storeys.

AMENDMENT 58 - Amend Objective 4F 2.5

Objective 4F 2.5

Built development is of high quality and provides ~~on-site amenity for residents as well as residential amenity for adjoining properties and the street:~~

- ~~i. appropriate on-site amenity for residents,~~
 - ~~ii. appropriate residential amenity for adjoining sites, and~~
 - ~~iii. a high level of amenity for the street.~~
- i. Healthy, safe, attractive, and accessible living environments, and
 - ii. Attractive and safe streets.

Objective 4F 2.6

Built development is adequately serviced by network infrastructure or addresses any infrastructure constraints.

AMENDMENT 59 - Delete Objective 4F 2.7

~~Objective 4F 2.7~~

~~Built development is located and designed to manage significant risk from natural hazards.~~

AMENDMENT 60 - Add new Objective 4F 2.8

Objective 4F 2.8

To protect the cultural safety and tikanga associated with activities at marae in the Community Iwi Activity Area.

4F 3 Policies

Policy 4F 3.1

Provide for residential activities and those non-residential activities that support the community's social, economic and cultural well-being and manage any adverse effects on residential amenity.

AMENDMENT 61 - Amend Policy 4F 3.2

Policy 4F 3.2

Enable the efficient use of land by providing for a diverse range of housing types at medium densities.

Enable a variety of housing types with a mix of densities within the Medium Density Residential Activity Area, including three-storey attached and detached dwellings and low-rise apartments.

AMENDMENT 62 - Add new Policy 4F 3.2A

Policy 4F 3.2A

Provide for developments not meeting permitted activity status, while encouraging high-quality developments.

AMENDMENT 63 - Add new Policy 4F 3.2B

Policy 4F 3.2B

Enable housing to be designed to meet the day-to-day needs of residents.

AMENDMENT 64 - Add new Policy 4F 3.2C

Policy 4F 3.2C

Require built development to provide occupants with adequate opportunities for outdoor living through having useable and accessible on-site private outdoor living space, or through access to appropriate communal or nearby public open space of comparable utility.

AMENDMENT 65 - Add new Policy 4F 3.2D

Policy 4F 3.2D

Encourage development to contribute to an attractive setting for occupants and the surrounding area, which can be achieved through:

- i. landscaped areas that contribute to amenity,
- ii. adequate outlook areas from habitable rooms, and
- iii. other means that would adequately mitigate a lack of landscaping or outlook areas.

AMENDMENT 66 - Amend Policy 4F 3.3

Policy 4F 3.3

Manage the effects of built development on adjoining sites and the street by controlling height, height in relation to boundary, setbacks, and building coverage ~~bulk and form~~ of built development and requiring sufficient setbacks.

AMENDMENT 67 - Delete Policy 4F 3.4

Policy 4F 3.4

~~Manage the effects of built development on adjoining sites within other Residential Areas and minimise visual dominance by controlling height, bulk and form of development and requiring sufficient setbacks.~~

AMENDMENT 68 - Delete Policy 4F 3.5

Policy 4F 3.5

~~Encourage medium density built development to be designed to a high quality.~~

Policy 4F 3.6

Require built development to ~~maintain a reasonable level of~~ make adequate provision for privacy and sunlight access for adjoining sites.

AMENDMENT 69 - Delete Policy 4F 3.7

Policy 4F 3.7

~~Require built development to provide useable and accessible outdoor living space to provide for outdoor amenity.~~

AMENDMENT 70 - Amend Policy 4F 3.8

Policy 4F 3.8

~~Encourage built development to contribute to attractive and safe streets and public open spaces by providing for buildings that address the streets and public open spaces, minimise visual dominance and encourage passive surveillance.~~

Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.

Policy 4F 3.9

Require rainwater tanks and a minimum area of permeable surfaces or alternative design solutions in order to assist with the management of stormwater runoff created by development.

AMENDMENT 71 - Amend Policy 4F 3.10

Policy 4F 3.10

~~Encourage medium density residential development to be stormwater neutral.~~

Require development to be stormwater neutral.

AMENDMENT 72 - Delete Policy 4F 3.11

~~Policy 4F 3.11~~

~~Manage medium density residential development in areas of high risk from natural hazards.~~

AMENDMENT 73 - Delete Policy 4F 3.12

~~Policy 4F 3.12~~

~~Promote floor levels for new development to be above the 100 year (ARI) flood extent, where sufficient information is available.~~

AMENDMENT 74 - Add new Policy 4F 3.13

Policy 4F 3.13

Manage development on sites neighbouring marae in the Community Iwi Activity Area to ensure that risks to cultural safety and tikanga from overlooking, visual dominance, and noise are adequately addressed.

4F 4 Rules

4F 4.1 Activities

Rule 4F 4.1.1 Residential Activities

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| (a) Residential Activities are permitted activities. |
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| Links to: |
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| Objective 4F 2.1 |
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| Policy 4F 3.1 |
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Rule 4F 4.1.2 Home Occupation

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| <p>(a) Home Occupations are permitted activities if:</p> <ul style="list-style-type: none">(i) At least one person engaged in the home occupation is permanently living on site.(ii) No more than four people in total may work in the home occupation at any one time.(iii) Retail activities are limited to:<ul style="list-style-type: none">1. Goods produced on the site; or2. Goods retailed online and not resulting in customer visits to the site; or3. Goods ancillary and related to a service provided by the home occupation.(iv) The home occupation does not include the repair, alteration, restoration or maintenance of motor vehicles.(v) The home occupation does not involve the use of trucks or other heavy vehicles.(vi) The operational hours for visitors, customers, clients and deliveries to the home occupation is only between:<ul style="list-style-type: none">1. 8:00am to 7:00pm Monday to Friday; and2. 9:00am to 6:00pm Saturday, Sunday and public holidays.(vii) Daily vehicle trips to and from the site generated by the home occupation do not exceed 20.(viii) All materials and goods stored, repaired or manufactured in association with the home occupation and all storage of refuse from the home occupation must be within buildings on the same site or screened from view at ground level. |
| <p>(b) Home Occupations that do not meet the above permitted activity standards are restricted discretionary activities.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none">(i) The effects on the amenity of the surrounding residential area.(ii) The effects of non-compliance with the permitted activity standard that is not being met. |
| <p>Links to: Objective 4F 2.1 Policy 4F 3.1</p> |

Rule 4F 4.1.3 Care Facilities, Residential Facilities, Boarding Houses, Hostels, Visitor Accommodation

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| <p>(a) Care Facilities, Residential Facilities, Boarding Houses, Hostels and Visitor Accommodation are permitted activities if:</p> <ul style="list-style-type: none">(i) The maximum number of people accommodated on site including staff and residents does not exceed 10. |
| <p>(b) Care Facilities, Residential Facilities, Boarding Houses Hostels and Visitor Accommodation accommodating more than 10 people on site including staff and residents are restricted discretionary activities.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none">(i) The effects on the amenity of the surrounding residential area.(ii) The effects on the safe and efficient movement of vehicle and pedestrian traffic |
| <p>Links to: Objective 4F 2.1 Policy 4F 3.1</p> |

Rule 4F 4.1.4 Childcare Facilities

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| (a) Childcare and Kohanga Reo Facilities are permitted activities if: (i) The maximum number of children to be cared for at any one time does not exceed five. |
| (b) Childcare and Kohanga Reo Facilities that do not meet the above permitted development controls are restricted discretionary activities, if the number of children to be cared for at any one time does not exceed 30. Discretion is restricted to: (i) The effects on the amenity of the surrounding residential area. (ii) The effects on pedestrian safety and the safe and efficient movement of vehicles (iii) The extent to which the site layout and any proposed landscaping helps to avoid or minimise the impacts on surrounding residential areas, the streetscape and adjoining public space. |
| (c) Childcare and Kohanga Reo Facilities are discretionary activities if the number of children to be cared for at any one time exceeds 30. |
| Links to: Objective 4F 2.1 Policy 4F 3.1 |

Rule 4F 4.1.5 Health Care Services

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| (a) Health Care Services with a maximum number of four practitioners (whether fulltime or part time) are restricted discretionary activities. Discretion is restricted to: (i) The effects on the amenity of the surrounding residential area. (ii) The extent to which the site layout and any proposed landscaping helps to avoid or minimise the impacts on surrounding residential areas, the streetscape and adjoining public space. (iii) |
| (b) Health Care Services with more than four practitioners are discretionary activities. |
| Links to: Objective 4F 2.1 Policy 4F 3.1 |

Rule 4F 4.1.6 Community Facilities, Marae, Education Facilities, Places of Assembly and Emergency Facilities

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| (a) Community Facilities, Marae, Education Facilities, Places of Assembly and Emergency Facilities except for Childcare Centres are restricted discretionary activities. Discretion is restricted to: (i) The effects on the amenity of the surrounding residential area. (ii) The extent to which the site layout and any proposed landscaping helps to avoid or minimise the impacts on surrounding residential areas, the streetscape and adjoining public space. |
| Links to: Objective 4F 2.1 Policy 4F 3.1 |

AMENDMENT 75 - Amend Rule 4F 4.1.7 Retirement Villages

Rule 4F 4.1.7 Retirement Villages

- (a) Retirement Villages are **restricted discretionary** activities.
- Discretion is restricted to:**
- (i) The effects on the amenity of the surrounding residential area.
 - (ii) The extent to which the site layout and any proposed landscaping helps to avoid or minimise the impacts on surrounding residential areas, the streetscape and adjoining public space.
 - (iii) Whether the site is subject to any hazards, including being within any natural hazard overlay area.
 - (iv) The capacity of the network infrastructure for water supply, wastewater, stormwater, and land transport to service the proposed development.
 - (v) The following ~~mixed use and medium density residential development~~ design elements:
 - 1. Building height
 - 2. Recession planes and setbacks
 - 3. Indoor and outdoor living spaces
 - 4. Open space and boundary treatments
 - 5. Entrances, carparking and garages
 - 6. Onsite stormwater management
 - 7. End / side wall treatment
 - 8. Building materials
 - 9. Bike parking, storage, and service areas
 - 10. Privacy and safety
 - 11. Landscaping

When considering the matters in (v), the Council will be principally guided by its *Medium Density Design Guide*.

Links to:

Objectives 4F 2.1, ~~4F 2.7~~

Policies 4F 3.1, 4F 3.9, 4F 3.10, ~~4F 3.11~~

Rule 4F 4.1.8 Other Non-Residential Activities

- (a) Non-residential activities not specifically provided for as permitted, restricted discretionary or discretionary activities are **non-complying** activities.

Links to:

Objective 4F 2.1

Policy 4F 3.1

Rule 4F 4.1.9 Light Spill

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| (a) Activities are permitted activities if: (i) Artificial light does not result in added illuminance in excess of 8 lux measured at the window of any dwelling house. (ii) Light spill is avoided beyond the boundary of the site. |
| (b) Activities that do not meet the above permitted activity development standards are restricted discretionary activities. Discretion is restricted to: (i) The effects on the amenity of the surrounding area. |
| Links to: Objective 4F 2.1 Policy 4F 3.1 |

Rule 4F 4.1.10 Vibration

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| (a) Activities that would cause vibration are permitted activities if: (i) The activity is managed and controlled in such a way that no vibration from the activity is discernible beyond the boundary of the site. |
| (b) Activities that do not meet the above permitted activity development standard are restricted discretionary activities. Discretion is restricted to: (i) The effects on the amenity of the surrounding residential area. |
| Links to: Objective 4F 2.1 Policy 4F 3.1 |

AMENDMENT 76 - Amend Rule 4F 4.1.11 Vegetation Removal

Rule 4F 4.1.11 Vegetation Removal

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| (a) The removal of vegetation (whether indigenous or exotic) is a permitted activity. |
| (a) <u>The removal of indigenous vegetation:</u> (i) <u>That was planted within a domestic garden for amenity purposes and/or the use of amenity or screening,</u> (ii) <u>Within 5 metres of a lawfully established dwelling residential unit,</u> (iii) <u>Within 3 metres of a lawfully established accessory building with a gross floor area greater than 10m²,</u> (iv) <u>To maintain existing open areas, tracks, accessways, fences and onsite services,</u> (v) <u>To maintain existing network utilities,</u> (vi) <u>To prevent loss of life, injury or damage to property,</u> (vii) <u>To remove dead or diseased vegetation, or</u> (viii) <u>In accordance with Tikanga Māori,</u> <u>is a permitted activity.</u> |
| (b) <u>The removal of exotic vegetation is a permitted activity if:</u> (i) <u>The area from which vegetation was removed must be stabilised against erosion by vegetation cover or other methods.</u> |
| (c) <u>The removal of trees on an Urban Environment Allotment is a permitted activity.</u> |

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|---|
| (d) <u>The trimming of vegetation is a permitted activity.</u> |
| (e) <u>The removal of vegetation not otherwise provided for as a permitted activity is a restricted discretionary activity.</u> <u>Discretion is restricted to:</u> (i) <u>Amenity Values:</u> <u>The adverse effects upon the visual amenity values of the site and surrounding area caused by the removal of vegetation. Consideration shall be had to the visual prominence of the vegetation, and any replacement planting to be undertaken.</u> (ii) <u>Site Stability:</u> <u>The adverse effects upon the stability of the site caused by the removal of vegetation.</u> (iii) <u>Indigenous Biodiversity and the Intrinsic Values of Ecosystems:</u> (a) <u>The extent to which the proposal will adversely affect the indigenous biodiversity and intrinsic value of ecosystems on the site and surrounding area.</u> (b) <u>Applying the criteria in Policy 23 of the Regional Policy Statement for the Wellington Region 2013.</u> |
| <u>(Rules 4F 4.1.11(a) to 4F 4.1.11(e) do not apply to trees identified as Notable Trees in Chapter 14G. The provisions of Chapter 14G apply to Notable Trees)</u> |

4F 4.2 Development Standards

AMENDMENT 77 - Add new Rule 4F 4.2.1AA Number of Residential Units per Site

Rule 4F 4.2.1AA Number of Residential Units per Site

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| (a) <u>Up to three residential units per site are a permitted activity.</u> |
| (b) <u>Four or more residential units per site are a restricted discretionary activity.</u> <u>Discretion is restricted to:</u> (i) <u>The planned urban built character for the Medium Density Residential Activity Area.</u> (ii) <u>The matters in Policies 4F 3.2B and 4F 3.8.</u> (iii) <u>The on-site amenity for future occupants of the development.</u> (iv) <u>The capacity of the network infrastructure for water supply, wastewater, stormwater and land transport to service the proposed development.</u> (v) <u>Any positive effects, including positive effects of increasing housing capacity and variety.</u> (v) <u>The effects on the safety and efficiency of the transport network (including pedestrians, cyclists, and vehicles).</u> (vi) <u>The following design elements:</u> <u>1. Building height</u> <u>2. Recession planes and setbacks</u> |

3. Indoor and outdoor living spaces
4. Open space and boundary treatments
5. Entrances, carparking and garages
6. Onsite stormwater management
7. End / side wall treatment
8. Building materials
9. ~~Bike parking, storage, and service areas~~ Provision for access to active modes including bike and mobility vehicle parking, storage, and service areas
10. Privacy and safety
11. Landscaping

When considering the matters in (vii), the Council will be principally guided by its Medium Density Design Guide.

Public and limited notification is precluded for resource consent applications under Rule 4F 4.2.1AA(b).

AMENDMENT 78 - Amend Rule 4F 4.2 1 Site Coverage

Rule 4F 4.2.1 ~~Site Coverage~~ Building Coverage

- (a) Construction or alteration of a building is a **permitted** activity if:
- (i) The ~~site coverage~~ building coverage does not exceed ~~60%~~ 50%.
- (b) Construction or alteration of a building that exceeds ~~60% site coverage~~ 50% building coverage is a **restricted discretionary** activity.

Discretion is restricted to:

(iaa) The planned urban built character for the Medium Density Residential Activity Area.

- (i) The effects on the privacy of adjoining sites.
- (ii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.

Note: When addressing or assessing potential effects in relation to matters (i) and (ii) above, applicants and the Council can be informed by the relevant outcomes identified in the *Medium Density Design Guide*.

Public notification is precluded for resource consent applications under Rule 4F 4.2.1(b).

Links to:

Objectives ~~4F 2.2~~, 4F 2.3, 4F 2.4, 4F 2.5

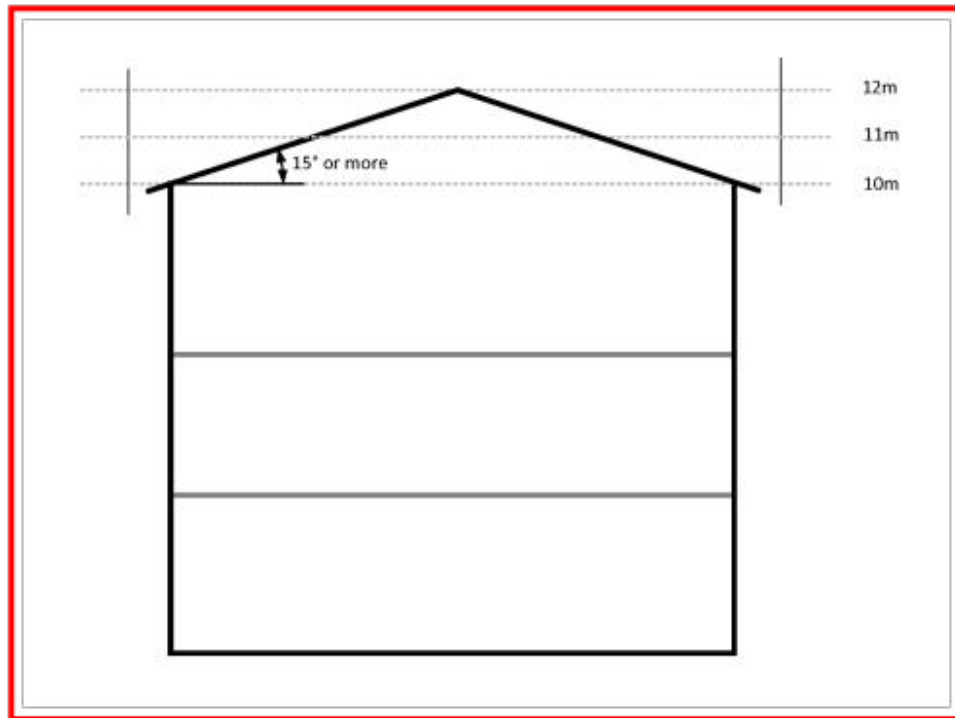
Policies 4F 3.2, 4F 3.2A, 4F 3.2B, 4F 3.3, ~~4F 3.4~~, ~~4F 3.5~~, 4F 3.6, 4F 3.8

AMENDMENT 79 - Amend Rule 4F 4.2.2 Building Height

Rule 4F 4.2.2 Building Height

- (a) Construction or alteration of a building is a **permitted activity** if:

- (i) The building does not exceed a maximum height of ~~10m~~ 11m except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m where the entire roof slopes 15 degrees or more.



~~(b) Construction or alteration of a building that exceeds the maximum height of 10m is a **restricted discretionary activity**.~~

(b) Construction or alteration of a building that does not comply with Rule 4F 4.2.2(a) is a **restricted discretionary activity**.

Discretion is restricted to:

(iaa) The planned urban built character for the Medium Density Residential Activity Area.

- (i) The effects on the privacy of adjoining sites.
- (ii) The effects on shading of adjoining sites including the impacts of shading on their primary internal and external living areas throughout the year.
- (iii) The effects on the amenity of the surrounding residential area and adjoining streetscape.

(iiia) The effects of shading and additional building bulk on any public open space or recreational grounds and their ability to provide outdoor amenity to users.

(iiib) Any design features or articulation to reduce the bulk of the building when viewed from neighbouring properties.

(iv) The following ~~mixed use and medium density residential development~~ design elements:

1. Building height
2. Recession planes and setbacks
3. Indoor and outdoor living spaces
4. Open space and boundary treatments

5. ~~Entrances, carparking and garages~~
6. ~~Onsite stormwater management~~
7. End / side wall treatment
8. Building materials
9. ~~Bike parking, storage and service areas~~
10. Privacy and safety
11. Landscaping

When considering the matters in (iv), the Council will be principally guided by its Medium Density Design Guide.

Public notification is precluded for resource consent applications under Rule 4F 4.2.2(b).

Links to:

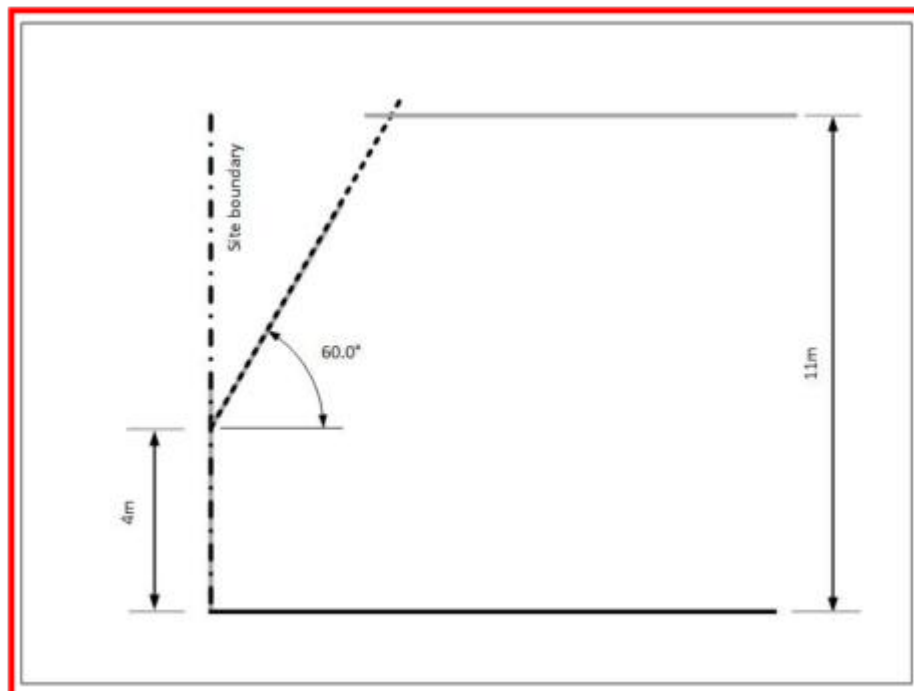
Objectives ~~4F 2.2, 4F 2.3, 4F 2.4, 4F 2.5~~

Policies 4F 3.2, 4F 3.2A, 4F 3.2B, ~~4F 3.3, 4F 3.4, 4F 3.5, 4F 3.6, 4F 3.8~~

AMENDMENT 80 - Amend Rule 4F 4.2.3 Recession Planes

Rule 4F 4.2.3 Recession Planes Height in Relation to Boundary

- (a) Construction or alteration of a building is a **permitted activity** if the following recession plane height in relation to boundary requirements are being met:
- (i) ~~3.5m +45°~~ 4m +60° from all side and rear boundaries.
 - (ii) ~~For sites adjoining other Residential Activity Areas the recession plane requirements of the adjoining Residential Activity Area shall be complied with at the shared boundary.~~



~~No recession planes are required from side or rear boundaries within the Medium Density Residential Activity Area where there is an existing or proposed common wall between two buildings.~~

~~No recession planes are required from road boundaries and existing or proposed internal boundaries within a site.~~

Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.

This standard does not apply to:

- (a) A boundary with a road,
- (b) Existing or proposed internal boundaries within a site, and
- (c) Site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

- (b) Construction or alteration of a building that does not meet the ~~recession plane~~ height in relation to boundary requirements is a **restricted discretionary activity**.

Discretion is restricted to:

(iaa) The planned urban built character for the Medium Density Residential Activity Area.

- (i) The effects on the privacy of adjoining sites.
- (ii) The effects on shading of adjoining sites, including the impacts of shading on their primary internal and external living areas.
- (iii) The effects on the amenity of the surrounding residential area and adjoining streetscape.
- (iv) The impacts of shading and additional building bulk on any public open space or recreational grounds and their ability to provide outdoor amenity to users.
- (v) The following design elements:

1. Building height
2. Recession Planes
3. End / side wall treatment
4. Privacy and safety

Note: When addressing or assessing potential effects in relation to matters ~~(i), (ii) and (iii)~~ (i) to (v) above, applicants and the Council can be informed by the relevant outcomes identified in the Medium Density Design Guide.

Public notification is precluded for resource consent applications under Rule 4F 4.2.3(b).

Links to:

Objectives ~~4F 2.2, 4F 2.3, 4F 2.4, 4F 2.5~~

Policies ~~4F 3.2, 4F 3.3, 4F 3.4, 4F 3.5, 4F 3.6, 4F 3.8~~

AMENDMENT 81 - Amend 4F 4.2.4 Yards

Rule 4F 4.2.4 Yards Setbacks

(a) Construction or alteration of a building is a **permitted activity** if:

~~(i) The building is not located within the following yard setbacks:~~

~~Front yards: 2m~~

~~Side yards: 1m~~

~~Rear yards: 1m~~

~~(ii) One accessory building may be located in a side and/or rear yard, provided that the building does not extend more than 6m along the length of any boundary and is not located in a yard that is directly adjoining the rail corridor.~~

~~No yard requirements apply along side or rear boundaries where there is an existing or proposed common wall between two buildings.~~

~~No yard requirements apply along existing or proposed internal boundaries within a site.~~

~~Eaves may encroach into any yard by up to 0.6m.~~

(i) Buildings are set back from the relevant boundary by the minimum depth listed below

Front yard: 1.5m

Side yard: 1m

Rear yard: 1m

This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.

Eaves may encroach into any yard by up to 0.6m.

(b) Construction or alteration of a building that does not meet the yard setback requirements is a **restricted discretionary activity**.

Discretion is restricted to:

(iaa) The planned urban built character for the Medium Density Residential Activity Area.

(i) The effects on the privacy of adjoining sites.

(ii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.

(iii) The effect from any building bulk and its proximity to the main internal and external living areas of adjoining residential properties.

(iv) The following design elements:

1. Building height

2. Recession Planes

3. End / side wall treatment

4. Privacy and safety

Note: When addressing or assessing potential effects in relation to matters ~~(i) and (ii)~~ (iaa) to (iv) above, applicants and the Council can be informed by the relevant outcomes identified in the *Medium Density Design Guide*.

Public notification is precluded for resource consent applications under Rule 4F 4.2.4(b).

Links to:

Objectives ~~4F 2.2~~, 4F 2.3, 4F 2.4, 4F 2.5

Policies 4F 3.2, 4F 3.3, ~~4F 3.4~~, ~~4F 3.5~~, 4F 3.6, 4F 3.8

AMENDMENT 82 - Add new Rule 4F 4.2.4 A Height in Relation to Boundary and Setback Requirements for Sites Abutting Marae in the Community Iwi Activity Area

Rule 4F 4.2.4A Height in Relation to Boundary and Setback Requirements for Sites Abutting Marae in the Community Iwi Activity Area

(a) Construction or alteration of a building on a site abutting a marae in the Community Iwi Activity Area is a **permitted activity** if the following height in relation to boundary and setback requirements are met for any boundary shared with the marae:

(i) A maximum height in relation to boundary of 2.5m +45°.

(ii) A minimum boundary setback of 1m.

(iii) One accessory building may be located in a side and/or rear yard, provided that the building does not extend more than 6m along the length of any boundary and is not located in a yard that is directly adjoining the rail corridor.

Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.

Eaves may encroach into any boundary setback by up to 0.6m.

This rule is in addition to *Rule 4F 4.2.3 Height in Relation to Boundary* and *Rule 4F 4.2.4 Setbacks*.

(b) Construction or alteration of a building that does not meet the height in relation to boundary and setback requirements of Rule 4F 4.2.4A(a) is a **restricted discretionary activity**.

Discretion is restricted to:

(i) Privacy, visual dominance, and noise impacts on the tikanga and cultural safety of activities that occur at the marae.

(ii) Whether there are alternative methods, locations or designs that would avoid or reduce impacts on tikanga and cultural safety.

(iii) The outcomes of any engagement undertaken with tangata whenua responsible for the marae, relevant to the effects of the standard not met.

Public notification is precluded for resource consent applications under Rule 4F 4.2.4A(b).

Links to:

Objective 4F 2.7

Policy 4F 3.13

AMENDMENT 83 - Amend Rule 4F 4.2.5 Permeable Surface

Rule 4F 4.2.5 Permeable Surface

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| <p>(a) Construction or alteration of a building, or new impermeable surfaces, is a permitted activity, if:</p> <p>(i) A minimum of 30% of the site area is a permeable surface.</p> |
| <p>(b) Construction or alteration of a building, or new impermeable surfaces, that do not meet the above permitted permeable surface requirements is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>(i) The effects on the stormwater system.</p> <p>(ii) The potential for increased surface ponding and flooding.</p> <p>(iii) The mitigation of additional stormwater runoff through means such as onsite stormwater retention.</p> <p>(iv) The following mixed use and medium density residential development design elements:</p> <ol style="list-style-type: none">1. Building height2. Recession planes and setbacks3. Indoor and outdoor living spaces4. Open space and boundary treatments5. Entrances, carparking and garages6. Onsite stormwater management7. End / side wall treatment8. Building materials9. Bike parking, storage and service areas10. Privacy and safety11. Landscaping <p><u>When considering the matters in (iv), the Council will be principally guided by its <i>Medium Density Design Guide</i>.</u></p> |
| <p>Links to:</p> <p>Objectives 4F 2.6</p> <p>Policies 4F 3.2, 4F 3.3, 4F 3.4, 4F 3.5, 4F 3.9, 4F 3.10</p> |

AMENDMENT 84 - Amend Rule 4F 4.2.6 Outdoor Living Space

Rule 4F 4.2.6 Outdoor Living Space

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| <p>(a) Construction or alteration of a building is a permitted activity if:</p> <p>(i) Each dwelling has an outdoor living space that:</p> <ol style="list-style-type: none">1. Has a minimum area of 20m².2. Has a minimum dimension of 3m.3. Has direct access from and is adjoining to the dwelling to which it relates. |
|---|

4. ~~Is not occupied by any buildings, parking areas, or accessways.~~
- (ii) ~~For a dwelling located entirely above ground floor the outdoor living space requirement can be satisfied by providing a balcony or roof terrace with a minimum area of 10m² with a minimum dimension of 2m.~~
- (iii) Each residential unit at ground floor level has an outdoor living space that is at least 20m² and comprises ground floor, balcony, patio, or roof terrace space that:
1. Where located at ground level, has no dimension less than 3m;
 2. Where provided in the form of a balcony, patio, or roof terrace, is at least 8m² and has a minimum dimension of 1.8m;
 3. Is accessible from the residential unit; and
 4. May be:
 - i. Grouped cumulatively by area in one communally accessible location,
or
 - ii. Located directly adjacent to the unit; and
 5. Is free of buildings, parking spaces, and servicing and manoeuvring areas.
- (iv) Each residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:
1. Is at least 8m and has a minimum dimension of 1.8m; and
 2. Is accessible from the residential unit; and
 3. May be:
 - i. Grouped cumulatively by area in one communally accessible location,
in which case it may be located at ground level; or
 - ii. Located directly adjacent to the unit.

- (b) Construction or alteration of a building that does not meet the outdoor living space requirements is a **restricted discretionary activity**.

Discretion is restricted to:

(iaa) The planned urban built character for the Medium Density Residential Activity Area.

- (i) The effects on the amenity for residents of the site, including access to sunlight and open space and accessibility of the outdoor living space proposed.

(ia) The design, layout, access for residents, functionality, and on-going maintenance (including legal instruments) of any communal space provided on site to provide outdoor living.

(ib) Any positive effects that not meeting the standard has on the retention of vegetation or other site features that add to the amenity of the site and surrounding residential area.

(ic) The usability and functionality of the proposed outdoor living area for future occupants.

- (ii) The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.

- (iii) The following ~~mixed use and medium density residential development~~ design elements:

1. ~~Building height~~
2. ~~Recession planes and setbacks~~
3. Indoor and outdoor living spaces
4. Open space and boundary treatments
5. Entrances, carparking and garages
6. ~~On-site stormwater management~~
7. ~~End / side wall treatment~~
8. ~~Building materials~~
9. Bike parking, storage and service areas
10. Privacy and safety
11. Landscaping

When considering the matters in (iii), the Council will be principally guided by its Medium Density Design Guide.

Public and limited notification is precluded for resource consent applications under Rule 4F 4.2.6(b).

Links to:

Objectives 4F 2.4, 4F 2.5

Policies 4F 3.2, 4F 3.2C, ~~4F 3.5~~, ~~4F 3.7~~, 4F 3.8

AMENDMENT 85 - Amend Rule 4F 4.2.7 Accessory Building

Rule 4F 4.2.7 Accessory Building

- (a) Construction or alteration of an accessory building is a **permitted activity** if:
- (i) Development Standards 4F 4.2.1 (~~Site Coverage~~ Building Coverage), 4F 4.2.2 (Building Height), 4F 4.2.3 (~~Recession Planes~~ Height in Relation to Boundary), 4F 4.2.4 (~~Yards~~ Setbacks) and 4F 4.2.5 (Permeable Surface) are complied with.
- (b) Construction or alteration of an accessory building that does not comply with one or more of the standards listed above is a **restricted discretionary activity**.
- Discretion is restricted to:**
- (i) The effects on the amenity of adjoining sites.
 - (ii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.

Links to:

Objectives 4F 2.4, 4F 2.5

Policies 4F 3.2, 4F 3.3, ~~4F 3.4~~, ~~4F 3.5~~, 4F 3.8

AMENDMENT 86 - Amend Rule 4F 4.2.8 Screening and Storage

Rule 4F 4.2.8 Screening and Storage

- (a) Construction or alteration of a building is a **permitted activity** if:

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| <p>(i) All outdoor storage and servicing areas are screened so that they are not visible from a road or public space.</p> |
| <p>(b) Construction or alteration of a building that does not meet the screening and storage requirements is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>(i) The effects on the amenity of adjoining sites.</p> <p>(ii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.</p> <p>(iii) The following mixed use and medium density residential development design elements:</p> <ol style="list-style-type: none"> 1. Building height 2. Recession planes and setbacks 3. Indoor and outdoor living spaces 4. Open space and boundary treatments 5. Entrances, carparking and garages 6. On-site stormwater management 7. End / side wall treatment 8. Building materials 9. Bike parking, storage and service areas 10. Privacy and safety 11. Landscaping <p>When considering the matters in (iii), the Council will be principally guided by its Medium Density Design Guide.</p> |
| <p>Links to:</p> <p>Objectives 4F 2.2, 4F 2.4, 4F 2.5</p> <p>Policies 4F 3.2, 4F 3.3, 4F 3.4, 4F 3.5, 4F 3.8</p> |

Rule 4F 4.2.9 Demolition

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| <p>(a) The demolition of a building is a permitted activity.</p> <p>For buildings listed in Appendix Heritage 1 or 2 or in Appendix Significant Natural, Cultural and Archaeological Resources 1 the relevant rules of the Chapters 14E and 14F relating to demolition apply.</p> |
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AMENDMENT 87 - Amend Rule 4F 4.2.10 Stormwater Retention

Rule 4F 4.2.10 Stormwater Retention

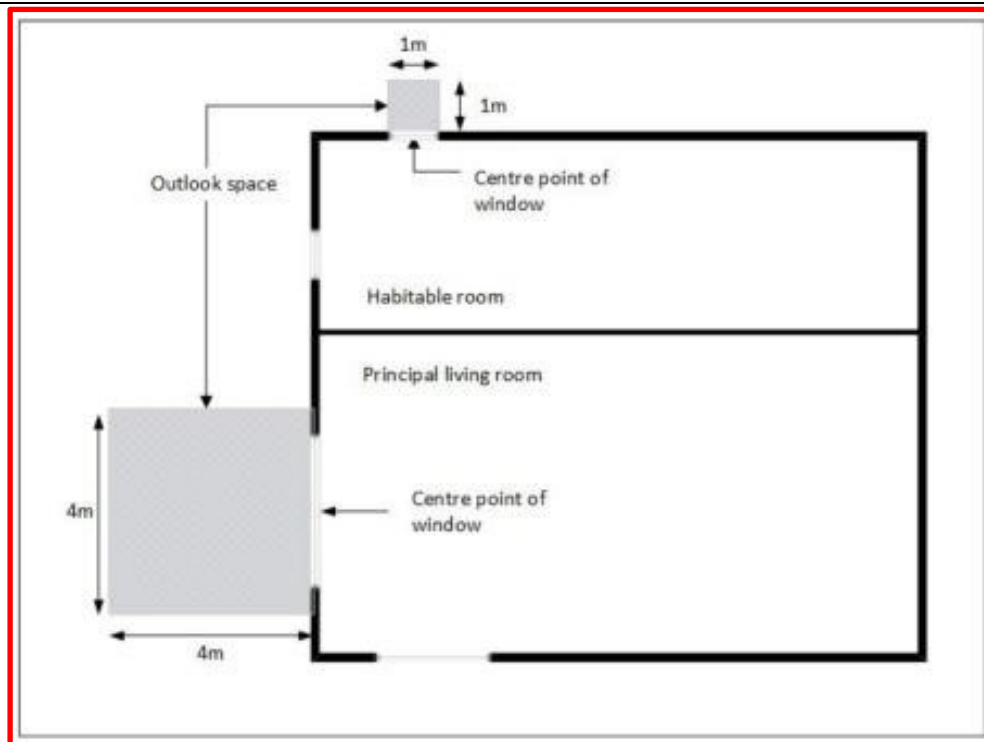
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| <p>(a) Construction of a roofed building, excluding accessory buildings or additions to an existing building, is a permitted activity if:</p> <p>(i) A rainwater tank is provided for the building that collects all rainwater from the roof of the building. The rainwater tank must have the following volumes:</p> |
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| <p>Roof area of 100m² or less 2,000 litre capacity.</p> <p>Roof area of 100m² to 200m² 3,000 litre capacity.</p> <p>Roof area of more than 200m² 5,000 litre capacity.</p> <p>The tank must meet the specifications, and be installed in accordance with <i>Acceptable Solution #1</i> from the Wellington Water guide <i>Managing Stormwater Runoff, The use of raintanks for hydraulic neutrality, Acceptable solution #1</i> dated June 2019.</p> <p>No rainwater tank is required for the construction of an Accessory Building.</p> |
| <p>(b) Construction of a roofed building, excluding accessory buildings or additions to an existing building, that does not meet the rainwater tank requirements is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> (i) The effects on the stormwater system. (ii) The potential for increased surface ponding and flooding. (iii) The mitigation of additional stormwater runoff through other means |
| <p>Links to:</p> <p>Objective 4F 2.6</p> <p>Policy 4F 3.9</p> |

AMENDMENT 88 - Add new Rule 4F 4.2.11 Outlook Space (per unit)

Rule 4F 4.2.11 Outlook Space (per unit)

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| <p>(a) Construction or alteration of a building is a permitted activity if:</p> <ul style="list-style-type: none"> (i) <u>Outlook space is provided for each residential unit as specified in this rule.</u> (ii) <u>Outlook space is provided from habitable room windows as shown in the diagram below:</u> |
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- (ii) The minimum dimensions for a required outlook space are:
- (a) A principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and
 - (b) All other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.
- (iii) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
- (iv) Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.
- (v) Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.
- (vi) Outlook spaces may be under or over a balcony.
- (vii) Outlook spaces required from different rooms within the same building may overlap.
- (viii) Outlook spaces must:
- (a) Be clear and unobstructed by buildings; and
 - (b) Not extend over an outlook space or outdoor living space required by another dwelling.
- (b) Construction or alteration of a building that does not comply with one or more of the standards listed above is a restricted discretionary activity.

Discretion is restricted to:

- (i) The planned urban built character for the Medium Density Residential Activity Area.
- (ii) The matters in Policy 4F 3.2D.

- (iii) The effects on internal privacy of future occupants resulting from a reduced outlook.
 - (iv) The effects on the level of sunlight to internal living areas from a reduced outlook.
 - (v) Any mitigation factors such as view or landscaping that compensates for a reduced outlook.
- When considering the matters in (ii), the Council will be principally guided by its Medium Density Design Guide.
- Public **and limited** notification is precluded for resource consent applications under Rule 4F 4.2.11(b).

AMENDMENT 89 - Add new Rule 4F 4.2.12 Windows to Street

Rule 4F 4.2.12 Windows to Street

- (a) Construction or alteration of a building is a permitted activity if:
 - (i) Residential units facing the street have a minimum of 20% of the street-facing façade in glazing. This can be in the form of windows or doors.
- (b) Construction or alteration of a building that does not comply with the above standard is a restricted discretionary activity.

Discretion is restricted to:

 - (i) The planned urban built character for the Medium Density Residential Activity Area.
 - (ii) The matters in Policy 4F 3.8.
 - (iii) The following design elements:
 1. Open space and boundary treatments.
 2. Entrances, carparking and garages.
 3. End / side wall treatment.
 4. Privacy and safety.
 5. Landscaping.

When considering the matters in (iii), the Council will be principally guided by its Medium Density Design Guide.

Public notification is precluded for resource consent applications under Rule 4F 4.2.12(b).

AMENDMENT 90 - Add new Rule 4F 4.2.13 Landscaped Area

Rule 4F 4.2.13 Landscaped Area

- (a) Construction or alteration of a building is a permitted activity if the following landscaped area standards are met:
 - (i) A residential unit at ground floor level has a landscaped area of a minimum of 20% of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them.

(ii) The landscaped area may be located on any part of the development site and does not need to be associated with each residential unit.

(b) Construction or alteration of a building that does not comply with either of the standards listed above is a **restricted discretionary activity**.

Discretion is restricted to:

(i) The planned urban built character for the Medium Density Residential Activity Area.

(ii) The matters in Policy 4F 3.2D.

(iii) The accommodation of any visually prominent or established vegetation on the site into the landscaping design and the visual effects from the loss of any existing visually prominent or established vegetation on the local streetscape and visual amenity values of the local area.

(iv) The amenity provided by the proposed landscaping to future occupants of the site.

(v) The proposed measures and ownership of the landscaping to ensure on-going maintenance.

(vi) The timing of the implementation of the landscaping relative to the proposed development

(vii) The appropriateness of the proposed species for the local area and their ability to service the local climate.

(viii) The appropriateness of the species to be planted for the spaces that have been allowed, and.

(ix) The following design elements:

1. Building height

2. Recession planes and setbacks

3. Indoor and outdoor living spaces

4. Open space and boundary treatments

5. Entrances, carparking and garages

6. On-site stormwater management

7. End / side wall treatment

8. Building materials

9. Bike parking, storage and service areas

10. Privacy and safety

11. Landscaping

When considering the matters in (ix), the Council will be principally guided by its Medium Density Design Guide.

Public notification is precluded for resource consent applications under Rule 4F 4.2.13(b).

Note 4F 4.3 General Rules

(a) All activities must comply with the General Rules in Chapter 14.

AMENDMENT 91 - Add new section 4F 5 Precincts and Scheduled Sites

4F 5 Precincts and Scheduled Sites

AMENDMENT 92 - Add new section 4F 5.1 Residential Heritage Precinct

4F 5.1 Residential Heritage Precinct

Note: This precinct covers areas in both the Medium Density Residential and High Density Residential Activity Area.

Several areas within the City contain a collection of buildings that, when considered together, hold significant heritage values. Development in these areas is restricted in order to preserve their distinct heritage values that provide connection, understanding or appreciation of the history and culture in the City.

The areas are:

In the Medium Density Residential Activity Area

- Moera Railway Heritage Area – This area was the result of the Hutt railway workshop move from Petone to Woburn. Single-storey residential dwellings were developed to house employees of this workshop.
- Wainuiomata Terracrete Houses Heritage Area – Represents a series of soil cement houses constructed by Terracrete Constructions Limited in the 1950's. This significant earth-building venture saw fifteen houses built in total with some initially used as state rental housing.

In the High Density Residential Activity Area

- ~~Hardham Crescent Heritage Area and Petone State Flats Heritage Area (in the High Density Residential Activity Area) – Developed as part of a movement between the 1940s and 1960s for additional, larger social state housing. Both sites were built by the Department of Housing Construction and feature single and two-storey flats.~~
- ~~Hutt Road Railway Heritage Area – This area is a result of a national rail system that was proposed during the 1870's. This led to a railway workshop being built in Petone to support operations. The Railway Department owned a significant portion of additional land around the site and constructed single-storey cottages to house the workers of the workshop. Despite the workshop moving to Woburn many of these cottages remained.~~
- ~~Petone Foreshore Heritage Area – Poses a largely intact grouping of stylistic housing from early European settlement in Petone.~~

Building heights and density within these areas may need to be restricted to protect the historic heritage of the area.

All activities and development within the Residential Heritage Precinct must comply with and are assessed against the provisions of the underlying Residential Activity Area unless specified otherwise below.

AMENDMENT 93 - Add new section 4F 5.1.1 Objectives

4F 5.1.1 Objectives

AMENDMENT 94 - Add new Objective 4F 5.1.1.1

Objective 4F 5.1.1.1

The historic heritage of residential areas in the Residential Heritage Precinct are protected from new development with inappropriate building heights and density.

AMENDMENT 95 - Add new section 4F 5.1.2 Policies

4F 5.1.2 Policies

AMENDMENT 96 - Add new Policy 4F 5.1.2.1

Policy 4F 5.1.2.1

Manage the impacts of new built development on the historic heritage of areas in the Residential Heritage Precinct by limiting building heights and density to the extent necessary to protect the historic heritage.

AMENDMENT 97 - Add new section 4F 5.1.3 Rules

4F 5.1.3 Rules

Note: All activities and development within the Residential Heritage Precinct must comply with and are assessed against the provisions (including development standards) of the underlying Residential Activity Area unless specified otherwise below.

AMENDMENT 98 - Add new Rule 4F 5.1.3.1 Building height and density in the Residential Heritage Precinct

Rule 4F 5.1.3.1 Building height and density in the Residential Heritage Precinct

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| <p>(a) <u>Construction or alteration of a building is a permitted activity in the Residential Heritage Precinct if:</u></p> <ul style="list-style-type: none">(i) <u>The height of the building does not exceed the maximum height of buildings that were on the site on 20 August 2022.</u>(ii) <u>The number of dwelling residential units on the site does not exceed the number of dwelling residential units that were on the site on 20 August 2022.</u> |
| <p>(b) <u>Construction or alteration of a building that does not meet the above permitted activity standard is a restricted discretionary activity</u></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none">(i) <u>Impacts on the historic heritage values of the Residential Heritage Precinct from the form, bulk, height and density of the building.</u>(ii) <u>Impacts on the Residential Heritage Precinct from the position of the buildings on the site and the design and materials associated with the building.</u>(iii) <u>The consistency of the density of buildings on the site with the pattern of development associated with those buildings that contribute to the heritage values of the Residential Heritage Precinct.</u> |

**AMENDMENT 99 - Add new section 4F 5.2 Scheduled Site 39 Fitzherbert Road
Wainuiomata, Housing for the Elderly**

**4F 5.2 Scheduled Site 39 Fitzherbert Road, Wainuiomata
Housing for the Elderly**

All residential activities and related development within the site must comply with and are assessed against the provisions under 4F 2 Objectives, 4F 3 Policies and 4F 4 Rules. The provisions below do not apply.

All Retirement Village activities and related development within the site must comply with and are assessed against the provisions of the underlying Medium Density Residential Activity Area unless specified otherwise below.

AMENDMENT 100 - Add new Rule 4F 5.2.1.1 Activities

4F 5.2.1 Rules

Rule 4F 5.2.1.1 Activities

(a) Housing for the Elderly including the construction or alteration of buildings is a restricted discretionary activity if it complies with the Development Standards under 4F 4.2.

Discretion is restricted to:

(i) Temporary Construction Effects

Consideration shall be given to the potential construction effects arising from the establishment of a retirement village on the site. This includes the potential construction noise, traffic, dust, sediment runoff and vibration effects.

(ii) The following mixed use and medium density residential development design elements:

1. Building height
2. Recession plane and setbacks
3. Indoor and outdoor living spaces
4. Open space and boundary treatments
5. Entrances, carparking, and garages
6. Onsite stormwater management
7. End / side wall treatment
8. Building materials
9. Bike parking, storage and service areas
10. Privacy and safety
11. Landscaping

When considering the matters in (ii), the Council will be principally guided by its Medium Density Design Guide.

(iii) Natural Hazards

The extent to which the proposal addresses the flood risk to the site, including ensuring that the floor level of any habitable space is constructed above the 1:100 year flood level for Parkway Drain.

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| <p>(iv) <u>Geotechnical matters</u></p> <p><u>The extent to which the proposal addresses any geotechnical limitations on the site.</u></p> <p>(v) <u>Amenity values</u></p> <p><u>The extent to which the proposal would adversely affect the amenity values of the surrounding residential area, including:</u></p> <ul style="list-style-type: none"> • <u>The effect of buildings and structures on neighbouring and surrounding residential sites and, in particular the location, design and appearance of the buildings;</u> • <u>Whether the proposal would cause significant loss of sunlight, daylight or privacy on adjoining residential properties;</u> • <u>The effect on the amenity values of adjoining residential and recreational land caused by the removal of trees from the site; and</u> • <u>The mitigation measures necessary, including landscape planting, to mitigate the adverse effects of loss of trees from the site and to assist the integration of the proposed development within the site and neighbourhood.</u> |
| <p>(b) <u>Housing for the Elderly on the site that does not comply with the Development Standards under 4F 4.2 is a discretionary activity.</u></p> |
| <p><u>Links to:</u></p> <p><u>Objectives 4F 2.1</u></p> <p><u>Policies 4F 3.1</u></p> |

AMENDMENT 101 - Add new section 4F 5.3 Scheduled Site Silverstream Retreat, 320 Eastern Hutt Road

4F 5.3 Scheduled Site Silverstream Retreat, 320 Eastern Hutt Road

AMENDMENT 102 - Add new Rule 4F 5.3.1.1 Activities

4F 5.3.1 Rules

Rule 5.3.1.1 Activities

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| <p>(a) <u>Visitor Accommodation, Conference Facilities and Places of Assembly at 320 Eastern Hutt Road are permitted activities if:</u></p> <p>(i) <u>The buildings associated with the activity comply with the development standards under Rule 4F 4.2.</u></p> |
| <p>(b) <u>Visitor Accommodation, Conference Facilities and Places of Assembly at 320 Eastern Hutt Road where the buildings associated with the activity do not comply with the development standards under Rule 4F 4.2 are restricted discretionary activities.</u></p> <p><u>Discretion is restricted to:</u></p> <p>(i) <u>The effects on the amenity of the surrounding residential area;</u></p> <p>(ii) <u>The effects on the safe and efficient movement of vehicles and pedestrian safety;</u></p> |

(iii) The extent to which the site layout and any proposed landscaping helps to avoid or minimise the impacts on surrounding residential areas, the streetscape and adjoining public space.

AMENDMENT 103 - Add new Anticipated Environmental Result 4F 6(a)

4F 6 Anticipated Environmental Results

(a) Retention of indigenous vegetation.

4G High Density Residential Activity Area

4G 1 Introduction / Zone Statement

The High Density Residential Activity Area covers residential areas with a higher level of access to commercial activities and community facilities. This includes areas surrounding train stations, the Lower Hutt city centre and Petone metropolitan centre as well as some suburban centres.

While areas in the High Density Residential Activity Area are predominantly residential in nature, non-residential activities are provided for within the Activity Area where they are compatible with residential activities.

The planned urban built character for the High Density Residential Activity Area is high density residential development, including detached ~~dwelling~~ residential units, terraced housing and apartments. The urban built character of an area will arise from the flexibility provided for by the Plan for individual developments to take any low to high density form. This supports increasing the capacity and choice of housing within neighbourhoods. It is anticipated that the appearance of neighbourhoods in the High Density Residential Activity Area will change over time, including through increased opportunities for terraced housing and apartments.

Built development is provided for in the High Density Residential Activity Area through a range of permitted activities and development standards that permit three ~~dwelling~~ residential units per site and buildings of up to six storeys in most of the Activity Area ~~and four storeys for areas in Eastbourne, Stokes Valley and Wainuiomata. Standards for built development may be modified and/or limited by qualifying matters.~~ Development standards also address:

- i. the impacts of built development on adjoining sites and the streetscape,
- ii. stormwater management, and
- iii. provision of open space for residents.

If a proposed development does not meet the development standards, resource consent is required in order to:

- i. achieve a high quality built environment;
- ii. manage the effects of development on neighbouring sites;
- iii. achieve high quality living environments; and
- iv. achieve attractive and safe streets and public spaces.

For developments requiring resource consent, these will be assessed against the policy framework set out by the relevant residential and overlay chapters. The resource consent process enables the design and layout of development to be assessed, recognising that quality design is increasingly important as the scale and density of development increases. Council provides design guidance for residential developments through design guides that sit outside the plan.

The planned urban built character of the High Density Residential Activity Area includes buildings of at least six storeys in most of the Activity Area ~~and at least four storeys in Eastbourne, Stokes Valley and Wainuiomata~~. As buildings of this scale are likely to breach one or more development standard, resource consent is likely to be required. However, buildings of at least six storeys must be enabled within the walkable catchments of Lower Hutt city centre, Petone metropolitan centre and the city's train stations.

Precincts and scheduled sites are listed under 4G 5 at the end of the chapter. This includes precincts that include provisions that address the potential impacts of development within historic heritage areas.

AMENDMENT 106 - Add new section 4G 2 Objectives

4G 2 Objectives

AMENDMENT 107 - Add new Objective 4G 2.1

Objective 4G 2.1

A well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

AMENDMENT 108 - Add new Objective 4G 2.2

Objective 4G 2.2

Residential Activities are the dominant activities in the High Density Residential Activity Area.

Non-residential activities are compatible with the amenity levels associated with high density residential development anticipated by the zone.

AMENDMENT 109 - Add new Objective 4G 2.3

Objective 4G 2.3

The High Density Residential Activity Area provides for a variety of housing types and sizes that respond to:

- i. Housing needs and demand, and
- ii. The neighbourhood's planned urban built character, including six-storey buildings.

AMENDMENT 110 - Add new Objective 4G 2.4

Objective 4G 2.4

Recognise that the neighbourhood's planned urban built character is defined through the flexibility of individual developments to take:

- i. Any low to medium density form of up to three storeys, or
- ii. A form of up to six storeys that achieves, for that development, the best practicable amenity outcomes for adjoining sites, or
- iii. A taller form if compatible with the amenity levels associated with high density residential development of six storeys.

AMENDMENT 111 - Add new Objective 4G 2.5

Objective 4G 2.5

Built development is of high quality and provides:

- ~~i. appropriate on-site amenity for residents,~~
- ~~ii. appropriate residential amenity for adjoining sites, and~~
- ~~iii. a high level of amenity for the street.~~
- i. Healthy, safe, attractive, and accessible living environments, and
- ii. Attractive and safe streets.

AMENDMENT 112 - Add new Objective 4G 2.6

Objective 4G 2.6

Built development is adequately serviced by network infrastructure or addresses any infrastructure constraints.

AMENDMENT 113 - Add new Objective 4G 2.7

Objective 4G 2.7

To protect the cultural safety and tikanga associated with activities at marae in the Community Iwi Activity Area.

~~**AMENDMENT 114 - Add new Objective 4G 2.8**~~

~~**Objective 4G 2.8**~~

~~Modify the general approach of the Activity Area in Eastbourne, Stokes Valley, and Wainuiomata to have a planned urban built character of:~~

- ~~i. Any low to medium density form of up to three storeys, or~~
- ~~ii. A form of up to four storeys that achieves, for that development, the best practicable amenity outcomes for adjoining sites, or~~
- ~~iii. A taller form if compatible with the amenity levels associated with high density residential development of four storeys.~~

AMENDMENT 115 - Add new section 4G 3 Policies

4G 3 Policies

AMENDMENT 116 - Add new Policy 4G 3.1

Policy 4G 3.1

Provide for residential activities, and those non-residential activities that support the community's social, economic and cultural wellbeing and manage any adverse effects on residential amenity.

AMENDMENT 117 - Add new Policy 4G 3.2

Policy 4G 3.2

Enable a variety of housing types with a mix of densities within the High Density Residential Activity Area, including three-storey attached and detached dwellings, and low-rise apartments.

AMENDMENT 118 - Add new Policy 4G 3.3

Policy 4G 3.3

Enable buildings of up to six storeys, and buildings of more than six storeys where compatible with the amenity levels associated with high density six-storey residential development.

AMENDMENT 119 - Add new Policy 4G 3.4

Policy 4G 3.4

Provide for developments not meeting permitted activity status, while encouraging high-quality developments.

AMENDMENT 120 - Add new Policy 4G 3.5

Policy 4G 3.5

Enable housing to be designed to meet the day-to-day needs of residents.

AMENDMENT 121 - Add new Policy 4G 3.6

Policy 4G 3.6

Require built development to provide occupants with adequate opportunities for outdoor living through having useable and accessible on-site private outdoor living space, or through access to appropriate communal or nearby public open space of comparable utility.

AMENDMENT 122 - Add new Policy 4G 3.7

Policy 4G 3.7

Encourage development to contribute to an attractive setting for occupants and the surrounding area, which can be achieved through:

- i. landscaped areas that contribute to amenity,
- ii. adequate outlook areas from habitable rooms, and
- iii. other means that would adequately mitigate a lack of landscaping or outlook areas.

AMENDMENT 123 - Add new Policy 4G 3.8

Policy 4G 3.8

Manage the effects of built development on adjoining sites and the street by controlling height, ~~height in relation to boundary, setbacks, and building coverage bulk and form~~ of built development.

AMENDMENT 124 - Add new Policy 4G 3.9

Policy 4G 3.9

Require the design of built development of up to three storeys to ~~maintain a reasonable level of~~ make adequate provision for privacy and sunlight access for adjoining sites.

AMENDMENT 125 - Add new Policy 4G 3.10

Policy 4G 3.10

Manage the design of built development of more than three storeys ~~and up to six storeys~~ to achieve the best practicable outcomes for privacy, sunlight, and appearance including by:

- i. Encouraging buildings on front sites to be located close to the street,

- ii. Encouraging buildings to be planned to be compatible with possible future developments on neighbouring sites based on the planned urban building character, including through the position of walls likely to be future common walls, accessways, communal open space and parking areas,
- iii. Encouraging the orientation of key windows and outdoor living spaces in units to face toward the street and rear of the site, rather than the sides,
- iv. Encouraging windows to be designed to minimise overlooking or looking into windows or outdoor living spaces of other close residential units,
- v. Encouraging outdoor living spaces to achieve a good level of privacy by being screened from windows or outdoor living spaces of other close residential units,
- vi. Encouraging outdoor living spaces to be located to achieve a good level of privacy and access to sunlight while minimising impacts on privacy and access to sunlight of other close residential units, and
- vii. Encouraging the appearance of end wall and boundary treatments to take into account their proposed context, and the possible future context given the flexible options available on adjoining sites.

AMENDMENT 126 -- Add new Policy 4G 3.11
Policy 4G 3.11

~~Require the design of built development of over six storeys to achieve outcomes for privacy, sunlight, and appearance consistent with that of the best practicable outcomes for a development of six storeys.~~

AMENDMENT 127 - Add new Policy 4G 3.12
Policy 4G 3.12

Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.

AMENDMENT 128 - Add new Policy 4G 3.13
Policy 4G 3.13

Require rainwater tanks and a minimum area of permeable surfaces or alternative design solutions in order to assist with the management of stormwater runoff created by development.

AMENDMENT 129 - Add new Policy 4G 3.14
Policy 4G 3.14

Require development to be stormwater neutral.

AMENDMENT 130 - Add new Policy 4G 3.15
Policy 4G 3.15

Manage development on sites neighbouring marae in the Community Iwi Activity Area to ensure that risks to cultural safety and tikanga from overlooking, visual dominance, and noise are adequately addressed.

AMENDMENT 131 -- Add new Policy 4G 3.16

Policy 4G 3.16

Modify the general approach of the Activity Area in Eastbourne, Stokes Valley and Wainuiomata to enable buildings of up to four storeys, rather than six storeys, and achieve corresponding outcomes for amenity values including privacy, sunlight, and appearance.

AMENDMENT 132 - Add new section 4G 4 Rules

4G 4 Rules

AMENDMENT 133 - Add new section 4G 4.1 Activities

4G 4.1 Activities

AMENDMENT 134 - Add new Rule 4G 4.1.1 Residential Activities

Rule 4G 4.1.1 Residential Activities

(a) Residential Activities are permitted activities.

Links to:

Objective 4G 2.1

Policy 4G 3.1

AMENDMENT 135 - Add new Rule 4G 4.1.2 Home Occupation

Rule 4G 4.1.2 Home Occupation

(a) Home Occupations are permitted activities if:

- (i) At least one person engaged in the home occupation is permanently living on site.
- (ii) No more than four people in total may work in the home occupation at any one time.
- (iii) Retail activities are limited to:
 - 1. Goods produced on the site; or
 - 2. Goods retailed online and not resulting in customer visits to the site; or
 - 3. Goods ancillary and related to a service provided by the home occupation.
- (iv) The home occupation does not include the repair, alteration, restoration or maintenance of motor vehicles.
- (v) The home occupation does not involve the use of trucks or other heavy vehicles.
- (vi) The operational hours for visitors, customers, clients and deliveries to the home occupation is only between:
 - 1. 8:00am to 7:00pm Monday to Friday; and
 - 2. 9:00am to 6:00pm Saturday, Sunday and public holidays.
- (vi) Daily vehicle trips to and from the site generated by the home occupation do not exceed 20.
- (vii) All materials and goods stored, repaired or manufactured in association with the home occupation and all storage of refuse from the home occupation must be within buildings on the same site or screened from view at ground level.

(b) Home Occupations that do not meet the above permitted activity standards are restricted discretionary activities.

Discretion is restricted to:

(i) The effects on the amenity of the surrounding residential area.

(ii) The effects of noncompliance with the permitted activity standard that is not being met.

Links to:

Objective 4G 2.1

Policy 4G 3.1

AMENDMENT 136 - Add new Rule 4G 4.1.3 Care Facilities, Residential Facilities, Boarding Houses, Hostels, Visitor Accommodation

Rule 4G 4.1.3 Care Facilities, Residential Facilities, Boarding Houses, Hostels, Visitor Accommodation

(a) Care Facilities, Residential Facilities, Boarding Houses, Hostels and Visitor Accommodation are permitted activities if:

(i) The maximum number of people accommodated on site including staff and residents does not exceed 10.

(b) Care Facilities, Residential Facilities, Boarding Houses Hostels and Visitor Accommodation accommodating more than 10 people on site including staff and residents are restricted discretionary activities.

Discretion is restricted to:

(i) The effects on the amenity of the surrounding residential area.

(ii) The effects on the safe and efficient movement of vehicle and pedestrian traffic

Links to:

Objective 4G 2.1

Policy 4G 3.1

AMENDMENT 137 - Add new Rule 4G 4.1.4 Childcare Facilities

Rule 4G 4.1.4 Childcare Facilities

(a) Childcare and Kohanga Reo Facilities are permitted activities if:

(i) The maximum number of children to be cared for at any one time does not exceed five.

(b) Childcare and Kohanga Reo Facilities that do not meet the above permitted development controls are restricted discretionary activities, if the number of children to be cared for at any one time does not exceed 30.

Discretion is restricted to:

(i) The effects on the amenity of the surrounding residential area.

(ii) The effects on pedestrian safety and the safe and efficient movement of vehicles

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| (iii) <u>The extent to which the site layout and any proposed landscaping helps to avoid or minimise the impacts on surrounding residential areas, the streetscape and adjoining public space.</u> |
| (c) <u>Childcare and Kohanga Reo Facilities are discretionary activities if the number of children to be cared for at any one time exceeds 30.</u> |
| Links to: <u>Objective 4G 2.1</u> <u>Policy 4G 3.1</u> |

AMENDMENT 138 - Add new Rule 4G 4.1.5 Health Care Services
Rule 4G 4.1.5 Health Care Services

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|---|
| (a) <u>Health Care Services with a maximum number of four practitioners (whether fulltime or part time) are restricted discretionary activities.</u> <u>Discretion is restricted to:</u> (i) <u>The effects on the amenity of the surrounding residential area.</u> (ii) <u>The extent to which the site layout and any proposed landscaping helps to avoid or minimise the impacts on surrounding residential areas, the streetscape and adjoining public space.</u> |
| (b) <u>Health Care Services with more than four practitioners are discretionary activities.</u> |
| Links to: <u>Objective 4G 2.1</u> <u>Policy 4G 3.1</u> |

AMENDMENT 139 - Add new Rule 4G 4.1.6 Community Facilities, Marae, Education Facilities, Places of Assembly and Emergency Facilities
Rule 4G 4.1.6 Community Facilities, Marae, Education Facilities, Places of Assembly and Emergency Facilities

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|--|
| (a) <u>Community Facilities, Marae, Education Facilities, Places of Assembly and Emergency Facilities except for Childcare Centres are restricted discretionary activities.</u> <u>Discretion is restricted to:</u> (i) <u>The effects on the amenity of the surrounding residential area.</u> (ii) <u>The extent to which the site layout and any proposed landscaping helps to avoid or minimise the impacts on surrounding residential areas, the streetscape and adjoining public space.</u> |
| Links to: <u>Objective 4G 2.1</u> <u>Policy 4G 3.1</u> |

AMENDMENT 140 - Add new Rule 4G 4.1.7 Retirement Villages
Rule 4G 4.1.7 Retirement Villages

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|---|
| (a) <u>Retirement Villages are restricted discretionary activities.</u> <u>Discretion is restricted to:</u> |
|---|

- (i) The effects on the amenity of the surrounding residential area.
- (ii) The extent to which the site layout and any proposed landscaping helps to avoid or minimise the impacts on surrounding residential areas, the streetscape and adjoining public space.
- (iii) Whether the site is subject to any hazards, including being within any natural hazard overlay area.
- (iv) The capacity of the network infrastructure for water supply, wastewater, stormwater, and land transport to service the proposed development.
- (v) The following design elements:
 - 1. Building height
 - 2. Recession planes and setbacks
 - 3. Indoor and outdoor living spaces
 - 4. Open space and boundary treatments
 - 5. Entrances, carparking and garages
 - 6. Onsite stormwater management
 - 7. End / side wall treatment
 - 8. Building materials
 - 9. Bike parking, storage, and service areas
 - 10. Privacy and safety
 - 11. Landscaping

When considering the matters in (v), the Council will be principally guided by its Medium Density Design Guide.

AMENDMENT 141 - Add new Rule 4G 4.1.8 Other Non-Residential Activities

Rule 4G 4.1.8 Other Non-Residential Activities

(a) Non-residential activities not specifically provided for as permitted, restricted discretionary or discretionary activities are non complying activities.

Links to:

Objective 4G 2.1

Policy 4G 3.1

AMENDMENT 142 - Add new Rule 4G 4.1.9 Light Spill

Rule 4G 4.1.9 Light Spill

(a) Activities are permitted activities if:

- (i) Artificial light does not result in added illuminance in excess of 8 lux measured at the window of any ~~dwelling house residential unit~~.
- (ii) Light spill is avoided beyond the boundary of the site.

(b) Activities that do not meet the above permitted activity development standards are restricted discretionary activities.

Discretion is restricted to:

- (i) The effects on the amenity of the surrounding area.

Links to:

Objective 4G 2.1

Policy 4G 3.1

AMENDMENT 143 - Add new Rule 4G 4.1.10 Vibration

Rule 4G 4.1.10 Vibration

(a) Activities that would cause vibration are permitted activities if:

- (i) The activity is managed and controlled in such a way that no vibration from the activity is discernible beyond the boundary of the site.

(b) Activities that do not meet the above permitted activity development standard are restricted discretionary activities.

Discretion is restricted to:

- (i) The effects on the amenity of the surrounding residential area.

Links to:

Objective 4G 2.1

Policy 4G 3.1

AMENDMENT 144 - Add new Rule 4G 4.1.11 Vegetation Removal

Rule 4G 4.1.11 Vegetation Removal

(a) The removal of indigenous vegetation:

- (i) That was planted within a domestic garden for amenity purposes and/or the use of amenity or screening,
- (ii) Within 5 metres of a lawfully established **dwelling residential unit**,
- (iii) Within 3 metres of a lawfully established accessory building with a gross floor area greater than 10m²,
- (iv) To maintain existing open areas, tracks, accessways, fences and onsite services,
- (v) To maintain existing network utilities,
- (vi) To prevent loss of life, injury or damage to property,
- (vii) To remove dead or diseased vegetation, or
- (viii) In accordance with Tikanga Māori,
- is a **permitted** activity.

(b) The removal of exotic vegetation is a permitted activity if:

- (i) The area from which vegetation was removed must be stabilised against erosion by vegetation cover or other methods.

(c) The removal of trees on an Urban Environment Allotment is a permitted activity.

(d) The trimming of vegetation is a permitted activity.

(e) The removal of vegetation not otherwise provided for as a permitted activity is a restricted discretionary activity.

Discretion is restricted to:

(i) Amenity Values:

The adverse effects upon the visual amenity values of the site and surrounding area caused by the removal of vegetation. Consideration shall be had to the visual prominence of the vegetation, and any replacement planting to be undertaken.

(ii) Site Stability:

The adverse effects upon the stability of the site caused by the removal of vegetation.

(iii) Indigenous Biodiversity and the Intrinsic Values of Ecosystems:

(a) The extent to which the proposal will adversely affect the indigenous biodiversity and intrinsic value of ecosystems on the site and surrounding area.

(b) Applying the criteria in Policy 23 of the Regional Policy Statement for the Wellington Region 2013.

(Rules 4G 4.1.11(a) to 4G 4.1.11(e) do not apply to trees identified as Notable Trees in Chapter 14G. The provisions of Chapter 14G apply to Notable Trees)

AMENDMENT 145 - Add new section 4G 4.2 Development Standards

4G 4.2 Development Standards

AMENDMENT 146 - Add new Rule 4G 4.2.1 Number of Dwellings per Site

Rule 4G 4.2.1 Number of Dwellings Residential Units per Site

(a) Up to three dwellings residential units per site are a permitted activity.

(b) Four or more dwellings residential units per site are a restricted discretionary.

Discretion is restricted to:

(i) The planned urban built character for the High Density Residential Activity Area, including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area.

(ii) The matters in Policies 4G 3.5 and 4G 3.12.

(iii) The matters in Policies 4G 3.10 and 4G 3.11, if the development is four or more storeys.

(iv) The on-site amenity for future occupants of the development.

(v) The capacity of the network infrastructure for water supply, wastewater, stormwater, and land transport to service the proposed development.

(vi) Any positive effects, including positive effects of increasing housing capacity and variety.

(vii) The effects on the safety and efficiency of the transport network (including pedestrians, cyclists, and vehicles).

(viii) The following design elements:

1. Building height

2. Recession planes and setbacks
3. Indoor and outdoor living spaces
4. Open space and boundary treatments
5. Entrances, carparking and garages
6. Onsite stormwater management
7. End / side wall treatment
8. Building materials
9. ~~Bike parking, storage, and service areas~~ Provision for access to active modes including bike and mobility vehicle parking, storage, and service areas
10. Privacy and safety
11. Landscaping

When considering the matters in (viii), the Council will be principally guided by its Medium Density Design Guide.

Public and limited notification is precluded for resource consent applications under Rule 4G 4.2.1(b).

AMENDMENT 147 - Add new Rule 4G 4.2.2 Building Coverage

Rule 4G 4.2.2 Building Coverage

(a) Construction or alteration of a building is a permitted activity if:

(i) The building coverage does not exceed 50%.

(b) Construction or alteration of a building that exceeds 50% building coverage is a restricted discretionary activity.

Discretion is restricted to:

(i) The planned urban built character for the High Density Residential Activity Area, including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area.

(ii) The effects on the privacy of adjoining sites.

(iii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.

Note: When addressing or assessing potential effects in relation to matters (i) and (ii) above, applicants and the Council can be informed by the relevant outcomes identified in the Medium Density Design Guide.

Public notification is precluded for resource consent applications under Rule 4G 4.2.2(b).

AMENDMENT 148 - Add new Rule 4G 4.2.3 Building Height

Rule 4G 4.2.3 Building Height

(a) Construction or alteration of a building is a permitted activity if:

(i) The building ~~is within a specific height control overlay shown on the District Plan map and does not exceed the maximum height shown for that overlay, or~~

~~(ii) In any other case, the building~~ does not exceed a maximum height of 22m.

(b) Construction or alteration of a building that does not comply with Rule 4G 4.2.3(a) is a restricted discretionary activity.

Discretion is restricted to:

- (i) The planned urban built character for the High Density Residential Activity Area, including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area.
- (ii) The effects on the amenity of the surrounding residential area and adjoining streetscape.
- (iii) The effects on the privacy of adjoining sites.
- (iv) The effects on shading of adjoining sites including the impacts of shading on their primary internal and external living areas throughout the year.
- (v) The impacts of shading and additional building bulk on any public open space or recreational grounds and their ability to provide outdoor amenity to users.
- (vi) Any design features or articulation to reduce the bulk of the building when viewed from neighbouring properties.
- (vii) The following design elements:
 - 1. Building height
 - 2. End / side wall treatment
 - 3. Building materials
 - 4. Privacy and safety
 - 5. Landscaping

When considering the matters in (vii), the Council will be principally guided by its Medium Density Design Guide.

Public notification is precluded for resource consent applications under Rule 4G 4.2.3(b).

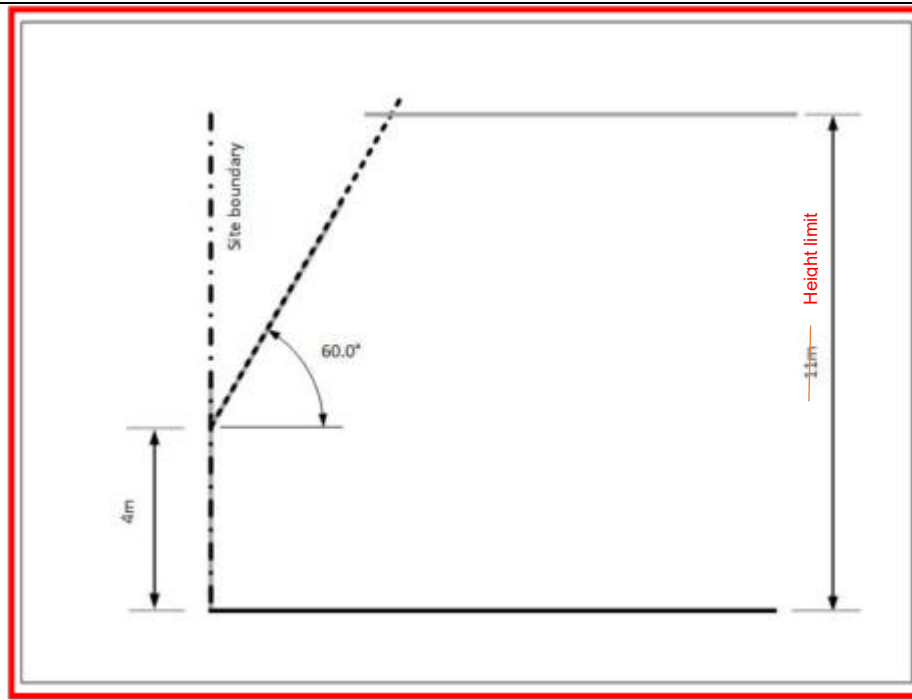
Links to:

AMENDMENT 149 - Add new Rule 4G 4.2.4 Height in Relation to Boundary

Rule 4G 4.2.4 Height in Relation to Boundary

(a) Construction or alteration of a building is a permitted activity if the following maximum height in relation to boundary requirements are being met:

- (i) 4m + 60° from all side and rear boundaries.



Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.

This standard does not apply to:

- (a) A boundary with a road,
- (b) Existing or proposed internal boundaries within a site, and
- (c) Site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.

- (b) Construction or alteration of a building that does not meet the maximum height in relation to boundary requirements is a restricted discretionary activity.

Discretion is restricted to:

- (i) The planned urban built character for the High Density Residential Activity Area, including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area.
- (ii) The effects on the privacy of adjoining sites.
- (iii) The effects on shading of adjoining sites, including the impacts of shading on their primary internal and external living areas.
- (iv) The effects on the amenity of the surrounding residential area and adjoining streetscape.
- (v) The level of additional building bulk and the impact on the amenity of the adjoining residential properties.
- (vi) The following design elements:
 1. Building height
 2. Recession Planes

3. End / side wall treatment

4. Privacy and safety

Note: When addressing or assessing potential effects in relation to matters (i) and (vi) above, applicants and the Council can be informed by the relevant outcomes identified in the Medium Density Design Guide.

Public notification is precluded for resource consent applications under Rule 4G 4.2.4(b).

AMENDMENT 150 - Add new Rule 4G 4.2.5 Setbacks

Rule 4G 4.2.5 Setbacks

(a) Construction or alteration of a building is a permitted activity if:

(i) Buildings are set back from the relevant boundary by the minimum depth listed below

Front yard: 1.5m

Side yard: 1m

Rear yard: 1m

This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.

Eaves may encroach into any yard by up to 0.6m.

(b) Construction or alteration of a building that does not meet the setback requirements is a restricted discretionary activity.

Discretion is restricted to:

(i) The planned urban built character for the High Density Residential Activity Area, including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area.

(ii) The effects on the privacy of adjoining sites.

(iii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.

(iv) The effect from any building bulk and its proximity to the main internal and external living areas of adjoining residential properties

(v) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.

(vi) The following design elements:

1. Building height

2. Recession planes

3. End / side wall treatment

4. Privacy and safety

Note: When addressing or assessing potential effects in relation to matters (i) and (vi) above, applicants and the Council can be informed by the relevant outcomes identified in the Medium Density Design Guide.

Public notification is precluded for resource consent applications under Rule 4G 4.2.5(b).

AMENDMENT 151 - Add new Rule 4G 4.2.6 Heights in Relation to Boundary and Yards for Sites Abutting Marae in the Community Iwi Activity Area.

Rule 4G 4.2.6 Height in Relation to Boundary and Yards for Sites Abutting Marae in the Community Iwi Activity Area

(a) Construction or alteration of a building on a site abutting a marae in the Community Iwi Activity Area is a permitted activity if the following height in relation to boundary and yard requirements are met for any boundary shared with the marae:

(i) A maximum height in relation to boundary of 2.5m + 45°.

(ii) A minimum boundary setback of 1m.

(iii) One accessory building may be located in a side and/or rear yard, provided that the building does not extend more than 6m along the length of any boundary.

Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.

Eaves may encroach into the boundary setback by up to 0.6m.

This rule is in addition to Rule 4G 4.2.4 Height in Relation to Boundary and Rule 4G 4.2.5 Yards.

(b) Construction or alteration of a building that does not meet the height in relation to boundary and yard requirements of Rule 4G 4.2.6(a) is a restricted discretionary activity.

Discretion is restricted to:

(i) Privacy, visual dominance, and noise impacts on the tikanga and cultural safety of activities that occur at the marae.

(ii) Whether there are alternative methods, locations or designs that would avoid or reduce impacts on tikanga and cultural safety.

(iii) The outcomes of any engagement undertaken with tangata whenua responsible for the marae, relevant to the effects of the standard not met.

Public notification is precluded for resource consent applications under Rule 4G 4.2.6(b).

Links to:

Objective 4G 2.7

Policy 4G 3.15

AMENDMENT 152 - Add new Rule 4G 4.2.7 Permeable Surface

Rule 4G 4.2.7 Permeable Surface

(a) Construction or alteration of a building, or new impermeable surfaces, is a permitted activity, if:

(i) A minimum of 30% of the site area is a permeable surface.

(b) Construction or alteration of a building, or new impermeable surfaces, that do not meet the above permitted permeable surface requirements is a restricted discretionary activity.

Discretion is restricted to:

(i) The effects on the stormwater system.

- (ii) The potential for increased surface ponding and flooding.
- (iii) The mitigation of additional stormwater runoff through means such as onsite stormwater retention.
- (iv) The following design elements:
 - 1. Onsite stormwater management
 - 2. Landscaping

When considering the matters in (iv), the Council will be principally guided by its Medium Density Design Guide.

AMENDMENT 153 - Add new Rule 4G 4.2.8 Outdoor Living Space
Rule 4G 4.2.8 Outdoor Living Space

- (a) Construction or alteration of a building is a permitted activity if:
 - (i) Each residential unit at ground floor level has an outdoor living space that is at least 20m² and comprises ground floor, balcony, patio, or roof terrace space that:
 - 1. Where located at ground level, has no dimension less than 3m;
 - 2. Where provided in the form of a balcony, patio, or roof terrace, is at least 8m² and has a minimum dimension of 1.8m;
 - 3. Is accessible from the residential unit; and
 - 4. May be:
 - i. Grouped cumulatively by area in one communally accessible location,
or
 - ii. Located directly adjacent to the unit; and
 - 5. Is free of buildings, parking spaces, and servicing and manoeuvring areas.
 - (ii) Each residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:
 - 1. Is at least 8m and has a minimum dimension of 1.8m; and
 - 2. Is accessible from the residential unit; and
 - 3. May be:
 - i. Grouped cumulatively by area in one communally accessible location,
in which case it may be located at ground level; or
 - ii. Located directly adjacent to the unit.
- (b) Construction or alteration of a building that does not meet the outdoor living space requirements is a restricted discretionary activity.

Discretion is restricted to:

 - (i) The planned urban built character for the High Density Residential Activity Area, including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area.
 - (ii) The design, layout, access for residents, functionality, and on-going maintenance (including legal instruments) of any communal space provided on site to provide outdoor living.

- (iii) Any positive effects that not meeting the standard has on the retention of vegetation or other site features that add to the amenity of the site and surrounding residential area.
- (iv) The effects on the amenity for residents of the site, including access to sunlight and open space and accessibility of the outdoor living space proposed.
- (v) The usability and functionality of the proposed outdoor living area for future occupants.
- (vi) The proximity of the site to communal or public open space that has the potential to offset any lack of private outdoor living space.
- (vii) The following design elements:
 1. Indoor and outdoor living spaces
 2. Open space and boundary treatments
 3. Entrances, carparking and garages
 4. Bike parking, storage and service areas
 5. Privacy and safety
 6. Landscaping

When considering the matters in (i) and (vii), the Council will be principally guided by its Medium Density Design Guide.

Public and limited notification is precluded for resource consent applications under Rule 4G 4.2.8(b).

AMENDMENT 154 - Add new Rule 4G 4.2.9 Accessory Building
Rule 4G 4.2.9 Accessory Building

- (a) Construction or alteration of an accessory building is a permitted activity if:
 - (i) Development Standards 4G 4.2.1 (Building Coverage), 4G 4.2.2 (Building Height), 4G 4.2.3 (Height in Relation to Boundary), 4G 4.2.4 (Setbacks) and 4G 4.2.5 (Permeable Surface) are complied with.
- (b) Construction or alteration of an accessory building that does not comply with one or more of the standards listed above is a restricted discretionary activity.

Discretion is restricted to:

 - (i) The effects on the amenity of adjoining sites.
 - (ii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.

AMENDMENT 155 - Add new Rule 4G 4.2.10 Screening Storage
Rule 4G 4.2.10 Screening and Storage

- (a) Construction or alteration of a building is a permitted activity if:
 - (i) All outdoor storage and servicing areas are screened so that they are not visible from a road or public space.
- (b) Construction or alteration of a building that does not meet the screening and storage requirements is a restricted discretionary activity.

Discretion is restricted to:

- (i) The effects on the amenity of adjoining sites.
- (ii) The materials or items to be stored within the storage and servicing areas.
- (iii) The accessibility of the storage and servicing areas for future occupants.
- (iv) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.
- (v) The following mixed use and medium density residential development design elements:
 - 1. Indoor and outdoor living spaces
 - 2. Open space and boundary treatments
 - 3. Entrances, carparking and garages
 - 4. Building materials
 - 5. Bike parking, storage and service areas
 - 6. Landscaping

When considering the matters in (v), the Council will be principally guided by its Medium Density Design Guide.

AMENDMENT 156 - Add new Rule 4G 4.2.11 Demolition

Rule 4G 4.2.11 Demolition

- (a) The demolition of a building is a **permitted** activity.

For buildings listed in Appendix Heritage 1 or 2 or in Appendix Significant Natural, Cultural and Archaeological Resources 1 the relevant rules of the Chapters 14E and 14GF relating to demolition apply.

AMENDMENT 157 - Add new Rule 4G 4.2.12 Stormwater Retention

Rule 4G 4.2.12 Stormwater Retention

- (a) Construction of a roofed building, excluding accessory buildings or additions to an existing building, is a permitted activity if:

- (i) A rainwater tank is provided for the building that collects all rainwater from the roof of the building. The rainwater tank must have the following volumes:

Roof area of 100m² or less 2,000 litre capacity.

Roof area of 100m² to 200m² 3,000 litre capacity.

Roof area of more than 200m² 5,000 litre capacity.

The tank must meet the specifications and be installed in accordance with Acceptable Solution #1 from the Wellington Water guide *Managing Stormwater Runoff, The use of raintanks for hydraulic neutrality, Acceptable solution #1* dated June 2019.

- (b) Construction of a roofed building, excluding accessory buildings or additions to an existing building, that does not meet the rainwater tank requirements is a restricted discretionary activity.

Discretion is restricted to:

- (i) The effects on the stormwater system.
- (ii) The potential for increased surface ponding and flooding.

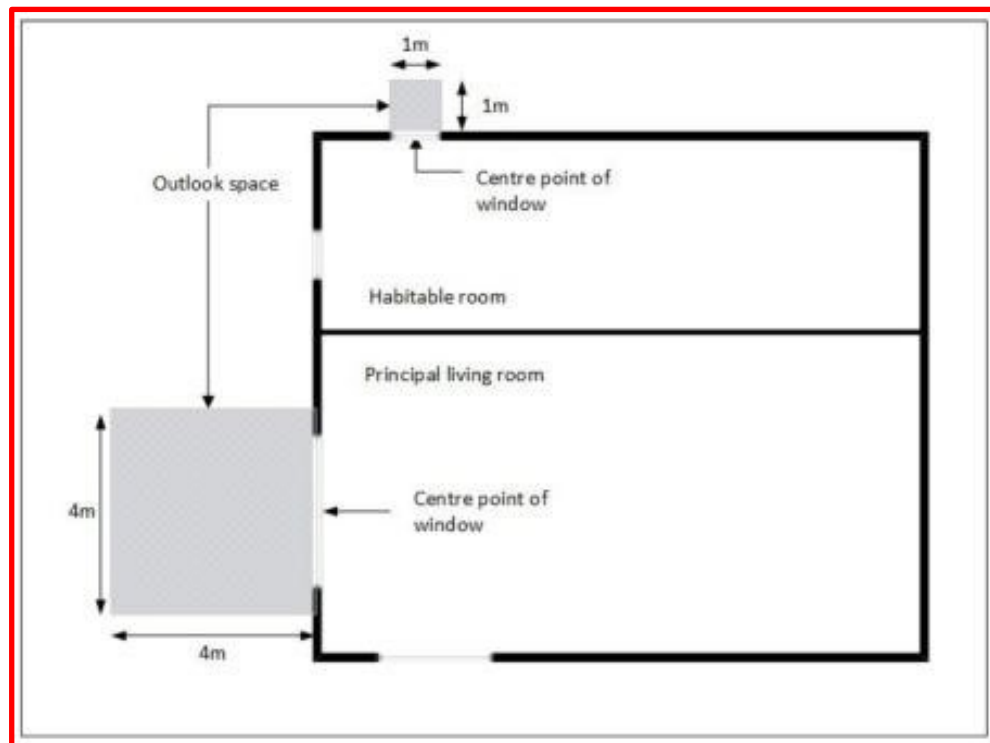
(iii) The mitigation of additional stormwater runoff through other means.

AMENDMENT 158 - Add new Rule 4G 4.2.13 Outlook space (per Unit)
Rule 4G 4.2.13 Outlook space (per unit)

(a) Construction or alteration of a building is a permitted activity if:

(i) Outlook space is provided for each residential unit as specified in this rule.

(ii) Outlook space is provided from habitable room windows as shown in the diagram below:



(iii) The minimum dimensions for a required outlook space are:

(a) A principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and

(b) All other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.

(iv) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.

(v) Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.

(vi) Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.

(vii) Outlook spaces may be under or over a balcony.

(viii) Outlook spaces required from different rooms within the same building may overlap.

(ix) Outlook spaces must:

(a) Be clear and unobstructed by buildings; and

(b) Not extend over an outlook space or outdoor living space required by another dwelling.

(b) Construction or alteration of a building that does not comply with one or more of the standards listed above is a restricted discretionary activity.

Discretion is restricted to:

- (i) The planned urban built character for the High Density Residential Activity Area.
- (ii) The matters in Policy 4G 3.7.
- (iii) The effects on internal privacy of future occupants resulting from a reduced outlook.
- (iv) Any mitigation factors such as view or landscaping that compensates for a reduced outlook.

When considering the matters in (ii), the Council will be principally guided by its Medium Density Design Guide.

Public and limited notification is precluded for resource consent applications under Rule 4G 4.2.13(b).

AMENDMENT 159 - Add new Rule 4G 4.2.14 Windows to Street
Rule 4G 4.2.14 Windows to Street

(a) Construction or alteration of a building is a permitted activity if:

- (i) **Dwellings Residential units** facing the street have a minimum of 20% of the street-facing façade in glazing. This can be in the form of windows or doors.

(b) Construction or alteration of a building that does not comply with the above standard is a restricted discretionary activity.

Discretion is restricted to:

- (i) The planned urban built character for the High Density Residential Activity Area, including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area.
- (ii) The matters in Policy 4G 3.12.
- (iii) The following design elements:
 - 1. Open space and boundary treatments.
 - 2. Entrances, carparking and garages.
 - 3. End / side wall treatment.
 - 4. Privacy and safety.
 - 5. Landscaping.

When considering the matters in (ii) and (iii), the Council will be principally guided by its Medium Density Design Guide.

Public notification is precluded for resource consent applications under Rule 4G 4.2.14(b).

AMENDMENT 160 - Add new Rule 4G 4.2.15 Landscaped Area

Rule 4G 4.2.15 Landscaped Area

(a) Construction or alteration of a building is a permitted activity if the following landscaped area standards are met:

- (i) A minimum of 20% of a developed site is landscaped with grass or plants. The landscaped area can include the canopy of trees regardless of the ground treatment below them.
- (ii) The landscaped area may be located on any part of the development site and does not need to be associated with each residential unit.

(b) Construction or alteration of a building that does not comply with either of the standards listed above is a restricted discretionary activity.

Discretion is restricted to:

- (i) The planned urban built character for the High Density Residential Activity Area, including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area.
- (ii) The matters in Policy 4G 3.7.
- (iii) The accommodation of any visually prominent or established vegetation on the site into the landscaping design and the visual effect from the loss of any existing visually prominent or established vegetation of the local streetscape and visual amenity values of the local area.
- (iv) The proposed measures and ownership of the landscaping to ensure on-going maintenance.
- (v) The timing of the implementation of the landscaping relative to the proposed development
- (vi) The appropriateness of the proposed species for the local area and their ability to service the local climate.
- (vii) The appropriateness of the species to be planted for the spaces that have been allowed, and.
- (viii) The following design elements:
 - 1. Building height
 - 2. Recession planes and setbacks
 - 3. Indoor and outdoor living spaces
 - 4. Open space and boundary treatments
 - 5. Entrances, carparking and garages
 - 6. On-site stormwater management
 - 7. End / side wall treatment
 - 8. Building materials
 - 9. Bike parking, storage and service areas
 - 10. Privacy and safety
 - 11. Landscaping

When considering the matters in (ii) and (viii), the Council will be principally guided by its Medium Density Design Guide.

Public notification is precluded for resource consent applications under Rule 4G 4.2.15(b).

AMENDMENT 161 - Add new Note 4G 4.3 General Rules

Note 4G 4.3 General Rules

(a) All activities must comply with the General Rules in Chapter 14.

AMENDMENT 162 - Add new section 4G 5 Precincts and Scheduled Sites

4G 5 Precincts and Scheduled Sites

AMENDMENT 163 - Add new section 4G 5.1 Tertiary Education Precinct

4G 5.1 Tertiary Education Precinct

All residential activities and related developments within the Tertiary Education Precinct must comply with and are assessed against the provisions under 4G 2 Objectives, 4G 3 Policies and 4G 4 Rules. The provisions below do not apply.

All tertiary education activities and development related to tertiary education activities within the Tertiary Education Precinct must comply with and are assessed against the provisions of the underlying High Density Residential Activity Area unless specified otherwise below.

AMENDMENT 164 - Add new section 4G 5.1.1 Policies

4G 5.1.1 Policies

AMENDMENT 165 - Add new Policy 4G 5.1.1.1

Policy 4G 5.1.1.1

To recognise and provide for tertiary education activities in Petone within a defined Precinct, while avoiding, remedying or mitigating the adverse effects on the residential environment, particularly the character and amenity values of the neighbourhood.

AMENDMENT 166 - Add new section 4G 5.1.2 Rules

4G 5.1.2 Rules

Note: All activities and development within the Tertiary Education Precinct must comply with and are assessed against the provisions (including development standards) of the underlying zone unless specified otherwise.

AMENDMENT 167 - Add new Rule 4G 5.1.2.1 Activities

Rule 4G 5.1.2.1 Activities

(a) Principal Tertiary Education Activities are permitted activities.

(b) Ancillary Tertiary Education Activities are restricted discretionary activities.

Discretion is restricted to:

(i) Amenity values

The extent to which the proposal will affect adversely the amenity values of the surrounding residential area.

(ii) Noise

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

Links to:

Policies 4G 5.1.1.1

AMENDMENT 168 - Add new Rule 4G 5.1.2.2 Building Frontages

Rule 4G 5.1.2.2 Building Frontages

(a) Construction or alteration of a building for tertiary education purposes is a permitted activity if:

(i) The ground level road frontage of the building is no further than 5.5m of the road boundary and provides at least one pedestrian entrance to the road.

(ii) The building does not create a featureless façade or blank wall wider than 3m at the ground level road frontage. A featureless façade or blank wall is a flat or curved wall surface without any openings or glazing.

(b) Construction or alteration of a building for tertiary education purposes that does not meet the above permitted activity standards is a restricted discretionary activity.

Discretion is restricted to:

(i) Streetscape Effects

The extent to which the proposal would adversely impact on the streetscape of the area.

Links to:

Policies 4G 5.1.1.1

AMENDMENT 169 - Add new Rule 4G 5.1.2.3 Corner Sites

Rule 4G 5.1.2.3 Corner Sites

(a) Construction or alteration of a building for tertiary education purposes is a permitted activity if:

(i) On any corner site, the main entrance to any building is to a primary street or at the corner.

Note: For the purpose of this rule 'main entrance' shall be the doorway intended for the highest rates of access and egress of people into any building, and 'primary street' shall be the road which is classified highest in the Roading Hierarchy Classification Schedule in Appendix Transport 1.

(b) Construction or alteration of a building for tertiary education purposes that does not meet the above permitted activity standards is a restricted discretionary activity.

Discretion is restricted to:

(i) Streetscape Effects

The extent to which the proposal would adversely impact on the streetscape of the area.

Links to:

Policies 4G 5.1.1.1

AMENDMENT 170 - Add new Rule 4G 5.1.2.4 Landscaping and Screening

Rule 4G 5.1.2.4 Landscaping and Screening

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|--|
| <p>(a) <u>Construction or alteration of a building for tertiary education purposes is a permitted activity if:</u></p> <p>(i) <u>All outdoor storage and servicing areas are screened so that they are not visible from a road or public space. Where this is not practicable such area must be screened by a close-boarded fence or a fence made of solid material with a minimum height of 1.8m.</u></p> <p>(ii) <u>Where a site abuts a residential or recreation activity area, all outdoor storage and servicing areas are 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.</u></p> <p>(iii) <u>Where there are 5 or more parking spaces on site and the site abuts a residential or recreation activity area, that area is screened from the street and adjoining properties by a fence or wall not less than 1.5m in height.</u></p> |
| <p>(b) <u>Construction or alteration of a building for tertiary education purposes that does not meet the above permitted activity standards is a restricted discretionary activity.</u></p> <p><u>Discretion is restricted to:</u></p> <p>(i) <u>The location, nature and degree of proposed landscaping</u></p> <p>(ii) <u>The location, nature and screening of outdoor storage, servicing and parking areas, including their visibility and relationship to adjoining residential sites and visibility from any public space.</u></p> |
| <p><u>Links to:</u></p> <p><u>Policies 4G 5.1.1.1</u></p> |

AMENDMENT 171 - Add new section 4G 5.2 Residential Heritage Precinct

4G 5.2 Residential Heritage Precinct

Note: This precinct covers areas in both the Medium Density Residential and High Density Residential Activity Area.

Several areas within the City contain a collection of buildings that, when considered together, hold significant heritage values. Development in these areas is restricted in order to preserve their distinct heritage values that provide connection, understanding or appreciation of the history and culture in the City.

The areas are:

In the Medium Density Residential Activity Area

- ~~• Moera Railway Heritage Area – This area was the result of the Hutt railway workshop move from Petone to Woburn. Single-storey residential dwellings were developed to house employees of this workshop.~~
- ~~• Wainuiomata Terracrete Houses Heritage Area – Represents a series of soil cement houses constructed by Terracrete Constructions Limited in the 1950's. This significant earth building venture saw fifteen houses built in total with some initially used as state rental housing.~~

In the High Density Residential Activity Area

- Hardham Crescent Heritage Area and Petone State Flats Heritage Area – Developed as part of a movement between the 1940s and 1960s for additional, larger social state housing. Both sites were built by the Department of Housing Construction and feature single and two-storey flats.

- Hutt Road Railway Heritage Area – This area is a result of a national rail system that was proposed during the 1870's. This led to a railway workshop being built in Petone to support operations. The Railway Department owned a significant portion of additional land around the site and constructed single-storey cottages to house the workers of the workshop. Despite the workshop moving to Woburn many of these cottages remained.
- Petone Foreshore Heritage Area – Poses a largely intact grouping of stylistic housing from early European settlement in Petone.

Building heights and density within these areas may need to be restricted to protect the historic heritage of the area.

All activities and development within the Residential Heritage Precinct must comply with and are assessed against the provisions of the underlying Residential Activity Area unless specified otherwise below.

AMENDMENT 172 - Add new section 4G 5.2.1 Objectives

4G 5.2.1 Objectives

AMENDMENT 173 - Add new Objective 4G 5.2.1.1

Objective 4G 5.2.1.1

The historic heritage of residential areas in the Residential Heritage Precinct are protected from new development with inappropriate building heights and density.

AMENDMENT 174 - Add new section 4G 5.2.2 Policies

4G 5.2.2 Policies

AMENDMENT 175 - Add new Policy 4G 5.2.2.1

Policy 5.2.2.1

Manage the impacts of new built development on the historic heritage of areas in the Residential Heritage Precinct by limiting building heights and density to the extent necessary to protect the historic heritage.

AMENDMENT 176 - Add new section 4G 5.2.3 Rules

4G 5.2.3 Rules

Note: All activities and development within the Residential Heritage Precinct must comply with and are assessed against the provisions (including development standards) of the underlying Residential Activity Area unless specified otherwise below.

AMENDMENT 177 - Add new Rule 4G 5.2.3.1 Building height and density in the Residential Heritage Precinct

Rule 4G 5.2.3.1 Building height and density in the Residential Heritage Precinct

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|---|
| <p>(a) <u>Construction or alteration of a building is a permitted activity in the Residential Heritage Precinct if:</u></p> <p>(i) <u>The height of the building does not exceed the maximum height of buildings that were on the site on 20 August 2022.</u></p> <p>(ii) <u>The number of dwelling dwelling residential units on the site does not exceed the number of dwelling dwelling residential units that were on the site on 20 August 2022.</u></p> |
| <p>(b) <u>Construction or alteration of a building that does not meet the above permitted activity standard is a restricted discretionary activity</u></p> <p><u>Discretion is restricted to:</u></p> <p>(i) <u>Impacts on the historic heritage values of the Residential Heritage Precinct from the form, bulk, height and density of the building.</u></p> <p>(ii) <u>Impacts on the Residential Heritage Precinct from the position of the buildings on the site and the design and materials associated with the building.</u></p> <p>(iii) <u>The consistency of the density of buildings on the site with the pattern of development associated with those buildings that contribute to the heritage values of the Residential Heritage Precinct.</u></p> |

AMENDMENT 178 - Add new section 4G 5.3 Heretaunga Settlement and Riddlers Crescent Heritage Precincts

4G 5.3 Heretaunga Settlement and Riddlers Crescent Heritage Precincts

Within the City there are some residential areas with distinct historic heritage value, characterised by a group of buildings with distinctive form and style. It should be ensured that any alterations or modifications to these buildings are consistent with their original form, and the surrounding area, to maintain and enhance historical values, and the visual coherence of the street.

The Heretaunga Settlement (Patrick Street, Adelaide Street and The Esplanade) in Petone encompasses a considerable number of Workers Dwelling Act (1905) houses, which comprised the first state housing scheme in New Zealand. The designs were selected from a design competition, and those chosen represent the work of some of the most respected architects of the period. Many of the Workers Dwelling Act houses remain intact, with only one house having been demolished.

Riddlers Crescent was originally settled by the Collets, the Bassets and the Riddlers. The street is characterised by many examples of Victorian villas and cottages, erected at the turn of the century by early settlers to Petone. These are both detached and semi-detached houses.

These specific buildings in the Heretaunga Settlement (Patrick Street, Adelaide Street and The Esplanade) and Riddlers Crescent have distinct characteristics, style, form and subdivision patterns which are to be protected from unsympathetic development. Design Guidelines will apply to any alterations or additions made to specific buildings within the activity area. This is to ensure their distinct built form, style and character are maintained.

In addition to this, there are several buildings and sites within this activity area, which while having no distinct historical value, were erected during the same period and are dispersed among the other buildings. These buildings make a valuable contribution to the atmosphere and coherence of the street. They have similar development and subdivision patterns in that

they contain one building per site. Additions and alterations to such buildings will also be subject to specific design guidelines, to ensure they do not affect adversely the overall coherence of the street.

It must be ensured that non-residential activities and buildings within this activity area do not adversely affect the visual coherence of the street.

The height of buildings, their proximity to site boundaries and their intensity, are all important elements of the distinctive form and character within this activity area.

It is therefore important that such aspects of any new development within this activity area be managed to reflect the existing development patterns.

The Plan will set minimum acceptable conditions for the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct.

(a) Net Site Area

The existing density of development will be retained. A specific net site area has been set to achieve this purpose.

(b) Site Coverage

Site coverage helps to control building density. A maximum acceptable site coverage has been calculated to maintain the existing density on the site.

(c) Height in Relation to Boundary

The height in relation to boundary control is used to ensure some sunlight and daylight is available to adjoining sites when a building is erected, and manages the bulk of buildings above a certain height. Compliance with the angle from the street boundary is necessary to ensure the amenity values of the streetscape are maintained and enhanced. The height in relation to boundary control in this Precinct differs from the other residential areas of the City, as it reflects the existing pattern of development. The height in relation to boundary control will apply to all buildings and structures on the net site area.

(d) Yards

The yard requirements have been set to reflect existing site development patterns and to ensure the visual amenity values of the residential environment are maintained and enhanced.

(e) Height

The height has been set at the maximum height of existing buildings on the site. This is to ensure new development is designed to maintain the form and characteristics of the existing buildings on the site.

(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.

(g) Accessory Buildings

The height of accessory buildings within this activity area will be restricted to one storey. This is to ensure accessory buildings remain secondary in size to the main dwelling on the site, which in turn is a reflection of historical development patterns.

All activities and development within the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct must comply with and are assessed against the provisions of the underlying High Density Residential Activity Area unless specified otherwise below.

AMENDMENT 179 - Add new section 4G 5.3.1 Objectives

4G 5.3.1 Objectives

AMENDMENT 180 - Add new Objectives 4G 5.3.1.1

Objective 4G 5.3.1.1

The historic heritage value of the collection of buildings in the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct are protected from inappropriate development.

AMENDMENT 181 - Add new Objective 4G 5.3.1.2

Objective 4G 5.3.1.2

Building height, scale, intensity and location does not adversely affect the historic character of the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct or detract from the existing patterns of development.

AMENDMENT 182 - Add new section 4G 5.3.2 Policies

4G 5.3.2 Policies

AMENDMENT 183 - Add new Policy 4G 5.3.2.1

Policy 5.3.2.1

Maintain and enhance the distinctive historic characteristics of the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct.

AMENDMENT 184 - Add new Policy 4G 5.3.2.2

Policy 5.3.2.2

Protect the distinctive characteristics, form and style of buildings in the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct from unsympathetic development.

AMENDMENT 185 - Add new Policy 4G 5.3.2.3

Policy 5.3.2.3

Protect the existing subdivision patterns and layout from unsympathetic development.

AMENDMENT 186 - Add new Policy 4G 5.3.2.4

Policy 5.3.2.4

Ensure that non-residential buildings within the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct do not affect adversely the visual coherence of the street.

AMENDMENT 187 - Add new Policy 4G 5.3.2.5

Policy 5.3.2.5

Retain the existing density of development in the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct by discouraging the erection of additional residential buildings.

AMENDMENT 188 - Add new Policy 4G 5.3.2.6

Policy 5.3.2.6

Ensure the height, scale and character of new development in the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct is compatible with existing residential development.

AMENDMENT 189 - Add new Policy 4G 5.3.2.7

Policy 5.3.2.7

Minimise detractions from the existing pattern of development in the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct by managing the siting of buildings.

AMENDMENT 190 - Add new section 4G 5.3.3 Rules

4G 5.3.3 Rules

Note: All activities and development within the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct must comply with and are assessed against the provisions (including development standards) of the underlying High Density Residential Activity Area unless specified otherwise below.

AMENDMENT 191 - Add new Rule 4G 5.3.3.1 Redevelopment Alterations, Repair or Modification of Buildings or Structures in the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct

Rule 4G 5.3.3.1 Redevelopment, Alterations, Repair or Modification of Buildings or Structures in the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct

- (a) New buildings, or external alterations, external repair or external modification of an existing building or structure in the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct is a restricted discretionary activity where the following standards are met:
- (i) Minimum Net Site Area per Permitted Activity (excluding home occupations and accessory buildings):
 - (1) Patrick Street, Adelaide Street, The Esplanade, Jackson Street 370m².
 - (2) Riddlers Crescent and Hutt Road 300m².
 - (ii) Minimum Yard Requirements:
 - (1) Patrick Street, The Esplanade, Adelaide Street, Jackson Street
 - Front Yard 6.0m
 - South Side 1.0m
 - North Side 2.0m
 - Rear Yard 3.0m
 - (2) Riddlers Crescent, Hutt Road
 - Front Yard 3.0m
 - Side Yard 1.5m
 - Rear Yard 3.0m
- Provided that:

In all cases, for through sites and corner sites, all road frontages shall be treated as front yards.

An accessory building may be located up to 1.0m from a side or rear boundary provided that the length of the building shall not exceed 8.0m or 25% of the length of the boundary whichever is the lesser.

(iii) Maximum Height in Relation to Boundary:

From all site boundaries: 2.75m+ 37°.

Where the net site area boundary is immediately adjacent to an access leg to a rear net site area then the maximum height in relation to boundary shall be calculated from the furthestmost or outside boundary of the access leg.

(iv) Maximum Height of Buildings and Structures:

The maximum height is that currently existing for the principal building on the site, except for accessory buildings (see below).

(v) Maximum Site Coverage: 35%.

The eaves of a building up to a maximum depth of 0.6m shall be excluded from this measurement.

(vi) Length of Buildings and Structures: 15m maximum.

This rule does not apply to redecoration, repair or alterations which are internal and not visible from the road or from the road frontage.

Discretion is restricted to:

(i) Design and External Appearance of Buildings:

(ii) For those buildings individually listed in Chapter 14G, the matters of discretion listen in section 14G 2.2.1.

In assessing proposals Council will be guided by the extent to which any external additions or alterations to existing buildings, or the construction of new buildings, accessory buildings and structures meets the relevant design performance standards specified in the Residential Heritage Precinct Design Guide.

(b) Redevelopment, alterations, repair or modification of a building or structure in the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct that do not meet the restricted discretionary standards (i) to (vi) above are discretionary activities.

AMENDMENT 192 - Add new Rule 4G 5.3.3.2 Accessory Buildings in the Heretaunga Settlement and Riddlers Crescent Heritage Precincts

Rule 4G 5.3.3.2 Accessory Buildings in the Heretaunga Settlement and Riddlers Crescent Heritage Precincts

(a) Construction or alteration of an accessory building in the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct is a permitted activity if:

(i) The height of the accessory building does not exceed 3.5m.

(ii) The accessory building is located to the rear of the front elevation.

(iii) Development Standards 4G 5.2.3.1 are complied with.

(b) Construction or alteration of an accessory building that does not comply with one or more of the standards listed above is a restricted discretionary activity.

Discretion is restricted to:

- (i) The effects on the amenity of adjoining sites.
- (ii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.
- (iii) Design and External Appearance of Buildings:

In assessing proposals Council will be guided by the extent to which any new accessory buildings or additions or alterations to existing accessory buildings meets the relevant design performance standards specified in the Residential Heritage Precinct Design Guide.

AMENDMENT 193 - Add new section 4G 5.4 Scheduled Site Bellevue Hotel, 140 Woburn Road, Pt Lot 2 DP 5877 and Pt Lot 1 DP 6028

4G 5.4 Scheduled Site Bellevue Hotel, 140 Woburn Road, Pt Lot 2 DP 5877 and Pt Lot 1 DP 6028

AMENDMENT 194 - Add new section 4G 5.4.1 Rules

4G 5.4.1 Rules

AMENDMENT 195 - Add new Rule 4G 5.4.1.1 Sale of Liquor at Bellevue Hotel

Rule 4G 5.4.1.1 Sale of Liquor at Bellevue Hotel

- (a) The sale of liquor for the consumption both on and off site pursuant to any license granted under the Sale and Supply of Alcohol Act 2012 or any enactment amending that Act or in substitution for it is a permitted activity.

AMENDMENT 196 - Add new Rule 4G 5.4.1.2 Visitor Accommodation at Bellevue Hotel

Rule 4G 5.4.1.2 Visitor Accommodation at Bellevue Hotel

- (a) Visitor accommodation is a permitted activity.

AMENDMENT 197 - Add new Rule 4G 5.4.1.3 Restaurant at Bellevue Hotel

Rule 4G 5.4.1.3 Restaurant at Bellevue Hotel

- (a) A restaurant is a permitted activity where:
 - (i) The restaurant is ancillary to the sale of liquor or visitor accommodation permitted by Rules 4G 5.3.1.1 and 4G 5.3.1.2.

AMENDMENT 198 - Add new Rule 4G 5.4.1.4 Places of Assembly and Entertainment at Bellevue Hotel

Rule 4G 5.4.1.4 Places of Assembly and Entertainment at Bellevue Hotel

- (a) A place of assembly and entertainment is a permitted activity where:
 - (i) The activity is ancillary to the sale of liquor, visitor accommodation or restaurant permitted by Rules 4G 5.3.1.1, 4G 5.3.1.2 and 4G 5.3.1.3.

AMENDMENT 199 - Add new section 4G 5.5 Scheduled Site 313 Hautana Square, Pt lot 1 DP 71142

4G 5.5 Scheduled Site 313 Hautana Square, Pt Lot 1 DP 71142

AMENDMENT 200 - Add new Rule 4G 5.5.1.1 Educational Activities

4G 5.5.1 Rules

Rule 4G 5.5.1.1 Educational Activities

- | |
|---|
| <p>(a) <u>Educational activities directly associated with the existing school within the residential building existing as at 24 June 2002 are discretionary activities.</u></p> |
|---|

AMENDMENT 201 - Add new section 4G 5.6 Scheduled Site 32A Hathaway Avenue, Boulcott Housing for the Elderly

4G 5.6 Scheduled Site 32A Hathaway Avenue, Boulcott Housing for the Elderly

All residential activities and related development within the site must comply with and are assessed against the provisions under 4G 2 Objectives, 4G 3 Policies and 4G 4 Rules. The provisions below do not apply.

All Retirement Village activities and related development within the site must comply with and are assessed against the provisions of the underlying High Density Residential Activity Area unless specified otherwise below.

AMENDMENT 202 - Add new section 4G 5.6.1 Policies

4G 5.6.1 Policies

AMENDMENT 203 - Add new Policy 4G 5.6.1.1

Policy 4G 5.6.1.1

To enable a comprehensively designed Housing for the Elderly development, that demonstrates positive, varied and visual interest in the form and layout of the development, while ensuring that development achieves the following:

- i. Development adjacent to a Residential Activity Area boundary is compatible with the scale, location and form of development on the existing Residential Activity Area properties;
- ii. Development adjacent to the Boulcott School boundary is of a scale and form that responds to the existing scale and intensity of development on the school site;
- iii. In achieving (i) to (ii) above, development should be planned and designed, constructed and managed in a manner that contributes to a positive relationship to its neighbours through good urban design.

AMENDMENT 204 - Add new Policy 4G 5.6.1.2

Policy 4G 5.6.1.2

To enable, for a development where Policy 4G 5.6.1.1 above applies, larger buildings and buildings taller than the permitted height in the High Density Residential Activity Area to recognise the large site and the opportunity to take advantage of views across the Lower Hutt Golf Course from the edge of the new stopbank where the layout, massing, arrangement and design of all buildings is demonstrated in a comprehensive development to achieve:

- i. All aspects of Policy 4G 5.6.1.1 above;
- ii. An appropriate urban design response to the wider context so that the coherence of the adjoining neighbour;
- iii. Appropriate visual permeability across the site;

- iv. An attractive and well-designed edge treatment when viewed from the new stopbank and avoids buildings that have inappropriate length or mass.

AMENDMENT 205 - Add new Rule 4G 5.6.2.1 Activities

4G 5.6.2 Rules

Rule 4G 5.6.2.1 Activities

(a) Housing for the Elderly including the construction or alteration of buildings is a restricted discretionary activity if:

(i) the Development Standards relating to Site Coverage, Height in Relation to Boundary, Yards, Permeable Surface and not those Development Standards relating to Building Height are complied with, provided that:

1. the length of the northern boundary of the site shall be exempt from the height in relation to boundary permitted activity conditions.

Discretion is restricted to:

(i) 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 hazard, with effects on Boulcott School to be specifically addressed. Provision should also be made for pedestrian access.

(ii) Parking effects

The extent to which the proposal appropriately provides for the vehicle parking needs of the activity, without adversely affecting the vehicle parking requirements of the surrounding neighbourhood, as demonstrated through the provision of a parking management plan.

(iii) Construction effects

Consideration shall be given to potential construction noise, traffic, access routes, dust, sediment runoff and vibration effects on the immediate residential area, including Boulcott School and Kindergarten. This consideration shall include:

1. Consistency with NZS 6803:1999;
2. Consistency with BS 52282:2009 Code of practice for noise and vibration control on construction and open sites;
3. The provision of a construction traffic and parking management plan;
4. The provision of a construction noise management plan;
5. The provision of a communication and liaison plan.

(iv) Urban Design Effects, Architectural Treatment, Effects on Amenity and Character Values and Wind Effects

1. The extent to which the proposal would adversely affect the amenity and character values of the surrounding residential and recreational area, including:

- i. The effects of buildings and structures on neighbouring and surrounding residential and recreational sites, Boulcott School and Boulcott Kindergarten, and, in particular, the location, design, appearance, bulk, spacing and articulation of buildings; and

ii. Whether the proposal would cause significant loss of sunlight, daylight or privacy on adjoining residential properties and Boulcott School.

iii. The degree to which the proposal meets the Medium Density Design Guide.

2. The degree to which policies 4G 5.6.1.1 and 4G 5.6.1.2 are met.

3. Consideration shall include onsite amenity, including the management of onsite wind effects.

(v) Landscape Effects and Landscape Design

Special consideration should be given to landscape design that manages the visual impact including on edges where existing vegetation affords privacy.

(vi) Noise Effects

Consideration shall be given to potential operational noise effects.

(vii) Infrastructure Provision including Infrastructure Capacity and Capability and Stormwater Management

Consideration shall be given to:

1. The capacity of the pump station and provision of a pump station emergency management plan.

2. The capacity within stormwater pipework from both within the site and Hathaway Avenue, including overland flow paths from Hathaway Avenue.

3. The provision of a secondary flow path along the stopbank and serving Hathaway Avenue.

4. The provision of a 100-year piped stormwater system and secondary flow path to serve 18 to 28A Hathaway Avenue.

5. Final design for fire water meeting the appropriate Wellington Water regional water standard.

viii. Natural Hazards

1. The extent to which the proposal addresses the following risks to the site:

i. Liquefaction;

ii. Fault rupture;

iii. Residual flood risks above a 1 in 100-year flood or stopbank breach or failure.

2. Ensuring that the ongoing structural integrity of the flood protection system is not compromised.

3. Addressing Emergency Evacuation Planning.

(ix) Effects on Tangata Whenua Values

Consideration shall be given to the extent to which the proposal addresses tangata whenua values, including through the provision of cultural impact assessments.

(x) Effects on Archaeological Values

Consideration shall be given to any adverse effects on archaeological sites.

(xi) Positive effects arising from provision of Housing for the Elderly in a comprehensively planned development.

(b) Housing for the Elderly on the site that does not comply with the above restricted discretionary standards is a discretionary activity.

Links to:

Policies 4G 5.6.1.1, 4G 5.6.1.2

AMENDMENT 206 - Add new section 4G 6 Anticipated Environmental Results

4G 6 Anticipated Environmental Results

(a) Retention of indigenous vegetation.

Chapter 5 Commercial

AMENDMENT 207 - Amend Introduction

Introduction

Commercial centres around the City provide residents with the ability to obtain the goods and services they require to meet their needs. To recognise the distinct differences between the commercial centres in the City, such centres have been categorised into the following ~~five~~ three activity areas:

- (a) Central Commercial;
- (b) Petone Commercial; and
- ~~(c) Suburban Commercial;~~
- ~~(d) Special Commercial; and~~
- (e) Suburban Mixed Use.

In this Plan retailing is generally confined to the above ~~five~~ three areas. In order to ensure that these commercial centres become strong focal points in the community, it is important that retailing be restricted in non-commercial activity areas. It is considered that such an approach will ensure that a sense of place can be achieved in commercial centres. In addition, existing public infrastructure and services associated with commercial centres will be used efficiently. Grouping retail activities enables public transport to be provided to such centres, and this will result in a more efficient use of a non-renewable energy resource.

(a) Central Commercial Activity Area

The Central Commercial Activity Area is one of the largest in the Wellington region. Over the last few years there has been considerable commercial and retail growth. It is important that this growth and development be accommodated so that a healthy, vibrant and vital commercial centre can be achieved.

The Central Commercial Activity Area is that area generally bounded by High Street to the south, Cornwall Street to the east, Daly and Rutherford Streets to the west, and Melling and Brunswick Streets to the north, including the Market Grove area.

(b) Petone Commercial Activity Area

The Petone Commercial Activity Area is strategically positioned at the hub of the Wellington region. The centre has a wide catchment area, and caters for a significant number of shoppers that come from beyond the immediate area for a variety of reasons. Two distinct areas are identified in the Plan as follows:

(i) Area 1 - Victoria Street to Cuba Street

Area 1 consists of both sides of Jackson Street, between Victoria and Cuba Streets, and adjoins residential activity areas. These commercial sites are generally small and consist of a mix of one and two storeyed buildings, with small frontage retail and commercial activities at road level. Residential flats and offices are located above street level activities. Many of the buildings in

this area were built between 1926 and 1940, and have a distinctive built form, style and character. It is important that this be protected.

(ii) Area 2 - Petone Mixed Use

Area 2 comprises the area generally between Hutt Road, Petone Avenue, Campbell Terrace, Victoria Street, Sydney Street and The Esplanade illustrated in Appendix Petone Commercial 6. This area is suitable for mixed uses, providing a range of residential, large format retail, commercial activities and small-scale or low intensity light-industrial, business and service activities.

AMENDMENT 208 - Delete paragraphs on Suburban Commercial Activity Area

(c) ~~Suburban Commercial Activity Area~~

~~The Suburban Commercial Activity Area provides residents with facilities to meet their day to day needs, and to engage in community activities in close proximity to their homes. This Activity Area includes suburban retail locations in the City.~~

~~While the Suburban Commercial Activity Area provides for a number of activities, there is an emphasis on minimising any adverse effects on residential activity areas.~~

AMENDMENT 209 - Delete paragraphs on Special Commercial Activity Area

(d) ~~Special Commercial Activity Area~~

~~The Special Commercial Activity Area has two areas. They are as follows:~~

(i) ~~Area 1 - Station Village~~

~~Area 1 comprises the Station Village complex at the western end of Railway Avenue. Station Village was originally established as a tourist and entertainment centre, and consequently encourages activities of a similar nature. The total floor area provided for retailing activities in this Activity Area is purposely limited, to encourage the establishment of leisure, entertainment and craft facilities. In addition to these facilities, Station Village encompasses a recognised historic building, and additional buildings designed in keeping with the historic theme. While it is important to maintain a leisure, entertainment and craft centre for the City, activities and buildings will not compromise the historic significance of the Station Building and its complementary surroundings~~

(ii) ~~Area 2 - Boulcott Village~~

~~Area 2 consists of the Boulcott Village commercial centre on High Street. The close proximity of Boulcott Village to the residential area warrants the need to protect residential amenity values from the adverse effects of activities at the commercial centre.~~

AMENDMENT 210 - Amend paragraphs on Suburban Mixed Use Activity Area

(e) Suburban Mixed Use Activity Area

The Mixed Use Activity Area provides for the local convenience needs of surrounding residents such as community activities, local retail, commercial services and offices. It also provides for residential use above ground floor. The area provides for **moderate** intensification and greater development capacity for the types of housing likely to be demanded in the future.

~~The Mixed Use Activity Area has been spatially defined to ensure access of residents to retail, services, public open space, transport nodes, and other amenities.~~

5A Central Commercial Activity Area

5A 1 Issues, Objectives and Policies

5A 1.1 Local Area Issues

5A 1.1.1 Capacity of the Central Commercial Activity Area

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.

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 211 - Amend policies of section 5A 1.1.1 Capacity of the Central Commercial Activity Area

Policy

- 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 five precincts, being: Core, Commercial, Riverfront (Core), Riverfront (Commercial) and Residential Transition, which have different issues and values, with different management approaches (see Map in Appendix Central Commercial 1 – Precincts).~~
- c. Provide for development 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.~~

Enable a built form that:

- i. Maximises development potential
- ii. Accommodates a wide range of activities, and
- iii. Supports a quality urban environment.

- e. Restrict commercial 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~~ Commercial Activity Area, except as provided for in the other Commercial Activity Areas.

AMENDMENT 212 - Amend Explanation and Reasons of section 5A 1.1.1 Capacity of the Central Commercial Activity Area

Explanation and Reasons

The Central Commercial Activity Area needs to ~~be of a~~ provide for sufficient development capacity to meet the needs of current and future generations and to have be a well-functioning urban environment. 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 five subareas or precincts which have specific issues and values. These precincts are entitled Core, Commercial, Riverfront (Core), Riverfront (Commercial) 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 reuse of existing buildings which may be currently underutilised.

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~~ support a quality urban environment.

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.

The Central Commercial Design Guide identifies five subareas or precincts which have specific issues and values. These precincts are entitled Core, Commercial, Riverfront (Core), Riverfront (Commercial) and Residential Transition, and have different design principles and assessment guidelines applying to the respective precincts.

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.

Policy

- (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 (including reverse sensitivity 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 213 - Delete section 5A.1.1.3 Nature and Scale of Activities

~~5A 1.1.3 Nature and Scale of Activities~~

Issue

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

Objective

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

Policy

- ~~(a) Provide for retail activities throughout the Central Commercial Activity Area based on precincts.~~
- ~~(b) Manage the scale and location of activities based on precincts to ensure that they sustain the vitality and vibrancy of the Central Commercial Activity Area, while recognising the commercial and practical constraints that affect the viability of new activities.~~
- ~~(c) Ensure activities and developments contribute to an attractive and public focused core, and are compatible with the qualities and amenity values of the Central Commercial Activity Area, while remaining viable propositions for commercial investment.~~

~~Explanation and Reasons~~

~~Activities are continually changing in response to market pressures. As the central focus and main concentration of existing 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 amenities.~~

~~The retail activities in the central area are a mix of larger format/anchor, speciality and comparative shops. They vary in size throughout the central area, with a general pattern of smallscale speciality shops at the southern end and largerscale 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.~~

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.

Policy

- (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.**

AMENDMENT 214 - Amend Explanation and Reasons of section 5A.1.1.4 Incompatibility between Different Activities

Explanation and Reasons

It is anticipated the Central Commercial Activity Area will experience ~~some~~ significant 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. to meet expected demand.~~ 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.

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.

Policy

- (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 Hutt River Flood Plain Management Plan is a non-statutory document setting out a 40-year blueprint for the management of the river corridor. Greater Wellington Regional Council is responsible for managing the river, flood protection and flood warning systems, while Hutt City Council is responsible for land use activities in and adjacent to the river corridor, including the development of a river side promenade. The two Councils work in partnership in managing the river corridor.

5A 1.2 Site Development Issues

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, while being consistent with the goal of encouraging investment and growth.

AMENDMENT 215 - Amend policies of section 5A 1.2.1 Quality of Buildings and Open Spaces Policy

Policy

- (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, Riverfront (Core) and Riverfront (Commercial) 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.
- (h) Ensure that commercial and practical considerations are taken into account in assessment of the above policies, together with the objectives of achieving vital and vibrant centres with mixed activities.

AMENDMENT 216 - Amend Explanation and Reasons of section 5A 1.2.1 Quality of Buildings and Open Spaces

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, Riverfront (Core) and Riverfront (Commercial) 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.

Policy

- (a)** Ensure that buildings are designed and located in a manner that maintains or enhances the safety, convenience, accessibility and amenity of pedestrian spaces and linkages within the Central Commercial Activity Area.
- (b)** Require new buildings to provide an active, transparent and continual frontage (except for vehicle and service access), as well as shelter along identified streets, to provide a pedestrian focused central core to the Central Commercial Activity Area.
- (c)** Encourage protection of 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 as well as the commercial and practical constraints that affect new developments.
- (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.

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.

AMENDMENT – 217 Amend objective of section 5A.1.2.3 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.~~

~~Built development is consistent with the amenity values expected in the planned urban environment of adjoining residential areas.~~

Built development minimises adverse effects on the amenity values of adjacent sites in residential activity areas, taking into account the planned urban built environment of the Central Commercial Activity Area.

AMENDMENT 218 - Amend policies of section 5A 1.2.3 Adjoining Residential Areas Policy Policy

~~(a) — Manage the effects of 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.

Minimise the adverse effects from development and activities directly adjoining sites within adjacent residential activity areas by ensuring that:

- (a) Buildings are located and designed to achieve a transition at the activity area interface;
- (b) Buildings are located and designed to minimise shading and privacy effects;
- (c) Activities at the activity area interface are compatible with land use in the adjacent residential activity area site; and
- (d) Screening and landscaping minimise adverse visual effects.

AMENDMENT 219 - Amend Explanation and Reasons of section 5A 1.2.3 Explanation and Reasons 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 the scale of 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, and the planned built form of the 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 in relation to the boundary, ~~and location~~, building bulk, appearance, character, landscaping and screening, access, 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.

AMENDMENT 220 - Amend policies of section 5A.1.2.4 Hutt River Corridor

Policy

- (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 (Core) and Riverfront (Commercial) Precinct~~ along the river frontage 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.

AMENDMENT 221 - Amend explanation and reasons of section 5A.1.2.4 Hutt River Corridor

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 (Core) and Riverfront (Commercial) Precinct along the river frontage~~ 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. In addition, the Hutt River Flood Plain Management Plan is a nonstatutory document setting out a 40year blueprint for the management of the river corridor. Greater Wellington Regional Council is responsible for managing the river, flood protection and flood warning systems, while Hutt City Council is responsible for land use activities in and adjacent to the river corridor, including the development of a river side promenade.

For the physical flood protection works built and maintained by Greater Wellington Regional Council, including future upgrade works, it is important that activities and development within the Central Commercial Activity Area are managed to protect these works from damage. It is imperative the two Councils work in partnership in managing the river corridor.

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.

AMENDMENT 222 - Amend policies of section 5A 1.2.5 Carparking

Policy

- (a) Ensure that the design, location and scale of onsite carparking, servicing, manoeuvring and access have regard to the nature of the development and the existing or proposed use of the site (including commercial and practical constraints that affect the development).
- (b) Manage onsite carparking ~~based on the Central Commercial Activity Area precincts,~~ to maintain and enhance the streetscape and character ~~in of the different precincts~~ Central Commercial area.
- (c) ~~Manage ground level carparking areas and carparking within structures in the Core, Riverfront (Core), Riverfront (Commercial) and Residential Transition Precincts to maintain and enhance the streetscape and character in these precincts.~~
- (d) ~~Manage the location, scale and nature of onsite ground level carparking areas in the Commercial Precinct to maintain and enhance the streetscape and character in this precinct.~~
- (e) 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

On-site carparking can be designed in a way to enhance 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.

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.

Policy

- (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.
- (d) Promote cycle parking in new buildings.

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.

The provision of cycle parking in buildings is one way to encourage increased cycling to, from and within the central area.

5A 2 Rules

5A 2.1 Permitted Activities

- (a) Activities which meet the conditions for Permitted Activities and are not included as a Restricted Discretionary or Discretionary Activity.
- (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.
- (c) The erection, construction and development of additions to existing buildings where the gross floor area of the additions is less than 5% of the gross floor area of the existing building.
- (d) The total or partial demolition or removal of buildings and structures.

5A 2.1.1 Permitted Activities - Conditions

AMENDMENT 223 - Delete Permitted Activity Condition 5A 2.1.1(a) Maximum Height of Buildings and Structures

~~(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 224 - Delete Permitted Activity Condition 5A 2.1.1(b) Minimum Yard Requirements

~~(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.~~

(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 is 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.

(d) Building Frontages and Display Windows:

For sites within the area identified in Appendix Central Commercial 3 – Verandahs, Building Frontages and Display Windows, the following building requirements shall be met:

- (i) All buildings shall be built to the front boundary of the site; and
- (ii) Any parts of a building fronting a street, pedestrian mall, pedestrian walkway or other public space shall have at least 60% transparent glass display windows for the ground floor façade surface on each façade.

(e) Verandahs:

For sites within the area identified in Appendix Central Commercial 3 – Verandahs, Building Frontages and Display Windows, the following verandah requirements shall be met:

- (i) Any parts of a building fronting a road, pedestrian mall, pedestrian walkway or other public space shall have a verandah.
- (ii) A minimum clearance of 2.5 metres directly above the footpath or formed ground surface.
- (iii) No more than 4 metres (measured at the base of the verandah fascia) directly above the footpath or formed ground surface.
- (iv) Extend for the full length of the building.
- (v) Extend outwards from the front of the building to the far side of the kerbing less 450mm, or 3 metres whichever is the lesser.
- (vi) Provide continuous shelter with any adjoining verandah or pedestrian shelter.

(f) Screening:

All areas of outdoor storage shall be screened so that they are not visible from a road or public space.

AMENDMENT 225 - Amend Permitted Activity Condition 5A 2.1.1(g) Sites Abutting Residential Activity Area

(g) Sites Abutting Residential Activity Areas:

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

- (i) Buildings and structures shall comply with the recession plane requirements of the abutting Residential Activity Area.
- (ii) Side and rear yards minimum of ~~7 metres~~ 1 metre from the side and rear boundaries of any site in the Residential Activity Area.

- (iii) All outdoor storage, carparking, and servicing areas must be screened so they are not visible from abutting sites in the Residential Activity Area.
- (iv) Servicing of activities shall not occur between the hours of 10.00pm and 7.00am.
- (v) No mechanical repair and servicing of motor vehicles, trailers or motor fuelled domestic equipment shall be undertaken on the site.

AMENDMENT 226 - Amend Permitted Activity Condition 5A 2.1.1(h) Sites Abutting Recreation Activity Area

(h) Sites Abutting Recreation Activity Areas:

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

- ~~(i) Buildings and structures shall comply with the recession plane requirements of the abutting Recreation Activity Area.~~
- ~~(ii) Side and rear yards minimum of 7 metres from the side and rear boundaries of any site in the Recreation Activity Area.~~
- (iii) All outdoor storage, carparking, and servicing areas must be screened so they are not visible from abutting sites in the Recreation Activity Area.

(i) 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.

(j) 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 227 - Amend Permitted Activity Condition 5A 2.1.1(k) Parking

(k) Parking

Any activity shall comply with the following requirements:

- (i) 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 18m along the site frontage or 40% of the site frontage whichever is the lesser.
- ~~(ii) 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.~~

(l) General Rules:

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

5A 2.2 Restricted Discretionary Activities

AMENDMENT 228 - Delete Restricted Discretionary Activity Rule 5A 2.2(b)

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

~~**(b)** 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.~~

- (c) Emergency facilities.
- (d) Except where stated in the Central Commercial Activity Area or General Rules, any Permitted Activity which fails to comply with any of the relevant Permitted Activity Conditions, or relevant requirements of Chapter 14 – General Rules.

Non-notification/service

In respect of Rule 5A 2.2, applications do not need to be publicly notified and do not need to be served on affected persons.

5A 2.2.1 Matters in which Council has Restricted its Discretion

- (a) **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) Matters in the Central Commercial Activity Area Design Guide (Appendix Central Commercial 8).

AMENDMENT 229 - Delete Matter of Discretion 5A 2.2.1(b)

~~(b) **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.~~

- (c) **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.

(d) Emergency Facilities.

- (i) 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.
- (ii) Matters in the Central Commercial Activity Area Design Guide (Appendix Central Commercial 8).

- (e) **Except where stated in the Central Commercial Activity Area or General Rules, any Permitted Activity which fails to comply with any of the relevant Permitted Activity**

Conditions, or relevant requirements of Chapter 14 - General Rules.

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

5A 2.2.2 Standards and Terms

(a) All Restricted Discretionary Activities shall comply with the relevant Permitted Activity Conditions.

(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:

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

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.

[¹DnT,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)].

- (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.

(c) 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 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.

| 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 3.5m/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. |
| 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. | If existing building exceeds 1700 hours, then reduce number of hours for proposed building to existing levels If existing building is below 1700 hours then reduce number of hours for proposed building to below 1700 hours. |

- (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

- (a) Except where stated in the General Rules, any Restricted Discretionary Activity which fails to comply with any of the relevant Restricted Discretionary Activity Standards or Terms, or relevant requirements of Chapter 14 - General Rules.

AMENDMENT 230 - Delete Discretionary Activity Rule 5A 2.3(b)

- (b) ~~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 231 - Amend Discretionary Activity Rule 5A 2.3(c)

- (c) Residential activities on the ground floor in the ~~Core, Riverfront (Core), Riverfront (Commercial) and Commercial Precincts identified on sites with a frontage shown in Appendix Central Commercial 1 - Precincts 3 - Verandahs, Building Frontages, and Display Windows.~~
- (d) 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 232 - Amend Discretionary Activity Rule 5A 2.3(e)

- (e) ~~Car Sales Yards in the Core, Riverfront (Core), Riverfront (Commercial) and Residential-Transition Precincts identified on sites with a frontage shown in Appendix Central Commercial 1 - Precincts 3 - Verandahs, Building Frontages, and Display Windows.~~
- (f) Residential activities on the ground floor in the Core, Riverfront (Core), Riverfront (Commercial) and Commercial Precincts identified in Appendix Central Commercial 1 - Precincts.
- (g) Service Stations, except for the mechanical repair and servicing of motor vehicles (excluding trucks, buses and heavy vehicles), trailers and motor fuelled domestic equipment, provided that all motor repair and servicing activities are undertaken inside a building.

For the purposes of this rule, mechanical repairs and servicing shall not include body repairs, panel beating, trimming, spray painting, and heavy engineering (such as engine reboring and crankshaft regrinding).
- (h) Car Sales Yards in the Core, Riverfront (Core), Riverfront (Commercial) and Residential Transition Precincts identified in Appendix Central Commercial 1 - Precincts.
- (i) Parking facilities (areas and/or buildings) not associated with a permitted activity development on the same site.

AMENDMENT 233 - Amend Discretionary Activity Rule 5A 2.3(j)

- (j) ~~Brothels and commercial sexual services in on the Core Precinct identified ground floor on a site with a frontage shown in Appendix Central Commercial 1 - Precincts 3 - Verandahs, Building Frontages, and Display Windows.~~
- (k) Industrial activities, except for service, repair or hire of household goods and research for industrial purposes, geological purposes or agricultural purposes.
- (l) Trading warehouses.
- (m) 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.
- (n) 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.
- (c) The Central Commercial Activity Area Design Guide (Appendix Central Commercial 8).

5A 2.4 Other Provisions

- (a) Subdivision - See Chapter 11.
- (b) Financial Contributions - See Chapter 12.
- (c) Network Utilities, including the National Grid - See Chapter 13.
- (d) General Rules - See Chapter 14.

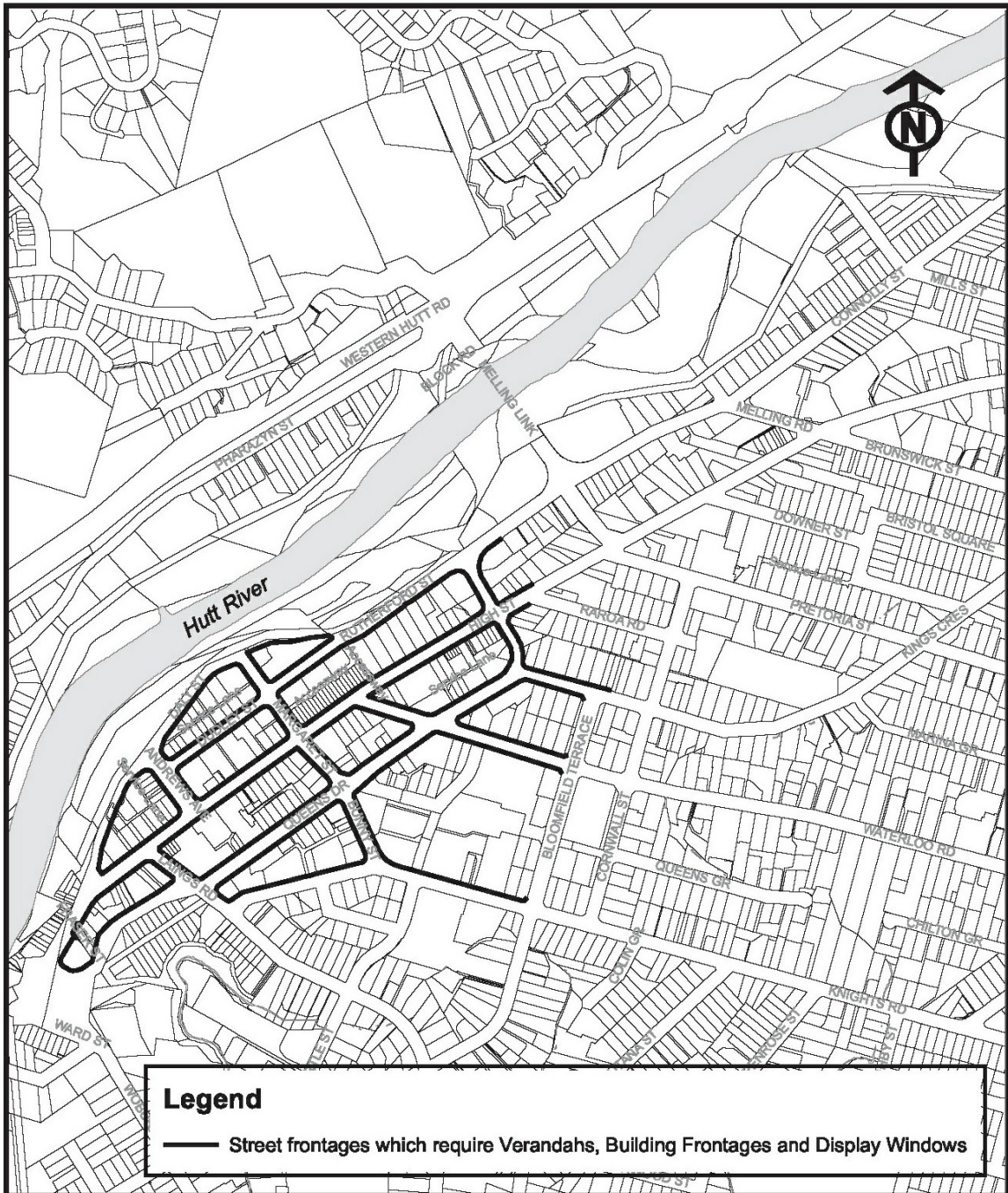
5A 3 Anticipated Environmental Results

- (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.

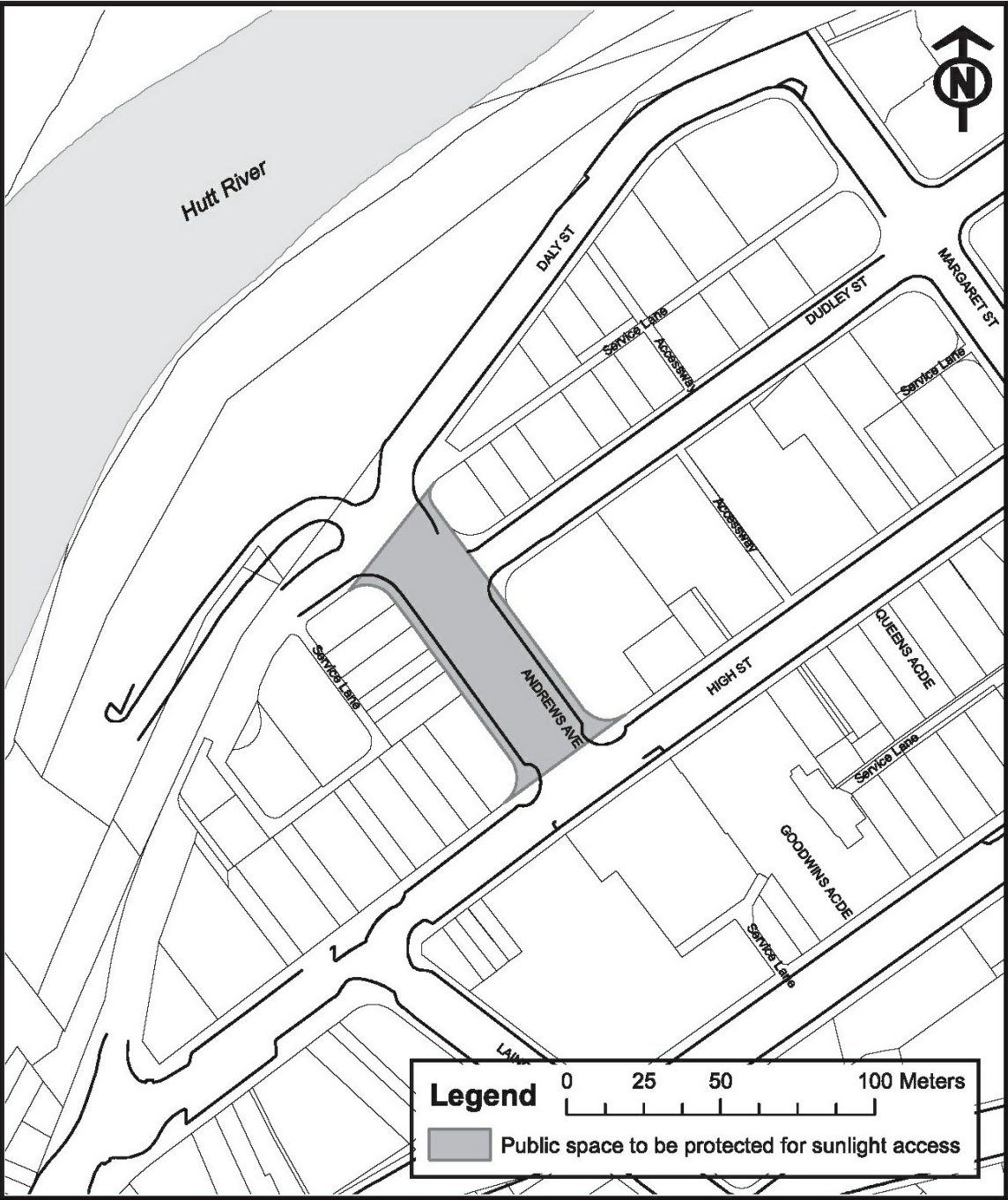
**AMENDMENT 235 - Delete Appendix Central Commercial 2 Maximum Height
~~Appendix Central Commercial 2 Maximum Height~~**



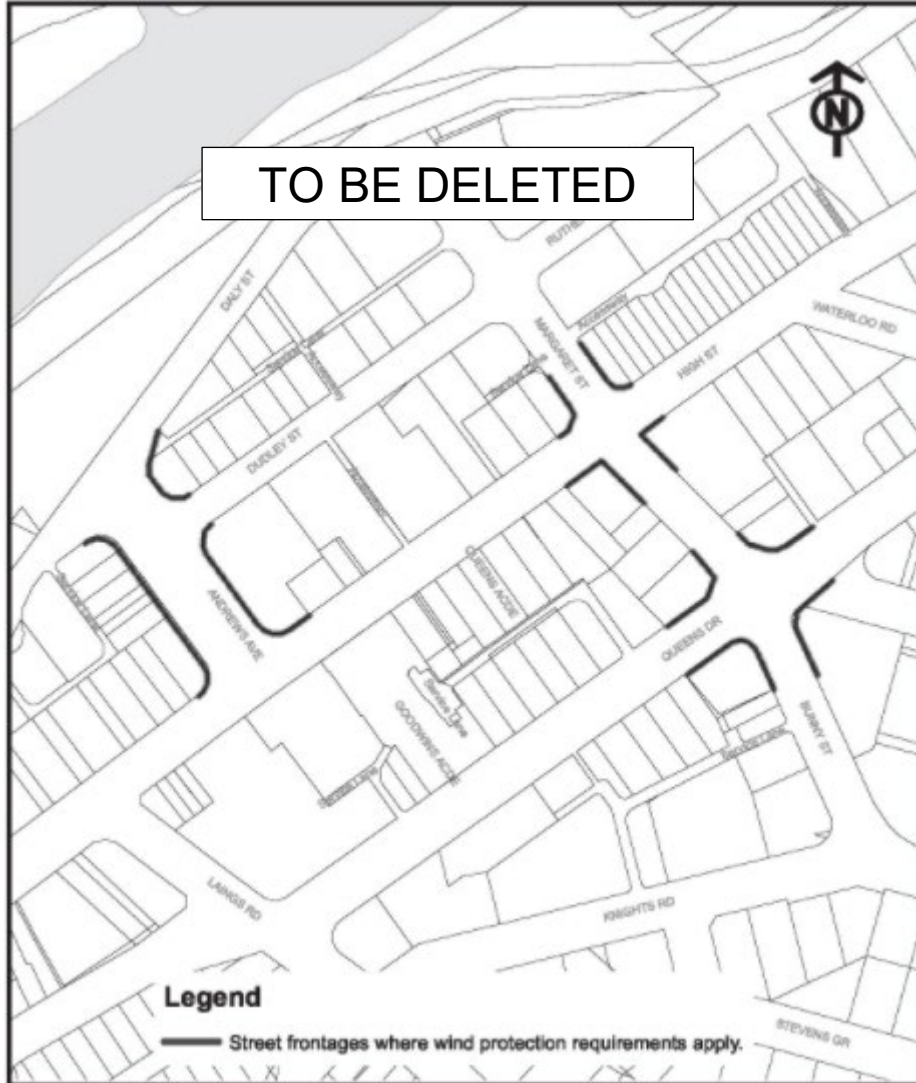
Appendix Central Commercial 3 - Verandahs, Building Frontages and Display Windows



Appendix Central Commercial 4 - Sunlight Protection



**AMENDMENT 236 - Delete Appendix Central Commercial 5 Wind Protection
Appendix Central Commercial 5 Wind Protection**



AMENDMENT 237 - Delete 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~~

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 density: 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 to outside 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 25kg/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.

Appendix Central Commercial 8 - Central Commercial Activity Area Design Guide

Introduction

1.1 Objectives of the Design Guide

The Lower Hutt City Central Commercial Activity Area Design Guide provides the basis for design assessment for new development requiring resource consent in order to assist the achievement of the Hutt City Council's strategic objectives for the city centre as set out in the "Vision CBD 2030" and "Making Places 2030" documents. The design guide is in two parts - Part A is a statutory part of the City of Lower Hutt District Plan and must be given effect to - Part B provides guidance for design which is not required to be given effect to, but is considered best practice for the matters it addresses.

The design guide is to be used by:

- Hutt City Council to evaluate development proposals as part of the resource consent process; and
- Property owners, developers, builders, designers and planners preparing development proposals.

A key objective of the design guide, which is reflective of Council's vision for the city, is to improve the quality and appearance of the Central Area. The design guide tool is new to the Hutt City Council, but is commonly used throughout New Zealand where the city governance and management is seeking improved urban environment quality.

The implementation of the design guide will be undertaken by the Hutt City Council. However, its success will rely on landowners, developers and their consultants sharing that common vision for the city centre's future and working with Council through the design guide to help achieve it.

1.2 How the Design Guide Relates to the District Plan

Under the District Plan rules, all new buildings within the Lower Hutt Central Area will require a resource consent. Small scale alterations and additions are exempt from the rules to recognise that they will generally have no significant influence on the quality of the environment. Aside from small alterations and additions, new building developments are to be assessed against the assessment guidelines in Part A. The guidelines in Part B are voluntary and advocate quality design outcomes for a range of amenity issues which will not be assessed through the resource consent process, but which are encouraged to be incorporated into the design.

The design guide is to be applied in conjunction with the other rules and standards in the District Plan. These rules and standards relate to such matters as transportation, historic heritage, notable trees, signage and network utilities.

The design guide offers some flexibility to allow innovation and good design solutions that meet the objectives of this document. Development proposals that are not consistent with Part A of the design guide can be a basis for the Council to decline resource consent approval.

Despite this, the design guide is just that – a guide. In assessing applications against it, Council will take a flexible approach rather than an absolute one. It is acknowledged that strict adherence will not always be possible or practical. Council will balance design guide suggestions with broader considerations and practicalities including commercial viability.

The design guide establishes five precincts within the city centre: Core, Riverfront (Core), Riverfront (Commercial), Commercial and Residential Transition Precincts. Each precinct has a distinct character and the design guide will apply to different precincts in different ways in order to achieve the intended future character of each precinct (refer to "Character and Context Description").

The design guide will be focused on:

Part A: Assessment Guidelines – matters that Council will use to assess resource consent applications under the relevant rules for the Central Commercial Activity Area) Design to enhance building quality and appearance, their interface with public spaces and relationship with the context; and

Part B: Encouraged Guidelines – matters that Council encourages be incorporated into proposals, but Council will not consider in terms of assessment of resource consent applications. Amenities to encourage sustainable and habitable buildings, good accessibility and high quality open spaces.

The illustrations in the design guide are indicative only and intended to further explain the design outcome sought as outlined in the text. They should not be seen as actual design solutions. Innovative and creative design solutions that meet the intended future character of the precincts are encouraged.

1.3 How the Design Guide Relates to Other Documents

Vision CBD 2030 and the Making Places 2030

The design guide has been prepared taking into consideration the principles presented in the *Vision CBD 2030* and the long term design framework of the *Making Places 2030*.

The Vision CBD 2030 presents six themes that will guide the future of the Central Area as follows:

- **Liveable**
“A CBD that offers an exceptional quality of life”
- **Unique**
“A CBD with creative, vibrant and cultural heart”
- **Sustainable**
“A CBD that is sustainable every day and in every way”
- **Connected**
“A CBD that is compact with choices”
- **Growth**
“A CBD that takes a balanced approach to prosperity and growth for total wellbeing”
- **Quality**
“A CBD that has a quality accessible environment”

The *Making Places 2030* identifies key initiatives to guide future development of the CBD through to 2030. The initiatives relevant to the Central Commercial Activity Area that were considered in this document are described below:

- **Riverside Promenade and park**
“To meet flood management requirements and to create a high quality public space along the riverfront reserve”
- **Southern CBD Upgrade**
“To re-energise the pedestrian based retail core around the southern area of High Street with civic, commercial and residential buildings”
- **Future River’s Edge Development**
“To create opportunities for a high quality built edge to the eastern stopbank which provides for frontage, activity and safety”

Making Places also identified the need for a design guide to assist with the management of the quality of new development.

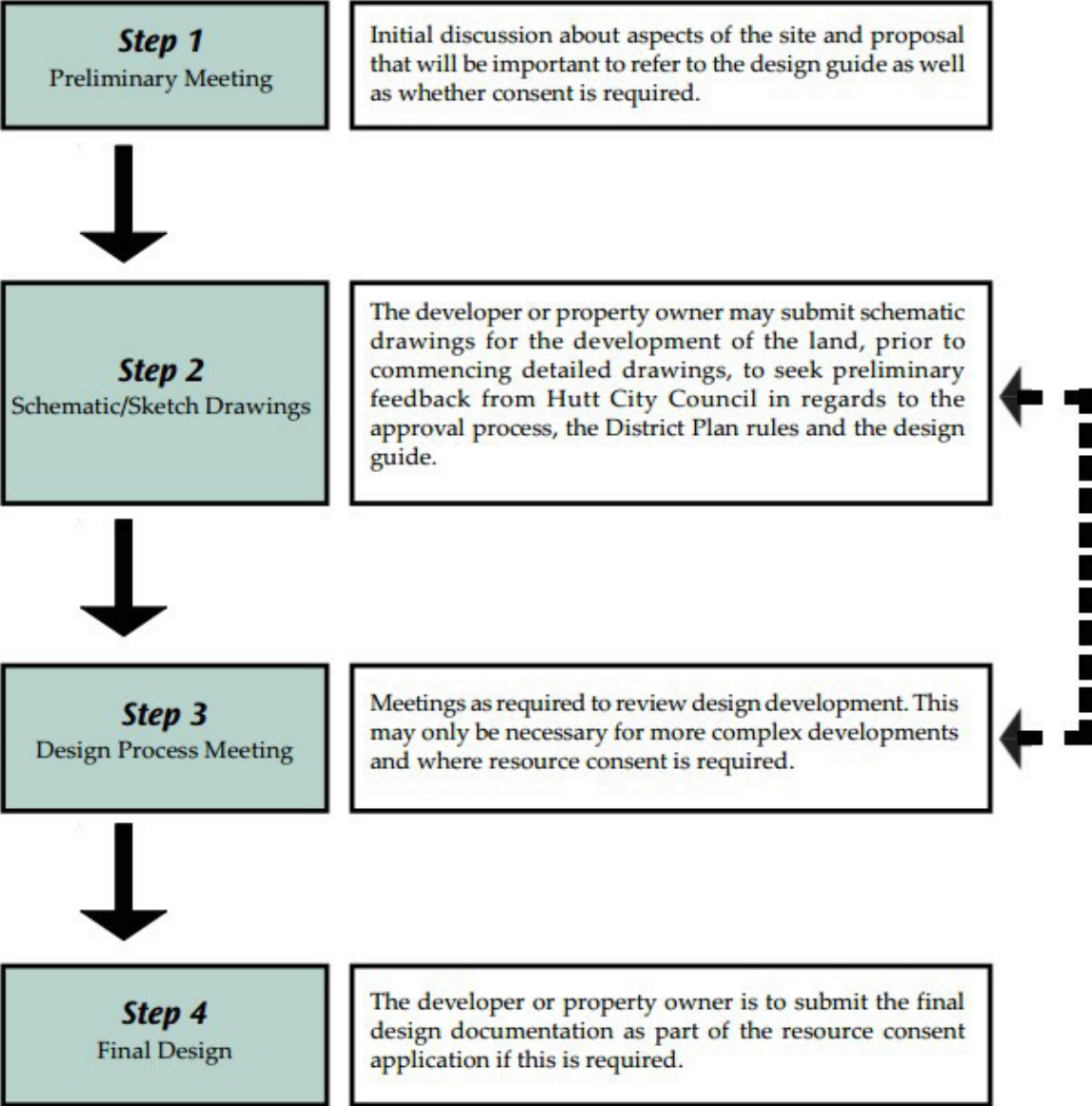
1.4 Approach to Working with Development Proponents

The Hutt City Council encourages landowners, developers and their architects, landscape architects, planners and

other advisers to work collaboratively throughout the development planning process and to seek early discussions with Council prior to undertaking detailed design for any development.

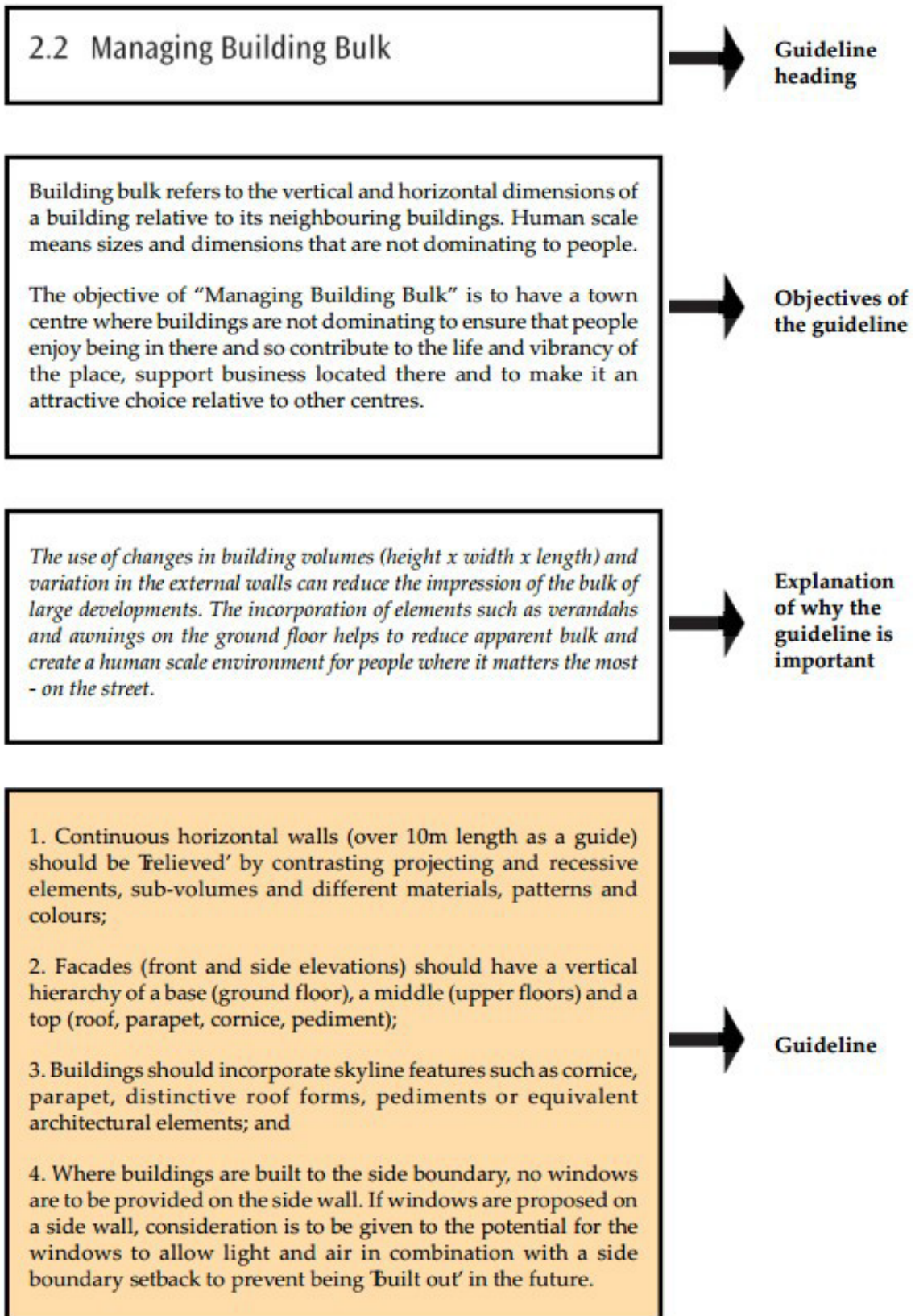
This will enable concepts to be discussed prior to commencing detailed design to enable early feedback from Council and the most appropriate outcome for all parties to be reached.

A diagram of the desired process is described below. The need for all these steps will depend on the development scale. This process is optional but is intended to assist in providing for an efficient design and consenting process.



1.5 How to Use the Design Guide

Each section of the design guide is generally structured into 4 parts (for example):



1.6 Area Covered by the Design Guide

The design guide applies to any new development (except small scale alterations or additions) located within the District Plan Zone "Central Commercial Activity Area" as shown on the map below.



District Plan Zone "Central Commercial Activity Area"



1.7 Character and Context Description

The Lower Hutt Central Area has a character which can be defined by five distinct precincts as follows: (refer to the Precinct Plan)

A. Core Precinct

The Core Precinct is the southern part of the Central Area. It is generally bounded by Bloomfield Terrace to the east, Knights and Laings Roads to the south, Rutherford Street to the west and Queens Drive and Kings Crescent to the north.

B. Riverfront (Core) and Riverfront (Commercial) Precincts

The Riverfront Precinct is the area directly fronting Daly Street and/or the riverfront reserve. The Riverfront Precinct has two parts. One to the northwest - called Riverfront (Commercial) Precinct - opposite to the Commercial Precinct, and bounded by Rutherford Street to the east and the river reserve to the west. The other part is located to the southwest - called Riverfront (Core) Precinct - opposite to the Core Precinct, and

generally bounded by Dudley Street to the east and the river reserve to the west.

C. Commercial Precinct

The Commercial Precinct is the northern part of the Central Area. It adjoins residential areas to the north and east and it is generally bounded by Rutherford Street to the west and Pretoria Street to the south.

D. Residential Transition Precinct

The Residential Transition Precinct is mainly bordered by Cornwall Street to the east, Knights Road to the south, Bloomfield Terrace to the west and Raroa Road to the north.

Precinct Plan



A. Core Precinct

Existing Character

The current character of the Core Precinct is mixed. It has a range of qualities influenced by the interface of the buildings with the public realm, built form typology, uses, densities and urban form.

The existing density of development is relatively low in comparison to other city centres of a similar size. Uses are a mix of retail and commercial activities and limited residential.

Building heights range from 2 to 6 storeys and a few buildings of up to 10 storeys.

Lot sizes and building frontages vary with the presence of some smaller scale lots and frontages on High Street (generally up to 15 metre frontages and some wider ones up to 40 metres), larger scale frontages on Queens Drive (varying from 30 metres to 80 metres) and the Westfield Shopping Centre (frontages greater than 150 metres).

The interface of buildings with the public spaces (streets and parks) also varies greatly across the Precinct. Parts of High Street present some good street front activities with higher levels of transparent openings at ground level, some areas of sheltered footpaths (verandahs) and diversification of shopfronts at intervals of up to 10 metres.

The quality of interface is clearly reduced where ground floor activities are spaced at intervals greater than 20 metres, lower levels of façade continuity and transparency, absence of sheltering elements for pedestrians and surface car parking fronting onto streets.

The street layout is generally oriented northeast-southwest and southeast-northwest. Block sizes are an average of 150 to 250 metres in length and 60 to 80 metres in depth, with the exception of the shopping centre which sits on a 270 x 200 metre block. The vehicle, pedestrian and cycling permeability is reflected by its street layout, offering good levels of connectivity where block lengths are up to 150 metres and a decrease in quality of connectivity on block lengths over 150 metres.

AMENDMENT 238 - Amend Central Commercial Design Guide – Section 1.7 Character and Context Description – Core Precinct – Future Character

Future Character

The vision for the Core Precinct is to reduce the reliance on retail activities and increase the diversity of activities including office uses and those that attract skilled workers. City centres that are attractive places to spend time are diverse in terms of activities and uses and particularly in the core tend to have a tight pattern of streets and buildings where there is a high ratio of floor area to land this means that the more activities in a particular area the more vibrant and active it will be.

The mix of activities in the Central Area is important as the mix will influence the level of vibrancy in terms of day and night time 'life' and the economic resilience.

The future character for the Core Precinct sought for is that it should not just be treated as a commercial or business district (i.e. CBD), but a place that additionally supports local culture, civic function, entertainment, residential living, socialising and to become a vibrant place. The mix of uses will help the local population to be less dependent on private motor vehicle transport as the facilities and amenities are within walking distance to the residents. It is anticipated it would encourage people to use other modes of transport such as walking, cycling and enable public transport.

To achieve the future character, the Core Precinct needs a more consistent quality of physical environment. A range of activity types is sought. This demands a range of site and floor area sizes within the city centre.

The aim is to promote any new activity at street level to be of a ~~small to medium size~~ fine grained scale at ground level to encourage a good quality urban environment of continuous street edges (mainly in the form of retail, commercial and community/civic activities). Upper floors are reserved for residential and commercial uses (such as office spaces) where the same type of uses within the building can occupy wider extensions of the street façade as long as the façade treatment (materials, projecting and recessive elements, openings) is designed at shorter intervals. Residential uses are to be ~~maximised~~ encouraged within the Core Precinct to help to create a safer and active day and night urban environment.

An increased intensity of development and building heights is desired, with enhanced through-block pedestrian circulation and surface car parking not visible from public spaces (streets and parks).

A summary of the present and future character for the Core Precinct is presented below.



Existing character - a mix of active and inactive street frontages within the Core Precinct



Future character - mixed use with residential above retail, active frontages, sidewalk restaurants, transparent windows/doors and continuous verandahs

AMENDMENT 239 - Amend Central Commercial Design Guide – Section 1.7 Character and Context Description – Core Precinct – Table

| ATTRIBUTES | CORE PRECINCT | |
|-------------------------------------|---|---|
| | EXISTING CHARACTER | FUTURE CHARACTER |
| Uses | A mix of retail and commercial | A mix of retail, commercial, residential, civic and community activities. Maximise the opportunities for residential above ground level. Residential activities are not to be located on ground floor. |
| Densities | Medium to low | High |
| Heights | 2 to 6 storeys and few buildings up to 10 storeys | 5 to 10 storeys and a few taller buildings <u>Any height, taller buildings are encouraged</u> |
| Buildings façades | A range of façades varying from 5m to greater than 150m. A range of façade treatment from active street frontages, good signage sizes and sheltered paths to blank walls, large signage and inactive street frontages | A more consistent character small to medium frontage lengths. Façade treatment modulated at small intervals to add variety and interest to the streetscape, active street frontages and sheltered paths across the entire precinct and less signage |
| Built form | From smaller scale buildings on small lots (6m x 30m) and medium lots (12m x 35m) to larger buildings on large lots (35m x 75m) and the mall (200m x 270m). Gaps on the "continuity" of the street front activities | <u>Buildings fine-grained at ground level. A small to medium scale building approach.</u> If buildings are located on larger sites, the ground floor activity (uses) is to be modulated at smaller intervals and façade treatment of above ground level floors is to be modulated at smaller intervals. No gaps to the "continuity" of the street front activities. |
| Pedestrian and cycling connectivity | Good connectivity where blocks are less than 150m. Connectivity is greatly compromised where blocks are greater than 150m. The level of connectivity to the river reserve is low | Promote better connectivity where blocks are greater than 100m by introducing pedestrian rights of way through blocks. Connectivity to the river reserve to be improved |

| | | |
|-------------|--|---|
| Car parking | Some surface car parking fronting the streets (up to 60m in length) and the shopping centre parking structure which negatively impacts and dominates parts of Queens Drive | Surface car parking not to be visible from public spaces to be located behind the buildings. Car parking design within building structures is to pay special attention to the interface and visibility from public spaces |
|-------------|--|---|

B. Riverfront (Core) and Riverfront (Commercial) Precincts

Existing Character

The Hutt River (Heretaunga or Te Awa Kairangi) is a distinctive feature of Lower Hutt City. The river created the plain on which the city sits and the city centre is located on its banks.

The river has generated large scale 'natural' disasters with regular floods in early times before the River Board (1879) began the process of erecting stop banks. These stop banks had the consequence of increasing land values and providing sufficient security for the area to urbanise in earnest. The nature of early stopbanks was such that floods still occurred albeit less regularly. Continual bank improvements over time have increased the ability of the riverfront reserve to respond to flood events. Greater Wellington Regional Council (GWRC) is investigating future upgrades to the flood protection measures. Even with the flood protection measures, there is a residual flood risk to the Central Area from a flood exceeding the design standard of flood protection measures (e.g. over topping the stopbank), or failure of those measures (e.g. stopbank breach).

To a large extent the current form of development within the Central Area separates the river and its reserve from the rest of the city centre.

There is a vertical separation of the stopbank height obscuring the river from views from the street level. This height is in the order of 3 metres in most places and it is likely to be raised in the order of 1 metre to respond to future flood protection requirements. There are pathways that ramp up to the stopbanks that allow vehicle and pedestrian access in some places.

Current developments fronting onto the riverfront reserve do not make the most of the river amenity opportunities by opening up to the green space. Instead, in most of the cases, the building design neglects the amenity by treating the façade facing the reserve as the back of the building. Large surfaces of car parking also reinforce the image that the parkland is there for "cars and convenience" rather than for "people and enjoyment".

Densities are medium to low and building heights range from 2 to 3 storeys with a few buildings up to 6 storeys. Uses are dominated by retail and commercial activities and their service areas.

The Riverfront Precinct located to the south is characterised by built form and a lot configuration that is generally small to medium in size (up to 30 metre long frontages). The area to the north contains larger buildings on lots with up to 120 metre long frontages.

Future Character

The vision for the city recognises the river as an important element of Lower Hutt City's identity and a point of difference that can be used to great benefit. This benefit can come from the better integration (visual and physical connections) of the river corridor, its natural values, and recreational amenity to promote the city as a good place to live, work and play. It can also come from the way in which the city's future development addresses the river to take advantage of the attractive outlook and the west facing sunny aspect as well as using the stopbank top as a linear promenade alongside the river and built city edge.

The design guide recognises that there are two distinct parts of the Riverfront Precinct: the Riverfront (Core) (to the southwest) and the Riverfront (Commercial) (to the northwest).

The intended future character of the Riverfront (Core) Precinct is for uses and activities facing the reserve (such as cafes and restaurants) that can benefit from the river aspect. Residential activities above retail or community uses could capture the sunny aspect and attractive river outlook and will be encouraged. Building height limits and

densities will be increased, surface car parking will not face the public spaces (streets and riverfront reserve) and new through-block pedestrian connectivity will be encouraged.

In the short to medium term (10 years timeframe), the intended future character of the Riverfront (Commercial) Precinct, is to ensure active frontages to the reserve to promote a safe and attractive interface with the Hutt River.

Residential activities above retail or community uses could capture the sunny aspect and attractive river outlook and will be encouraged. Building height limits and densities will be increased, surface car parking, service lanes and/or blank walls will not face the riverfront reserve and new through-block pedestrian connectivity will be encouraged. In the long term (over 10 years), any development within the Riverfront (Commercial) Precinct should adopt the intended future character of the Riverfront (Core) Precinct.

New developments in the Riverfront (Core) and Riverfront (Commercial) Precincts will have to be designed to respond to the height of the future stopbank top. The façades on the first floor, facing the river reserve, should enable future active frontages and building frontages should be small to medium in size. Ensuring an appropriate relationship of the future buildings within the Riverfront (Core) and Riverfront (Commercial) Precincts and the riverfront reserve as well as the future buildings within the Riverfront (Core) Precinct and the Core Precinct is fundamental in achieving a highly connected and integrated approach to the Precinct.

The river's future relationship with the city relies on the appropriateness of future developments within the Riverfront (Core) and Riverfront (Commercial) Precincts and it can be positively influenced by the design guide. The table beside describes the existing and future character for the Riverfront Precincts.



Riverfront (commercial) existing character - inactive frontages to the riverfront reserve ("back of the buildings")



Riverfront (Commercial) future character - river promenade, active frontages to the reserve (high percentage of transparent glazing), residential above retail could also occur



Riverfront (Core) existing character - inactive frontages to the riverfront reserve (back of the buildings") and vertical separation; a place for "cars and convenience"



Riverfront (Core) future character - river promenade, active and sheltered frontages to reserve, residential above retail (shops, cafes and/or restaurants) and terrace garden

AMENDMENT 240 - Amend Central Commercial Design Guide – Section 1.7 Character and Context Description – Riverfront (Core) and Riverfront (Commercial) Precincts – Table

RIVERFRONT (CORE) AND RIVERFRONT (COMMERCIAL) PRECINCTS

| ATTRIBUTES | EXISTING CHARACTER | FUTURE CHARACTER |
|-------------------|---|--|
| Uses | Commercial and retail | Mixed use retail and community uses fronting the river reserve to be built at the same level as the height of the future stopbank top. Residential uses to be maximized above retail. Commercial above retail can also occur. |
| Densities | Medium to low | Medium to high <u>High</u> |
| Heights | 2 to 3 storeys with few buildings up to 6 storeys | 5 to 10 storeys with a few taller buildings. <u>Any height, taller buildings are encouraged</u> |
| Buildings façades | Blanked out walls, low levels of transparency and rear façades facing the river. Front and back façade widths vary. On the southern area façades are up to 30m long and on the northern area they are up to 120m long | Active street and river frontages continuity, transparency, "eyes on the reserve and streets". Front and rear façades are to be small to medium in size (up to 30m long). Façade treatment modulated at small intervals to add variety and interest, sheltered paths (verandahs) and less signage |
| Built form | Riverfront (Core) from smaller scale buildings on small lots (12m x 20m) to medium lots (20m x 40m) Riverfront (Commercial) from medium scale buildings on medium lots (20 x 40) to large lots (70 to 120m x 60m) | <u>Buildings fine-grained at ground level.</u> Small to medium scale buildings. If buildings are located on larger sites, the first floor activity (uses) are modulated at smaller intervals and façade treatment of above first floor is modulated at smaller intervals. No gaps to the "continuity" of the reserve front activities. Buildings create a "new" ground floor which is of the height of the new stopbank top on the Daly St frontage. |

| | | |
|---|--|--|
| Pedestrian and cycling connectivity | Relatively low connectivity. There is a footpath on the top of the stopbank providing north to south connectivity. There are some few steps/ramps along the stopbank that connect the riverfront reserve to the Core Precinct. Blocks and buildings serve as barriers between the Core Precinct and the river. | A river stopbank promenade is created. Visual and physical links at High St., Andrews Ave, Margaret St. and Queens Dr. are provided. Throughblock pedestrian lanes are created in the long blocks. |
| Car parking | Few surface car parking fronting the streets | Riverfront (Core) If surface car parking is provided, it is located behind buildings and not visible from public spaces. Car parking is generally within building structures. Facades of car parking structures are treated as to minimize unattractive frontages. A transitional period until stopbanks are changed allows parking on the Daly St. frontage on ground floor. Riverfront (Commercial) – If Surface car parking is provided, it is located behind buildings and not visible from the riverfront reserve. Limitation to the maximum length of surface parking fronting Rutherford St. parking structures within buildings. Facades of parking structures within buildings. Facades of parking structures are treated to minimize unattractive and inactive frontages. Landscape “greening” of surface parking |
| Interface between the buildings within the Riverfront (Core) and Riverfront (Commercial) Precincts and the riverfront reserve | The vertical separation of the stopbank prevents a good relationship of the buildings with the reserve | Continuous retail and community activities are at the same level as the height of the future stopbank top |
| Riverfront Reserve | A place for “cars and convenience” (large surface parking dominates the activities of the riverfront reserve) | A place for “people and enjoyment” (improve pedestrian and cycle lanes, public lighting, public furniture, public art, attractive landscaping, playground, space for community events) |

C. Commercial Precinct

Existing Character

The Commercial Precinct is currently characterised by large sized retail activities (from 500m² to 3,000m²), low densities and low heights. The area is dominated by large areas of surface car parking fronting the streets, “big boxes” reinforcing the generally bulky appearance of the buildings, large and dominating signage, and generally poor landscaping.

The level of connectivity can be considered medium to low due to block lengths that are frequently more than 280 metres long.

Future Character

The vision for the Commercial Precinct is to allow for larger format activities in recognition that these types of businesses have a role in today’s amenity and respond to the demand for car-based bulky-goods activities locally and regionally. However, the design guide intent is to promote improvements to the streetscape and appearance of new buildings or changes within the Commercial Precinct.

Simple design solutions include façade treatment to introduce projecting and recessive elements and appropriate and diverse materials and patterns help to alleviate the bulky appearance of large plate buildings and featureless elongated walls. Similarly, buildings with transparent windows on the ground floor, correctly located, designed and sized signage and trees can greatly enhance the streetscape. Some level of limitation in regards to the total length of surface car parking fronting the streets can also play an important role in improving the character of the Commercial Precinct.

The table on page 46 describes the existing and future character for the Commercial Precinct.



Existing character - large surface of car parking fronting the streets; bulky buildings; large signage; poorly landscaped; and dominating colours



Future character - projecting and recessive elements (balconies, screens, entry porch); transitional volumes; high quality of architectural materials, landscaping and paving; building placement closer to the street boundary; signage is part of the architectural design; and side access to car parking

AMENDMENT 241 - Amend Central Commercial Design Guide – Section 1.7 Character and Context Description – Commercial Precinct – Table

COMMERCIAL PRECINCT

| ATTRIBUTES | EXISTING CHARACTER | FUTURE CHARACTER |
|-------------------------------------|--|--|
| Uses | Predominantly retail and commercial | Predominantly retail and commercial |
| Heights | 2 to 3 storeys | 2 to 4 storeys <u>Any height</u> |
| Buildings façades | Generally large plain walls, large signage, inactive street frontages at ground level (solid walls and reflective or blankedout windows) | Modulated façades projecting and recessive elements and different materials and patterns; or transparent windows facing streets on ground floor and above; well located, designed and sized signage |
| Built form | Predominantly large, bulky buildings ("big boxes") with a few smaller scale buildings | Medium to large format retail and commercial buildings. Design elements such as transitional volumes (vertical or horizontal massing), modulated façades and changes in materials and patterns are to be incorporated to minimize bulky appearance |
| Pedestrian and cycling connectivity | Relatively low connectivity due to the length of the blocks (more than 280m long) | Throughblock pedestrian lanes in appropriate places |

Car parking

Large surfaces of car parking fronting the streets

Limitation to the maximum length of surface parking fronting the street. Parking structures within buildings. Façades of parking structures are treated to minimise unattractive and inactive frontages. Landscape "greening" of surface parking

D. Residential Transition Precinct

AMENDMENT 242 - Amend Central Commercial Design Guide – Section 1.7 Character and Context Description – Residential Transition Precinct – Existing Character

Existing Character

The residential areas that are located close to the Central Area are susceptible to the effects from the way in which the Central Area has been developed and will develop in the future.

The current activities within the Residential Transition Precinct are predominantly commercial. Lots and buildings are generally medium to large in size, with frontages generally varying from 20 metres to greater than 60 metres. Densities are low and building heights are mostly 2 storeys with some ~~few~~ 3 to 4 storey buildings. The pedestrian connectivity to the Core Precinct is mostly good with the exception of the eastwest linkage barrier caused by the shopping centre.

Adverse effects from Central Area development on nearby residential amenities include:

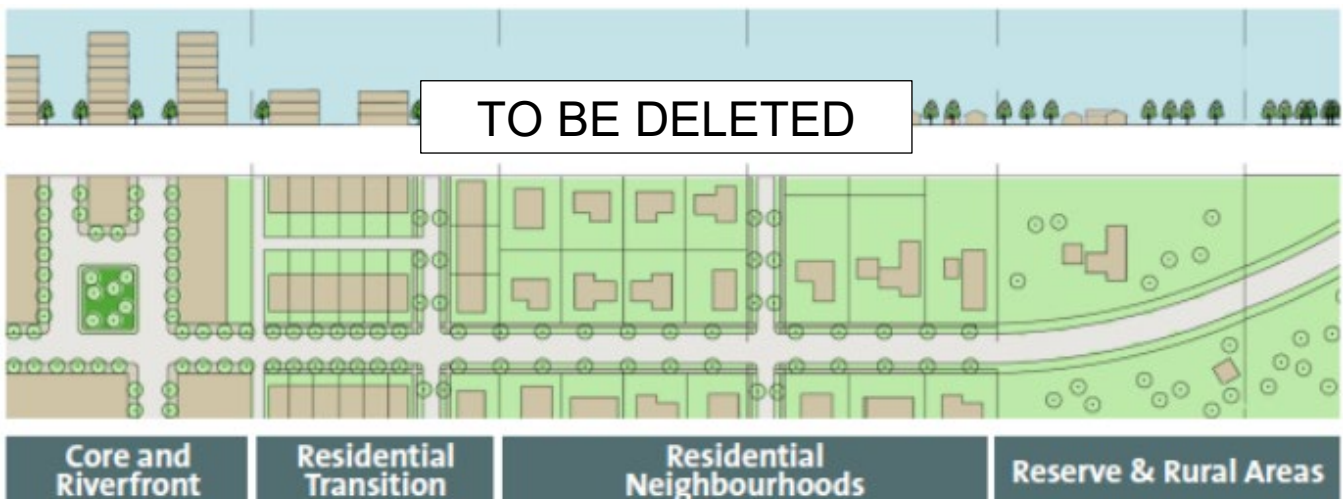
- Dominance from horizontal scale differences between the two types of uses ~~smaller~~ narrower residential buildings versus ~~larger~~ wider commercial structures;
- Traffic noise and safety in residential streets as well as over flow parking generated by the increase in commercial and retail activities;
- Shading effects generated by ~~taller and~~ larger commercial buildings; and
- ~~Incompatibility in terms of general neighbourhood cohesion and social infrastructure.~~

AMENDMENT 243 - Amend Central Commercial Design Guide – Section 1.7 Character and Context Description – Residential Transition Precinct – Future Character – Paragraph 1

Future Character

The vision for the Residential Transition Precinct is ~~to have a gradual transition of development densities from high to low intensity of uses. It means that the city is planned to have a high intensity mixed use urban centre (in this case, character and amenity values between the Core Precinct) which gradually decreases its intensity to a compact residential density neighbourhood (in this case in the Central Commercial Activity Area and the High Density Residential Transition Precinct), and further decreases to lower intensities of residential uses (the residential neighbourhoods) to finally meet reserves and rural areas at the city outskirts (refer to diagram below).~~ Activity Area.

AMENDMENT 244 - Delete Central Commercial Design Guide – Section 1.7 Character and Context Description – Residential Transition Precinct – Future Character – Image and caption “The Transect”



The Transect

The gradual transition takes place by managing density of developments, land use, heights and urban forms that will allow the “transect” to occur without compromising the amenities and character of each specific precinct.

AMENDMENT 245 - Amend Central Commercial Design Guide – Section 1.7 Character and Context Description – Residential Transition Precinct – Future Character – Paragraphs 2 and 3

~~The Residential Transition Precinct sits between the residential neighbourhoods located at the edge of the City Centre boundary and the Core and Commercial Precincts. The aim is a Precinct that is predominantly reflects a residential look and feel whether as solely residential in use, albeit of compact density housing types such as townhouses, terraced houses and smallscale apartment buildings. Some retail and commercial activities are not precluded to occur in the form of or mixed use developments. New stand-alone commercial or retail buildings are not should be carefully managed, desirable and existing and well established commercial buildings will be encouraged to be progressively adjusted over time, in built form (scale, size, such as signage, materials and proportions, and relation to the street) to better address the adjoining residential uses over time.~~

The table on next page below summarises the present and future character.



Existing character (west of Cornwall St). Generally medium to large commercial buildings and large surfaces of car parking fronting the streets



Existing character (east of Cornwall St). Generally single storey detached dwellings



Future character - residential apartments or town houses. High quality design and architectural elements and materials. Windows and balconies addressing the public space



Future character - residential apartments or town houses. High quality design and architectural elements and materials. Windows and balconies addressing the public space

AMENDMENT 246 - Amend Central Commercial Design Guide – Section 1.7 Character and Context Description – Residential Transition Precinct – Future Character – Caption to Example Image 5



Future character Commercial buildings are not desirable. If they commercial buildings are provided, the architectural style of commercial buildings are to relate to a "residential character". Buildings placed close to street boundary. Home offices offer a good transition to residential neighbourhoods

AMENDMENT 247 - Amend Central Commercial Design Guide – Section 1.7 Character and Context Description – Residential Transition Precinct – Table

RESIDENTIAL TRANSITION PRECINCT

| ATTRIBUTES | EXISTING CHARACTER | FUTURE CHARACTER |
|-------------------|---|---|
| Uses | Predominantly commercial | Predominantly residential with some retail and commercial in the form of mixed use developments. Home offices offer a good transition to residential neighbourhoods. Stand-alone commercial buildings are not desirable. |
| Densities | Low | Medium <u>Low to High</u> |
| Heights | Mostly 2 storeys with some 3 to 4 storey buildings | Mostly 3 storey buildings with a few 4 to 6 storey buildings. <u>Any height</u> |
| Buildings façades | Generally medium to large front façades varying from 20m to greater than 60m long, large signage, low level of transparency | Windows, balconies and verandahs facing public open space, appropriate signage and landscaping, modulated façades projecting and recessive architectural elements |

| | | |
|--|---|--|
| Built Form | Medium to large commercial buildings | Townhouses, terraced houses, small-scale residential apartments, mixed use apartments stand-alone-commercial buildings are not desirable |
| Pedestrian and cycling connectivity | Mostly good with the exception of the east-west linkage barrier caused by the shopping centre | New throughblock pedestrian connections are created |
| Car parking | Large surfaces of car parking fronting the streets | Surface car parking is to be located behind the buildings and not visible from public spaces. Car parking within building structures is provided. Façades of carparking structures are treated to minimise unattractive and inactive frontages |
| Interface between Residential Transition Precincts and Residential Activity Area | Surface parking fronting streets, wide front setbacks, commercial use and medium to large plate buildings to the west of Cornwall St. and narrower front setbacks, stand alone houses and small plate buildings to the east of Cornwall St. | Similarities between east and west of Cornwall St. similar uses, similar setbacks, smaller plate forms, architectural style that relates to a |

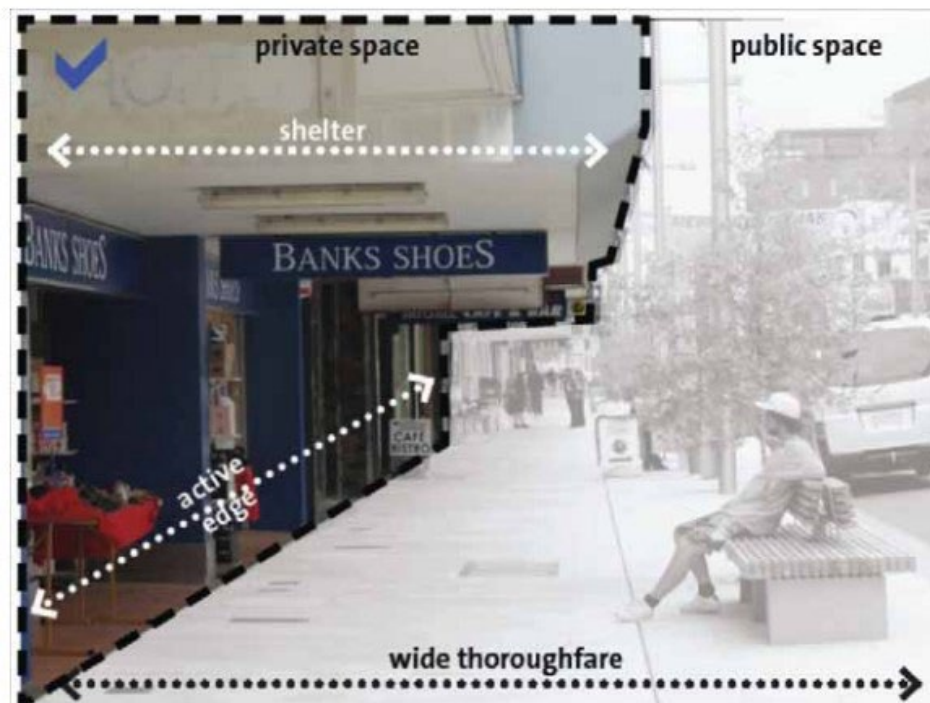
Part A Assessment Guidelines

2. Design

2.1 Making a Good Street Frontage

The aim of the “Good Street Frontage” guideline is to encourage streets that are interesting and comfortable for people using the Central Area in Lower Hutt. This contributes to economic vitality by encouraging people to spend time there and the attractiveness of the Central Area to local residents and people from the wider region.

The guidelines for Making a Good Street Frontage are generally about the relationship between public space of the street and the interface with the private space. Typically Council provides and manages public space and private



space is developed and maintained by landowners and their tenants.

Transparent windows, doors facing the streets, lighting, porches and verandahs are all elements that contribute to the attractiveness of streets as public spaces.

The types of uses on the ground floor that support pedestrian activity and promote visual interest are also important.

The ***Making a Good Street Frontage*** guidelines will address the following:

- A. Continuity;
- B. Visual Connections; and
- C. Identifiable Entry Elements;

The ***Making a Good Street Frontage*** guidelines will apply to different precincts within the Central Area in different ways. The guidelines only apply to those precincts specifically noted.

A. Continuity

The aim is to achieve a continuous street front with large windows, porches and doors as the major element of the ground floor façade. Continuity is important in the Core Precinct to hold people's interest as shoppers and pedestrians.

Assessment Guidelines

1. *Buildings in the Core and Riverfront (Core) Precincts should be continuous from side boundary to side boundary, except that floors above the fourth storey may be set back;*
2. *Buildings in the Riverfront (Commercial) Precinct that abut the riverfront reserve should be continuous from side boundary to side boundary, except that floors above the fourth storey may be set back;*
3. *Buildings in the Core and Riverfront (Core) Precincts should be built up to the street boundary or the riverfront reserve, respectively;*
4. *Corner buildings in the Core, Riverfront (Core) and Riverfront (Commercial) Precincts should maintain continuity around the corner with sheltering elements and windows as well as be built to the street boundary;*
5. *Small setbacks are encouraged in the Core, Riverfront (Core) and Riverfront (Commercial) Precincts to create doorways, entrances and outdoor dining areas, or to modulate long frontages.*

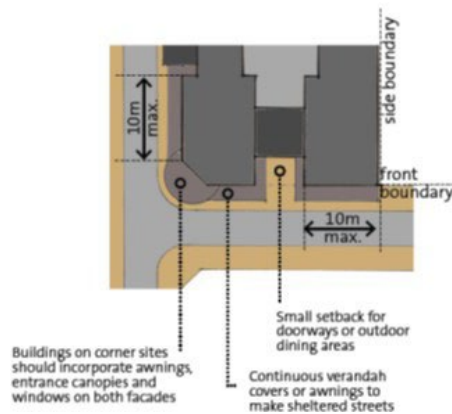
Long frontage modulated at intervals of less than 10m by change in uses (various shops and restaurants) materials, colours, good use



of sheltering elements, high percentage of transparent glazing and public/private lighting








Shops and cafes fronting the street, transparent windows, active use of the sidewalk, residential above retail with balconies facing the public realm



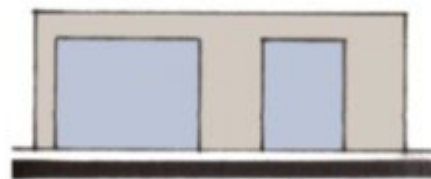
Building faces both primary and secondary street, provides shelter (balcony cover) and visual connection (large proportion of transparent windows on the ground floor with balcony and windows above)

The following Frontage Type Plan (and summary table on page 54) describes the desired street edge character for the Central Area. The plan and table are cross referenced also in other sections of this guideline.

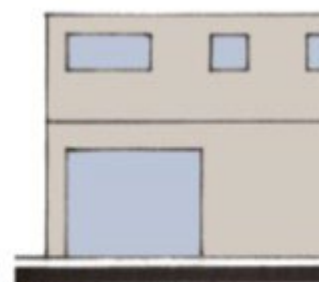
-  type 1 - primary frontage
-  type 2 - secondary frontage
-  type 3 - commercial precinct frontage
-  type 4 - commercial and residential transition precinct frontages
-  boundary



60% ground floor
30% upper floor



50% ground floor



30% ground floor
20% upper floor

FRONTAGE TYPE TABLE

| GUIDELINE AIM | Type 1 Primary Frontage | Type 2 Secondary Frontage | Type 3 Commercial Commercial Frontage | Type 4 Commercial and Residential Transition Frontage |
|---|--|------------------------------------|--|--|
| Building built to street boundary | Yes | Yes | Not necessary | Not necessary |
| Building built to side boundary | Yes (up to 4 storeys) | Yes (up to 4 storeys) | Not necessary | Not necessary |
| Transparent glass windows on ground floor | 60% minimum Except the buildings fronting the riverfront reserve (potential for carparking on ground floor) | 60% minimum | 50% minimum | 50% minimum (if commercial) |
| Transparent glass windows on first floor | 0% minimum Except the buildings fronting the riverfront reserve which are 60% (minimum) - first floor to be at the same level as the final design of the stopbank – generally 1m above current stopbank levels | 30% minimum | 20% minimum | 20% minimum |
| Transparent glass windows above | 30% minimum | 30% minimum | 20% minimum | 20% minimum |
| Continuous verandah on ground floor | Yes Not applicable to the buildings fronting the riverfront reserve | Yes | Not applicable | Encouraged (if mixed use developments with retail or commercial on ground floor) |
| Building frontage vertically divided at intervals of | 10m (maximum) | 10m (maximum) | 15m (maximum) | 10m (maximum) |
| Existing lanes and lane access to be maintained | Yes | Yes | Yes | Yes |
| New driveways, new service lane access or new lane access | No | Yes (intervals of 100m is a guide) | Yes – 1 per development | Yes – 1 per development or residential lot |
| Residential Activities on ground floor | No | No | No | Yes |
| Surface car parking | behind buildings | behind buildings | Maximum street frontage length of 40% of the total lot frontage or 18m, whichever the shortest. Anything above it, car parking to be placed behind buildings | behind buildings |

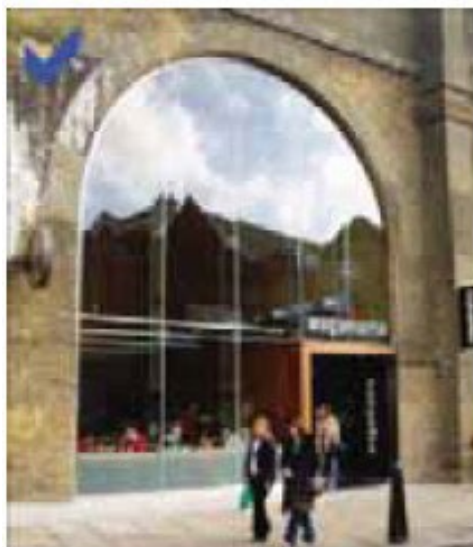
| | | | | |
|------------------------|--|--|--|--|
| Car parking structures | To be incorporated within building structure and framed by residential or commercial uses. Car parking structures should not be facing streets or reserve but can front onto rear lanes. | To be within building structure and to incorporate architectural elements (screening) or landscaping to minimise the visual impact to the public space | To be within building structure and to incorporate architectural elements or landscaping to minimise the visual impact to the public space | To be within building structure and to incorporate architectural elements or landscaping to minimise the visual impact to the public space |
|------------------------|--|--|--|--|

B. Visual Connections

Large and transparent windows and doors on the ground floor and balconies and windows on upper floors promote visual connection and interest between the people inside (private space) and outside (public space). The design, location and frequency of openings also contributes to the sense of safety of the users by passive surveillance.

Assessment Guidelines

1. *Transparent windows and doors directly facing the streets and open spaces should be provided in accordance with the frontage table above;*
2. *Blacked out or false windows and doors should be avoided in all Precincts. Roller doors should be avoided in the Core, Riverfront (Core), Riverfront (Commercial) and Residential Transition Precincts;*
3. *Opaque windows, reflective windows or solid walls should only be used in the façade where it is below the eye level of people on the street in all Precincts;*
4. *Buildings in all Precincts should have windows that overlook the street, parks, lanes or pedestrian lanes from any above ground uses.*



A high percentage of transparent windows provides a good visual connection between inside and outside. This creates visual interest

to the passers by and provides opportunities for passive surveillance



Reflective windows do not offer visual connection between interior and exterior - "cannot see through"



Non-transparent windows facing the street are not contributing to a good street frontage

C. Identifiable Entry Elements

Well designed, unique and identifiable entry elements, such as awnings, colonnades, feature doors, entrance canopies, porches and verandahs, provide a distinguishable identity, demarcate building entrances and offer shelter to the passers by.

Assessment Guidelines

1. *Separate entrances for commercial and residential uses above retail should be provided in all Precincts;*
2. *Corner buildings should face both street frontages with windows and doors in all Precincts. The main entry point should be located at the corner or on the primary street. The provision of a secondary entrance on the secondary street is encouraged.*



Entrance canopy



Main entry point located at the corner



Separate entrances for commercial and residential uses

AMENDMENT 248 - Amend Central Commercial Design Guide – Section 2.2 Managing Building Bulk – Introduction

2.2 Managing Building Bulk

Building bulk refers to the vertical and horizontal dimensions of a building relative to its neighbouring buildings. Human scale means sizes and dimensions that are not dominating to people.

The objective of “Managing Building Bulk” is to have a ~~town~~-commercial centre where buildings ~~are do not give an~~ impression of being dominating, to ensure that people enjoy being there and so contribute to the life and vibrancy of the place, support business located there and to make it an attractive choice relative to other centres.

Managing building bulk is about the impression of scale given by the design of the elements of a building. The design guide should not be interpreted to mean that the overall height or density of buildings should be limited.

Building bulk refers to the vertical and horizontal dimensions of a building relative to its neighbouring buildings. Human scale means sizes and dimensions that are not dominating to people.

The objective of “Managing Building Bulk” is to have a town centre where buildings are not dominating to ensure that people enjoy being in there and so contribute to the life and vibrancy of the place, support business located there and to make it an attractive choice relative to other centres.

The use of changes in building volumes (height x width x length) and variation in the external walls can reduce the impression of the bulk of large developments. The incorporation of elements such as verandahs and awnings on the ground floor helps to reduce apparent bulk and create a human scale environment for people where it matters the most - on the street.

Assessment Guidelines

1. Continuous horizontal walls (over 10m length as a guide) should be 'relieved' by contrasting projecting and recessive elements, sub-volumes and different materials, patterns and colours;
2. Façades (front and side elevations) should have a vertical hierarchy of a base (ground floor), a middle (upper floors) and a top (roof, parapet, cornice, pediment);
3. Buildings should incorporate skyline features such as cornice, parapet, distinctive roof forms, pediments or equivalent architectural elements;
4. Where buildings are built to the side boundary, no windows are to be provided on the side wall. If windows are proposed on a side wall, consideration is to be given to the potential for the windows to allow light and air in combination with a side boundary setback to prevent being 'built out' in the future.

Bulky appearance of large buildings is reduced by the introduction of different roof forms, screens, materials, openings and transitional volumes



Long plain forms (blank wall)



Taller building - blank side wall



Taller building - minimum blank wall. Transitional building mass, balconies, colours and materials



Example of a façade treatment in the Core Precinct. Long frontage lengths at intervals of less than 10m. Façade treatment of buildings (architectural elements and materials) on ground and upper floors at intervals of 2m to 6m to create interest to the streetscape.



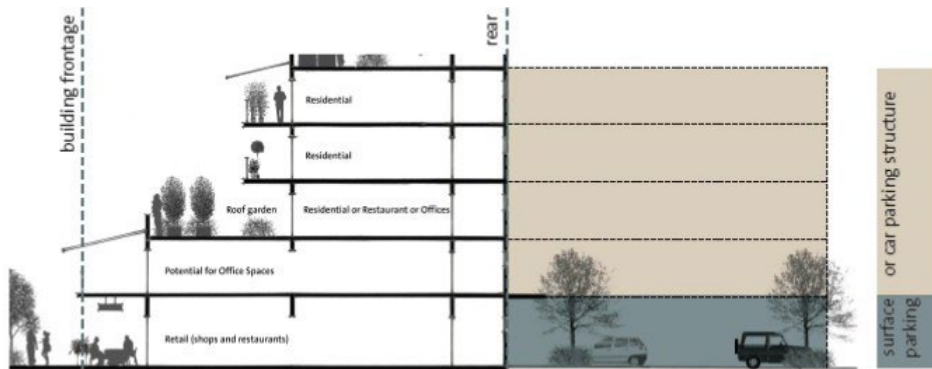
2.3 Providing for Car Parking

The objective of this guideline is to ensure adequate and easily accessible customer car parking within the Central Area without compromising the quality of the street environment for other users.

The different precincts have different objectives for car parking. These guidelines must be read in conjunction with the District Plan rules.

This guideline is divided into two parts:

- A. Addressing Surface Car Park Scale and Amenity
- B. Locating on Site Car Parking within Structures



In the Core, Riverfront (Core), Riverfront (Commercial) (except buildings facing Rutherford Street) and Residential Transition Precincts any surface car parking should be located at the rear of the buildings and not visible from the streets, parks or riverfront reserve. If car parking structures are provided they should be enveloped by residential or commercial building frontages



Shading structures, trees, shrubs and appropriate paving minimise the visual impact of surface car parking. Areas of porous paving and vegetation are encouraged to reduce urban water runoff



Surface car parking broken up at intervals of parking, planting, pedestrian circulation and variation in paving types



Poor landscaping - lack of trees, shrubs and permeable paving



Large surface of car parking fronting the street; poor landscaping - not enough trees and shrubs

A. Addressing Surface Car Parking

Large areas of surface car parking can have a detrimental impact on continuous active frontages and the visual appeal of streets. This guideline aims to ensure surface car parking is provided in a way which mitigates the detrimental impact on amenity. This may be through the use of planting and attention to scale and location.

Assessment Guidelines

1. *In the Core (except buildings facing Bloomfield Terrace), Riverfront (Core), Riverfront (Commercial) (except buildings facing the Rutherford Street) and Residential Transition Precincts, if surface car parking is provided, it should be located behind buildings;*
2. *In the Commercial Precinct and sites within the Core Precinct that fronts onto Bloomfield Terrace, surface parking fronting the street should not exceed more than 40% of the total lot frontage or 18 metres, whichever is the shortest;*
3. *Trees and planting should be located to alleviate the negative visual effect of car parking fronting public spaces and buildings, and to provide shading for cars and pedestrians;*
4. *Surface car parking should incorporate 1 tree per 4 parking spaces, and low water use and low maintenance shrubs;*
5. *Porous pavement such as permeable pavers, permeable concrete and permeable asphalt should be used.*

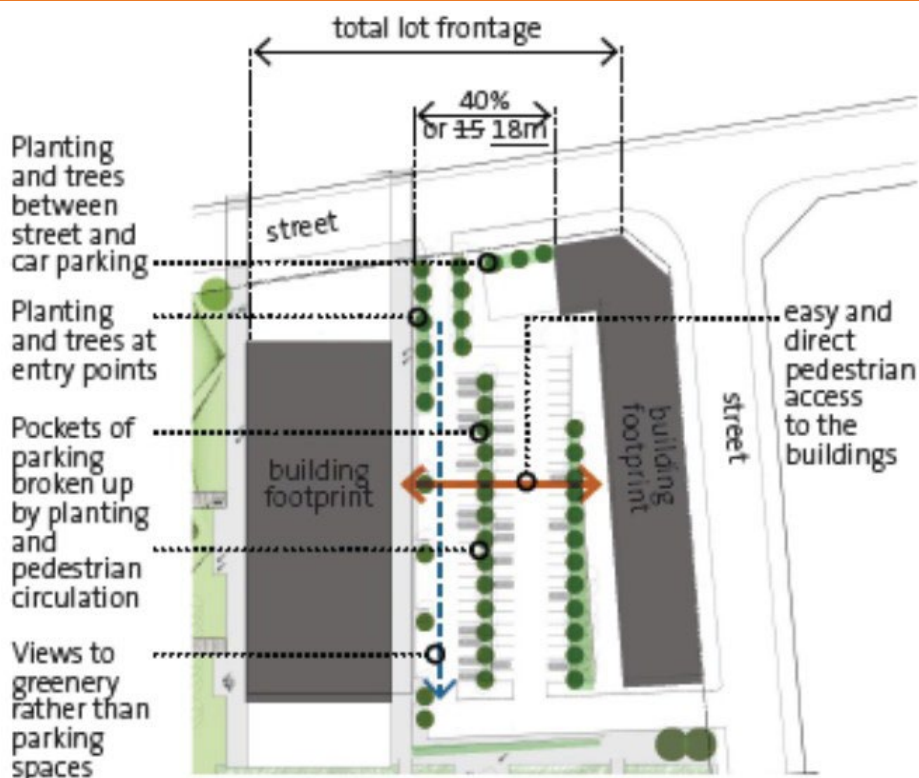


B. Locating on Site Car Parking within Structures

Car parking structures, if not designed and implemented correctly, can dominate the streetscape with non-active frontages to the public space and unattractive building forms. This guideline aims for parking structures to be provided without compromising the street amenity.

Assessment Guidelines

1. In the Core Precinct, car parking within structures should avoid directly fronting to streets or parks. Parking structures should be placed within the building structure and enveloped by residential or commercial uses;
2. In the Riverfront (Core) and Riverfront (Commercial) Precincts, car parking spaces within structures should be on ground floor only where the parking will be below the top of the future stopbank height;
3. Car parking structures that front onto public spaces and streets should use design features such as green walls and screen devices to minimise the visual impact to the public spaces.



Surface car parking within the Commercial Precinct and sites within the Riverfront (Commercial) Precinct that face Rutherford Street

2.4 Managing Adaptations and Additions

The objectives of this guideline is both:

A. Re-use of Existing Buildings

The objective is to ensure that high quality existing buildings are re-used and their character attributes are maintained, or low quality existing buildings are significantly upgraded to make a positive contribution to the Central Area.

B. Design for Flexibility

The objective of this guideline is to encourage new buildings to be designed to enable greater flexibility of uses and adaptations to respond to different needs that may arise in the Lower Hutt Central Area over time.

It is noted that small scale alterations and additions (provided they meet District Plan rules) are not required to be considered under these guidelines. These guidelines will apply to any larger scale alterations or additions.

A. Re-use of Existing Buildings

The adaptation of existing buildings within the Lower Hutt Central Area presents an opportunity to achieve a more sustainable approach to development that focuses on regeneration rather than demolition. There are numerous advantages concerning the social (preserving local history and the sense of identity), environmental (less energy consumption and waste disposal) and economic (cost-effective) factors associated with successful regeneration projects. The objective is to ensure that high quality existing buildings are re-used and their character attributes are maintained.

Assessment Guidelines

1. *Building reuse through additions and alterations should respond to the history and character of recognised heritage places (refer to Chapter 14F for listed Heritage Buildings);*
2. *Extensions or alterations to existing high quality buildings should be in harmony with the old structure and should not dominate the original building;*
3. *High quality materials and finishes should be used that relate to the patterns and colours of the existing building. Contrasting surfaces and architectural elements may be considered depending on their ability to create an interesting and harmonious composition with the original building*

Extensions and alterations designed in harmony with the old structure. New building design does not dominate the old building.



Original elements of the old building facade have been restored.

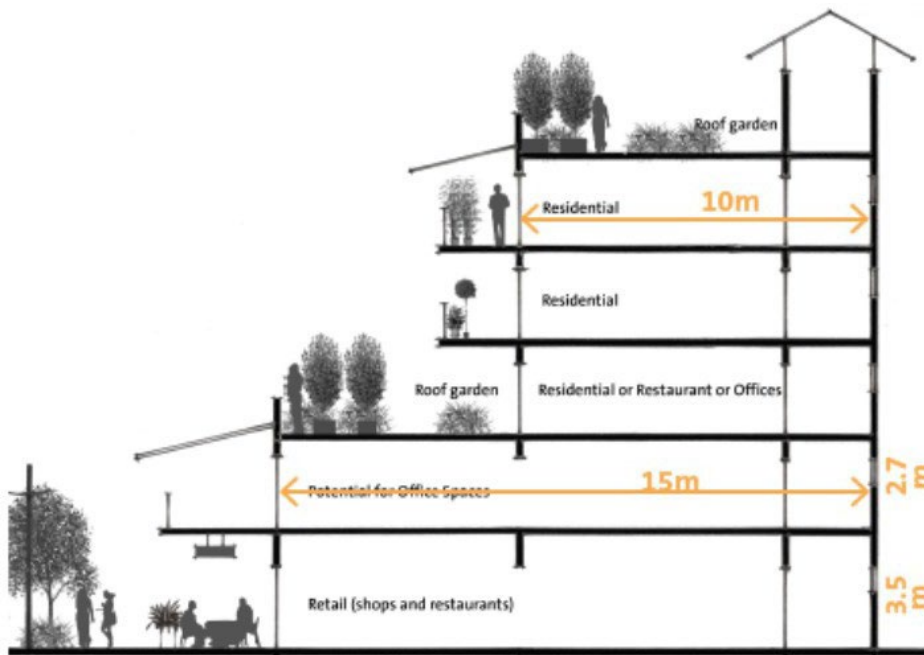
B. Design for Flexibility

Traditionally, buildings were constructed with relatively high floor-to-ceiling heights and good quality materials that had a long lifespan. These attributes, combined with their modular structures and layouts facilitate an easier conversion of old buildings into new mixed use developments. The objective of this guideline is to encourage new buildings to be designed to enable greater flexibility of uses and adaptations to respond to different needs that may arise in the Lower Hutt Central Area overtime.

Assessment Guidelines

1. A minimum of 3.5 metres of floor-to-ceiling height should be provided on the ground floors;
2. A minimum of 2.7 metres of floor-to-ceiling height should be provided on upper floors;
3. In residential or commercial developments, the provision of separate entrances to ground and upper floors is encouraged;
4. Building depth between 10 to 15 metres should be provided to maximise adaptability between residential and commercial uses;
5. Building design should provide regular floor layouts and modular structures;
6. Building should provide adequate natural light and ventilation to all habitable rooms.

Design for flexibility



2.2 Recognising Prominent Sites

The objective of development on prominent sites is to:

- Create features that provide orientation points in the city; and
- Promote the identity of the city as an interesting place.

Buildings on prominent sites deserve special attention due to their greater visual exposure and their role in creating landmark features.

The plan below identifies the prominent sites within the Lower Hutt Central Area. New sites may be identified in the future as the Central Area evolves overtime.

Typically, prominent sites within the Lower Hutt Central Area are located at:

- A. end of a street;
- B. street corners;
- C. bends of streets; and
- D. edge of important public spaces.



Current building on prominent site



Current building on prominent site



Building at street corner: Verandahs and balconies that emphasise the corner; separate entrance; taller structure; and active uses (sidewalk restaurant)



Building at the end of a viewshaft: architectural elements aligned with the centreline of the road



Building at bend of street: Building façade reinforces the bend of the street by following the line of the street



Building at park edge: Active use (sidewalk cafe); transparent windows and doors; high quality landscaping; shading



Current building on prominent site



Current building on prominent site



Building at the end of street view: architectural elements (blue façade, windows) are aligned with the centreline of the street

A. Street End

Buildings located at the end of a street have the potential to create landmarks which not only enhance the appearance of the streetscape but also create opportunities for visual reference and orientation.

B. Street Corners

Buildings on street corners have the potential to create distinguishable gateways. These help to define the street edge and create opportunities to differentiate a change in use from one place to another (e.g. residential, retail or commercial).

C. Bends of Streets

Buildings at bends of streets have a similar function to buildings at the end of streets. They terminate view lines, reinforce the urban form (curved or angular shapes of streets) and help to define the street edge.

D. The Edge of Important Public Spaces and Civic Buildings

Buildings at the edge of important public spaces and civic buildings also deserve special attention due to their function and location. The appropriate uses and good interface of sites facing public open spaces is the key to create safe and vibrant streets and parks. Buildings fronting civic buildings also play an important role in enabling public activities.

Assessment Guidelines

- 1. Architectural elements of the building should be aligned with the centreline of streets on sites that terminate a street;*
- 2. Buildings on corner sites should face both street frontages with windows and doors. The main entry point should be located at the corner or on the primary street;*
- 3. The corner should be visually reinforced with architectural elements such as verandah, awning, roof form, cornice, pediment or similar features;*
- 4. The façade of buildings on curved streets should follow the line of the curve;*
- 5. Buildings fronting parks should provide doors, windows and verandahs on the ground floor with publicly accessible uses.*



Recognising Prominent Sites Plan

2.6 Managing Development on Commercial Lots Abutting Residential Neighbourhoods

The objective of this guideline is that commercial buildings abutting residential neighbourhoods are appropriately designed and placed to provide a good transition between the different uses.

This guideline only applies to the commercial lots within the Commercial Precinct that abut residential neighbourhoods as shown on the plans on page 68.

Potential effects of commercial buildings on residential lots that can be addressed in the guideline include:

- Dominating bulky buildings and elongated plain walls;
- Lack of privacy if commercial buildings are placed in close proximity to residential lots;
- Commercial architectural style that overpowers residential character.



Abrupt change in visual character. Lack of vegetation to promote visual relief and separation between lots. Incompatible building design and materials



Architectural style overpowers residential buildings



Unattractive and poorly designed buildings fronting residential lots



Bulky building; featureless and blank wall; high solid fencing fronting the public space, lack of green buffer between uses



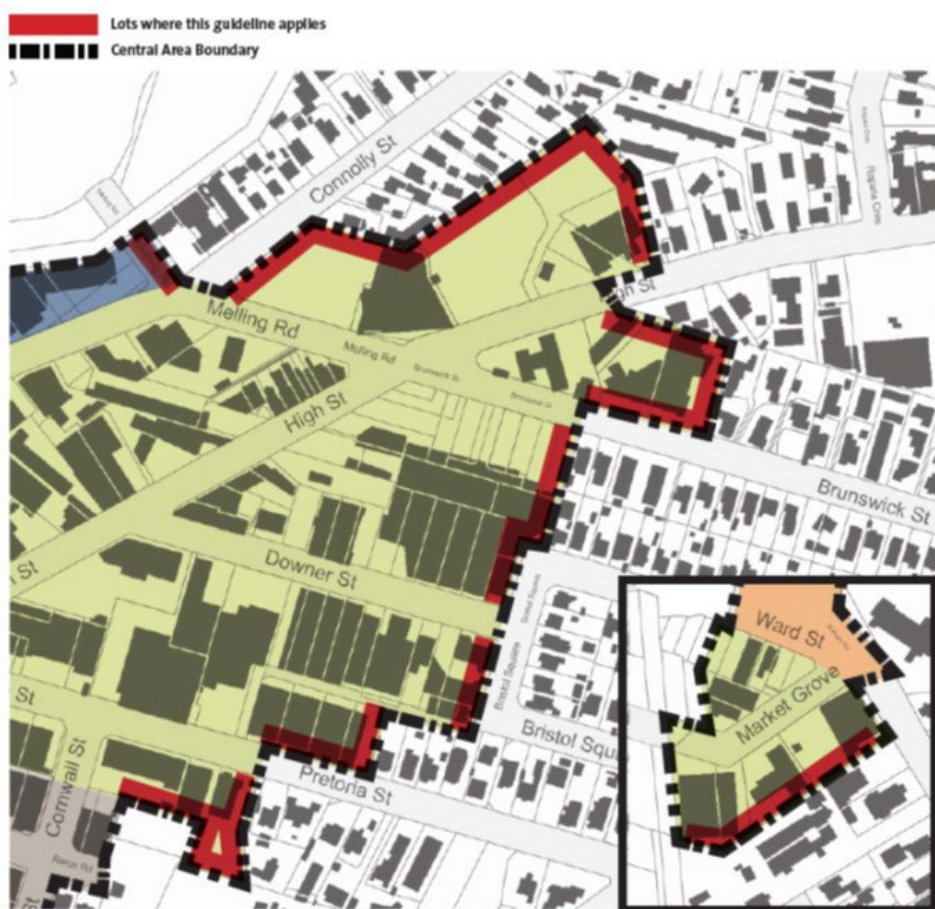
Commercial building that incorporates landscaped buffer and transparent windows facing the courtyard. Façade treatment at small intervals to minimise the bulky appearance



Pedestrian link and landscaped buffer separating uses. Through-visibility, public lighting, low and transparent fencing, windows overlooking the footpath. Projecting elements and different colours and materials reduce the bulky appearance of a large building



Commercial building design that relates to a residential character. Activities and façade treatment broken down at small intervals. Low fencing, transparent glazing and high quality materials and landscaping



Transition Plan

There are three different types of transition as shown on the Transition Types Plan beside:

Transition 1 - Aims for compatibility by the use of a pedestrian lane (Side Boundary Interface)

Improves the pedestrian and cycle connectivity of long blocks. It requires higher levels of control of the buildings adjoining the lane in regards to the built form, landscaping and fencing to promote separation of uses whilst ensuring opportunities for passive surveillance.

Transition 1 can also incorporate a side lane access for vehicle movement. Transition 1 is only encouraged in lots where a direct, through block connectivity can be achieved.

Transition 2 - Aims for compatibility by the use of a green buffer (Side and Rear Boundary)

Improves the separation between different uses by providing a vegetated green buffer that enhances visual amenity, privacy and “green transition” between commercial and residential uses. The buffer can be used as a courtyard within the commercial lots to provide outdoor area for workers.

Transition 3 - Aims for compatibility by the use of a street (Front Boundary)

Uses the street width as separation between uses. Commercial buildings require a higher level of control of the built form, fencing and landscaping to promote a “residential friendly” street environment. Home offices promote an effective transition.

Assessment Guidelines

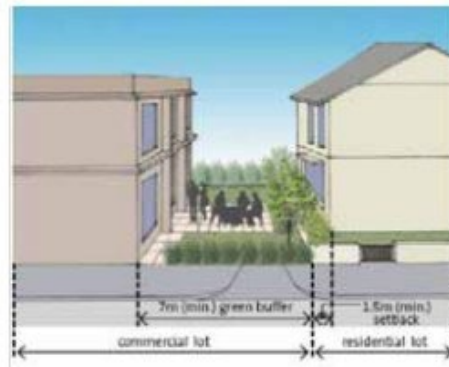
1. *Transition 1 only - Developments should provide a minimum of 4m wide pedestrian lane. In this case, commercial buildings should have a 3m side setback from the pedestrian lane;*
2. *Transition 2 only - Developments should provide a vegetated green buffer of no less than 7m;*
3. *All transitions - Buildings should provide windows fronting onto public open spaces or private courtyards;*
4. *All transitions - Loading areas should not be visible from residential lots;*
5. *All transitions - Fencing of commercial lots adjoining public spaces (lanes or streets) should enable inter-visibility. Fencing of a maximum of 1.2m high and shrubs of a maximum of 1.5m high is a guide;*
6. *Transitions 1 and 2 only - Fencing adjoining private spaces and not fronting onto public spaces should give privacy to residential or commercial lots. Fencing of a maximum of 1.8m high is a guide;*
7. *All transitions - Façades should be modulated at regular intervals to reduce the bulky appearance of commercial buildings. Intervals of no more than 10m is a guide (refer to Managing Building Bulk).*



Transition Types Plan



Transition 1 - Pedestrian Lane Side Boundary Interface



Transition 2 - Pedestrian Lane Side Boundary Interface

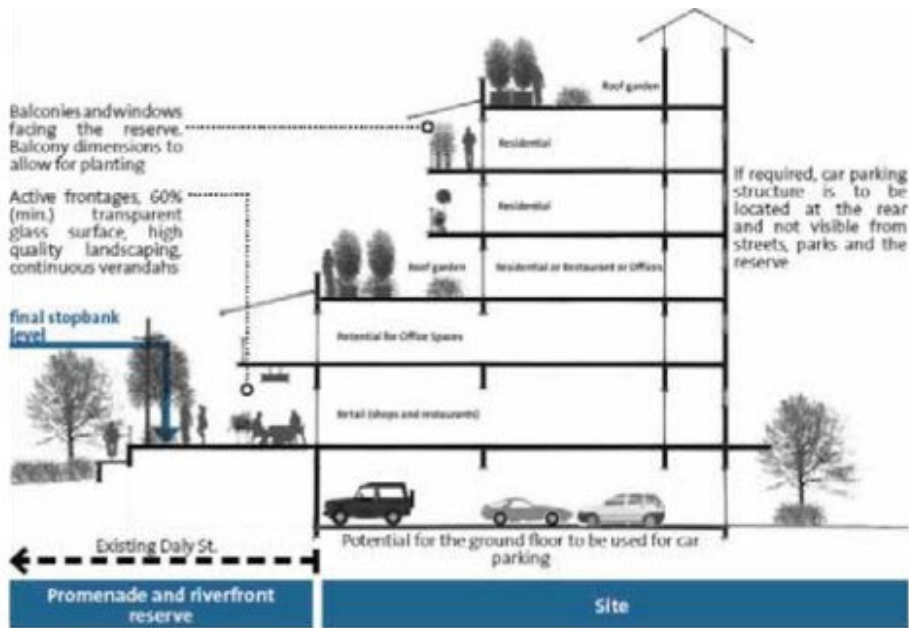


Transition 3 - Street Front Boundary Interface

2.7 Designing to Address the River

Buildings within the Riverfront (Core) and Riverfront (Commercial) Precincts require special attention in regards to their design, placement and function. The appropriate interface between the future buildings and the riverfront parkland as well as the future buildings and the Core Precinct is fundamental to achieving a highly connected and integrated urban environment.

The objective of this guideline is to ensure that developments within the Riverfront (Core) and Riverfront (Commercial) Precincts create a better physical relationship with the river and the Core Precinct, so benefiting from the amenity it provides. The aim is also to ensure that new developments protect and enhance the qualities of the river corridor in respect to its openness, natural and recreational values.



Residential uses above retail. High levels of transparent windows and balconies fronting onto the riverfront reserve. West-facing moveable vertical screens to absorb sun heat in summer

Residential tower recessed from the front boundary to improve solar access to the riverfront reserve and the roof garden. It is also a good solution to allow for adaptation in relation to the stopbank in the future

Rooftop gardens above retail. It can be publicly accessible with restaurants and shops fronting onto it or it can be a communal open space (semi-private) for residents' use

Active edges - restaurants, cafes and shops fronting onto the riverfront reserve and the promenade. High levels of transparent windows and doors and continuous verandahs

The stopbank is an element to be carefully considered in development design in order to provide design solutions that allow flexibility for retrofitting in the future.

Initial studies have indicated the stopbank levels will be raised in the order of 1 metre and the embankment extended, at least in parts, over Daly Street. To take advantage of the opportunities to have a stopbank top promenade with buildings fronting onto the parkland, new developments will have to allow for adaptation to effectively incorporate changes to the stopbank in the future.

Special attention to the design of front and rear façades of the buildings within the Riverfront (Core) and Riverfront (Commercial) Precincts will be required due to the configuration (size and shape) of the blocks. River blocks are irregular in shape and relatively narrow which means that, in some instances, a building will have double frontages (river corridor and High, Dudley or Rutherford Streets).

Assessment Guidelines

1. *New buildings should be designed to allow for adaptation in relation to the stopbank in the future;*
2. *The level of the first floor of buildings facing Daly Street should be designed to relate to the height of the future stopbank top (which is in the order of 1 metre above the current stopbank levels);*
3. *The first floor of buildings facing Daly Street should be designed to have uses and façade treatments that address the riverfront reserve and maximise opportunities to retrofit once the stopbank construction is concluded;*
4. *The ground floor of buildings facing Rutherford Street, Dudley Street and High Street should be designed in accordance with the guidelines under “Making a Good Street Frontages”;*
5. *The design of buildings on sites with double frontages should be treated as if both are front façades.*



Riverfront (Commercial) - river promenade, active frontages to the reserve (high percentage of transparent glazing), residential and/or commercial above retail could also occur



Riverfront (Core) - restaurants fronting onto the promenade and the park, continuous verandahs, high quality landscaping, vertical screens for shade in summer; appropriate signage and quality materials



Riverfront (Core) - waterfront mixed use development - retail and promenade on ground floor, commercial on first floor and roof garden and residential uses above. High quality landscaping, paving and public lighting

2.8 Private Outdoor Areas

The “Private Outdoor Areas” guideline aims to enhance the urban amenity for residents by providing suitable private outdoor areas.

The objective to intensify and diversify the uses within the Lower Hutt Central Area will result in a greater number of people living in the area. The demand for good public, semi-public and private open space is likely to increase with the higher population and land uses densities intended in the future.

Assessment Guidelines

1. Residential developments should provide outdoor areas which can be in the form of private and/or shared spaces;
2. Outdoor spaces should be located where they will receive sunlight and be of a dimension which provides functionally for the use of the residents;
3. Privacy should be provided for by incorporating planting and/or external devices such as louvres, shutters and blinds when required.



Balconies and green atrium on commercial buildings

AMENDMENT 250 - Amend Central Commercial Design Guide – Section 2.8 Private Outdoor Areas – Caption to Images 2 and 3



Balconies are a good alternative to form of private outdoor areas area in residential apartments or townhouses



Balconies are a good alternative to private outdoor areas in residential apartments or townhouses

2.9 Ground Floor Residential

This guideline only applies to the Residential Transition Precinct, where residential use on the ground floor is encouraged; but needs careful design consideration.

The objective of this guideline is to ensure that, with simple design solutions, residential privacy and passive surveillance can simultaneously occur.

A good interface between public open spaces (streets, lanes and parks) and private spaces (in this case residential uses) is associated with building designs that provide passive surveillance (people can see and be seen), a streetscape which is not dominated by garage doors and driveways, and where residents have adequate levels of privacy.

Assessment Guidelines

1. *The ground floor of residential buildings should accommodate internal living spaces with transparent windows facing any adjacent public space against which it is built;*
2. *Fences fronting public open spaces should be a maximum height of 1.2 metres above street level. Where fences exceed 1.2 metres in height above street level, the portion of the fence above 1.2 metres should be a minimum of 50% transparent;*
3. *Side and rear fences not fronting public open spaces should be a maximum of 1.8 metres in height;*
4. *Garage doors should be aligned or preferably recessed from the street front building line;*
5. *A narrow front yard and change in level of 1.2 metres can be used to promote a separation from the public street environment.*



Small front yard, porch, balcony, living spaces and windows fronting the street



Separation from the street front by set back and height change

2.10 Managing Wind

The objective of this guideline is to help to minimise the adverse effects of wind to create a more sheltered, safe and comfortable city centre. It is intended to manage wind effects on the Central Area streets and public places where good street frontages are sought.

The orientation, massing and form of buildings in a city can greatly influence wind conditions. Some of the negative effects of building design on wind flow are:

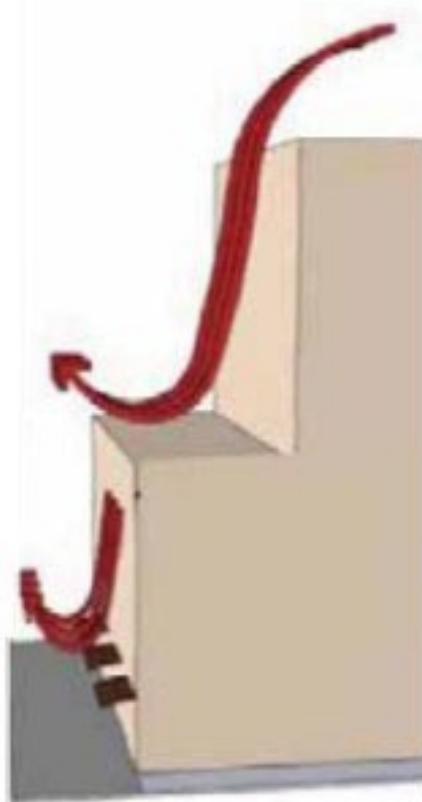
- *Streets that present significant variation of building heights (a taller building adjacent to a shorter one) can exacerbate adverse wind conditions;*
- *Taller buildings can create increased wind speeds down towards the ground level (downwash effect);*
- *Horizontally elongated plain façades (a building that is short but long) can have a detrimental impact on pedestrian discomfort caused by increased wind speeds ("row" effect); and*
- *Alteration or demolition of buildings can change wind flow pattern and speed at ground level and affect*

neighbouring buildings by funneling wind in.

AMENDMENT 251 - Amend Central Commercial Design Guide – Section 2.10 Managing Wind – Assessment Guidelines

Assessment Guidelines

1. *New buildings should be designed with reference to the existing wind patterns of the site and not increase the wind speed at ground level at key street locations (refer to Chapter 5A-2, Rules 14M Wind);*
2. *Projecting and recessive elements (such as balconies, verandahs, set backs) should be used to reduce the adverse effects of wind at street level.*



Upper floor building setback and verandah or awnings on ground floor to reduce wind-flow speed



Verandah and transitional volume minimise the adverse effect of increased wind flow

2.11 Service Stations and Drive-through Activities







The objective is to provide guidance on appropriate locations for vehicle oriented activities and minimising the adverse effects on visual amenity, pedestrian environment and transport network.

Vehicle oriented activities such as service stations and drive-through restaurants are an important activity within the Central Area. However, the nature and site layout of vehicle oriented activities can degrade the streetscape, pedestrian environment and visual amenity of the Central Area. Guidelines provide direction on the appropriate location and design of these activities and developments.

The guidelines for service stations and drive-through activities are to be applied in conjunction with the other statutory guidelines.

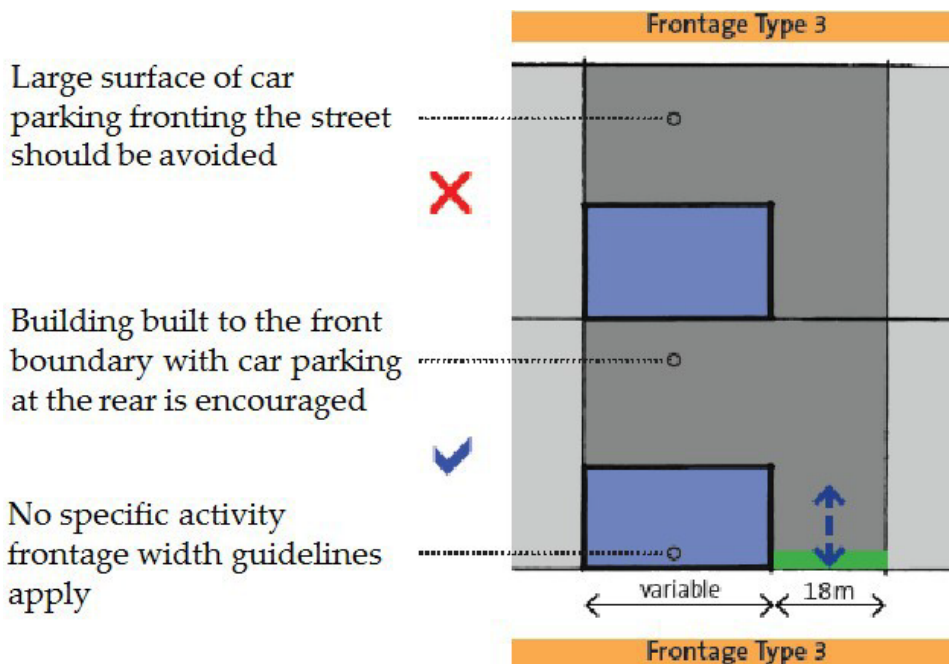
Assessment Guidelines

1. *New service stations and drive-through activities should avoid being located in the Core, Riverfront (Core) and Riverfront (Commercial) Precincts;*
2. *If drive-through activities are located in the Core Precincts, they should be located on sites at the edge of the Core Precinct, on sites with a public rear access and where the site does not front onto a Street Frontage Type 1;*
3. *New service stations should not be located on sites recognised as prominent sites in all Precincts (refer to guideline 2.5 Recognising Prominent Sites);*
4. *Service stations and drive-through activities should provide a landscaped buffer (trees and planting) on all boundaries fronting public spaces that does not have a building built to the boundary and on boundaries abutting residential activities - 2.0 metre wide buffer is a guide (refer to guideline 2.3 Providing for Car Parking);*
5. *Any storage, mechanical plant, equipment and rubbish container should be screened from public open spaces and residential sites;*
6. *Vehicle access to the site should be located to have minimal disturbance to safe and convenient pedestrian environment and traffic network.*

-  Drive-through activities
-  Potential location for surface car parking and/or drive-through
-  Adjoining sites
-  Frontage type 2 - Potential vehicle access - 1 access every 100m is a guide
-  Frontage type 3 - Potential vehicle access - 1 per development
-  Landscaped buffer



Example of drive-through activity on sites fronting "Street Frontage Type 2" (indicative only)



Example of drive-through activity on sites fronting "Street Frontage Type 3" (indicative only)

2.12 Large Format and Anchor Type Retail and Malls

The aim of this guideline is to ensure that new or additions and alterations to existing malls and large format activities contribute to the intended future character of each Precinct (refer to 1.7 Character and Context Description).

Well designed malls and large format retail development can make a contribution to the attractiveness and vibrancy of the Central Area. However, they can include some elements which can negatively impact on the quality of the Central Area. These negative effects can include featureless walls, bulky buildings, inactive street frontage, large

surface of car parking fronting the streets and internalised pedestrian circulation.

It is important that developments integrate with the traditional urban fabric of the Central Area and apply good urban design techniques to assist in maintaining and enhancing pedestrian amenity and safety.

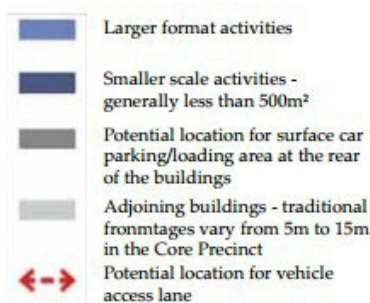
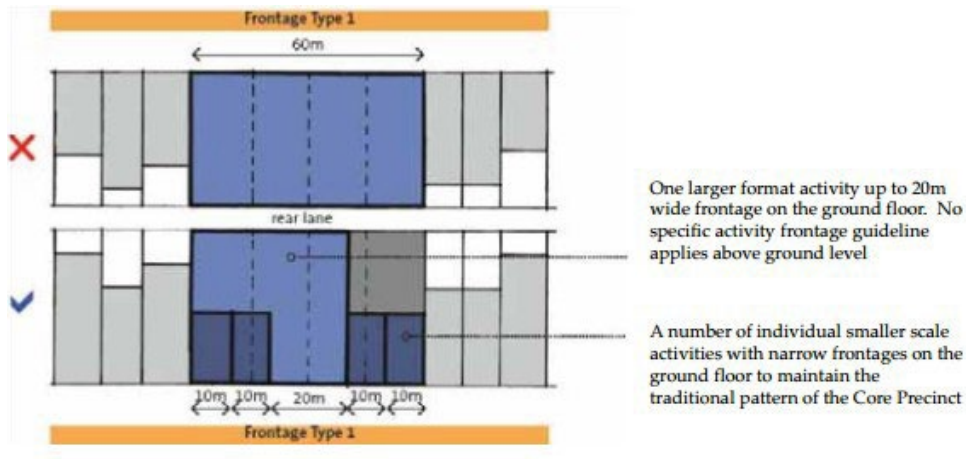
Given the role of large format retail activities in the Central Area, and their potential effects, appropriate design solutions should ensure they contribute to the quality and vitality sought in the Central Area.

The guidelines for large format and anchor type retail and malls are to be applied in conjunction with the other statutory guidelines.

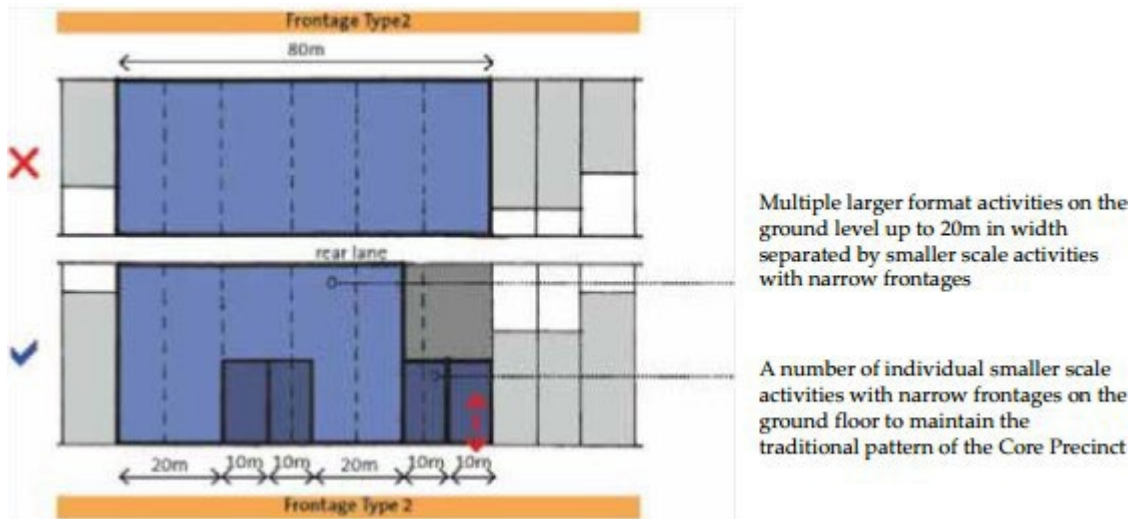
AMENDMENT 252 - Amend Central Commercial Design Guide – Section 2.12 Large Format and Anchor Type Retail and Malls

Assessment Guidelines

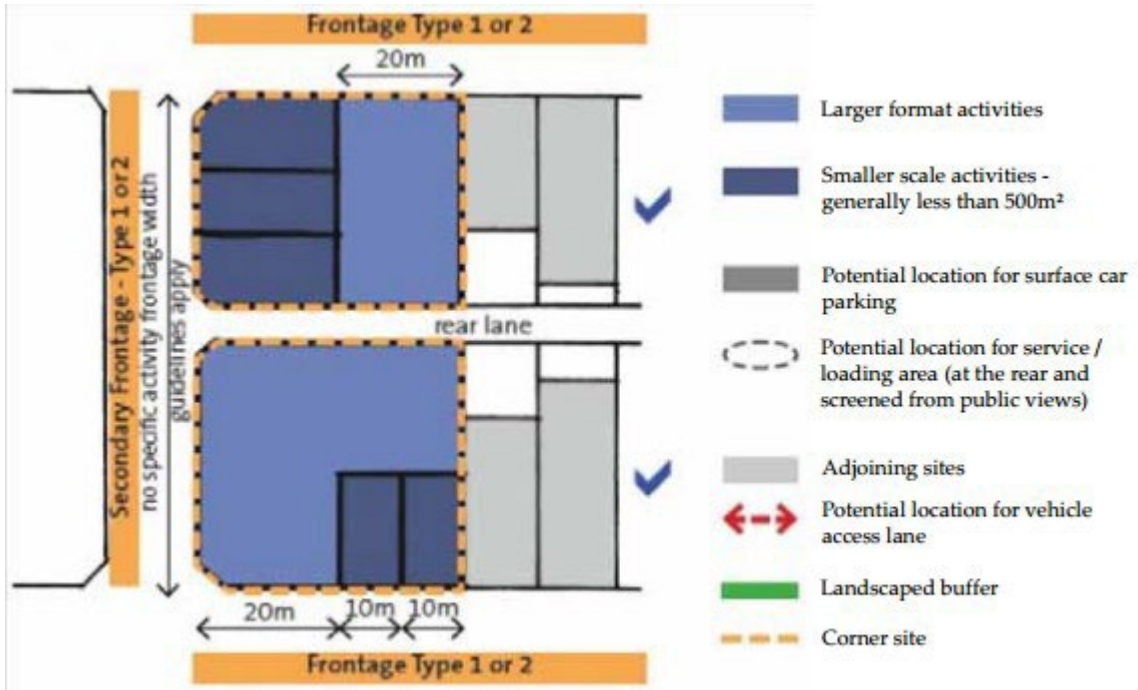
1. The composition of activities along frontages should recognise the type of frontage shown in guideline 2.1 (i.e. Frontage Type 1, Type 2 and Type 3). For Frontage Type 1, activities on the ground level should be a number of individual smaller scale activities with narrow frontages (each activity up to 10 metres in frontage width), with one larger format activity up to 20 metres wide frontage. For Frontage Type 2, multiple larger format activities on the ground level can be provided up to 20 metres in width where they are separated by smaller scale activities (each activity up to 10 metres in frontage width). For Frontage Type 3 and on the secondary frontage of corner sites, no specific activity frontage width guidelines apply (see diagrams on pages 78 and 79). Frontage width dimensions are a guide only;
2. Where a proposed development has a frontage exceeding 100 metres in width, a through block pedestrian link should be provided;
3. Malls and large format retail developments should not be located within the Residential Transition Precinct and the Riverfront (Core) Precinct;
4. Car Where provided, car parking is encouraged to be located within structures or on roof tops ~~are encouraged~~ (refer to guideline 2.3 for further guidance on car parking).



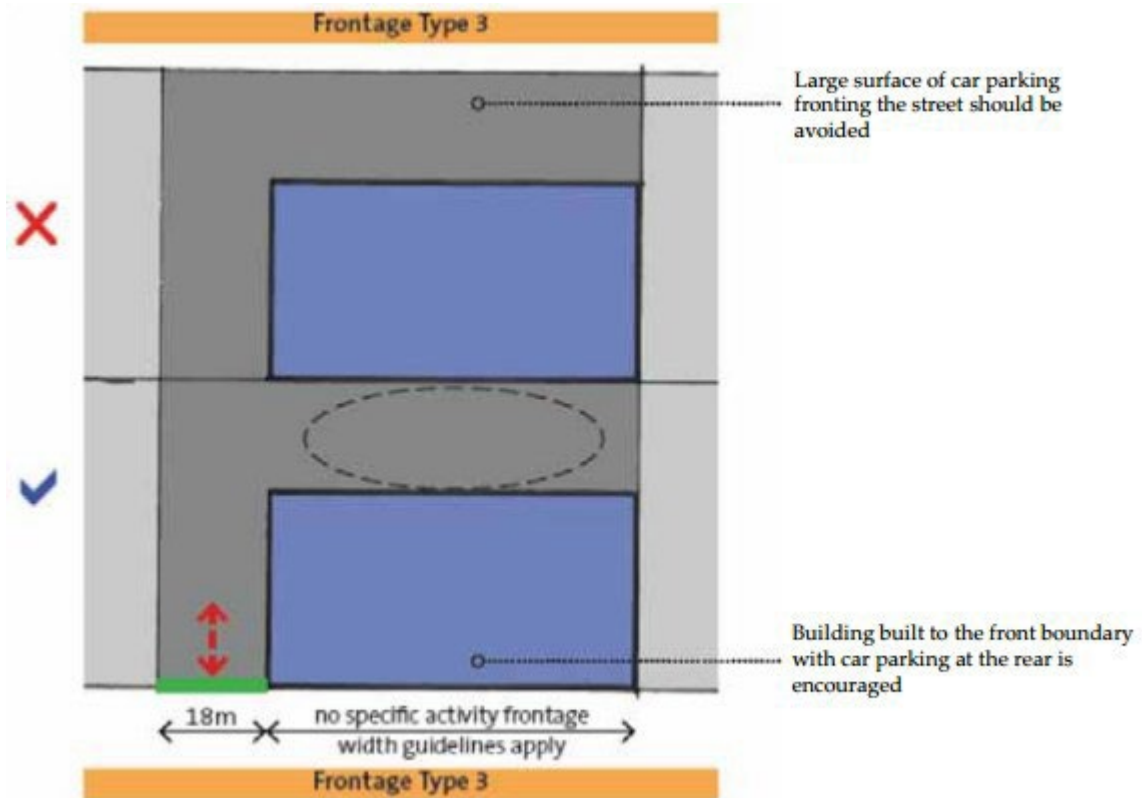
Example of large format activity on corner sites fronting "street frontage type 1 (indicative only)



Example of large format activity on sites fronting "Street Frontage Type 2" (indicative only)



Example of large format activity on corner sites fronting "Street Frontages Type 1 and/or 2" (indicative only)



Example of large format activity on sites fronting "Street Frontage Type 3" (indicative only)

A number of individual smaller scale activities with narrow frontages on the ground floor (each activity up to 10m in frontage width)

One larger format activity (Borders) up to 20m wide frontage on the ground floor. No specific activity frontage guideline applies above ground level



Example of a Street Frontage Type 1 - Borders - Wellington CBD

Example of Street Frontage Type 2
- multiple larger format activities
on the ground level up to 20m in
width separated by smaller scale
activities with narrow
frontages

Street Frontage Type 3
- no specific activity
frontage width
guidelines apply

Larger format
activity
Countdown
Supermarket



Plan View

7 smaller scale
activities - less than
500m²

Proposal for Countdown Newtown - Wellington

Part B Encouraged Guidelines

3. Amenity

3.1 Gaining Solar Access

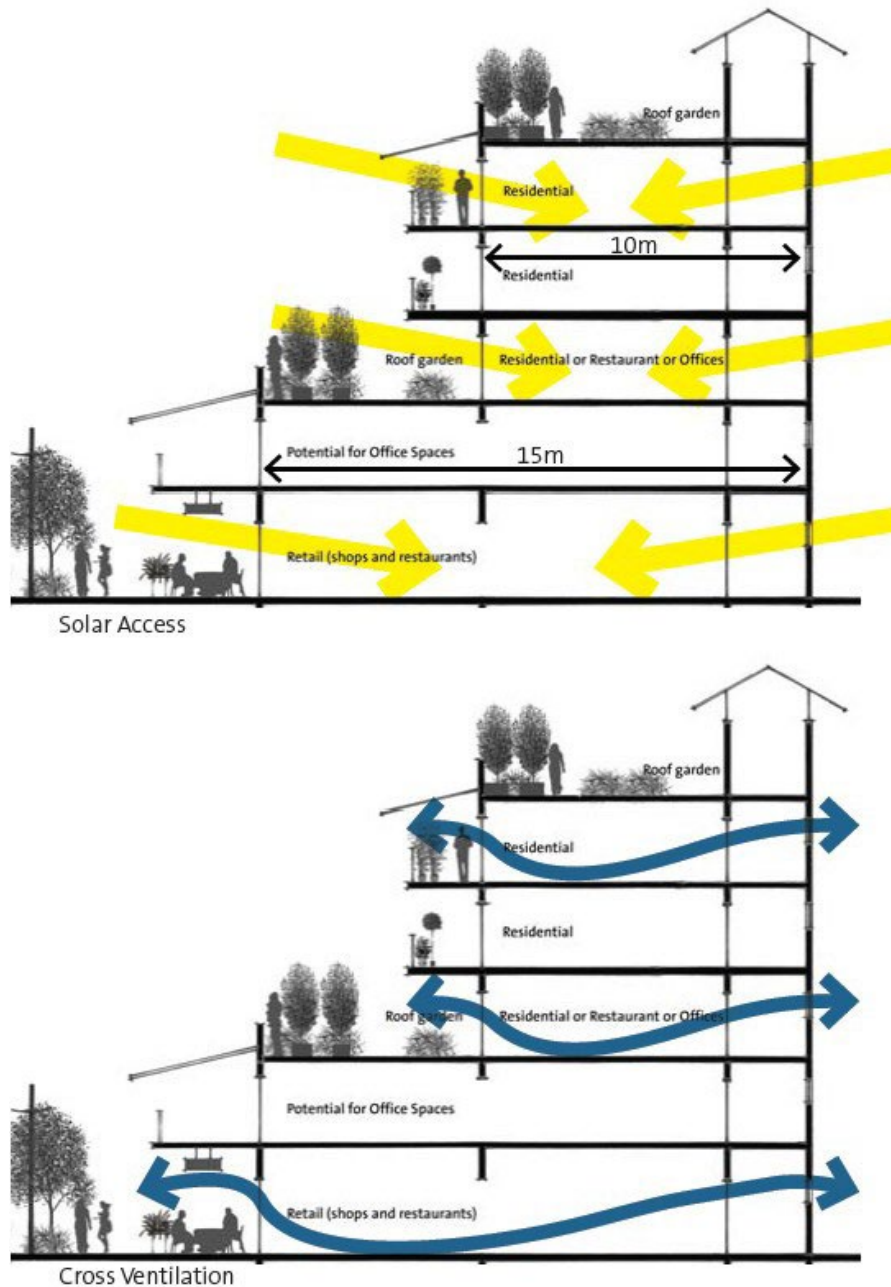
Designing for solar access means providing for the sun to penetrate a building, a lot or an open space to gain solar heat in winter and control solar radiation in summer.

The objective of this guideline is to encourage good solar access to new developments to reduce the energy required for heating in winter and cooling in summer.

Solar access is commonly differentiated between “passive solar access” and “active solar access”.

Passive solar design relates to the appropriate orientation of buildings and lots and the correct position of windows, vegetation and shading elements to maximise or minimise solar infiltration. It also relates to the selection of materials that have high ability to absorb and retain heat. Passive solar design does not have any additional cost to the building construction and does not require special technology.

Active solar design refers to the use of solar collectors to capture solar radiation and convert it into energy for heating, cooling and lighting within the building. Buildings that incorporate active solar technologies are generally more expensive to construct. However, the energy cost to run energy efficient building is greatly reduced, which in the long term offsets the additional cost of construction by savings in maintenance.



A. Passive Solar Access

In addition to achieving a high quality built form, a pro-active attitude towards passive solar principles by landowners, developers and designers will be encouraged. Addressing the local climate and solar aspect of a site and applying simple design and building techniques can lead to energy use reductions.

North facing windows receive more of the sun's heat in winter (sun is low in the sky) and less in summer (sun is high in the sky). East and west facing windows normally receive more sun in summer and should be minimised as they can cause a building to overheat in summer.

High thermal mass materials are very important for their capability to absorb and store heat gained during the day to keep rooms warm into the nights. Windows should be carefully placed and sized as they can easily let heat in but can also release heat out at night much faster than insulated walls.

Encouraged Guidelines

1. *Overshadowing of public spaces and adjoining buildings is not encouraged;*
2. *Windows of residential living areas and bedrooms, commercial, retail and community uses facing north are encouraged;*
3. *Sunlight access through the roof is encouraged when north-facing windows are not possible (skylights or clerestory);*
4. *Horizontal shading devices are encouraged on north-facing windows (awnings or overhangs);*
5. *Materials that have high heat-storage capacity such as stone, brick and concrete are encouraged, especially on north-facing walls;*
6. *Building depths of no more than 15 metres are encouraged to allow cross ventilation and natural daylight into internal spaces. 10 metres to 13 metres deep buildings can be naturally lit and ventilated. 14 metres to 15 metres deep buildings may require some artificial ventilation and lighting;*
7. *Placement of windows that maximise natural cross ventilation is encouraged to reduce the need for air conditioning during summertime;*
8. *In the Core and Riverfront Precincts, upper floor building setbacks will be encouraged on buildings that exceed 4 storeys to promote sun light access to public spaces and neighbouring buildings.*

B. Active Solar Access

Active solar-thermal systems are solar collector devices (generally solar hot water systems) that capture sunlight and transform it into energy. The solar energy gained can be either transferred to supplement hot water heating or space heating or it can store excess heating generated by the collectors for future use.

Solar photovoltaic panels use solar cells to capture the sun's energy and convert it into electricity for lighting, heating and powering equipment.

Encouraged Guidelines

New and existing building owners and developers are encouraged to:

1. *Install solar hot water systems;*
2. *Install solar photovoltaic panels;*
3. *Consider the effective orientation and inclination of any active solar system to maximise sunlight absorption;*
4. *Consider collectors that can track the path of the sun rather than fixed mounting to increase solar heat capture;*
5. *Consider the visual impact of active solar systems.*

Solar collector devices positioned to maximise sunlight absorption



Eaves and moveable vertical shading device (external venetian blind) on east or west facing windows



Horizontal Shading device (overhangs) on north facing windows



3.2 Managing Signage

The objective of “Managing Signage” guideline is to encourage signage that is effective at attracting people’s attention whilst managing the potential for a proliferation of signs to detract from the visual amenity of the city.

This guideline must be read in conjunction with the rules of the District Plan - these will take precedence over the following guidelines.

Similar to all design aspects of a building, a good retail signage design should consider it as part of the whole architectural appearance and style of the buildings and its relationship with the surroundings.

A “signage competitive” environment is most likely to fail to serve the purpose to alert people as to where a business is located. Confused and excessive visual effects can disperse people’s attention rather than directing them to a specific location.

Encouraged Guidelines

Signs are encouraged to be:

- 1. Consistent with the building design as a whole;*
- 2. Not obstructive to pedestrian movement;*
- 3. Of a size, scale and materials that does not dominate the street environment;*
- 4. A good fit with architectural features or ground floor windows;*
- 5. Located below the parapet or roof line of a building.*



Signage attached to the verandahs



Signage below roofline



Signage attached to the buildings



Signage on awnings



Large and dominating signage and at pedestrian level



Signage above parapet/roofline



Signage not related to the building

3.3 Creating Positive Parks

The provision of a range of types of park spaces will become important once the strategy to intensify and mix the uses within the Lower Hutt Central Area takes place. Current demands for local parks provision to the people working in the area will increase with the successful development of residential units and additional retail and commercial activities in the next 20 years.

Higher residential densities mean smaller private outdoor spaces for the residents of the Central Area, which results in an increased demand for park provision from both the public and the private sector.

The objective of this guideline is to assist the delivery of high quality parks within the Central Area in association with private development. It is recognised that Hutt City Council will also have a role in provision of park space within the Central Area as public space.

A high quality and usable open space is safe, active, convenient, well maintained, pleasant, connected and appropriate to its context.

An unsuccessful park is the one that disregards the existing network of open space and the connections to the pedestrian and cycle routes, as well as wind and solar aspect and size, location and activity pertinent to the site and its surroundings. An unsafe park is one that does not consider the uses and interface of the buildings fronting it and creates hidden, inconvenient, unattractive, poorly maintained and unlit spaces.

The design of parks should be integrated with the urban and building design process.

Encouraged Guidelines

1. *Provision and design of public parks is encouraged in relation to local demand. Consider if the park is to be used for workers during lunch time (seating places, lunchtime sun, shading) or for residents (playground, seating places, “kick and play”) and consider if there are already nearby parks to avoid oversupply;*
2. *Parks intended for public use are encouraged where they are accessible (on main walking and cycling routes), highly visible (“eyes on the streets”, visual linkages and no hidden spaces), promote through traffic of pedestrians and cyclists (footpaths and cycleways) and within walking distance to the users;*
3. *Parks are encouraged in locations where they should receive a minimum of 2 hours of sun per day from 12pm to 2pm;*
4. *The ground floor of buildings fronting parks are encouraged to have pedestrian-oriented active uses (preferably retail and community uses);*
5. *The selection of trees and plants is encouraged to consider the type and scale of the park as well as its use;*
6. *Outdoor lights should be provided, preferably attached to an adjacent building façade, and are to be of a type appropriate to a public space (human scale).*



Good solar aspect, trees for shading; public art; siting areas; high quality landscaping; park is connected to the pedestrian network; active edges; and well maintained



Public park near commercial buildings helps to “green” the city and promotes a good working environment (a place to relax during lunch break)

3.4 Greening the Central Area

“Greening the Central Area” guidelines address how development can create a greener environment for the Lower Hutt Central Area. The emphasis will be on initiatives to provide spaces, such as rooftop gardens and green walls.

The objective of this guideline is to promote aesthetic improvements to the urban environment as well as to assist in increasing biodiversity, reducing the heat island effect, purifying indoor and outdoor air quality, and reducing water usage by the adoption of efficient water management systems.

A. Rooftop Gardens

Rooftop gardens (intensive green roofs) are typically areas on the top of a building or terraces within that can include paving and usually grass, trees and shrubs. They provide useable outdoor areas, have good insulation capabilities and can assist with stormwater management.

B. Green Roofs

Green roofs (extensive green roofs) consist of a vegetated roof area not designed as useable amenity spaces. They assist in increasing biodiversity, insulation capabilities and reducing water usage by the adoption of efficient water management system.

C. Vertical Green Treatments

Green walls, green indoor or outdoor atriums and landscaped balconies are all part of the vertical green spaces

initiative. They are methods for aesthetically restoring urban environments (visual relief for blank walls and tall buildings) and control noise pollution (soundproof capabilities).

Encouraged Guidelines

1. *Greening by roof gardens and vertical green treatment is encouraged. The spaces created can be publicly accessible (part of the park network), semi-public (for residents of a building) or not for use (design feature). If green roofs, roof gardens and vertical green treatments are to be used they should consider:*
 - *waterproofing, drainage systems and appropriate structure strength to support any additional weight loadings;*
 - *the plant species that are resistant to severe environments (wind and drastic changes in temperature), require low maintenance and low water use;*
 - *soil mix and depth. Light-weight soil mix is recommended;*
 - *maintenance procedures and access;*
 - *the opportunity to use collected rainwater for irrigation;*
 - *plant types that maximise solar access in winter and control solar infiltration in summer.*



Green structure as part of the facade



Landscaped balcony



Green wall

3.5 Managing Noise

The objective of this guideline is to encourage an urban environment where adverse noise effects are minimised. These guidelines must be read in conjunction with the District Plan - the Plan rules take precedence - the guidelines are suggestions.

A mix of uses in the Central Area is desirable. However, there is some potential for uses to have a detrimental effect on each other in regards to noise. The noise of evening activities such as restaurants, cafes and bars or community activities can disturb residents living above or adjoining.

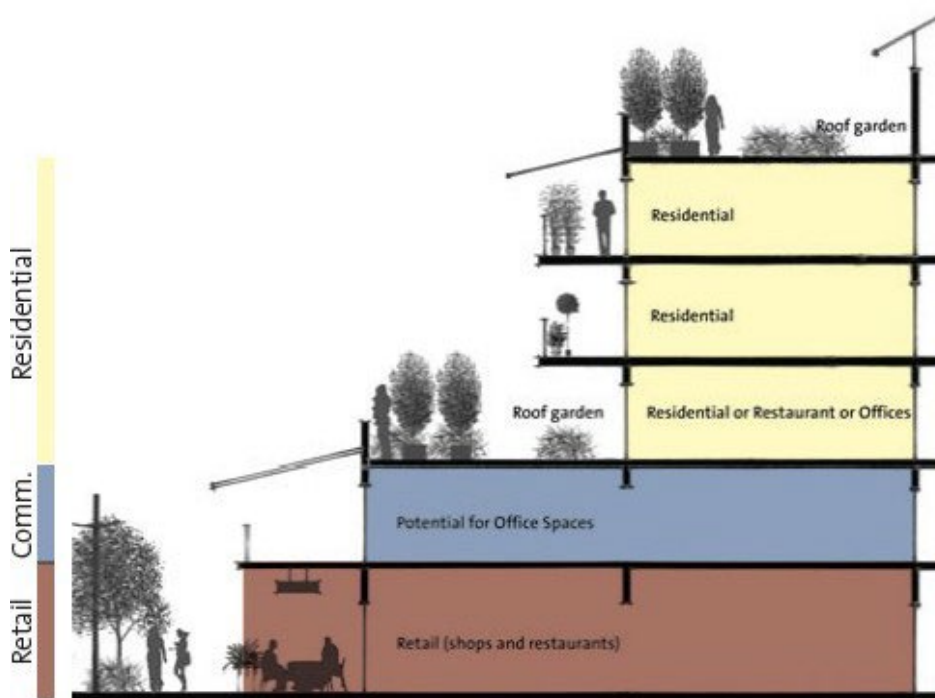
Similarly, noise attenuation becomes an important matter to be addressed once residential units are designed attached to each other to ensure good levels of privacy.

Encouraged Guidelines

1. *The potential noise context of the site should be considered in the building design;*
2. *The location of commercial activities on first and second floors with retail on ground floor is encouraged;*
3. *Acoustic design to manage internal noise (between tenancies or units) is encouraged.*



Vertical mix of uses



Vertical mix of uses

3.6 Providing for Solid Waste

The objective of “Providing for Solid Waste” guideline is to encourage the provision of well screened and conveniently located rubbish storage areas on site. This guideline is to be read in conjunction with the guide to “Reducing, Reusing and Recycling Waste” prepared by the Hutt City Council.

Storage for rubbish bins can be associated with bin spaces for individual dwellings or retail tenancies or communal rubbish storage for multi-dwellings or commercial buildings.

Encouraged Guidelines

On site provision of solid waste should be:

1. Screened from public spaces and from building front façade;
2. Conveniently located to facilitate use and collection;
3. Appropriately ventilated to avoid odours to adjoining activities;
4. Appropriately sized according to users needs.

Storage bins screened room public spaces



Storage bins exposed to public views

3.7 Private or Public Lane Access Design

The objective of this guideline is to ensure that access to public or private lanes and car park driveways are located and designed to avoid disruption negative to the streetscape and pedestrian amenity.

The plan below describes the existing laneway network of the Central Area and suggests where improvements can be made. Some of these lanes are public and others are in private ownership. Opportunities for new lanes to improve the accessibility and connections through the Central Area can be realised from new development of larger blocks.

Access lanes and buildings fronting lanes are encouraged to be designed to maximise circulation through blocks, enhance the opportunities for people to use them as connections and to maintain their function for servicing as required.

The "Private or Public Lane Access Design" identifies opportunities to enhance and to respond to the intended character described in the "Character and Context Description".

Encouraged Guidelines

1. *The function of lanes that have sufficient width to enable adequate loading and access for vehicles should be considered;*
2. *Lanes should be considered for their potential as low-speed spaces with shared uses for pedestrians, vehicles and cyclists;*
3. *Lanes are encouraged to be designed with high levels of through visibility and transparent windows facing the lanes at ground level and upper floors;*
4. *Developments will be encouraged to improve the permeability of existing large blocks by new lane through-linkages;*
5. *Developments are encouraged to enhance existing lane appearance in respect to paving, lighting, landscaping and interface with buildings without obstructing pedestrian, vehicle and cycle movements. Permeable paving materials are encouraged.*



Accessibility Plan



Side lane in mixed use development - designed for shared use, high quality of paving materials, windows and balconies facing onto

the side lane, through-visibility; active edges



Unattractive side lane. The lack of public lighting, poor landscaping, blank walls and inactive uses on the ground floor increase the perception of insecurity



Side lane concept for the Central Area (the side of a building) Low-speed spaces with shared uses between pedestrians, cyclists and vehicles

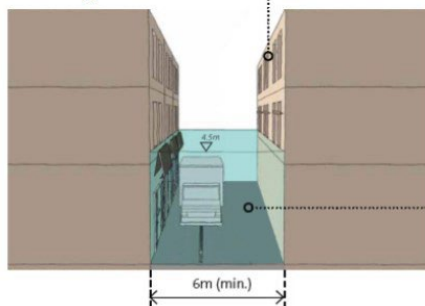


Rearlane is too narrow to allow for parking on one side. It obstructs trucks movement

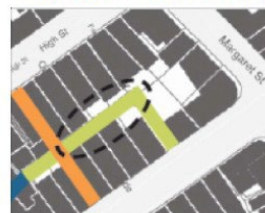


Rear lanes in medium density residential developments. "Eyes on the lane" - studios above garage with balconies and windows facing the lane. Landscaping, lighting and screened bins also enhance its appearance

Small planting pots, lighting attached to the façade, screened bins and careful attention to garage doors can enhance the rearlane appearance



Upper floors with windows facing the rear lane to create opportunities for passive surveillance



Movement corridor envelope is 3.5m wide x 4.5m high for one-way lane or 6.0m wide x 4.5m high for two-way lane (as a guide) - Eaves, balconies, planting or awnings should be carefully designed so as not to obstruct vehicle movement

Rear lane concept for the Central Area (the rear of a building) Low-speed spaces with shared uses between pedestrians, cyclists and vehicles

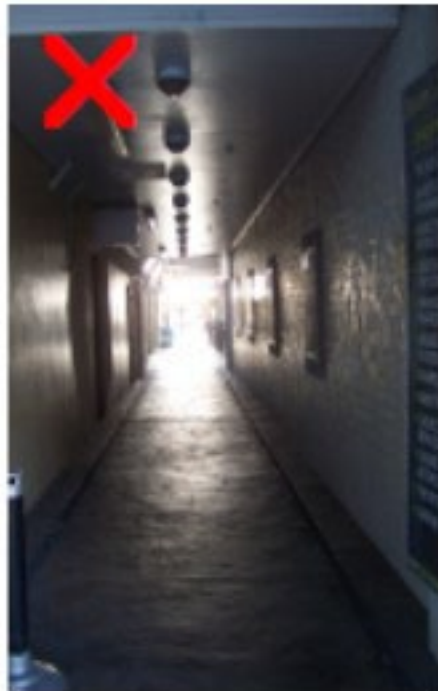
3.8 Assisting Walking and Cycling

The objective of this guideline is to promote new development to deliver pedestrian and cycle routes that are safe, convenient and attractive. This guideline should be read in conjunction with "Hutt City Council Walking Strategy" and "Cycling Strategy".

The Hutt Central Area will promote urban forms that facilitate walking and cycling. Mixed use developments will be encouraged to create opportunities for people to live, work and shop nearby, so reducing car-dependency. An intention is also to maximise the number of dwellings above ground levels whilst providing appropriate quantities of retail and commercial activities to support the future growing population within the centre.

Encouraged Guidelines

1. Pedestrian lanes should be designed with high levels of through visibility and transparent windows facing the lanes at ground level and upper floors;
2. Pedestrian lanes should be a minimum of 4 metres wide in the Core and Riverfront Core Precinct to allow two-way movement (2 persons walking, 1 cyclist and additional space for pot plants or small trees). A wider area to allow enough space for outdoor tables and chairs is encouraged;
3. In the Residential Transition, Riverfront Commercial and Commercial Precincts, pedestrian lanes should be a minimum of 4 metres wide to allow a minimum of a 1.5 metre wide paved area (2 persons walking) and additional space for planting;
4. The design and implementation of through-block pedestrian lanes should include appropriate paving, landscaping and lighting. The use of permeable pavers is encouraged;
5. Developments are encouraged to provide pedestrian lanes through blocks where the block exceeds 100 metres in length (refer to Accessibility plan on page 87);
6. The provision of shelters such as awnings, verandahs and trees is encouraged.



The picture on the left is a good example of pedestrian arcade with high percentage of transparent glass surface, active uses, small signage and natural light and air flow. The one on the right is an example of an unattractive and inactive pedestrian link (poorly lit, bank walls, low ceilings, lack of natural light and narrow width)



Pedestrian lane in mixed use developments. Public lighting, transparent windows, active frontages (shops and sidewalk cafes), through-visibility, signage attached to the walls and planting



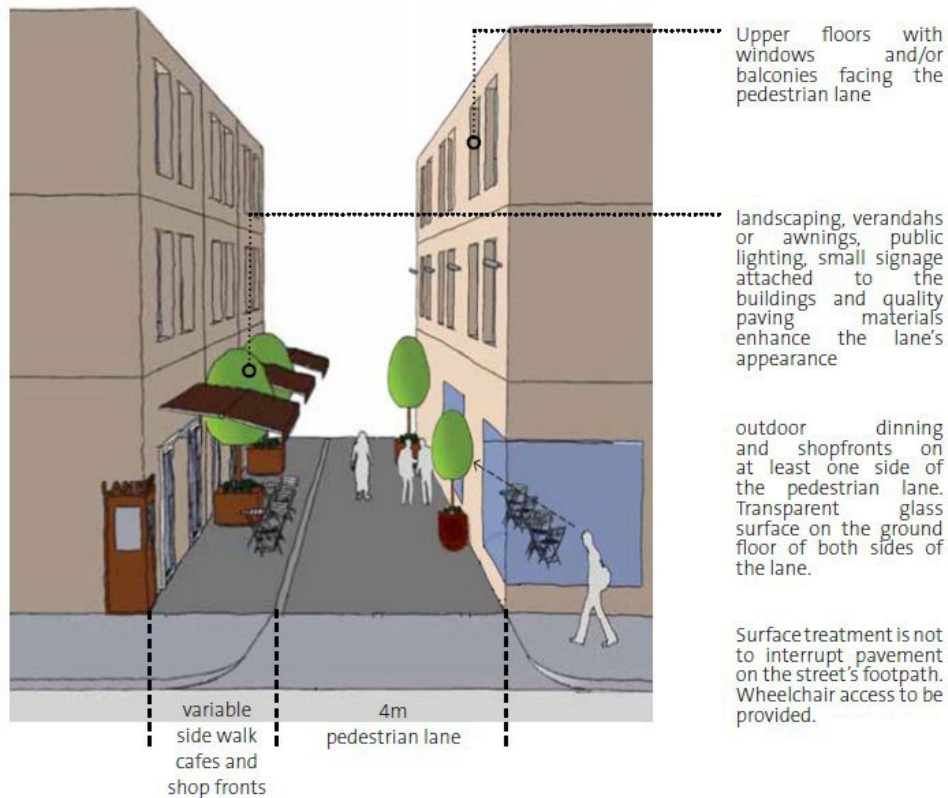
Pedestrian lane gives the impression to be an unsafe environment. Inactive frontages, low levels of transparency, poor attention to details such as signage, landscaping and lighting



Pedestrian lane in medium-density residential developments. Good public lighting, balconies and windows facing the footpath, low and transparent fencing, high quality paving and planting and pedestrian entry to the dwellings



Covered walkways that allow for planting to grow up and over the structure



3.9 Servicing

The objective of this guideline is to encourage servicing to be adequately located to enable its practical use while controlling potential for adverse visual effects at the street.

Service and loading areas are important to the efficient function of retail and mixed use activities. However, the improper placement and access to service and loading areas can be obtrusive.

Encouraged Guidelines

1. *Loading bays and drop-off points are encouraged to be located to the rear or side of the buildings and screened from pedestrian and residents views;*
2. *Adequate and easy access to service areas should be considered as part of the overall development design;*
3. *Mixed use developments are encouraged to have service and loading areas separated from the residents entrance.*



Loading zone at the rear of the buildings and accessed by a rearlane



Loading zones visible from the streets

5B Petone Commercial Activity Area

5B 1 Issues, Objectives and Policies

5B 1.1 Local Area Issues

5B 1.1.1 Area 1 - Area on Jackson Street generally between Victoria and Cuba Streets

Issue

On both sides of Jackson Street between Victoria and Cuba Streets sites generally are small and adjoin residential activity areas. It is important that the scale and character of activities are controlled so that there are no encroachments into the adjoining residential areas and adverse effects, such as adverse traffic effects, are managed.

Objective

To ensure that activities in the area of Jackson Street generally between Victoria and Cuba Streets do not have adverse effects on adjoining residential activity areas.

Policy

- (a) To ensure that only small scale activities are permitted on Jackson Street generally between Victoria and Cuba Streets so that there is no likelihood of encroachment into adjoining residential activity areas and adverse effects, such as adverse traffic effects, are managed.

Explanation and Reasons

Sites on Jackson Street generally between Victoria and Cuba Streets, are small and adjoin residential activity areas. It is important that large scale and more vehicle oriented activities are excluded to ensure that adverse effects are minor and that there are no encroachments into adjoining residential activity areas.

5B 1.1.2A Area 2 - Petone Mixed Use - Area Generally Bounded by Hutt Road, Petone Avenue, Campbell Terrace, Victoria Street, Sydney Street and The Esplanade - Activities

AMENDMENT 253 - Amend issue of section 5B 1.1.2A - Area 2 - Petone Mixed Use - Area Generally Bounded by Hutt Road, Petone Avenue, Campbell Terrace, Victoria Street, Sydney Street and The Esplanade - Activities

Issue

Mixed uses which complement and support each other, such as commercial, small-scale or low intensity light industrial, business and service activities, residential and large format retail activities in the western end of Petone would support the social and economic wellbeing of the area and the City as a whole. However, they could also detract from the established vibrancy and vitality of the traditional retail areas around Jackson Street Historic Retail Precinct (Petone Commercial Activity Area – Area 1) and Hutt City's Central Commercial Activity Area. It is also necessary to manage the potential adverse effects, including noise, dust, odour, glare, light spill and traffic, of activities so as to maintain and enhance the quality of the environment. In addition, potential reverse sensitivity effects and incompatibility effects between activities may occur.

Objective

To provide for a mixed use activity area within Petone which caters for a range of complementary commercial, small-scale or low intensity light-industrial, business and service activities, residential and large format retail activities, increasing the number of residents and workers in Petone, and avoiding or mitigating adverse effects so that amenity values and character of the area, neighbouring areas and the overall environment are maintained or enhanced.

AMENDMENT 254 - Amend policies of section 5B 1.1.2A - Area 2 - Petone Mixed Use - Area Generally Bounded by Hutt Road, Petone Avenue, Campbell Terrace, Victoria Street, Sydney Street and The Esplanade – Activities

Policy

- (a) Provide for a range of residential, commercial, small-scale or low intensity light industrial, business and service activities, and large format retail activities, provided their effects are compatible with each other and the character and amenity values of the area.
- (b) Manage larger scale retail activities to ensure they do not detract from the vibrancy and vitality of the traditional retail areas around Jackson Street Historic Retail Precinct (Petone Commercial Activity Area – Area 1) and Hutt City's Central Commercial Activity Area and create an attractive and public focused environment.
- (c) Restrict smaller scale retail activities to ensure they do not detract from the vibrancy and vitality of the traditional retail areas around Jackson Street Historic Retail Precinct (Petone Commercial Activity Area – Area 1) and Hutt City's Central Commercial Activity Area.
- (d) Provide for residential activities which have quality living spaces for residents, meet the service needs of this type of activity, and adopt on-site measures to mitigate potential incompatibility issues with other activities.
- (e) Restrict residential activities at ground floor level along Jackson Street, thereby retaining retail and commercial activities along the Jackson Street pedestrian focused frontage.
- (f) Restrict activities, including heavy industrial or late-night activities, which may be incompatible with residential and other activities and/or degrade the character and amenity values of the Petone Mixed Use Area.
- (g) Ensure that effects likely to be generated by each activity, such as noise, dust, odour and traffic, are managed to avoid or mitigate adverse effects on the amenity values and

character of both the area and properties within the mixed use area and in nearby Residential Activity Areas.

- (h) Ensure that effects likely to be generated by each activity are managed to avoid or mitigate any adverse effects causing harm or damage to the receiving environment.
- (i) Manage the effects of development on the supply and demand of local infrastructure, including drainage infrastructure, to ensure that development is within capacity limits or the infrastructure capacity is upgraded.

AMENDMENT 255 - Amend explanation and reasons of section 5B 1.1.2A - Area 2 - Petone Mixed Use - Area Generally Bounded by Hutt Road, Petone Avenue, Campbell Terrace, Victoria Street, Sydney Street and The Esplanade – Activities

Explanation and Reasons

There is demand for an area within Petone to accommodate a range of complementary activities including residential, large format retail and commercial activities. Petone Commercial Activity Area - Area 2 is suitable as a mixed use area for the following reasons:

- (a) There are a wide range of sites, in terms of size, configuration and existing built development which can be used, adapted or redeveloped to accommodate a range of activities. These activities would serve both the local and wider community;
- (b) The area adjoins the small scale speciality retail area of the traditional retail areas around Jackson Street Historic Retail Precinct (Petone Commercial Activity Area – Area 1) and thus a sense of place can be achieved which provides a range of complementary residential, retail and commercial activities;
- (c) The area is well situated in terms of the regional transportation network (including public transport) and other public and community infrastructure and services; and
- (d) The area adjoins the Petone Foreshore which offers visual interest, open space and recreational opportunities.

Providing for a wide range of activities in the Petone Mixed Use Area gives landowners flexibility in the use of land and buildings to meet the changing dynamics of the economy and society. This flexibility would assist in creating and maintaining a vibrant and attractive mixed use area which supports and recognises the established activities and qualities in Petone. This provision of mixed use seeks to make efficient use of the land within the western end of Petone, providing opportunities for the re-use and redevelopment of existing buildings and properties for different activities.

For mixed use areas with a business and residential activity mix to work well, compatibility issues need to be managed. These issues arise between different forms of development (bulk/scale) and also in relation to the effects of certain activities (including noise, glare, odour and parking). Provisions for the mixed use area are designed to manage these issues, while recognising that a mixed use area offers a different type of amenity and lifestyle opportunity, than that found in predominantly residential or business areas.

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

Retail activities are continually changing in response to market pressures. The Petone Mixed Use Area has developed as a location for larger format retail activities. There is potential if a high number of smaller scale speciality or comparative shops develop in the Petone Mixed Use Area that they could degrade or undermine the vibrancy and vitality of the traditional retail areas around Jackson Street Historic Retail Precinct (Petone Commercial Activity Area – Area 1) which forms the core of the existing retail area in Petone and the Lower Hutt City central area. Therefore, a limitation is placed on the size of smaller and larger retail activities to maintain the role and economic, cultural and social wellbeing of these areas.

Retail provisions in Petone Commercial Activity Area – Area 2 are intended to provide a complementary retail role to existing retail activities within the traditional retail areas around Jackson Street Historic Retail Precinct (Petone Commercial Activity Area – Area 1). Retail activities within the Petone Mixed Use Area are anticipated to be in the form of large format retail and other types of retailing (such as sale of bulky goods) which do not directly compete with the range of retail goods and services available within the traditional retail areas around Jackson Street Historic Retail Precinct (Petone Commercial Activity Area – Area 1).

It is anticipated that small-scale retail activity will remain concentrated in the traditional retail areas around Jackson Street Historic Retail Precinct (Petone Commercial Activity Area – Area 1) to protect the economic vitality of this area and its historical value and character. It is important to protect the economic vitality and viability of this area, in order to support the ongoing use of buildings in this precinct to fund the repair, maintenance and other improvements to buildings within this identified Historic Area.

However, it is recognised there may be demand for individual smallscale retail activities in the Petone Mixed Use Area. Applications for smallscale retail activity in the Petone Mixed Use Area are expected to be accompanied by an assessment of their potential effects on the ~~retail efficiency and~~ economic vitality and viability of the traditional retail areas around Jackson Street Historic Retail Precinct (Petone Commercial Activity Area – Area 1), as well as identifying whether a more suitable location exists for this type of retail ~~within the Jackson Street Historic Retail Precinct~~. Although it is recognised that individual smallscale retail activities may have minor effects on the economic vitality and viability of the traditional retail areas around Jackson Street Historic Retail Precinct (Petone Commercial Activity Area – Area 1), the cumulative effect of such development is likely to be detrimental to the economic vitality and viability of this retail area.

The Petone Mixed Use Area is not considered suitable for largescale integrated retail developments (i.e. above 10,000m²) due to potential effects on the economic vitality and viability of the traditional retail areas around Jackson Street Historic Retail Precinct (Petone Commercial Activity Area – Area 1) and Hutt City's Central Commercial Activity Area, as well as potential increases in traffic volumes on the surrounding road network and natural hazard risks. This activity is considered to be more suitably located within the Central Commercial Activity Area (commonly referred to as Lower Hutt CBD). ‘

It is anticipated the Petone Mixed Use Area will experience some residential development. Residential activities can positively contribute to the vibrancy and vitality of the area, as these residents have convenient access to retail, commercial, community and recreational amenities within the Petone area. In addition, with changing demographics of an aging population and smaller household units, providing for residential activities within the Petone Mixed Use Area gives another option for meeting the requirements of future residents in the City.

However, residential activities may be incompatible with some other activities in the Petone Mixed Use 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. In addition, residential activities are restricted on the ground floor on Jackson Street to ensure activities on the ground floor have a positive relationship to the street where they provide interest, visual connection and an active edge.

The effects of activities in the Petone Mixed Use Area may have an adverse impact on the character or amenity values of an area or degrade the quality of the environment. These effects need to be managed to maintain and enhance the amenity and other values of the mixed use area and adjacent areas in other zones. A number of methods are available to avoid or mitigate adverse effects causing harm or damage to the environment. These methods include the use of good urban design, landscaping, use of porous surfaces, sediment traps and other low impact urban design solutions. The Petone Mixed Use Area Design Guide provides advice on the above.

Particular care needs to be taken to avoid adverse effects on biodiversity values, natural character and open space/recreational values of the Korokoro Stream and Petone foreshore, situated outside of the Petone Mixed Use Area.

Localised upgrades to reticulated infrastructure may be required where the capacity is not sufficient to meet the demand for new development. The provision of new or upgraded reticulated infrastructure would need to be designed and constructed to meet the future demand as a mixed-use area.

AMENDMENT 256 - Delete section 5B 1.1.2B - Area 2 - Petone Mixed Use - Natural Hazards

5B 1.1.2B Area 2 Petone Mixed Use Natural Hazards

Issue

~~Petone West is susceptible to a number of natural hazards due to its location in proximity to the Wellington fault line, its coastal position, high watertable, soil profile and anticipated exposure to ground shaking. Development in this area would increase the potential consequences and impacts of these hazards. Given the natural hazard risks and potential consequences, it is necessary to reduce the risk and vulnerability of people and their property from natural hazards. Risks from natural hazards need to be balanced with risk of negative economic and social consequences from preventing or restricting any further development (and corresponding investment) in this existing urban area and the benefits of allowing for the use of previously developed land in proximity to strategic transport links and a range of amenities.~~

Objective

~~To avoid or mitigate the vulnerability and risk of people and development to natural hazards to an acceptable level.~~

Policy

- ~~(a) Restrict the establishment of certain activities such as emergency facilities, childcare centres, places of assembly, commercial activities accommodating large numbers of people, education and training, housing for the elderly, and residential facilities in recognition of their higher vulnerability to natural hazard risks and potential for higher consequences in the event of a natural disaster occurring.~~
- ~~(b) Manage developments containing higher numbers of people, more vulnerable types of development and developments with higher consequences in the event of a natural disaster, to ensure that the use and development avoids or mitigates the risks posed by seismic hazards to a degree considered acceptable by the Council.~~
- ~~(c) Ensure that new development does not occur without an understanding of natural hazard risks.~~
- ~~(d) New development does not take place without appropriate precautions and mitigation measures against natural hazard risks.~~
- ~~(e) Ensure developments, including buildings and structures, are located, designed and constructed to reduce the risk to building failure and loss of life from seismic hazards, including fault rupture hazard, subsidence, liquefaction and tsunami inundation.~~
- ~~(f) Ensure the design and layout of developments, including buildings, avoids or mitigates the effects of sea level rises, taking into account rises to such levels as a result of climate change.~~

Explanation and Reasons

~~The Wellington Fault traverses the Petone Mixed Use Area, which places the area at high risk from seismic activity. This area is at risk from a range of hazards including:~~

- ~~• Surface fault rupture within the Wellington Fault Special Study Area;~~
- ~~• Wellington Fault subsidence and ground level change;~~
- ~~• Ground shaking;~~
- ~~• Liquefaction and associated subsidence;~~
- ~~• Tsunami inundation; and~~
- ~~• Climate change impacts, including absolute and relative sea level rise.~~

Fault rupture has the potential to cause significant damage to buildings, structures and life without warning. The Wellington Fault Special Study Area has been identified to manage the risks posed by fault rupture, although other earthquake-related risks apply outside this area.

A significant portion of the mixed use area has been identified as having a medium to high overall earthquake risk, with liquefaction potential identified as high and very high.

The assessment of hazard risks involves a consideration of potential consequences from natural hazards, in addition to the likelihood of an event occurring.

Due to the potential for large numbers of people to congregate or work in community facilities and large commercial buildings, as well as facilities which provide critical services during emergency events, the establishment of specific activities is restricted. These restricted activities are based on the Building Importance Categories in the Building Code. In addition, any new development will need to undertake a site specific investigation of the seismic hazards (fault rupture, liquefaction, tsunami and subsidence) to determine the risks to people and property posed by the hazards and the measures proposed to avoid or mitigate these risks.

Although the risk of damage from natural hazards can be reduced by the adoption of a range of mitigation measures, natural hazard risks cannot be completely eliminated. Consideration should be given to the risks posed by natural hazards over the anticipated lifetime of development (not less than 50 years).

Prior to any development occurring, it is important that there is understanding and consideration of the natural hazard risks and assessment of precautions and mitigation measures proposed in response to these risks. A site specific assessment would ensure these risks are assessed. This assessment needs to take into account the future use and occupancy of the development. All new buildings and extensions and alterations to existing buildings which increase gross floor area above 5% will require resource consent. Matters of consideration will include natural hazards and will require the submission of geotechnical information provided by a suitably qualified person assessing the seismic risks for the subject site, including fault rupture, ground shaking, subsidence, tsunami and liquefaction. The information shall identify the location and depth of any fault trace and/or fault trace deformation, location and depth of subsidence, liquefaction risk and risk of tsunami inundation.

At the time of proposing new development, geotechnical information will be required to demonstrate new buildings avoid and are setback from being sited directly over a fault trace. For subsidence, liquefaction and ground shaking, geotechnical investigations will be required to assess the ground conditions of the site, and assess the intensity and nature of future development of the site, including building design and construction techniques.

Due to the position of the aquifer under part of the mixed use area, applicants should be aware that intrusive ground investigation intended as part of an assessment of hazard risk, may also require resource consent from Greater Wellington Regional Council.

The design and layout of development, including buildings, is also expected to take into account methods to avoid or mitigate the risks from sea level rises, and take into account changes to these levels as a result of climate change. Sea levels in Wellington Harbour are predicted to rise by 0.8m by the 2090's or approximately 1m in the next 100 years. This prediction does not take into account relative sea level rises, caused by polar icesheet loss and tectonic subsidence.

5B 1.1.3 Area 2 - Petone Mixed Use - Main Entrance and Gateway Routes

Issue

The main entrance and gateway routes of the City need to be attractive and clearly defined to reinforce the identity of the City and the sense of place that it offers. Three of the main transport routes pass through the Petone Mixed Use Area. These routes include Hutt Road, The Esplanade and Jackson Street, which contribute to the character, quality and amenity of Area 2 as a mixed use environment. It is necessary to manage the effects of development along these routes to maintain and enhance the image of the City, whilst enabling utilisation of the sites adjoining these routes consistent with the mixed use character of the area.

Objective

To recognise and enhance the image and visual appearance of the main entrances and gateways of the City where they pass through Area 2 – Petone Mixed Use.

Policy

- (a) Ensure that the design, external appearance, and orientation of structures and buildings maintain and enhance the image and visual appearance of the main entrances and gateways to the City.
- (b) Ensure that buildings are designed in a manner that maintains and enhances the safety, convenience, accessibility, amenity and linkages within Area 2 - Petone Mixed Use.
- (c) Manage prominent sites to maximise sense of identity, act as gateways, provide visual interest and provide a visual point of reference in the landscape/streetscape. To be achieved by managing the design and appearance of new buildings and developments, including additions and alterations.
- (d) Ensure the use of quality urban design directed at enhancing the relationship of buildings with public open space within streets having regard to the role, character and values of each main entrance and gateway route.

Explanation and Reasons

The objective is to recognise and enhance the image and visual appearance of main entrance and gateway routes within the City. These routes can enhance the experience of entrance to and exit from the City, thereby creating a sense of approach, arrival and departure as people travel through the City. This helps to reinforce the identity of the City and accentuates the sense of movement from one place to another when entering or leaving the City. This approach to the main entrance and gateway routes can assist peoples' sense of orientation and understanding of the physical structure, and the geography, of the City.

Therefore, new buildings and developments and larger additions to existing buildings within the Petone Mixed Use Area will be specifically managed to ensure they achieve this objective. The main entrance and gateway routes within Area 2 – Petone Mixed Use are Hutt Road, The Esplanade and Jackson Street are identified in Appendix Petone Commercial 3. Each road has a different role, character and values which are to be considered.

In addition, 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 Petone Mixed Use Area have been identified as prominent sites, with supporting design guidance provided to manage the building design.

Hutt Road:

The eastern side of Hutt Road south of Campbell Terrace is within Area 2 - Petone Mixed Use. The role of Lower Hutt as a regional industrial and service centre is emphasised by the character of the buildings and type of activities along this route. There are significant features along this route that mark progress, including the intersection with Jackson Street, and connection to the Petone Railway Station. This route provides a link between the Petone Off Ramp and the Hutt City Central Commercial Activity Area. Development and activities along this route should enhance the amenity value and visual appearance of this main entrance route.

AMENDMENT 257 - Amend explanation and reasons of section 5B 1.1.3 - Area 2 Petone Mixed Use - Main Entrance and Gateway Routes, with regard to The Esplanade

The Esplanade:

This area forms one of the most important entrances to the City. Given the close association with the harbour and public open space along the Petone foreshore, it is important to maintain a high standard of design for buildings and structures fronting The Esplanade.

The Esplanade carries a significant volume of traffic along the Petone foreshore area. This route is at the edge of the City and is part of the connection with the harbour, which is one of the region's most significant natural features. There is a contrast between, on the one side of the road, a building dominated townscape, and on the other, an open and panoramic seascape.

The building design and appearance will be managed to enhance the amenity value and visual appearance of the area and adjoining foreshore, as well as creating an attractive gateway entrance to the City. Design features will need to be incorporated to prevent visual monotony and promote a strong visual connection with the street. ~~This should include the provision of landscaping along the road front boundary and setting buildings back from the street edge, except on small and narrow sites identified in Appendix Petone Commercial 7.~~

Jackson Street:

That portion of Jackson Street between Hutt Road and Victoria Street forms an important and highly utilised gateway route into Petone, for both vehicles and pedestrians, with Jackson Street being the main pedestrian thoroughfare extending from the Railway Station to Cuba Street. Given the close association with the historical commercial character of Jackson Street east (Area 1), and surrounding residential activities, it is important to maintain a high standard of design for buildings and structures fronting Jackson Street.

Activities along Jackson Street will be required to maintain and enhance the amenity value and visual appearance of this route. This will be achieved using specific standards and guidelines for buildings and structures to provide a safe, functional and attractive environment that accommodates a range of activities.

5B 1.2 Site Development Issues

5B 1.2.1 Area 1 - Distinctive Character and Built Form of the Area on Jackson Street generally between

Victoria and Cuba Streets

Issue

Buildings and structures on both sides of Jackson Street generally bounded by Victoria and Cuba Streets have a distinctive built form, style and character. It is important that these characteristics are retained and enhanced.

AMENDMENT 258 - Amend objective of section 5B 1.2.1 - Area 1 Distinctive Character and Built Form of the Area on Jackson Street generally between Victoria and Cuba Streets

Objective

~~To ensure that the distinctive built form~~ The significant historic heritage values, style, and character of buildings and structures in the area between Victoria and Cuba Streets Jackson Street Heritage Precinct are retained and enhanced.

AMENDMENT 259 - Amend policies of section 5B 1.2.1 - Area 1 Distinctive Character and Built Form of the Area on Jackson Street generally between Victoria and Cuba Streets

Policy

- (a) External alterations, repairs, or modifications to existing buildings and structures ~~plus and the construction of new buildings and structures in the area bounded by Victoria and Cuba Streets must~~ Jackson Street Heritage Precinct comply with the specified design performance standards.
- (b) External alterations, repairs, or modifications to existing buildings and structures and the construction of new buildings and structures in Area 1 outside the Jackson Street Heritage Precinct respect the significant historic heritage values, style, and character of the Jackson Street Heritage Precinct.

AMENDMENT 260 - Amend explanation and reasons of section 5B 1.2.1 - Area 1 Distinctive Character and Built Form of the Area on Jackson Street generally between Victoria and Cuba Streets

Explanation and Reasons

The area on both sides of Jackson Street bounded generally by Victoria and Cuba Streets consists of a mix of one and two storeyed buildings, with small frontage retail activities and commercial activities at road level, and residential flats or offices above. Many of the buildings in this area were built between 1926 and 1940. A large number of buildings have decorative parapets and present an imposing impression from the road.

This area has a distinctive built form, style and character, arising from the significant historic heritage values of the Jackson Street Heritage Precinct. It is important that these characteristics are retained and enhanced. Council does not seek to prevent or prohibit the repair, alteration, modification or redevelopment of existing buildings or structures. Any such changes to the external facade of existing buildings or redevelopment must not compromise the existing built form and character of the area and will be assessed in accordance with design performance standards specified in Appendix Petone Commercial 1.

Signs on buildings not only provide an important commercial function but also add to the character and vitality of the area. The design of their position, size, shape, colour and lettering style must be carefully considered and assimilated into the design of the building as a whole. Therefore, it is important that all signs are compatible and sympathetic with the distinctive character of the area. This being the case all signs, (except those that are temporary for a period of three months) require a resource consent and will be assessed in accordance with the design performance standards specified in Appendix Petone Commercial 1.

5B 1.2.2 Areas 1 and 2 - Weather Protection

Issue

It is important that all buildings on either side of Jackson Street between Hutt Road and Cuba Street (Areas 1 and 2) have verandahs to provide weather protection.

Objective

To ensure that all buildings on either side of Jackson Street between Hutt Road and Cuba Street (Areas 1 and 2) have adequate weather protection, except those existing buildings designed and built without verandahs in the Jackson Street Historic Retail Precinct (Petone Commercial Activity Area – Area 1).

Policy

- (a) To ensure that in the Jackson Street Historic Retail Precinct (Petone Commercial Activity Area - Area 1) all buildings except those existing buildings designed and built without verandahs, have verandahs to provide weather protection to pedestrians.
- (b) To ensure that in the section of Jackson Street within Petone Commercial Activity Area - Area 2, all new buildings and additions and alterations to existing buildings have verandahs to provide weather protection to pedestrians.

Explanation and Reasons

For the comfort of pedestrians/shoppers and to encourage pedestrian movements, it is important that all buildings in Areas 1 and 2 have verandahs. For the section of Jackson Street within Petone Commercial Activity Area - Area 2, it is anticipated that over time the area will be re-developed and the provision of verandahs would create a pedestrian friendly environment that will provide greater comfort and encourage circulation. In the Jackson Street Historic Retail Precinct (Petone Commercial Activity Area - Area 1), an exception is provided where existing buildings were originally designed and built without a verandah.

5B 1.2.3 Area 2 - Character and Building Form and Quality within Area 2 - Petone Mixed Use

Issue

The Area 2 - Petone Mixed Use area provides for a range of complementary activities to support the needs of residents and workers. In order for the area to attract and support the mixture of activities, any buildings, structures and associated areas need to be functional, attractive and contribute to the quality of the environment. The building and open spaces also need to recognise their context and effects on their surroundings, such as the foreshore, historic heritage areas, main entrance and gateway routes, and residential areas.

Objective

~~To ensure that t~~he form and quality of buildings, structures, open space and development overall within the Petone Mixed Use Area maintain and enhance the character, amenity values and quality of the environment, whilst recognising and protecting the values and features of adjoining areas. is designed to result in a quality interface with the public realm and, where appropriate, minimize adverse effects on surrounding sensitive interfaces, taking into account the planned urban built environment of the area.

AMENDMENT 261 - Amend policies of section 5B 1.2.3 - Area 2 - Character and Building Form and Quality within Area 2 Petone Mixed Use

Policy

- (a) Provide for alterations and minor additions to existing buildings, subject to minimum standards, and encourage a 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 of an integrated, safe and attractive mixed use environment with a high standard of streetscape and amenity.

- (c) For Jackson Street, require buildings to provide and maintain an active, transparent and continual frontage, as well as shelter, to provide a pedestrian focused environment along this main gateway route.
- (d) ~~Manage the height and location of buildings to respond to their context and locality, with lower building heights for the areas:~~
 - ~~Adjoining and close to Residential Activity Areas to minimise effects on the amenity values, including shading, over dominance and privacy; and~~
 - ~~Along the Jackson Street front road boundary with taller buildings setback from the street, thereby creating a streetscape with lower level buildings and protecting sunlight to public spaces within the street.~~
- (e) ~~Manage the height, location and design of~~ Encourage buildings and development on The Esplanade to create a landscaped street frontage and to protection of sunlight access to the beach to ~~avoid overshadowing.~~
- (f) Encourage all new buildings to provide appropriate levels of natural light to occupied spaces within the building.
- (g) Require a minimum level of amenity for future occupiers of residential buildings through the use of a permitted activity standard regarding outdoor space. In addition to encouraging good quality and amenity by guiding their design to ensure current and future occupants have useable internal space, ongoing access to daylight, and an external aspect.
- (h) Manage new buildings to be designed to manage adverse effects on amenity value, including visual, ~~wind~~ and glare.
- (i) ~~Restrict~~ Manage the height of design of buildings and structures at the interface with adjoining residential areas to minimise effects on the amenity values, including shading, - ~~over dominance and privacy.~~
- (j) ~~Ensure that new buildings higher than 12 metres are designed to avoid, remedy or mitigate any wind problems that they create (including cumulative effects with other buildings) and where existing wind conditions are dangerous, ensure new development improves the wind environment as far as reasonably practical.~~
- (k) Encourage buildings to be designed and located in a manner that enhances the safety, convenience, accessibility and amenity of pedestrian spaces and linkages within the Petone Mixed Use Area.
- (l) Manage the effect of development on adjacent areas identified for their historic heritage, cultural, and distinctive character and built form values, particularly Te Puni Urupā.
- (m) Ensure developments, including buildings and structures, are located, designed and constructed to reduce the risk to building failure and loss of life from seismic hazards, including fault rupture hazard, subsidence and liquefaction.

AMENDMENT 262 - Amend Explanation and Reasons of section 5B 1.2.3 - Area 2 - Character and Building Form and Quality within Area 2 Petone Mixed Use

Explanation and Reasons

The Area 2 - Petone Mixed Use area consists of a range of complementary activities. In order to provide a quality environment that is attractive, functional and contributes to the quality of the environment, buildings and structures need to be well designed and integrated into the area.

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

Minor alterations and small additions to existing buildings are provided for to facilitate the upgrading, modification or conversion of the existing building stock in the 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 area.

For new buildings and developments and larger additions to existing buildings, these will be specifically managed to ensure they relate well to the public environment and support the overall role of the area as accommodating a mixture of activities, and contribute to the quality of the environment. Buildings will be required to consider the relationship to public environment (such as streets and open spaces), creation or maintenance of linkages within the site and with adjoining sites and streets.

For Jackson Street, 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 this street maintains and enhances the quality of the streetscape for pedestrians. In addition, requiring shelter for pedestrians along Jackson Street provides protection from adverse climatic conditions and provides a more comfortable environment between the Petone Railway Station and the Jackson Street Historic Retail Precinct.

One of the highly valued areas of Petone is the foreshore and beach. The foreshore and beach is valued for its recreation (active and passive), cultural, natural and historic values. Creating a landscaped frontage along The Esplanade responds to these values and provides an attractive environment. Protecting sunlight access to the beach year round from over- height buildings or buildings located close to The Esplanade frontage would support the ongoing use and enjoyment of the beach environment.

The large street block formed by Te Puni Street, Jackson Street, Victoria Street and The Esplanade, and the larger properties within this street block and other areas, have poor connectivity (few streets and large blocks) for a good quality mixed use environment. In addition, there is no public open space within the Petone Mixed Use Area. The Design Guidelines contain direction on creating new public open space and/or street connection within the Petone Mixed Use Area.

Provision has been made for intensive residential development in the Petone Mixed Use Area. It is important that 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 Petone Mixed Use Area develops further.

A minimum level of residential amenity for future occupiers is ensured through the use of minimum performance standards regarding outdoor space provision and noise insulation. Design solutions which meet these performance standards are also likely to provide other internal amenity features and benefits, such as natural lighting and ventilation.

The existing wind speeds at ground level within the Petone Mixed Use Area are variable, with some areas experiencing high and dangerous conditions. In addition, in some locations within this area, 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 this mixed use environment, 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 to ensure the wind conditions are not worsened.

The Petone Mixed Use Area shares an extensive interface with adjacent Residential Activity Areas. This interface is a particularly sensitive one as the effects associated with commercial or servicing 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 range of activities permitted within the Petone Mixed Use 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 additions to existing buildings, on adjacent residential areas.

Adjacent to the Petone Mixed Use Area are areas with different values. Jackson Street between Victoria Street and Cuba Street (Petone Commercial Activity Area – Area 1) is recognised for its historic heritage values and distinctive character and built form. Development within the Petone Mixed Use Area adjacent to that section of Jackson Street should recognise and respond to the values, character and form of the adjacent area. The Te Puni Urupa is surrounded by the Petone Mixed Use Area and is recognised for its cultural values (Community Iwi Activity Area). Development adjacent to the urupa is to be managed to protect the cultural values of this area through the use of height controls and design requirements.

The Wellington Fault traverses the Petone Mixed Use Area and is subject to high risk of seismic activity causing fault rupture, liquefaction, subsidence, ground shaking and tsunami. Fault rupture has the potential to cause significant damage to buildings, structures and life without warning. The Wellington Fault ~~Special Study Area~~ Overlay has been identified to manage the risks posed by fault rupture. At the time of proposing new development, geotechnical information will be required to demonstrate new buildings avoid and are setback from being sited directly over a fault trace. For subsidence, liquefaction and ground shaking, geotechnical investigations will be required to assess the ground conditions of the site and assess the intensity and nature of future development of the site, including building design and construction techniques.

5B 1.2.4 Carparking

Issue

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

Objective

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

Policy

- (a) Manage the design, location and scale of car parking, servicing, manoeuvring and access to maintain and enhance the streetscape and visual amenity values of the Petone Mixed Use Area.

AMENDMENT 263 - Amend explanation and reasons of section 5B 1.2.4 - Carparking

Explanation and Reasons

The provision of suitable onsite carparking, servicing and access is an important part of a number of activities and developments. Carparking If provided, carparking needs to be both adequate adequately designed and well located, while not compromising other forms of transport or degrading the streetscape or visual amenity values of the area.

Performance standards and design guidance for carparking is provided in the Petone Mixed Use Area Design Guide to ensure onsite carparking is provided in a manner which recognises and reflects the streetscape and visual amenity values of the area.

The use of porous car parking surfaces is also encouraged, which provides a number of environmentally friendly benefits, including a reduction in surface water ponding and contaminants entering the drainage system or Wellington Harbour.

Landscaping and screening of car parking can improve the visual amenity values of an area. It is important therefore that areas within the car parking area and areas adjoining roads are suitably landscaped and screened as outlined in the Design Guide.

5B 2 Rules

5B 2.1 Area 1 - Both sides of Jackson Street generally bounded by Victoria and Cuba Streets

5B 2.1.1 Permitted Activities

- (a) In that area of Jackson Street generally bounded by Victoria and Cuba Streets, shown as Area 1, all retail activities with a gross floor area not exceeding 1,000m².
- (b) Commercial activities with a gross floor area not exceeding 1,000m².
- (c) Residential activities above ground floor level.
- (d) Health care services with a gross floor area not exceeding 1,000m².
- (e) Licensed Premises with a gross floor area not exceeding 1,000m².

AMENDMENT 264 - Add new Permitted Activity Rule 5B 2.1.1(f)

- (f) Redecoration, repair or alterations which are internal and not visible from the road or from the road frontage.

AMENDMENT 265 - Add new Permitted Activity Rule 5B 2.1.1(g)

- (g) Minor repair, alterations, and maintenance to the existing facade of a building or structure that does not require building consent;

AMENDMENT 266 - Add new Permitted Activity Rule 5B 2.1.1(h)

- (h) Signs that are temporary for a period of no more than 3 months.

5B 2.1.1.1 Area 1 Permitted Activities - Conditions

AMENDMENT 267 - Delete Permitted Activity Condition 5B 2.1.1.1(a) Site Coverage

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

AMENDMENT 268 - Amend Permitted Activity Condition 5B 2.1.1.1(b) Maximum Height of Buildings and Structures

- (b) **Maximum Height of Buildings and Structures:**
 - (i) 10m within the Jackson Street Heritage Precinct
 - (ii) 22m where not within the Jackson Street Heritage Precinct~~Maximum Height of Buildings and Structures: 10.0m.~~

AMENDMENT 269 - Amend Permitted Activity Condition 5B 2.1.1.1(c) Landscaping and Screening

- (c) **Landscaping and Screening:**
 - (i) All outdoor storage and servicing areas must be screened so that they are not visible from a road or public place.
 - (ii) At least 5% of car parking areas not contained within a building ~~and adjoining roads~~ must be landscaped ~~and screened~~.
 - (iii) Car parking areas must be screened from Jackson Street.

AMENDMENT 270 - Amend Permitted Activity Condition 5B 2.1.1(d) Sites abutting residential activity areas

(d) **Sites abutting residential activity areas:**

Where a site abuts a residential activity area the following conditions shall apply:

- (i) ~~The maximum height of buildings is 10 metres.~~ All buildings and structures shall comply with the recession plane requirements of the abutting residential activity area.
- (ii) Side yard minimum depth of ~~3 metres where the~~ 1m on boundaries with a site abuts in a residential activity area.
- (iii) Rear yard minimum depth of ~~8 metres where the~~ 1m on boundaries with a site abuts in a residential activity area. This may be reduced if there is a service lane to the rear of the site.
- (iv) ~~Where a site abuts a residential activity area all~~ All outdoor storage and servicing areas must be screened ~~by a~~ from the abutting residential activity area by a building or 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) All car parking areas, not contained within buildings, which abut a residential activity area shall be screened by a building or closeboarded fence or a fence made of solid material with a minimum height of 1.2m and a maximum height of 1.8m.
- (vi) ~~Where a site abuts a residential activity area, servicing~~ Servicing of activities must not occur between the hours of 10.00pm and 7.00am.

(e) **General Rules:**

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

5B 2.1.2 Restricted Discretionary Activities

AMENDMENT 271 - Amend Restricted Discretionary Activity Rule 5B 2.1.2(a)

- (a) All construction, redevelopment, alterations, repairing or modifications of any building or structure, ~~except the following: which is not listed as a Permitted Activity.~~
 - i. ~~Redecoration, repair or alterations which are internal and not visible from the road or from the road frontage; and~~
 - ii. ~~Minor repair or alterations or maintenance to the existing facade of a building or structure which does not require any building consent; which are Permitted Activities.~~

Public and limited notification is precluded for applications under Rule 5B 2.1.2(a).

AMENDMENT 272- Amend Restricted Discretionary Activity Rule 5B 2.1.2(b)

- (b) All signs which are not listed as a ~~except those that are temporary for a period of three months which are Permitted Activities~~ Activity.

5B 2.1.2.1 Matters in which Council has Restricted its Discretion and Standards and Terms

The matters that Council has restricted its discretion are specified in Appendix Petone Commercial 1. These relate to the following matters:

- (i) Building shape;
- (ii) Buildings on corner sites;
- (iii) Building modulation;
- (iv) Wall materials and openings;
- (v) Silhouette, parapets and cornices;

- (vi) Decoration and colour;
- (vii) Verandahs;
- (viii) Under verandahs; and
- (ix) Signs and lighting.

All resource consent applications will be assessed in accordance with the Standards and Terms specified in Appendix Petone Commercial 1.

5B 2.1.2.2 Other Matters

All Restricted Discretionary Activities must comply with other relevant Permitted Activity Conditions.

5B 2.1.3 Discretionary Activities

- (a) Except where stated in the General Rules, any Permitted Activity which fails to comply with any of the Permitted Activity Conditions.
- (b) Residential activity on the ground floor of buildings.
- (c) Brothels and commercial sexual services on the ground floor of buildings.
- (d) 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.

5B 2.1.3.1 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.

5B 2.1.4 Non-Complying Activities

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

5B 2.1.5 Other Provisions

- (a) Subdivisions - See Chapter 11.
- (b) Financial Contributions - See Chapter 12.
- (c) Network Utilities, including the National Grid - See Chapter 13.
- (d) General Rules - See Chapter 14.

5B 2.2 Area 2 - Petone Mixed Use - Area generally bounded by Hutt Road, Petone Avenue,

Campbell Terrace, Victoria Street, Sydney Street and The Esplanade

5B 2.2.1 Permitted Activities

- (a) Retail activities which comply with the following:
- (i) Individual retail stores not less than 500m² gross floor area*.
 - (ii) Individual retail stores of not more than 3,000m² gross floor area*.
 - (iii) Cumulative total floor space of all individual retail stores of not more than 3,000m² gross floor area.
- *Note: In the case of individual retail stores occupying a portion of a building containing multiple retail stores or used for a mixture of land use activities (such as offices or residential), gross floor area means the leasable floor area operated by a single business entity operating under a single store brand or trading logo (excluding common facilities such as lifts, stairs, seating, lobbies and toilets for retail stores which share facilities with other retail stores or land use activities).
- (b) Commercial activities, with the exception of activities anticipated to accommodate in excess of 300 persons at any one time.
- (c) Warehouses.
- (d) Garden centres.
- (e) Residential Activities, with the exception of:
- (i) Ground floor level on Jackson Street;
 - (ii) Housing for the Elderly; and
 - (iii) Residential Facilities.
- (f) Brothels and commercial sexual services, with the exception of:
- (i) Ground floor level on Jackson Street;
 - (ii) Sites abutting or directly across the road from schools, childcare facility, churches and other similar religious establishments or a Residential Activity Area; and
 - (iii) Within a building which is used or partially used for residential purposes.
- (g) Commercial garages.
- (h) Service Industry Activities.
- (i) Cottage Industry Activities.
- (j) Service, repair or hire of household goods and services.
- (k) Research for industrial purposes.

AMENDMENT 273 - Amend Permitted Activity Rule 5B 2.2.1(l)

- (l) The alteration, addition and repair of buildings and structures where the gross floor area of the additions is less than 5% of the gross floor area of the existing building and where if the maximum height of the existing building is greater than 22m, the height is not increased.
- (m) The alteration, addition and repair of buildings and structures which does not change the external building form (floor area and height) of the existing building.
- (n) The total or partial demolition or removal of buildings and structures.
- (o) Minor alterations to existing site activities or land condition:
- (i) The replacement of fuel storage tanks and ancillary equipment works within service stations in accordance with the National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011; or
 - (ii) Change to layout or configuration of existing car parks or existing drive- through facility.

5B 2.2.1.1 Area 2 Permitted Activities - Conditions

AMENDMENT 274 - Amend Permitted Activity Condition 5B 2.2.1.1(a) Maximum Height and Recession Plane of Buildings and Structures

(a) Maximum Height and Recession Plane of Buildings and Structures: 20.0m, with the following exceptions—

- i. 12.0m on the road front boundary of Jackson Street, Hutt Road and The Esplanade with a recession plane of 45° sloping inwards up to the permitted height in (ii)(iv) below;
- ii. 12.0m for properties abutting a General Residential Area;
- iii. 14.0m for properties to the east of Victoria Street, except for those sites which abut the General Residential Activity Area;
- iv. 14.0m for properties on the north side of Jackson Street, between Victoria and Gear Streets.

The above height limits are illustrated in Appendix Petone Commercial 8—Petone Commercial Activity Area 2.

No limit, except areas shown on the District Plan Map as having a specific height control overlay, in which case the maximum height of that overlay applies.

AMENDMENT 275 - Delete Permitted Activity Condition 5B 2.2.1.1(b) Minimum Yard and Setback Requirements

(b) Minimum Yard and Setback Requirements:

- i. Buildings and structures on sites abutting an urupa shall have a minimum setback of 3m.
- ii. Buildings and structures on sites abutting a General Residential Activity Area shall have a minimum setback of 3.0m.
- iii. Buildings and structures shall have a minimum setback of 10m from The Esplanade front road boundary, except for sites identified in Appendix Petone Commercial 7.

(c) Verandahs, Building Frontages and Display Windows on Jackson Street:

For sites fronting Jackson Street:

- (i) All buildings shall be built to the front boundary of the site and have display windows along the frontage. The ground floor façade surface shall have a minimum of 60% transparent glass display windows.
- (ii) Buildings and structures shall have a maximum ground floor street frontage width for individual occupiers of 30.0m.
- (iii) Any parts of a building fronting Jackson Street shall have a verandah. The verandah shall meet the following requirements:
 - A minimum clearance of 2.5m directly above the footpath or formed ground surface;
 - No more than 4.0m in height (measured at the base of the verandah fascia) directly above the footpath or from ground surface;
 - Extend for the full length of the building;
 - Extend outwards from the front of the building to the far side of the kerbing less than 450mm, or 3.0m, whichever is the lesser; and
 - Provide continuous shelter with any adjoining verandah or pedestrian shelter.

AMENDMENT 276 - Amend Permitted Activity Condition 5B 2.2.1.1(d) Landscaping and Screening

(d) 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.
- ii. All outdoor storage areas shall be screened so that they are not visible from a road or public space.
- iii. Any surface or ground level parking area shall not exceed a maximum width of 18m along the site frontage or 40% of the site frontage, whichever is the lesser.

- iv. ~~On sites with road frontage to The Esplanade, a planting strip shall be provided to comply with the following conditions:~~
- ~~• A minimum width of 2.5m;~~
 - ~~• Planting shall include at least one specimen tree capable of growing to 5.0m in height within 10 years of planting for every 5.0m of site frontage; and~~
 - ~~• The planting strip shall be planted so as to provide separation between onsite pedestrian and vehicle activities and pedestrian/vehicular activities taking place on the street.~~

AMENDMENT 277 - Amend Permitted Activity Condition 5B 2.2.1.1(e) Sites abutting Residential Activity Areas

(e) Sites abutting Residential Activity Areas:

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

- ~~i. The maximum building height is 12m.~~ All buildings and structures shall comply with the recession plane requirements of the abutting Residential Activity Area.
- ii. ~~Rear yard minimum depth of 3.0m~~ 1m.
- iii. All outdoor storage, carparking, and servicing areas must be screened so they are not visible from abutting sites in a Residential Activity Area.
- iv. Servicing of activities must not occur between the hours of 10.00pm and 7.00am.
- v. No mechanical repair and servicing of motor vehicles, trailers or motor fuelled domestic equipment shall be undertaken on the site.

AMENDMENT 278 - Amend Permitted Activity Condition 5B 2.2.1.1(f) Sites abutting or directly opposite the Community Iwi Activity Area

(f) Sites abutting or directly opposite the Community Iwi Activity Area (Te Puni Urupā):

Where a site abuts or is situated immediately opposite the Community Iwi Activity Area (Te Puni Urupā), the following conditions shall apply:

- ~~i. The maximum building height is 8m where a site abuts the Community Iwi Activity Area.~~
- ii. For all buildings and structures, a recession plane applies of 2.5m + 45° from all site boundaries with the urupā. This recession plane also applies to properties on the opposite side of Te Puni Street, where it will be measured from the road boundary of the urupā.
- iii. A minimum yard of 3 metres on any boundary with the urupā.

(g) Noise Insulation:

- a. 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:

$DnT_{w} + C_{tr} > 30 \text{ dB}^1$

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.

[¹ $DnT_{w} + C_{tr} > 30 \text{ dB}$ is the standardised level difference (outdoor to indoor) and is a measure of the airborne sound insulation provided by the external buildings envelope (including windows, walls, ceilings and floors where appropriate)]

(h) Ventilation:

Where bedrooms with openable 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 279 - Amend Permitted Activity Condition 5B 2.2.1.1(i) Outdoor Living Areas for Residential Activities ~~5B 2.2.1.1(f) Sites abutting or directly opposite the Community Iwi Activity Area~~

(i) Outdoor Living Areas for Residential Activities:

A minimum area of 20m² per residential unit shall be provided as either private or shared outdoor amenity space. Of this area, a minimum of 2.5m² shall be private outdoor space which is contiguous with the main living area of the unit.

Alternatively, for residential units located entirely above ground floor level the outdoor living space requirement can be satisfied by providing a balcony or roof terrace with a minimum area of 5m² with a minimum dimension of 1.8m.

(j) Lighting:

Any activity shall comply with the following requirements:

- a. 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 residential activities; and
- b. 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.

(k) 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.

(l) Odour:

All activities shall be carried out in such a manner so as to ensure that there is not an offensive or objectionable odour or fumes beyond the boundary of the site.

(m) General Rules:

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

5B 2.2.2 Restricted Discretionary Activities

AMENDMENT 280 - Delete Restricted Discretionary Activity Rule 5B 2.2.2

- (a) The construction, alteration of, addition to buildings and structures, except for those works permitted under Rule 5B 2.2.1 (l) and (m).
- (b) ~~The construction, alteration of, addition to buildings and structures over 12 metres in height, except:~~
 - ~~i. The alteration of, addition to buildings and structures where the gross floor area of the additions is less than 5% of the gross floor area of the existing building; or~~
 - ~~ii. The alteration of, addition of buildings and structures which does not change the external building form (floor area and height) of the existing building.~~
- (c) Any Permitted Activity which fails to comply with any of the relevant Permitted Activity Conditions, or relevant requirements of Chapter 14 - General Rules is to be assessed as a Restricted Discretionary Activity unless:

- (i) Any non-compliance with rules in Chapter 14 – General Rules, is specifically identified as requiring assessment under an alternative activity status.

5B 2.2.2.1 Matters in which Council has Restricted its Discretion

AMENDMENT 281 - Amend Matter of Discretion 5B 2.2.2.1(a)

(a) The construction, alteration of, addition to buildings and structures, except for those works permitted under Rule 5B 2.2.1 (l) and (m)

- i. Design, external appearance and siting of the building or structures.
- ii. Matters in the Petone Mixed Use Area Design Guide
 - A Design Statement will be required which demonstrates how the proposed development responds to the design guidelines of the Petone Mixed Use Area Design Guide.
- iii. Amenity Values
 - Effects upon the amenity values both within the site concerned and upon the planned amenity values for surrounding areas from buildings, structures and use of outdoor areas.
- iv. Landscaping
 - The extent to which landscaping is incorporated to achieve high quality urban design which maintains or enhances the image and visual appearance of the mixed use area.
 - A landscape plan will be required. This plan should include landscaping of any outdoor onsite parking areas.
- ~~v. Natural Hazards~~
 - ~~— The outcomes of the geotechnical investigation on seismic hazards, including fault rupture, subsidence, tsunami and liquefaction.~~
 - ~~— Whether the potential risk to the health and safety of people and property from fault rupture, subsidence, tsunami, liquefaction and sea level rise (taking into account changes to these levels arising from climate change), can be avoided or mitigated.~~
 - ~~— The design and layout of the development, including buildings, to avoid or mitigate the effects from fault rupture, subsidence, tsunami, liquefaction and sea level rise (taking into account changes to these levels arising from climate change).~~
- vi. Capacity of Infrastructure
 - The capacity of the City's infrastructure to service additional development on the site.
- vii. Impact on Historic Heritage
 - Expected or potential impacts on the historic heritage values of any adjacent Historic Area, Historic Building or Significant Cultural or Archaeological Resource and any measures to be adopted to protect these values.
- viii. Cultural significance of Te Puni Urupā
 - Where adjacent, impacts on the cultural and historic values of the Te Puni Urupā.

AMENDMENT 282 - Delete Matter of Discretion 5B 2.2.2.1(b)

~~(b) The construction, alteration of, addition to buildings and structures over 12 metres in height~~

~~The effects of wind on public space and adjoining areas.~~

(c) Any Permitted Activity which fails to comply with any of the relevant Permitted Activity Conditions, or relevant requirements of Chapter 14 - General Rules
Any actual or potential adverse effects arising from the proposed non-compliance, and measures to avoid, remedy or mitigate such effects.

5B 2.2.2.2 Restricted Discretionary Activity - Conditions

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

AMENDMENT 283 - Delete Restricted Discretionary Activity Condition 5B 2.2.2.2(b)

- (b) The construction, alteration of, addition, and repair of buildings and structures over 12 metres in height.

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, 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:

| 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 2.5 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. |

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. To show that a development complies with these standards a wind report must be supplied that meet the requirements outlined in Appendix Petone Commercial 4 – Wind Report.

5B 2.2.3 Discretionary Activities

- (a) Except where stated in the General Rules, any Restricted Discretionary Activity which fails to comply with any of the relevant Permitted and Restricted Discretionary Activity Conditions, or relevant requirements of Chapter 14 - General Rules.
- (b) Residential activities at ground floor level on Jackson Street.
- (c) Service stations.
- (d) Retail activities with an individual or cumulative total floor space of more than 3,000m² gross floor area.*
- (e) Retail activities with a gross floor area below 500m² per store.*
- *Note: In the case of individual retail stores occupying a portion of a building containing multiple retail stores or used for a mixture of land use activities (such as offices or residential), cumulative total floor space means the combined gross floor area of individual retail stores, in addition to the floor area of any shared common facilities.
- (f) Licenced premises.
- (g) Childcare facility.
- (h) Places of assembly.
- (i) Community activities/facilities.
- (j) Education and training facilities.
- (k) Commercial activities anticipated to accommodate more than 300 persons at any one time.

- (l) Housing for the elderly.
- (m) Residential facilities.
- (n) Car sales yards.
- (o) Industrial activities except for:
 - (i) service, repair or hire of household goods and services;
 - (ii) research for industrial purposes.
- (p) Brothels and commercial sexual services on the ground floor level on Jackson Street.
- (q) Brothels and commercial sexual services on a site abutting or directly across the road from schools, childcare facility, churches and other similar religious establishments or a Residential Activity Area.
- (r) All other activities not listed as a Permitted, Restricted Discretionary or Non-Complying Activity.

5B 2.2.3.1 Assessment Matters for Discretionary Activities

- (a) The matters contained in sections 104 and 105, and in Part II of the Act shall apply.
- (b) Design, external appearance and siting of the building or structures.
- (c) Matters in the Petone Mixed Use Area Design Guide
 - A Design Statement will be required which demonstrates how the proposed development responds to the design guidelines of the Petone Mixed Use Area Design Guide.
- (d) Natural hazards, including geotechnical investigation on seismic hazards, including fault rupture, subsidence, tsunamis and liquefaction, and measures to avoid or mitigate the effects from fault rupture, subsidence, tsunamis, liquefaction and sea level rise (taking into account changes to these levels arising from climate change).
- (e) Amenity Values
 - Effects upon the amenity values both within the site concerned and upon surrounding areas from buildings, structures and use of outdoor areas.
- (f) Landscaping
 - The extent to which landscaping is incorporated to achieve high quality urban design which maintains or enhances the image and visual appearance of the mixed use area.
 - A landscape plan will be required. This plan should include landscaping of any outdoor on-site parking areas.
- (g) Capacity of Infrastructure
 - The capacity of the City's infrastructure to service additional development on the site.
- (h) Impact on Historic Heritage
 - Impacts on the historic heritage values of any adjacent Historic Area, Historic Building or Significant Cultural or Archaeological Resource and any measures to be adopted to protect these values.
- (i) The degree of compliance or non-compliance with any relevant Permitted or Restricted Discretionary Activity Conditions.

5B 2.2.3.2 Additional Assessment Matters for Small Scale Retail

below 500m² gross floor area

Economic effect on the Jackson Street Historic Retail Precinct including:

- Incremental effect of proposed store(s) on the economic vitality and viability of the Jackson Street Historic Retail Precinct;
- Cumulative effect of proposed store(s) in development proposed and any other small-scale retail approved in the Petone Mixed Use Area over the past five calendar years;
- Effect on the economic efficiency of the Jackson Street Historic Retail Precinct as a retail centre;
- Number of existing vacancies in the Jackson Street Historic Retail Precinct at the time of lodging resource consent;
- Whether a suitable location is available for the development within the Jackson Street Historic Retail Precinct.

5B 2.2.3.3 Additional Assessment Matters for Licensed Premises

Economic effect on the Jackson Street Historic Retail Precinct including:

- Incremental effect of proposed store(s) on the economic vitality and viability of the Jackson Street Historic Retail Precinct;
- Cumulative effect of proposed store(s) in development proposed and any other small-scale retail approved in the Petone Mixed Use Area over the past five calendar years;
- Effect on the economic efficiency of the Jackson Street Historic Retail Precinct as a retail centre;
- Number of existing vacancies in the Jackson Street Historic Retail Precinct at the time of lodging resource consent; and
- Whether a suitable location is available for the development within the Jackson Street Historic Retail Precinct.

5B 2.2.3.4 Additional Assessment Matters for Retail above 3,000m² gross floor area

Economic effect on the Jackson Street Historic Retail Precinct including:

- Economic effect of proposed store(s) on the economic vitality and viability of the Jackson Street Historic Retail Precinct over a minimum time period of 5 years;
- Economic effect of proposed store(s) on the economic vitality and viability of the Hutt City Central Commercial Activity Area (Lower Hutt CBD) over a minimum time period of 5 years; and
- Identification of the proportion of floorspace to be used for 'comparison¹' and convenience goods.

[¹Comparison goods refers to the range of goods which are typically provided for in existing centres, such as books, clothing, music, footwear, cosmetics, accessories, stationary, health and beauty products]

5B 2.2.4 Non-Complying Activities

- (a) Emergency Facilities.
- (b) Integrated Retail Developments with a gross floor area in excess of 10,000m².

5B 2.2.5 Other Provisions

- (a) Subdivisions - See Chapter 11.
- (b) Financial Contributions - See Chapter 12.
- (c) Network Utilities, including the National Grid - See Chapter 13.
- (d) General Rules - See Chapter 14.

5B 3 Anticipated Environmental Results

- (a) The distinctive built form, style and character of buildings in Petone Commercial Activity Area 1 are retained and enhanced.
 - (b) Amenities of adjoining properties in Residential Activity Areas will be protected.
 - (c) The commercial and retail needs of residents and other users will be met.
 - (d) The Jackson Street Historic Retail Precinct continues to be vital and vibrant, with the mixed use area catering for increased diversity of complementary activities.
 - (e) Safe and attractive Petone Commercial Activity Areas 1 and 2.
 - (f) A sense of place and identity that reflects the character, qualities and context of the Petone area.
 - (g) Protection of the biodiversity and recreational values of Korokoro Stream and Petone foreshore situated outside the Petone Mixed Use Area.
 - (h) Protection of the historic character and economic vitality and viability of the Jackson Street Historic Retail Precinct.
 - (i) A reduction in hazard risks for people and property within Petone Commercial Activity Area 2.

5B Appendices

Appendix Petone Commercial 1

Part 1: Building Shape

AMENDMENT 284 - Amend section 1.1 Background of Appendix Petone Commercial 1

1.1 Background

Given the quality of old building stock ~~fronting Jackson Street~~ within the Jackson Street Heritage Precinct, refurbishments or new developments should reinforce the visual cohesion of the existing facades. Refurbishment or renovation of existing buildings should relate to the historical design traditions within the street.

1.2 Design Performance Standards

The design performance standards for the assessment of building shape are:

1. The extent to which building refurbishment or new development is designed with consideration for both;
(The historical design characteristics with Jackson Street.
)
(Those buildings adjacent to the proposed refurbishment or redevelopment. See Figure 1.
)

Figure 1



What to do with the space?

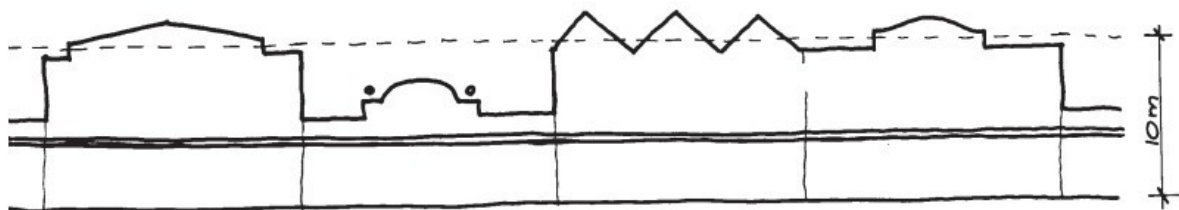


Make it part of the street!

2. The extent to which building refurbishment, renovation or replacement is designed to maintain the compatibility of cornice lines, floor to floor heights where these are strongly expressed, sign bands and other elements in adjacent buildings and strives to unify the street as a whole.
3. That buildings be built to maintain the compatibility of the streetscape frontage.
Explanation: Buildings in Jackson Street are generally built up to the front boundary and this is a common unifying element in the streetscape. However, it is appropriate to consider situations where a building and the space created between the building and the street may together contribute to an interesting streetscape as a result of contrast.
4. For buildings within the Jackson Street Heritage Precinct itself, the extent to which the new building is compatible with adjacent building heights.
Explanation: Buildings in the area are generally single or two storey in nature. To encourage the strengthening of the traditional linear street form new developments will comply with this height requirement.

See Figure 2

Figure 2

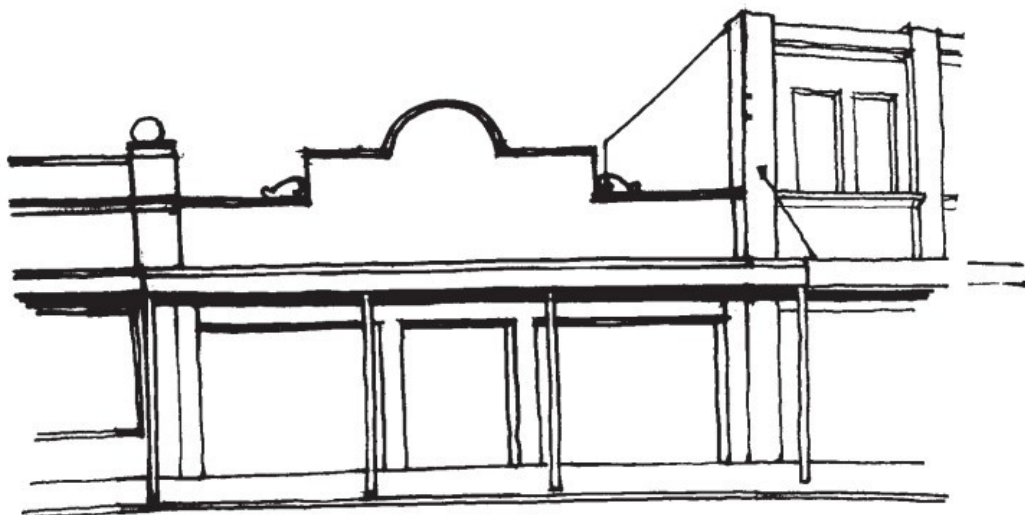


Generally consistent facade height

5. For buildings within Area 1 outside the Jackson Street Heritage Precinct, building heights may be up to six storeys, but should be designed to mitigate visual dominance and provide a coherent and definite transition in height occurring outside the boundaries of the Heritage Precinct.
6. Where single storey buildings are proposed and adjoining buildings are higher the extent to which designs use high parapets, false fronts and cornices to approximate more closely the average height of the neighbouring facades will be important.

See Figure 3

Figure 3



Part 2: Buildings on Corner Sites

2.1 Background

Opportunities exist at each street corner to emphasis the character of the building (and therefore the streetscape) and to make the building form three dimensional by creating an L-shaped facade.

Due to the prominence of corner sites, buildings in these locations have the potential to become landmarks. Emphasis can be achieved by chamfering the corner and introducing special elements such as towers, turrets, clocks and elaborate decoration, and corner entrances. Emphasis is also achieved by encouraging stronger vertical elements, such as doorways with a pediment, or full height columns. Where all the corner buildings at one intersection have used their position to advantage, the street pattern benefits from the drama created. Corner buildings also act as "book ends" for the buildings in between.

See Figure 4.

2.2 Design Performance Standards

The design performance standards for the assessment of buildings on corners are:

1. The extent to which refurbishment or redesign of corner buildings emphasises their corner location.
2. The extent to which building renovation or redevelopment includes the use of vertical elaboration in parapet and/or corner tower architectural features. Corner entrances and canopies with strong facade modulation will evoke a particular focus, acknowledge and celebrate the corner with all levels of the building.

Figure 4



Strong building design on corners will enhance the facade quality of the street

Part 3: Building Modulation

3.1 Background

The modulation of a building is the way the design divides up the facade into horizontal and vertical elements, resulting in a three-dimensional pattern.

In Jackson Street the pattern is often symmetrical and provides a rhythm along the street with horizontal elements overpowering the vertical. Strong horizontal bands define the levels in the building. These are particularly the line of the verandah, cornice line and the parapet silhouette.

See Figures 5 & 6.

Figure 5

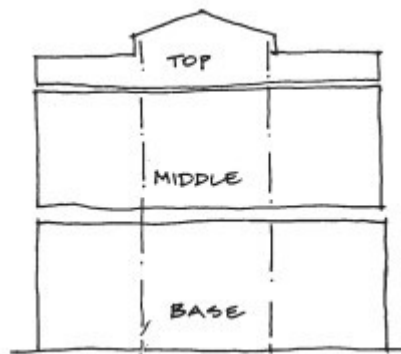


Figure 6



3.2 Design Performance Standards

The design performance standards for assessing building modulation are:

1. The extent to which building designs create a total building shape which reflect the traditional horizontal and vertical proportions and symmetry of building in Jackson Street.
2. The extent to which building designs emphasis the traditional strong horizontal elements of the verandah, cornice line and the parapet silhouette.
3. The extent to which the vertical lines will be less accentuated in the building design and occur as the structural bay columns of the building and the details of individual components such as doorways and shop front details.
4. The extent to which buildings which are continuous across a number of street level shops include modulation which is consistent at first floor level but is broken into

rhythmical bays at parapet level to reflect the shop division below.

See Figure 7.

Figure 7



Part 4: Wall Materials and Openings

4.1 Background

The buildings in Jackson Street are predominately (80%) plastered brick work or reinforced concrete, while 20% are of weatherboards over timber. Sometimes one is made to look like another. A monolithic form dominates, i.e. the building appears to be solid with openings shown as punctuation rather than transparent.

Often the thickness of the wall is emphasised by the built up reveal around openings, creating a shadow pattern. This can occur at parapet level where the thickness of the wall can be seen on its edges and cut outs.

There is a hierarchy in the size of the windows of a building, progressing from large at street level, and reducing in size and scale in the levels of the facade.

Along the street level, shop front glass covers most of the wall area, responding to the retailers need for display space. However structural columns are expressed at each bay and windows generally start a minimum 600mm above the footpath the shop fronts are divided by glazing bars to increase interest and reduce the scale. Often decorative tiles are used below sill level and the upper panes of glass are lead lights.

See Figure 8.

At first floor level, windows occur rhythmically along the facade, either as single vertical units at frequent intervals, or in groups of windows, where the proportion is square or rectangular. Some buildings have reinforced the shape of groups of windows by making them into bay windows.

Figure 8



*Building appears solid, windows built up to create depth.
Shop front design reflects structural bays.*

4.2 Design Performance Standards

The design performance standards for the assessment of wall materials and openings are:

1. The extent to which the building design reflects the traditional pattern of wall materials and openings.
2. The extent to which the building will appear monolithic rather than having a skin or veneer.
3. The extent to which building designs have discrete openings, and decoration which provides a rhythmical pattern within the monolithic form.
4. The extent to which building designs follow the general pattern of display windows at ground floor and rhythmic units on upper floor. If windows are grouped their segments will be highlighted by solid glazing bars. The extent to which openings may be embellished with decorative surrounds which together with the variation in groups, will add interest to the building facade.
5. Large bands of glass uninterrupted by areas of wall, or patterns of glazing bars ARE NOT acceptable as they do not respond to the street's history or character.

Part 5 Silhouette, Parapets and Cornices

5.1 Background

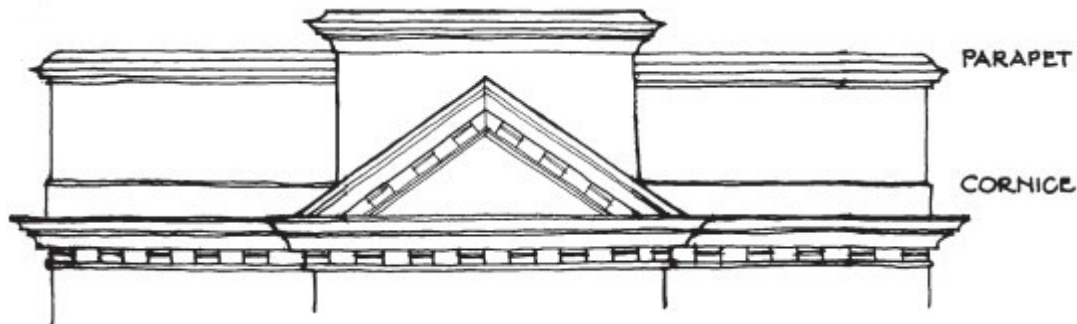
Due to the varied heights of buildings and their definite parapet patterns along the street the silhouette is varied and interesting. It provides a vitality to the streetscape above the verandah which is very visible to the pedestrian at street level. Many of the buildings have lost much of the embellishment of earlier times. Accurate reconstruction of missing external details is encouraged on heritage buildings.

The parapet creates an illusion of height. This, together with decorative features including an intricate parapet outline and embellishments, and below, ornate cornice lines and or applied signs and decoration, create imposing facades to the buildings.

Almost all the buildings have a strong cornice line applied to the face of the building. This strong horizontal line, emphasised by the shadow it creates underneath, is a dominant feature.

See Figure 9.

Figure 9



5.2 Design Performance Standards

The design performance standards for the assessment of silhouette, parapets and cornices are:

1. The extent to which building design includes a parapet, the size and proportions of which shall relate to the rest of the building, both in height and complexity and the design of adjacent buildings.
2. The extent to which the buildings design includes decorative skyline features, these might include urns, balls, balustrades etc. constructed in modern materials which are not heavy masonry and therefore able to be fixed without compromising structural stability. Other appropriate parapet features include pediments, towers or cupolas, flag poles and turrets.
3. That buildings design will include a cornice line.

Part 6 Decoration and Colour

6.1 Background

Both decoration and colour, whilst being an integral part of a buildings character, can be replaced, added to or altered. These elements provide an opportunity to emphasise the character of the street itself.

Decoration should generally be applied as a complex pattern of small scale elements, which add up to an overall pattern and give an identity to the building. Decoration also indicates scale, adds stability and visual delight, and creates shadow effects.

See Figure 10.

Many older buildings in Jackson street have had their decorative features removed, partly in

response to the perceived earthquake danger, and partly as architectural style changes to a more “modern” and uncluttered style. It is now recognised that the decorative features are important both to the character of individual buildings, and to the vitality of the street. Accurate reconstruction of missing external details is encouraged on heritage buildings.

Figure 10



Use of colour adds interest and depth to building design

6.2 Design Performance Standards

The design performance standards for decoration and colour are:

1. The extent to which the building design modulates its street facades with structural and decorative elements which recognise and respond to the diversity of the street in general and their neighbours in particular.
2. The extent to which renovations and alterations to older buildings reintroduce decorative features.
3. The extent to which colour schemes for buildings are designed to emphasise the decorative and structural elements of the facade.
4. The extent to which the overall colour scheme relates to both above and below verandah level.

Part 7 Verandahs

7.1 Background

The function of the verandah is protection from wind rain and summer sun. It was originally designed as an integral part of the building and was used to achieve a visual transition from facade to street.

Verandahs occur on almost all buildings, with corner buildings being the main exceptions. There are two traditional shapes. These are flat verandahs held up with hangers, or sloping verandahs with posts

Many buildings with flat verandahs have windows just above the verandah. This allows natural light into the high stud shops at street level.

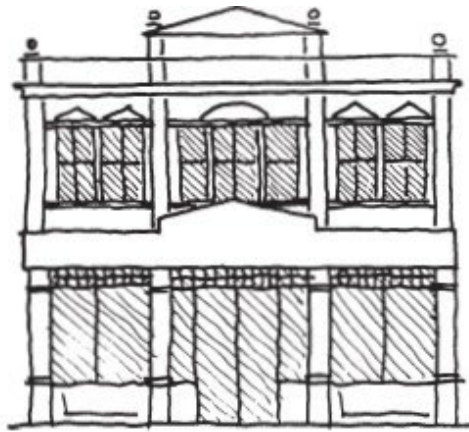
Although the verandah was built primarily as a transitional shelter space, it also forms an enclosed space of human scale at street level. The arcade like atmosphere created by verandah posts is visually attractive to the pedestrian and provide separation from traffic. The use of verandah posts in Jackson Street is encouraged.

Verandah fascias are flat horizontal bands used as a facing to the street. Their main use is for applying signs, which indicate the name of the business available.

When verandahs are designed as an integral part of the building the fascia was often deep and modulated, reflecting the forms of the parapet, emphasising a detail or entry.

See Figure 11.

Figure 11



Verandah design complements the total building design

7.2 Design Performance Standards

The design performance standards for verandahs are:

1. The extent to which building designs include verandahs based upon traditional designs.
2. The extent to which verandah designs include a modulated hierarchy of facia elements (perhaps responding to a significant point of entry) and vertical modelling of verandah details to emphasize variety of form and reflects features of the building.

Part 8 Under Verandahs

8.1 Background

Shop fronts are the dominant visual element under the verandah, competing with each other to provide the commodities and services we require. Well designed shop fronts can enhance the street and compliment the design of the buildings in which they are set. Many existing shop fronts are subject to pressure for regular refurbishment, to maintain a “progressive” retailing image for the occupants, and so many have a relatively short life span. Because of this, and to maintain an overall street character, guidelines are desirable for existing and future occupants, developers and designers.

Entrances to shops are traditionally either centrally located with display windows each side (larger shop fronts) or recessed on one side of a more dominant display window. The recess allows a space for the shopper to pause and browse. A succession of these recesses, often reflecting the structural bays of the building above, provides a rhythm along the footpath and the street.

See Figure 12.

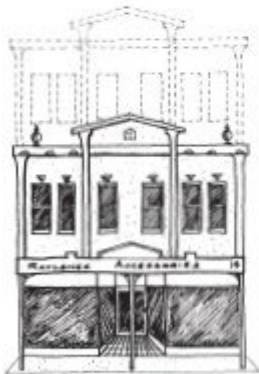
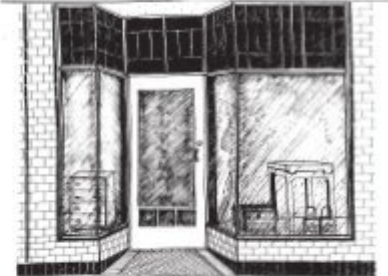
The position of the doorways within the bays of shops can be emphasised by a reflecting pattern on the verandah fascia, by a corresponding placement of verandah posts.

The use of glazing bars within shop fronts are an important historical detail. They give an

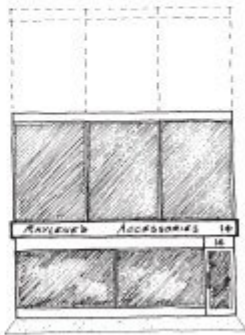
intimate feel, consistent with the size of the shop behind, and introduce an opportunity for tile and leadlight decoration.

Figure 12

Traditional shop design with recessed doorway



Acceptable design



Unacceptable 'progressive' design

8.2 Design Performance Standards

The design performance standards for under verandahs are:

1. The extent to which new building, renovation or alteration design reflects traditional designs in the street. Entrances to shops should be either centrally located with display windows either side or recessed on one side of a more dominant display window.
2. The extent to which small retail units (or small frontage units to larger retail floor space) are included to re-establish a reference to rhythm of original building modulation.
3. Recess doorways are preferred.
4. The extent to which detailed design features within the shop front will coordinate with the overall horizontal and vertical symmetry of the facade design.
5. During renovation or reconstruction the extent to which structural or decorative references to the facade above the verandah are reintroduced.

Part 9 Signs and Lighting

9.1 Background

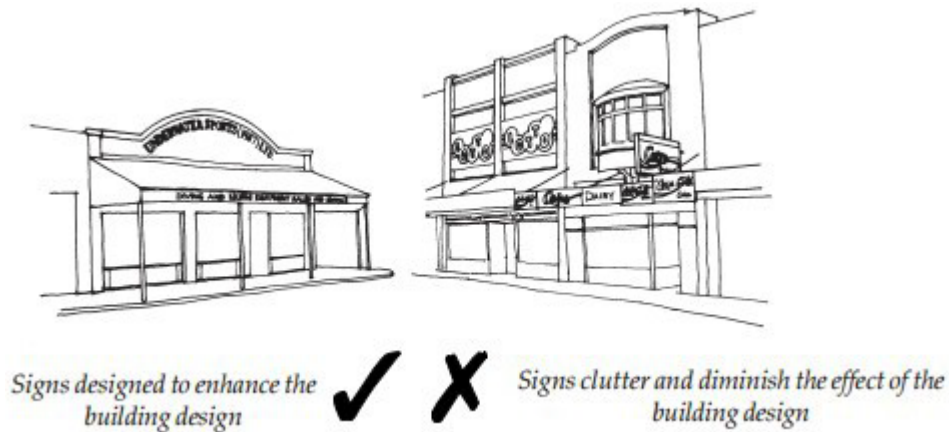
Advertising signs can have a dramatic effect on the whole appearance of a building facade, and character of the street as a whole. This effect can be positive or detrimental to the streetscape and quality of the environment.

Signs on facades or fascias are not isolated entities: they are part of the building facade. It is accepted that signs are an essential part of the commercial character of the area, but a balance must be achieved between commercialism and architectural and streetscape quality. In Jackson Street signage is a significant part of the vibrant, colourful street image, but this is not encouraged to the extent that appreciation of the architectural, historical and character qualities are unduly compromised.

The design of their position, size, shape, colour and, for signs, lettering style, must be carefully considered and assimilated into the design of the building as a whole. The result will either detract from or add to both the character and vitality of the street, the building, and the activity carried out within the building.

See Figure 13.

Figure 13



As a general rule, signs were originally painted or formed in plaster work on flat panels of the building facade : on the pediment or parapet, under the cornice line, on a frieze panel between floors, on glass panes in windows, or on the verandah fascia.

The layout of signs were always symmetrical about a central axis, and signs were rectangular or followed the shape of the architectural surfaces to which they were applied (e.g. a pediment). Lines were horizontal or curved, with an accompanying decorative pattern.

Letters were generally dark on a light background, and gold leaf was used on glass. The most common lettering styles, especially in older buildings, were Antique, Fat Clarendon and Sans Serif.

Less common were Tuscan, Fat-faces, Fat Italics, Fat Gothic and Sans Serif

Compressed. See Figure 14.

Usually only one type face was used, except where one described the owner, and another the type of business.

A well lit shop front or building and attractive window displays tend to attract customers and increase trade. In addition well lit shops and under verandah areas are a method of providing security both to premises and passing pedestrians. Strip fluorescent should be avoided in favour of spot lighting or lighting which emphasise the architectural patterns, e.g. structural bays, verandahs posts, lead lighting.

Figure 14

Antique **SANS SERIF** **Clarendon**

Some common lettering styles

9.2 Design Performance Standards

The design performance standards for signs and lighting are:

1. The extent to which signs related to and assimilated into the design of the building as a whole.
2. The extent to which signs refer to the owner or name of the shop or business rather than to any product which is being retailed.
3. Signs will not be hung at an angle to the building, unless below the verandah.
4. The extent to which lighting is to be used to dramatise the shape and decoration of the building as well as to highlight signs.
5. Lighting and illuminated signage above the verandah levels must be sensitive to residential uses. Spot lighting or general floodlighting down the facade, which reinforces the architectural character of the building, or which highlights particular features or signs, are encouraged.
6. The extent to which below the verandah level lighting is provided within any design.

5E Suburban Mixed Use Activity Area

AMENDMENT 305 - Amend section 5E 1 Introduction / Zone Statement

5E 1 Introduction / Zone Statement

The Suburban Mixed Use Activity Area applies to ~~selected suburban centres generally located in areas of good public transport.~~ local commercial areas that complement the city centre and Petone metropolitan centre.

~~The Suburban Mixed Use Activity Area provides~~ These areas primarily provide for the local convenience needs of surrounding residential areas including local retail, commercial services and offices as well as residential use above ground floor. It addresses expectations of residents of ~~higher density housing types~~ to have easy access to a wide range of facilities and services, particularly residents of higher density housing types.

The Suburban Mixed Use Activity Area enables intensification and provides for medium to high density development.

The highest levels of building height and density are provided for in the key suburban centres of Waterloo and Naenae. The next higher levels are in centres that:

- are located within a walkable catchment of the city centre or the Petone metropolitan centre.
- are located within a walkable catchment of rapid transit stops.
- have a high level of commercial activity or a wide range of community services.

Other centres provide for more moderate height to reflect the surrounding residential context.

New development is expected to be designed to high standards and enhance the quality of the streets and public open space in these centres. The Medium Density Design Guide assists in the development of high-quality buildings and environments and provides guidance where permitted activity development standards are not met.

5E 2 Objectives

Objective 5E 2.1

Commercial activities which primarily serve the local community coexist with residential living and provide good community access to goods, services and community facilities.

AMENDMENT 306 - Amend Objective 5E 2.2

Objective 5E 2.2

Land is efficiently used for medium to high density mixed use development.

Objective 5E 2.2A

Recognise that the Naenae and Waterloo centres are particularly suitable for high density development.

AMENDMENT 307 - Amend Objective 5E 2.3

Objective 5E 2.3

Built development is of a scale and quality that is compatible with the amenity level of medium to high density mixed use development and contributes towards creating a sense of place.

AMENDMENT 308 - Amend Objective 5E 2.4

Objective 5E 2.4

Built development ~~shall maintain is consistent with the amenity values expected in the planned urban environment of adjoining residential areas.~~ adjoining sites in residential activity areas minimises adverse effects on the amenity values of those sites, taking into account the planned

urban built environment of the Suburban Mixed Use Activity Area and surrounding residential environment.

Objective 5E 2.5

Built development is adequately serviced by network infrastructure or addresses any infrastructure constraints.

AMENDMENT 309 - Delete Objective 5E 2.6

~~Objective 5E 2.6~~

~~Built development is located and designed to manage significant risk from natural hazards.~~

5E 3 Policies

Policy 5E 3.1

Provide for a range of commercial, retail and community activities with a focus on local needs.

Policy 5E 3.2

Enable residential activities above ground floor, and discourage residential activities at ground level except where development provides active building frontages to the street or public open space, and provides amenity and privacy for the residents of the site.

Policy 5E 3.3

Discourage activities which have noxious or offensive qualities from locating within the Suburban Mixed Use Activity Area.

Policy 5E 3.4

Recognise the functional and operational requirements of activities and development.

AMENDMENT 310 - Amend Policy 5E 3.5

Policy 5E 3.5

Enable the efficient use of land through medium to high density built development while managing any adverse effects on the environment, including effects on infrastructure and residential amenity, having regard to the planned amenity values of the activity areas.

Policy 5E 3.5A

Provide for taller buildings than the permitted height limit in Naenae and Waterloo where they demonstrate high quality design elements.

AMENDMENT 311 - Amend Policy 5E 3.6

Policy 5E 3.6

Encourage ~~medium density~~ built development to be designed to a high quality.

AMENDMENT 312 - Amend Policy 5E 3.7

Policy 5E 3.7

~~Require built development adjoining Residential Activity Areas to manage the effects on the amenity of those areas, having specific regard to visual dominance, privacy and shading.~~

Manage the adverse effects from development and activities directly adjoining sites within adjacent residential activity areas by ensuring that:

1. Buildings are located and designed to achieve a transition at the activity area interface, and

2. Buildings are located and designed to minimise shading and privacy effects.

Policy 5E 3.8

Encourage high quality built development that positively contributes to the visual quality and interest of streets and public open space through active street frontages and buildings right on the road boundary.

Policy 5E 3.9

Require rainwater tanks and encourage development to be stormwater neutral.

AMENDMENT 313 - Delete Policy 5E 3.10

~~**Policy 5E 3.10**~~

~~Promote floor levels for new development to be above the 100-year (ARI) flood extent, where sufficient information is available.~~

5E 4 Rules

5E 4.1 Activities

Rule 5E 4.1.1 Offices, Commercial Services, Retail and Entertainment Facilities

| |
|---|
| <p>(a) Offices, Commercial Services, Retail and Entertainment Facilities are permitted activities if:</p> <ul style="list-style-type: none"> (i) The gross floor area of the activity does not exceed 500m². (ii) For sites adjoining a Residential Activity Area: <ul style="list-style-type: none"> 1. Servicing hours are limited to 7.00am to 10.00pm. 2. All outdoor storage and servicing areas are screened so they are not visible from adjoining residential sites. |
| <p>(b) Offices, Commercial Services, Retail and Entertainment Facilities that do not meet the above permitted activity standards are restricted discretionary activities.</p> <p>For non-compliance with (a) (i) above discretion is restricted to:</p> <ul style="list-style-type: none"> (i) The effects arising from the scale and intensity of the activity. (ii) The need to provide for the functional requirements of the activity. <p>For non-compliance with (a) (ii) above discretion is restricted to:</p> <ul style="list-style-type: none"> (iii) The effects on the night time amenity of the surrounding residential area. (iv) The effects on the visual amenity of adjoining sites. |
| <p>Links to: Objective 5E 2.1 Policy 5E 3.1</p> |

Rule 5E 4.1.2 Service Industries and Cottage Industries

| |
|---|
| <p>(a) Service industries and cottage industries are permitted activities if:</p> <ul style="list-style-type: none"> (i) The gross floor area of the activity does not exceed 500m². (ii) For sites adjoining a Residential Activity Area: <ul style="list-style-type: none"> 1. Servicing hours are limited to 7.00am to 10.00pm. 2. All outdoor storage and servicing areas are screened so they are not visible |
|---|

| |
|---|
| <p>from adjoining residential sites.</p> |
| <p>(b) Service industries and cottage industries that do not meet the above permitted activity standards are restricted discretionary activities.</p> <p>For non-compliance with (a) (i) above discretion is restricted to:</p> <ul style="list-style-type: none"> (i) The effects arising from the scale and intensity of the activity. (ii) The effects on the amenity of the streetscape. (iii) The need to provide for the functional requirements of the activity. <p>For non-compliance with (a) (ii) above discretion is restricted to:</p> <ul style="list-style-type: none"> (iv) The effects on the night time amenity of the surrounding residential area. (v) The effects on the visual amenity of adjoining sites. |
| <p>Links to: Objective 5E 2.1 Policy 5E 3.1, 5E 3.3</p> |

Rule 5E 4.1.3 Health Care Services, Community Facilities, Marae, Education Facilities and Places of Assembly

| |
|--|
| <p>(a) Health Care Services, Community Facilities, Marae, Education Facilities and Places of Assembly are permitted activities if:</p> <ul style="list-style-type: none"> (i) The gross floor area of the activity does not exceed 500m². (ii) For sites adjoining a Residential Activity Area: <ul style="list-style-type: none"> 1. Servicing hours are limited to 7.00am to 10.00pm. 2. All outdoor storage and servicing areas are screened so they are not visible from adjoining residential sites. |
| <p>(b) Health Care Services, Community Facilities, Marae, Education Facilities and Places of Assembly that do not meet the above permitted activity standards are restricted discretionary activities.</p> <p>For non-compliance with (a) (i) above discretion is restricted to:</p> <ul style="list-style-type: none"> (i) The effects arising from the scale and intensity of the activity. (ii) The effects on the amenity of the streetscape. (iii) The need to provide for the functional requirements of the activity. <p>For non-compliance with (a) (ii) above discretion is restricted to:</p> <ul style="list-style-type: none"> (iv) The effects on the night time amenity of the surrounding residential area. (v) The effects on the visual amenity of adjoining sites. |
| <p>Links to: Objective 5E 2.1 Policy 5E 3.1</p> |

Rule 5E 4.1.4 Residential Activities

| |
|--|
| <p>(a) Residential Activities are permitted activities if:</p> <ul style="list-style-type: none"> (i) The dwelling is residential units are located above the ground floor; or (ii) The dwelling is residential units are located on the ground floor but has have no frontage to public open spaces including streets except for access. |
| <p>(b) Residential Activities that do not meet the above permitted activity standards are restricted discretionary activities.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none"> (i) The effects on the continuity of the design and appearance of the frontage of buildings including display windows and verandahs. (ii) The effects on the amenity of the streetscape and public open space. (iii) The effects on the privacy and amenity of residents of the site. (iv) The following mixed use and medium density residential development design elements: <ul style="list-style-type: none"> 1. Building height 2. Recession planes and setbacks 3. Indoor and outdoor living spaces 4. Open space and boundary treatments 5. Entrances, carparking and garages 6. On-site stormwater management 7. End / side wall treatment 8. Building materials 9. Bike parking, storage and service areas 10. Privacy and safety 11. Landscaping <p>When considering the matters in (iv), the Council will be principally guided by its Medium Density Design Guide.</p> <p style="text-align: center;"><u>Public and limited notification is precluded for resource consent applications under Rule 5E 4.1.4(b).</u></p> |
| <p>Links to: Objectives 5E 2.1 Policies 5E 3.1, 5E 3.2</p> |

Rule 5E 4.1.5 Care Facilities, Residential Facilities, Boarding Houses, Hostels and Visitor Accommodation

| |
|---|
| <p>(a) Care Facilities, Residential Facilities, Boarding Houses, Hostels and Visitor Accommodation are permitted activities if:</p> <ul style="list-style-type: none"> (i) Any habitable rooms are located above ground floor; or (ii) Any habitable rooms located on the ground floor have no frontage to public open spaces including streets. |
|---|

(b) Care Facilities, Residential Facilities, Boarding Houses, Hostels and Visitor Accommodation that do not meet the above permitted activity standards are **restricted discretionary** activities.

Discretion is restricted to:

- (i) The effects on the continuity of the design and appearance of the frontage of buildings including display windows and verandahs.
- (ii) The effects on the amenity of the streetscape and public open space.
- (iii) The effects on the privacy and amenity of residents of the site.
- (iv) The following mixed use and medium density residential development design elements:
 - 1. Building height
 - 2. Recession planes and setbacks
 - 3. Indoor and outdoor living spaces
 - 4. Open space and boundary treatments
 - 5. Entrances, carparking and garages
 - 6. On-site stormwater management
 - 7. End / side wall treatment
 - 8. Building materials
 - 9. Bike parking, storage and service areas
 - 10. Privacy and safety
 - 11. Landscaping

When considering the matters in (iv), the Council will be principally guided by its [Medium Density Design Guide](#).

[Public and limited notification is precluded for resource consent applications under Rule 5E 4.1.5\(b\).](#)

Links to:
 Objectives 5E
 2.1
 Policies 5E 3.1

Rule 5E 4.1.6 Emergency Facilities

(a) Emergency Facilities are **restricted discretionary** activities.

Discretion is restricted to:

- (i) The effects of the activity on the amenity of the surrounding residential area.

Links to:
 Objective 5E
 2.1
 Policy 5E 3.1, 5E 3.3

Rule 5E 4.1.7 Commercial Garages and Service Stations

(a) Commercial Garages and Service Stations are **restricted discretionary** activities.

Discretion is restricted to:

- (i) The effects of the activity on the amenity of the surrounding area.
- (ii) The effects on the streetscape and on pedestrian amenity.

Links to:
 Objective 5E
 2.1
 Policy 5E 3.1, 5E 3.3

Rule 5E 4.1.8 Other Activities

(a) Activities not specifically provided for as permitted, or restricted discretionary activities are **non-complying** activities.

Links to:

Objective 5E

2.1

Policy 5E 3.1, 5E 3.3

Rule 5E 4.1.9 Light Spill

(a) Activities are **permitted** activities if:

- (i) Artificial light does not result in added illuminance in excess of 8 lux measured at the window of any dwelling.
- (ii) Light spill is avoided beyond the boundary of the site.

(b) Activities that do not meet the above permitted activity development standards are **restricted discretionary** activities.

Discretion is restricted to:

- (i) The effects on the amenity of the surrounding area.

Links to:

Objective 5E 2.1, 5E 2.3

Policy 5E 3.1, 5E 3.4, 5E 3.5, 5E 3.7, 5E 3.8

Rule 5E 4.1.10 Vegetation Removal

(a) The removal of vegetation (whether indigenous or exotic) is a **permitted** activity.

5E 4.2 Development Standards

AMENDMENT 314 - Amend Rule 5E 4.2.1 Building Height

Rule 5E 4.2.1 Building Height

(a) Construction or alteration of a building is a **permitted activity** if:

- (i) The building is within a specific height control overlay shown on the District Plan map and does not exceed the maximum height shown for that overlay, or
- (ii) In any other case, the building does not exceed a maximum height of 12m.

(b) Construction or alteration of a building that exceeds the maximum height of ~~12m~~ in Rule 5E 4.2.1(a) is a **restricted discretionary** activity.

Discretion is restricted to:

- (i) The effects on the amenity of adjoining sites.
- (ii) The effects on the privacy of adjoining sites.
- (iii) The effects on shading of adjoining sites.
- (iv) The effects on the amenity of adjoining Residential Activity Areas, the streetscape and adjoining public space.
- (v) The following mixed use and medium density residential development design elements:
 1. Building height
 2. Recession planes and setbacks
 3. Indoor and outdoor living spaces
 4. Open space and boundary treatments
 5. Entrances, carparking and garages

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| <p>6. Onsite stormwater management 7. End / side wall treatment 8. Building materials 9. Bike parking, storage and service areas 10. Privacy and safety 11. Landscaping</p> <p>When considering the matters in (v), the Council will be principally guided by its Medium Density Design Guide.</p> |
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| <p>Links to: Objectives 5E 2.2, 5E 2.3 Policies 5E 3.4, 5E 3.5, 5E 3.6, 5E 3.7, 5E 3.8</p> |
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Rule 5E 4.2.2 Recession Planes

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| <p>(a) Construction or alteration of a building is a permitted activity if the following recession plane requirements are being met:</p> <p>(i) For sites adjoining a Residential Activity Area the recession plane requirements of the adjoining Residential Activity Area shall be complied with at the shared boundary.</p> <p>No recession planes are required from road boundaries, boundaries within the Suburban Mixed Use Activity Area and existing or proposed internal boundaries within a site.</p> |
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| <p>(b) Construction or alteration of a building that does not meet the recession plane requirements is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>(i) The effects on the amenity of adjoining residential sites. (ii) The effects on the privacy of adjoining residential sites. (iii) The effects on shading of adjoining residential sites.</p> <p>Note: When addressing or assessing potential effects in relation to matters (i), (ii) and (iii) above, applicants and the Council can be informed by the relevant outcomes identified in the Medium Density Design Guide.</p> |
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| <p>Links to: Objectives 5E 2.2, 5E 2.3 Policies 5E 3.4, 5E 3.5, 5E 3.6, 5E 3.7, 5E 3.8</p> |
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AMENDMENT 315 - Amend Rule 5E 4.2.3 Yards

Rule 5E 4.2.3 Yards

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| <p>(a) Construction or alteration of a building is a permitted activity if the following yard requirements are being met:</p> <p>(i) For sites adjoining a residential activity area the building is not located within the following yard setbacks:</p> <p style="padding-left: 40px;">Side yards: 3m <u>1m</u> along the shared side boundary Rear yards: 3m <u>1m</u> along the shared side boundary</p> <p>No yard requirements apply along road boundaries, boundaries within the Suburban Mixed Use Activity Area and existing or proposed internal boundaries within a site.</p> |
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| <p>(b) Construction or alteration of a building that does not meet the yard requirements is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>(i) The effects on the amenity of adjoining residential sites. (ii) The effects on the privacy of adjoining residential sites.</p> <p>Note: When addressing or assessing potential effects in relation to matters (i) and (ii) above, applicants and the Council can be informed by the relevant outcomes identified in the Medium Density Design Guide.</p> |
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| <p>Links to:</p> |
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Objectives 5E 2.2, 5E 2.3
Policies 5E 3.4, 5E 3.5, 5E 3.6, 5E 3.7, 5E 3.8

AMENDMENT 316 - Amend Rule 5E 4.2.4 Outdoor Living Space

Rule 5E 4.2.4 Outdoor Living Space

- (a) Construction or alteration of a building is a **permitted activity** if:
- (i) Each dwelling residential units has an outdoor living space that:
1. Has a minimum area of 10m².
 2. Has a minimum dimension of 2m.
 3. Has direct access from the dwelling to which it relates.
- For dwellings residential units located entirely above ground floor level the outdoor living space requirement can be satisfied by providing a balcony or roof terrace with a minimum area of 5m² with a minimum dimension of ~~2m~~ 1.8m.
- (b) Construction or alteration of a building that does not meet the outdoor living space requirements is a restricted discretionary activity.
- Discretion is restricted to:**
- (i) The effects on the amenity for residents of the site, including access to sunlight and open space and the usability and accessibility of the outdoor living space proposed.
- (ii) The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.
- (iii) The following mixed use and medium density residential development design elements:
1. Building height
 2. Recession planes and setbacks
 3. Indoor and outdoor living spaces
 4. Open space and boundary treatments
 5. Entrances, carparking and garages
 6. Onsite stormwater management
 7. End / side wall treatment
 8. Building materials
 9. Bike parking, storage and service areas
 10. Privacy and safety
 11. Landscaping
- When considering the matters in (iii), the Council will be principally guided by its Medium Density Design Guide.
- Public and limited notification is precluded for resource consent applications under Rule 5E 4.2.4(b).

Links to:

Objectives 5E 2.2, 5E 2.3
Policies 5E 3.5, 5E 3.6, 5E 3.7, 5E 3.8

Rule 5E 4.2.5 Building Frontage, Verandahs and Display Windows

- (a) Construction or alteration of a building is a **permitted activity** if the following requirements are being met:
- (i) All buildings are built to the front boundary of the site.
- (ii) Any parts of a building fronting a pedestrian footpath have a verandah.
- (iii) At least 50% of the ground floor frontage of a building are display windows.

- (b) Construction or alteration of a building is a **restricted discretionary** activity if the above permitted activity standards are not met
- Discretion is restricted to:**
- (i) The effects on the amenity of the streetscape.
 - (ii) The following mixed use and medium density residential development design elements:
 1. Building height
 2. Recession planes and setbacks
 3. Indoor and outdoor living spaces
 4. Open space and boundary treatments
 5. Entrances, carparking and garages
 6. On-site stormwater management
 7. End / side wall treatment
 8. Building materials
 9. Bike parking, storage and service areas
 10. Privacy and safety
 11. Landscaping
- When considering the matters in (ii), the Council will be principally guided by its Medium Density Design Guide.

Links to:

Objectives 5E 2.3

Policies 5E 3.4, 5E 3.5, 5E 3.6, 5E 3.7, 5E 3.8

Rule 5E 4.2.6 Parking

- (a) Provision for car parking on a site is **permitted** if:
- (i) Any parking areas are located within, under, at the rear or at the side of buildings.
 - (ii) No parking areas are located between the frontage of buildings and the street.
 - (iii) For sites adjoining a Residential Activity Area all parking areas must be screened so they are not visible from the adjoining residential site(s).
- (b) Developments that do not meet the above permitted development controls are **restricted discretionary** activities.
- Discretion is restricted to:**
- (i) The layout and design of the parking area(s).
 - (ii) The effects on the amenity of the streetscape.
 - (iii) The effects on the safety of pedestrians accessing buildings on the site.
 - (iv) The following mixed use and medium density residential development design elements:
 1. Building height
 2. Recession planes and setbacks
 3. Indoor and outdoor living spaces
 4. Open space and boundary treatments
 5. Entrances, carparking and garages
 6. On-site stormwater management
 7. End / side wall treatment
 8. Building materials
 9. Bike parking, storage and service areas
 10. Privacy and safety
 11. Landscaping
- When considering the matters in (iv), the Council will be principally guided by its Medium Density Design Guide.

Links to:

Objectives 5E 2.2, 5E 2.3

Policies 5E 3.4, 5E 3.5, 5E 3.6, 5E 3.7, 5E 3.8

Rule 5E 4.2.7 Screening and Storage

- (a) Construction or alteration of a building is a **permitted** activity if:
- (i) All outdoor storage and servicing areas are screened so they are not visible from a road or public space.
 - (ii) All outdoor storage and servicing areas are screened so they are not visible from adjoining residential sites.
- (b) Construction or alteration of a building that does not meet the screening and storage requirements is a **restricted discretionary** activity.
- Discretion is restricted to:**
- (i) The effects on the amenity of the streetscape, adjoining public space and adjoining residential sites.
 - (ii) The following mixed use and medium density residential development design elements:
 1. Building height
 2. Recession planes and setbacks
 3. Indoor and outdoor living spaces
 4. Open space and boundary treatments
 5. Entrances, carparking and garages
 6. On-site stormwater management
 7. End / side wall treatment
 8. Building materials
 9. Bike parking, storage and service areas
 10. Privacy and safety
 11. Landscaping

When considering the matters in (ii), the Council will be principally guided by its [Medium Density Design Guide](#).

Links to:

Objectives 5E 2.4

Policies 5E 3.5, 5E 3.6, 5E 3.7, 5E 3.8

AMENDMENT 317 - Amend Rule 5E 4.2.8 Demolition

Rule 5E 4.2.8 Demolition

- (a) The demolition of a building is a **permitted activity**.
- For buildings listed in Appendix Heritage 1, or 2 or 3 or in Appendix Significant Natural, Cultural and Archaeological Resources 1 the relevant rules of the Chapters 14E and 14F relating to demolition apply.

Rule 5E 4.2.9 Stormwater Retention

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| <p>(a) Construction of a roofed building, excluding accessory buildings or additions to an existing building, is a permitted activity if:</p> <p>(i) A rainwater tank is provided for the building that collects all rainwater from the roof of the building. The rainwater tank must have the following volume:</p> <p style="padding-left: 40px;">Roof area of 100m² or less - 2,000 litre capacity. Roof area of 100m² to 200m² - 3,000 litre capacity. Roof area of more than 200m² - 5,000 litre capacity.</p> <p>The tank must meet the specifications of, and be installed in accordance with, Acceptable Solution #1 from the Wellington Water guide <i>Managing Stormwater Runoff, The use of raintanks for hydraulic neutrality, Acceptable solution #1</i> dated June 2019 (Appendix General Residential 1).</p> |
| <p>(b) Construction of a roofed building, excluding accessory buildings or additions to an existing building, that does not meet the rainwater tank requirements is a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <p>(i) The effects on the stormwater system.</p> <p>(ii) The potential for increased surface ponding and flooding.</p> <p>(iii) The mitigation of additional stormwater runoff through other means</p> |
| <p>Links to: Objective 5E 2.5 Policy 5E 3.9</p> |

Note 5E 4.3 General Rules

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| <p>All activities must comply with the General Rules in Chapter 14.</p> |
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Chapter 11 Subdivision

Subdivision is a process which enables title to be transferred. Nevertheless, it does impose constraints on the future use and development of land. In addition the engineering work often required to make land suitable for development must be managed as there can be adverse effects on the environment. It is therefore important these effects are addressed and managed in the Plan.

Except for boundary adjustments and the leasing of retail space within existing buildings in appropriate activity areas, all subdivisions require a resource consent as it may be necessary to impose engineering conditions, design allotment standards and financial contributions to ensure that adverse effects are managed and mitigated.

The provisions of this Chapter apply to all activity areas. Activities must also be assessed in terms of the requirements of each activity area, and the requirements of Chapters 12, 13 and 15, to determine whether or not a resource consent is required.

11.1 Issues, Objectives and Policies

11.1.1 Allotment Standards

Issue

Subdivision of land can impose a constraint on the future use or development of land. It is necessary to ensure land which is subdivided can be used for the proposed use or purpose.

Objective

To ensure that land which is subdivided can be used for the proposed use or development.

Policy

AMENDMENT 338 - Amend policies of section 11.1.1 Allotment Standards

Policy

- (a) To ensure that allotments in ~~lower density residential areas~~ the Hill Residential Activity Area, Landscape Protection Residential Activity and rural zones have minimum design standards such as, minimum size, shape and frontage, which are suitable for the proposed use or development.
- (b) To provide flexibility in lot size, shape and frontage within Commercial, Mixed Use, ~~General~~ Medium Density Residential and Medium High Density Residential Activity Areas to enable diversity of commercial and residential development size and density.

Explanation and Reasons

While it is recognised that subdivision of land is essentially a process for enabling title of land to be transferred, it nevertheless imposes constraints on the future use and development of land by establishing boundaries of particular allotments. There is a need to ensure that land which is subdivided is suitable for the proposed use and development. Failure to do so can result in the future use or development being unable to comply with the required performance standards for the activity area.

Such non-compliance with specified performance standards can have adverse effects on the environment. In considering whether land which is subdivided is suitable for the proposed use or development such matters as design, size, building platform and shape of allotments are important matters that need to be considered by Council. The objectives, policies and rules of the activity areas need to be taken into account.

11.1.2 Engineering Standards

Issue

Subdivisions need to be serviced in a manner that adverse effects are avoided, remedied or mitigated and that adverse effects on the health, safety and wellbeing of residents are no more than minor.

Objective

To ensure that utilities provided to service the subdivision protect the environment and that there are no adverse effects on the health and safety of residents and occupiers.

Policy

- (a) To ensure that utilities provided comply with specified performance standards relating to such matters as access, street lighting, stormwater, water supply, wastewater, gas, telephone, electricity and earthworks.
- (b) Use engineering practices to maintain the ecological values of Speedy's Stream and the onsite wetland from stormwater runoff resulting from the subdivision of the land identified in Appendix Subdivision 7.
- (c) The engineering practices maintain or improve the ecological values of the onsite streams and the downstream receiving environments from stormwater runoff resulting from the subdivision of the land identified in Appendix Subdivision 8.
- (d) To restrict access and avoid increased traffic volumes from land identified in Appendix Subdivision 8 to Liverton Road, to maintain traffic safety and efficiency.

Explanation and Reasons

Utility services provided by the subdivider must be in accordance with specified engineering performance standards to ensure that the environment is protected and there are no adverse effects on the health, safety and wellbeing of residents and occupiers. Incompatible and inappropriate services can have adverse effects on the proper functioning of existing services and also lead to additional maintenance costs.

11.1.3 Natural Hazards

Issue

Subdivision of land subject to natural hazards can lead to allotments which are inappropriate if the adverse effects cannot be avoided, remedied or mitigated. There is a need to ensure that subdivision of land subject to natural hazards is managed and controlled.

AMENDMENT 339 - Amend objective of section 11.1.3 Natural Hazards Objective

- (a) To ensure that land subject to natural hazards is subdivided in a manner that the adverse effects are avoided, remedied or mitigated.
- (b) Subdivision does not increase the risk from natural hazards, including coastal hazards.

AMENDMENT 340 - Amend policies of section 11.1.3 Natural Hazards Policy

- (a) ~~Subdivision of land within the Wellington Fault Special Study Area shall ensure that the allotments are of sufficient size and shape so that buildings and structures are not sited within twenty metres of a faultline.~~
- (aa) Subdivision of land within the Wellington Fault Hazard Overlay shall ensure that the allotments are of sufficient size and shape so that the building platform is at least 20m from the Wellington Faultline.
- (b) ~~Subdivision of land subject to flooding is discouraged as this can lead to greater intensity of use and development and have adverse effects on the environment.~~
- (ba) Subdivision shall ensure that any building platform is not located within an identified Stream Corridor.
- (bb) Subdivision where building platforms are within overland flow paths shall ensure that overland flowpaths are not impeded and mitigation measures are incorporated into the subdivision to avoid any increase in risk to people or property, including neighbouring properties.
- (bc) Subdivision where the building platforms are within the Inundation Area shall include mitigation measures to avoid any increase in risk to people or property, including neighbouring properties.
- (bd) Subdivision where the building platforms are within the Medium and High Coastal Hazard Overlays shall include mitigation measures to avoid any increase in risk to people or property, including neighbouring properties.
- (c) Subdivision of land should be managed to ensure that within each allotment there is a suitable building platform so that buildings and associated structures will not be adversely affected by slope instability, including the deposition of debris.

AMENDMENT 341 - Amend Explanations and Reasons of section 11.1.3 Natural Hazards Explanation and Reasons

Subdivision of land subject to natural hazards may lead to allotments which are inappropriate as the adverse effects cannot be controlled or mitigated. It is important that the subdivision is designed in a manner that the natural hazard can be avoided or mitigated. In this respect, it is important that allotments are of sufficient size and are of an appropriate shape so that the proposed use or development can be sited to avoid the natural hazard, or the necessary mitigation measures can be implemented to manage the risk to people, property and infrastructure, without affecting detrimentally the viability of the use or development.

11.1.4 Special Areas

AMENDMENT 342 - Amend issue of section 11.1.4 Special Areas

Issue

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

AMENDMENT 343 - Amend objectives of section 11.1.4 Special Areas

Objective 1

To ensure that land in the coastal environment, areas adjoining lakes and rivers and other environmentally sensitive areas are protected from inappropriate subdivision.

Objective 2

Historic heritage values of identified heritage precincts and heritage items are protected from inappropriate subdivision.

AMENDMENT 344 - Amend policies of section 11.1.4 Special Areas

Policy

- (a) To ensure that land in the coastal environment, areas adjoining rivers and lakes and other environmentally sensitive areas are not subdivided to an extent or manner where amenity values, ecological, social, cultural and recreational conditions are adversely affected.
- (b) Protect the historic heritage values of heritage items and in the Historic Residential Heritage Precinct and Patrick Street-Riddlers Crescent by managing density of development enabled by subdivision of land.

Explanation and Reasons

The Act, the New Zealand Coastal Policy Statement and the Regional Policy Statement require the Plan to ensure that inappropriate subdivision of land does not occur in the coastal environment.

The Regional Policy Statement recognises that wetlands, lakes and rivers are important as they provide a habitat for a rich flora and fauna. These areas also have high social, cultural and recreational values. It is therefore important that lands adjoining such areas are managed and controlled to avoid and mitigate adverse effects.

11.1.5 General Rural And Rural Residential Activity Areas

Issue

Inappropriate subdivision of lands in the General Rural and Rural Residential Activity Area which leads to the use of lands for more intense urban purposes such as residential development, can have adverse effects on amenity values and to an inefficient land use pattern.

Objective

To ensure that the amenity values and the efficient use of land in General Rural and Rural Residential Activity Areas are maintained by restricting subdivision of lands which could lead to greater intensity of use and development for urban related purposes, such as more intense residential development.

Policy

- (a)** The minimum size of allotments should be large so as to ensure that rural amenity values and an efficient land use pattern are maintained.

Explanation and Reasons

Large sized allotments are required in General Rural and Rural Residential areas to maintain amenity values. It is therefore necessary to prevent the close subdivision of land in the General Rural and Rural Residential Activity Areas.

As there is adequate supply of urban land in the City it is an inefficient use of a valuable resource to allow rural and rural residential land to be subdivided into urban sized allotments.

11.1.6 Retail Leasing

Issue

The leasing of retail space within existing buildings, such as shopping centres, can give rise to a technical subdivision under the Resource Management Act 1991. Such subdivisions do not have effects warranting subdivision control under the provisions of the Plan. The imposition of unnecessary controls will result in inappropriate costs and barriers to the tailoring of retail spaces to the requirements of tenants. Unnecessary controls can therefore contribute to the number of vacant retail spaces which detract from the vitality and viability of commercial centres.

Objective

Ensure that the leasing of retail space within existing buildings and appropriate activity areas

can proceed without the need for subdivision consent.

Policy

- (a)** Resource consent will not be required for subdivisions resulting from the leasing of retail space within existing buildings and in appropriate activity areas.

Explanation and Reasons

Under the Act the leasing of retail space within existing buildings can technically be considered to be a subdivision. Such subdivisions do not have any adverse effects which warrant control under the provisions of the Plan. It is therefore appropriate that the leasing of retail spaces within existing buildings is a Permitted Activity.

11.2 Rules

11.2.1 Permitted Activity

- (a) In all activity areas, minor boundary adjustments.
- (b) In all Commercial Activity Areas, subdivision of existing retail premises by way of leasing.

11.2.1.1 Permitted Activity - Conditions

Minor boundary adjustments must comply with the following conditions:

- (a) Do not create additional building sites.
- (b) Following subdivision does not increase any non-compliance with the rules specified for the activity area.

AMENDMENT 345 - Amend Rule 11.2.2 Controlled Activities

11.2.2 Controlled Activities

All subdivisions in the following activity areas are Controlled Activities except where provided for as Permitted or Discretionary Activities:

- (a) ~~General Residential Activity Area.~~
- (aa) Medium Density Residential Activity Area.
- (ab) High Density Residential Activity Area.
- (b) Hill Residential Activity Area.
- (c) Landscape Protection Residential Activity Area.
- (d) ~~Special Residential Activity Area.~~
- (e) ~~Medium Density Residential Activity Area.~~
- (f) General Business Activity Area.
- (g) Special Business Activity Area.
- (h) Rural Residential Activity Area.
- (i) General Rural Activity Area.
- (j) ~~Suburban Commercial Activity Area.~~
- (k) Suburban Mixed Use Activity Area.
- (l) Central Commercial Activity Area.
- (m) Petone Commercial Activity Area 1.
- (n) Petone Commercial Activity Area 2.
- (o) Community Iwi Activity Area 1 Marae.
- (p) Community Iwi Activity Area 3 Kokiri Centres.
- (q) In all activity areas, where a ~~certificate of title~~ Record 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 staged unit plan or cross lease plan lodged with the District Land Registrar and where part of the development (or a building on one site on such plan exists) has been completed prior to 5 December 1995, then in such circumstances the allotment design standards and terms shall not apply.
Compliance with other standards and terms is necessary.
- (r) In all Commercial, Business, Recreation, Community Health and Community Iwi Activity Areas the allotment design standards and terms shall not apply:
 - (i) where there are existing buildings on an allotment prior to December 1995; and
 - (ii) where the subdivision of that allotment does not create a vacant allotment (i.e. with no buildings). Compliance with all other standards and terms is necessary.

- (s) In all Residential and Rural Activity Areas the allotment design standards and terms shall not apply:
 - (i) where there are existing dwelling houses on an allotment prior to December 1995; and
 - (ii) where the subdivision of that allotment does not create an allotment with no dwelling house. Compliance with all other standards and terms is necessary.
- (t) Any subdivision located wholly within Avalon Business Activity Area (SubArea 2).

11.2.2.1 Standards and Terms

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

(a) Allotment Design

The minimum size of an allotment shall exclude rights of way and access legs to a rear site.

AMENDMENT 346 - Delete Allotment Design table for General Residential Activity Area from section 11.2.2.1 Standards and Terms

| General Residential Activity Area | |
|--|--|
| Minimum size of allotment: | 400m ² |
| | No minimum size is required if: |
| | (i) For every allotment where there is an existing dwelling: There is no increase in the degree of noncompliance with the relevant General Residential Development Standards specified in 4A 4.2 and 4A 5. Where subdivision is proposed between dwellings that share a common wall, recession plane and yard requirements shall not apply along the length of the common wall. |
| | (ii) For every allotment where there is no existing dwelling, or for which no existing land use consent for a dwelling has been granted, or is being concurrently granted (in the case of joint land use and subdivision applications): It can be demonstrated that it is practicable to construct on all allotments, as a permitted activity, a dwelling which complies with all relevant General Residential Development Standards specified in 4A 4.2 and 4A 5. |
| Minimum frontage: | 3m to ensure that there is drive on access to the allotment. For rear allotments the 3m frontage may be satisfied through a registered Right of Way outside the title (outside legal boundaries of the allotment. |
| Shape factor: | All allotments must be able to contain a rectangle measuring 10m by 15m. Such a rectangle must be clear of any yard or right of way and have a suitable building platform. No shape factor is required if: |
| | (i) For every allotment where there is no existing dwelling, or for which no existing land use consent for a dwelling has been granted, or is being concurrently granted (in the case of joint land use and subdivision applications) It can be demonstrated that it is practicable to construct on all allotments, as a permitted activity, a dwelling which complies with all relevant General Residential Development Standards specified in 4A 4.2 and 4A 5. |

AMENDMENT 347 - Amend Allotment Design table for Medium Density Residential Activity Area from section 11.2.2.1 Standards and Terms to include standards for High Density Residential Activity Area

Medium Density and High Density Residential Activity Area, excluding the

Heretaunga Settlement Heritage Precinct, Riddlers Crescent Heritage Precinct and Historic Residential Heritage Precinct

| | |
|--|---|
| Minimum size of allotment: | No minimum size required: |
| <u>Resulting allotments with residential units:</u> | <p>(i) For every allotment where there is an existing dwelling: There shall be no increase in the degree of noncompliance with the relevant Medium Density Residential Development Standards specified in 4F 4.2.</p> <p><u>For any resulting allotment where there is an existing residential unit:</u></p> <ul style="list-style-type: none"> A. <u>The subdivision complies with or does not increase the degree of non-compliance with the standards of any of the following rules:</u> <ol style="list-style-type: none"> 1. <u>Number of units per site,</u> 2. <u>Height in relation to boundary,</u> 3. <u>Setbacks,</u> 4. <u>Building coverage,</u> 5. <u>Outdoor living space,</u> 6. <u>Outlook space,</u> 7. <u>Windows to street,</u> 8. <u>Landscaped area, or</u> B. <u>Land use consent has been granted for non-compliance with the rules in (A), or</u> C. <u>The subdivision application is accompanied by a land use application for the non-compliances in (A) that will be determined concurrently with the subdivision application.</u> <p>Where subdivision is proposed between dwelling <u>residential units</u> that share a common wall, recession plane and yard requirements shall not apply along the length of the common wall.</p> |
| <u>Resulting allotments with no residential units:</u> | <p>(ii) For every allotment where there is no existing dwelling, or for which no existing land use consent for a dwelling has been granted, or is being concurrently granted (in the case of joint land use and subdivision applications): It can be demonstrated that it is practicable to construct on all allotments, as a permitted activity, a dwelling which complies with all relevant Medium Density Residential Development Standards specified in 4F 4.2.</p> <p><u>For any resulting allotment with no existing residential unit:</u></p> <ul style="list-style-type: none"> A. <u>It is practicable to construct a residential unit on the allotment as a permitted activity, or</u> B. <u>Land use consent has been granted for the proposed use of the site (including built development), or</u> C. <u>The subdivision application is accompanied by a land use application for the proposed use of the site that will be determined concurrently with the subdivision application.</u> |
| Minimum frontage: | 3m to ensure that there is driveon access to the allotment. For rear allotments the 3m frontage may be satisfied through a registered Right of Way outside the title (outside legal boundaries of the allotment). |

AMENDMENT 348 - Delete Allotment Design table for Special Residential Activity Area from section 11.2.2.1 Standards and Terms

Special Residential Activity Area

| | |
|----------------------------|---|
| Minimum size of allotment: | 700m ² |
| Minimum frontage: | 15m, except for rear allotments which must have a minimum 3m frontage. For rear allotments the 3m frontage may be satisfied through a registered Right of Way outside the title (outside legal boundaries of the allotment). |
| Shape factor: | All allotments must be able to contain a rectangle measuring 10m by 15m. Such a rectangle must be clear of any yard or right of way and have a suitable building platform. |
| Other: | Compliance with the permitted activity conditions of the activity area. |

| | |
|---------------------------------------|--|
| Hill Residential Activity Area | |
| Minimum size of allotment: | 1000m ² |
| Minimum frontage: | 20m, except for rear allotments which must have a minimum 3m frontage. For rear allotments the 3m frontage may be satisfied through a registered Right of Way outside the title (outside legal boundaries of the allotment). |
| Shape factor: | All allotments must be able to contain a rectangle measuring 10m by 15m. Such a rectangle must be clear of any yard or right of way and have a suitable building platform. |
| Other: | Compliance with the permitted activity conditions of the activity area. |

| | |
|--|--------------------|
| Except | |
| in Maungaraki Road, Pt Sec 30 and former Secs 31, 32 and Pt Sec 33 Maungaraki Village, where a proposed allotment is in the area identified on Appendix Subdivision 1, the minimum subdivision requirements shall be - | |
| Minimum size of allotment: | 2000m ² |
| Minimum frontage: | 30m |
| and | |
| in Maungaraki Road, Lots 1 and 2 DP 90829 (formerly Lot 1 DP 71986 and Pt Sec 35 Maungaraki Village contained in C.T. 550/178), identified on Appendix Subdivision 1, the minimum subdivision requirements shall be - | |
| Minimum size of allotment: | 600m ² |
| Minimum frontage: | 20m |

| | |
|---|--------------------|
| Landscape Protection Residential Activity Area | |
| Minimum size of allotment: | 2000m ² |

| | |
|-------------------|---|
| Minimum frontage: | 20m, except for rear allotments, 3m frontage. For rear allotments the 3m frontage may be satisfied through a registered Right of Way outside the title (outside legal boundaries of the allotment). |
| Shape factor: | All allotments must be able to contain a rectangle measuring 10m by 15m. Such a rectangle must be clear of any yard or right of way and have a suitable building platform. |
| Other: | Compliance with the permitted activity conditions of the activity area. |

AMENDMENT 349 - Amend Allotment Design table for Central Commercial, Suburban Commercial, Suburban Mixed Use and Petone Commercial (Area 1) Activity Areas from section 11.2.2.1 Standards and Terms

| | |
|---|---|
| Central Commercial Activity Area, Suburban Commercial Activity Area, Suburban Mixed Use Activity Area and Petone Commercial Activity Area 1 | |
| Minimum size of allotment: | 200m ² |
| Minimum frontage: | 6m |
| Other: | Compliance with the permitted activity conditions of the activity area. |

| | |
|--|---|
| Petone Commercial Activity Area 2 | |
| Minimum size of allotment: | 1000m ² |
| Minimum frontage: | 20m |
| Other: | Compliance with the permitted activity conditions of the activity area. |

| | |
|---|---|
| General and Special Business Activity Area | |
| Minimum size of allotment: | 200m ² |
| Minimum frontage: | 6m to enable drive on vehicular access to each allotment. |
| Other: | Compliance with the permitted activity conditions of the activity area. |

| | |
|---|---|
| Avalon Business Activity Area (Sub-Area 2) | |
| Minimum size of allotment: | 400m ² |
| Minimum frontage: | 3m to enable drive on access to the allotment. |
| Other: | Compliance with the permitted activity conditions of the activity area. |

Rural Residential Activity Area - Titiro Moana Road, Part Section 34 Maungaraki Village and Lots 6, 7, & 8

DP 81789 (formerly Pt Sec 35 Maungaraki Village) as shown in Appendix Subdivision 2.

- There shall be no allotment of lesser area than 8,000m².
- The average area of all allotments shall not be less than 1.5 ha.
- That the boundaries of allotments are chosen in relation to optimum house sites.
- The location of any proposed works for water storage purposes including any weir, piping and storage tanks, be shown.

- Areas of regenerating bush be identified and preserved.

Rural Residential Activity Area - 190 Stratton Street (SEC 43 Normandale Sett Blk VII D3/922), 236 Stratton Street (LOT 1 DP 50184 20B/82) and 268 Stratton Street (LOT 2 DP 50184 20B/83) as identified in Appendix Subdivision 9.

| | |
|----------------------------|---|
| Minimum size of allotment: | 2 ha |
| Minimum frontage: | 100m for front allotments. 6m for rear allotments. |
| Shape Factor: | All allotments must be able to contain a rectangle measuring 30m by 20m. Such a rectangle must be clear of any yard or right of way and have a suitable building platform. |
| Number of Allotments: | The maximum number of allotments per site after subdivision shall be limited to: 190 Stratton Street (SEC 43 Normandale Sett Blk VII D3/922) – no more than 6 rural residential allotments 236 Stratton Street (LOT 1 DP 50184 20B/82) – no more than 3 rural residential allotments 268 Stratton Street (LOT 2 DP 50184 20B/83) – no more than 4 rural residential allotments |
| Access: | Motor vehicle access to all new allotments must be from Stratton Street. |
| No-development areas: | All new building platforms for buildings and structures, new access ways and vehicle tracks, new utility structures and sewage disposal fields must be located outside the no-development areas identified in Appendix Subdivision 9. At the time of subdivision, measures for the ongoing protection of areas of significant indigenous biodiversity within the no-development areas from inappropriate use and development must be registered on the certificate of title by way of consent notice. |
| Other: | Compliance with the permitted activity conditions of the activity area. |

Other Rural Residential Activity Areas

| | |
|----------------------------|--|
| Minimum size of allotment: | 2 ha |
| Minimum frontage: | 100m for front allotments. 6m for rear allotments. |
| Shape Factor: | All allotments must be able to contain a rectangle measuring 30m by 20m. Such a rectangle must be clear of any yard or right of way and have a suitable building platform. |
| Other: | Compliance with the permitted activity conditions of the activity area. |

| General Rural Activity Area | |
|------------------------------------|---|
| Minimum size of allotment: | 15ha |
| Minimum frontage: | 150m for front allotments. 6m for rear allotments. |
| Shape Factor: | All allotments must be able to contain a rectangle measuring 30m by 20m. Such a rectangle must be clear of any yard or right of way and have a suitable building platform. |
| Other: | <p>Compliance with the permitted activity conditions of the activity area.</p> <p>Subdivision in Hebden Cres/Liverton Road, Pt Lot 2 DP 578 in accordance with Drawing No. 469SCH4^C by Lucas Surveys shown in Appendix Subdivision 3 and subject to an encumbrance being lodged against each new title as shown in Appendix Subdivision 4 regarding the neighbouring quarrying activities.</p> |

AMENDMENT 350 - Amend Allotment Design table for Community Iwi Activity Area 1 from section 11.2.2.1 Standards and Terms

| Community Iwi Activity Area 1 Marae | |
|--|---|
| Waiwhetū (Puketapu Grove), Te Mangungu (Rata Street), Koranui (Stokes Valley), Te Kakano O Te Aroha (Moera) and Pukeatua (Wainuiomata) | Minimum size of allotment and frontage the same as the General Residential Activity Area <u>Medium Density and High Density Residential Activity Areas</u> . |
| Te Tahau O Te Po (Puke Ariki, Hutt Road) | Minimum size of allotment and frontage the same as the General Business Activity Area. |

| Community Iwi Activity Area 3 - Kokiri Centres | |
|---|--|
| Pukeatua (Wainuiomata) | Minimum size of allotment and frontage the same as the General Business Activity Area. |
| Ngau-matau (Seaview) | Minimum size of allotment and frontage same as the Special Business Activity Area. |

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

(b) Engineering Design

- (i) **Access**
Compliance with Chapter 14A - Transport.
- (ii) **Service Lanes, Private Ways, Pedestrian Accessways and Walkways**
Compliance with Chapter 14A - Transport.
- (iii) **Street Lighting**
Compliance with AS/NZS 1158:2005 Code of Practice for Road Lighting.

(iv) Stormwater

Compliance with the following standards:

Levels of Stormwater Protection to be provided by Services in New Areas

| Minimum Standard | | | | Subsidiary Standards | | | |
|---------------------------|--------------------|------------------|----------------|----------------------|--|--|------------|
| | Primary System ARI | Total System ARI | Freeboard (mm) | 1. | Max.Depth and speed on roads and footpaths | Max Depth | Max. Speed |
| Parks & Reserves | 2 | 5 | - | | Arterial Roads | 0.1m | 2.0m/s |
| Recreational Buildings | 10 | 50 | 200 | | Local Roads | 0.2m | 2.0m/s |
| Non-Habitable Buildings | 5 | 10 | 200 | | Hill Roads | 0.1m | 3.0m/s |
| Residential Houses | 10 | 100 | 500 | | Walkways only | 0.4m | 1.0m/s |
| Commercial | 20 | 100 | 100 | 2. | Depth Speed Product | < 0.4mm/s | |
| Industrial | 10 | 50 | 100 | 3. | Channel/Pond Side Slopes | Maximum 1:5 Vertical : Horizontal | |
| Public Utilities | 10 | 100 | 500 | 4. | Channel/Pond Free board | > 0.5 metre | |
| Culverts | 20 | 100 | - | 5. | Detention Pond | < 1.2 metres depth of water unless access restricted | |
| Bridges | 50 | 100 | - | 6. | Kerb Opening | < 150mm high unless screened | |
| Car Parks | 5 | 10 | - | 7. | Pipe Diameter | > = 300mm for mains > = 225mm for sump leads | |
| Arterial Roads | 20 | 50 | - | 8. | Watercourses | No scour or deposition in events < 5yrs ARI | |
| Local Roads | 10 | 20 | - | | | | |
| Hill Roads (gradient >3%) | 10 | 20 | - | | | | |

Levels of Stormwater Protection to be Provided by New Drains in Existing Areas

| Recommended Standard | | | | Minimum Standard | | | | Subsidiary Standards | | |
|---------------------------|--------------------|------------------|----------------|---------------------------|--------------------|------------------|----------------|---|--|------------|
| | Primary System ARI | Total System ARI | Freeboard (mm) | | Primary System ARI | Total System ARI | Freeboard (mm) | 1. Max. Depth & speed on roads and footpaths: | Max. Depth | Max. Speed |
| Parks & Reserves | 2 | 5 | - | Parks & Reserves | 2 | 5 | - | Arterial Roads | 0.1m | 2.0m/s |
| Recreational Buildings | 10 | 50 | 200 | Recreational Buildings | 10 | 50 | 200 | Local Roads | 0.2m | 2.0m/s |
| Non Habitable Buildings | 5 | 10 | 200 | Non Habitable Buildings | 5 | 10 | 200 | Hill Roads | 0.1m | 2.0m/s |
| Residential Houses | 10 | 100 | 500 | Residential Houses | 10 | 50 | 200 | Walkways only | 0.4m | 1.0m/s |
| Commercial | 20 | 100 | 100 | Commercial | 10 | 50 | 50 | 2. Depth Speed | <0.4mm/s | |
| Industrial | 10 | 50 | 100 | Industrial | 10 | 50 | 50 | 3. Channel/Pond Freeboard Side Slopes | Maximum 1:5 Vertical : Horizontal | |
| Public Utilities | 10 | 100 | 500 | Public Utilities | 10 | 50 | 200 | 4. Channel/Pond Freeboard | >0.5 metres | |
| Culverts | 20 | 100 | - | Culverts | 20 | 100 | - | 5. Detention Pond | < 1.2 metres depth of water unless access restricted | |
| Bridges | 50 | 100 | - | Bridges | 50 | 100 | - | 6. Kerb Opening | < 150mm high unless screened | |
| Car parks | 5 | 10 | - | Car parks | 5 | 10 | - | 7. Pipe Diameter | >=300mm for mains >=225mm for sump leads | |
| Arterial Roads | 20 | 50 | - | Arterial Roads | 10 | 20 | - | 8. Watercourses | No scour or deposition in events <5yrs ARI | |
| Local Roads | 10 | 20 | - | Local Roads | 10 | 20 | - | | | |
| Hill Roads (gradient >3%) | 10 | 20 | - | Hill Roads (gradient >3%) | 10 | 20 | - | | | |

AMENDMENT 351 - Amend section on engineering design standards for wastewater (section 11.2.2.1(b)(v)) for Retail and Suburban Commercial and Suburban Mixed Use Activity Areas

(v) Wastewater

Compliance with the following standards:

| Residential Areas | | |
|-------------------------------|----------------------------|------------|
| ADWF | (Average Dry Weather Flow) | 270 l/h/d |
| PDWF | (Peak Dry Weather Flow) | 540 l/h/d |
| MWWF | (Maximum Wet Weather Flow) | 1080 l/h/d |
| where l/h/d = litres/head/day | | |

| Business Areas | | |
|---|----------------------------|---------------|
| Where the industrial domestic waste and trade waste flows are known, these shall be used as the basis for sewer design. When the above information is not available the following may be used as the design basis | | |
| ADWF | (Average Dry Weather Flow) | 0.52 l/ha/sec |
| PDWF | (Peak Dry Weather Flow) | 1.56 l/ha/sec |

| | | |
|---|--|---------------|
| MWWF | (Maximum Wet Weather Flow) | 1.56 l/ha/sec |
| | where l/ha/sec = litres/hectare/second | |
| The design of sewage disposal systems for industries with very heavy water usage is to be based on the specific requirements for that industry. | | |

| | | |
|---|--|---------------|
| Retail and Suburban Commercial Areas, Suburban Mixed Use Areas | | |
| ADWF | (Average Dry Weather Flow) | 0.25 l/ha/sec |
| PDWF | (Peak Dry Weather Flow) | 0.44 l/ha/sec |
| MWWF | (Maximum Wet Weather Flow) | 0.44 l/ha/sec |
| | where l/ha/sec = litres/hectare/second | |

| | |
|--|---|
| Associated Compliance Standards | |
| pipe diameter | >150mm for mains |
| pipe velocity | >0.6 metres/sec |
| minimum standby pump capacity | 100% for 2 pump installation 50% for 3 pump installation |
| minimum storage in pumped system | 4 hours ADWF (Average Dry Weather Flow) |

(vi) Water Supply

Compliance with the following standards:

- NZS PAS 4509:2008 NZ Fire Service Code of Practice for Fire Fighting Water Supplies.
- Hutt City Council Bylaw 1997 Part 17 Water Supply.
- Part 6 NZS 4404:2004 (Land Development and Subdivision Engineering).

subject to the following criteria and guideline values:

| CRITERIA | GUIDELINE VALUES |
|--|--|
| Minimum available flow at Point of Supply | 15 litres per minute |
| Pressure at Point of Supply (static) | |
| Minimum (for highest level sites - nearing the supply reservoir elevation) | 10 metres head |
| Minimum (for the majority of a supply zone) | 30 metres head |
| Maximum | 90 metres head |
| Minimum system flow capability | The system shall provide flows equivalent to the Fire Service Code of Practice flow requirements plus two thirds of the peak daily consumption flow; whichever is greater. Peak daily consumption flows shall be as follows: |

| | |
|--|--|
| | (i) Over 2,000 population - 1,400 litres per person per day. (ii) Under 2,000 population - as in table below. |
| Minimum pumping capacity without using standby unit | 15 hours |
| Minimum pumping standby capacity | 100% 2 pump installation |

Peak Flow on Maximum Days

| No. of Dwellings | Litres per second | No. of Dwellings | Litres per second | No. of Dwellings | Litres per second |
|------------------|-------------------|------------------|-------------------|------------------|-------------------|
| 1 | 0.6 | 16 | 3.2 | 90 | 8.8 |
| 2 | 0.9 | 18 | 3.4 | 100 | 9.3 |
| 3 | 1.2 | 20 | 3.6 | 120 | 10.4 |
| 4 | 1.4 | 25 | 4.1 | 140 | 11.4 |
| 5 | 1.6 | 30 | 4.6 | 160 | 12.4 |
| 6 | 1.8 | 35 | 5.1 | 180 | 13.4 |
| 7 | 1.9 | 40 | 5.5 | 200 | 14.1 |
| 8 | 2.1 | 45 | 5.9 | 250 | 16.1 |
| 9 | 2.2 | 50 | 6.2 | 300 | 18.0 |
| 10 | 2.4 | 60 | 6.9 | 350 | 19.8 |
| 11 | 2.7 | 70 | 7.6 | 400 | 21.3 |
| 12 | 2.9 | 80 | 8.2 | 500 | 24.2 |

(vii) Telecommunications and Electricity

Compliance with the requirements of the relevant network utility operator.

(viii) Earthworks

Compliance with the following:

- NZS 4431 1989 (Code of Practice for Earth Fill for Residential Development) and Part 2 NZS 4404:2004 (Land Development and Subdivision Engineering
- Erosion and Sediment Control Guidelines for the Wellington Region and Small Earthworks Erosion and Sediment Control for small sites, 2003, Greater Wellington Regional Council.

(c) Contamination

Compliance with the following:

- Ministry for the Environment, Contaminated Land Management Guidelines 1 – 5

(d) Esplanade Reserves, Strips and Access Strips

Compliance with the following:

- (i) In all activity areas esplanade reserves or strips are not required for the following

subdivision activities:

- Boundary adjustments in all activity areas.
 - A minor adjustment to an existing cross lease or unit title due to the increase in the size of allotment by alterations to the building outline or the addition of an accessory building.
 - A subdivision where the allotment is created solely for utilities and that allotment has a net site area of less than 200m² and is not within 20m of any river or lake.
- (ii) In all activity areas, in respect of lots less than 4 hectares, an esplanade reserve of 20m shall be set aside for such lots along the bank of any river whose bed has an average width of 3m or more where the river flows through or adjoins the lot concerned, except that properties with access to Moores Valley Road or Crowther Road that this standard applies to shall have an esplanade reserve of 5m.
- (iii) In respect of lots with areas of 4 hectares or greater, an esplanade reserve or strip of 20m width shall be set aside for such lots along the banks of the following rivers and lakes:
- Hutt River,
 - Wainuiomata River,
 - Orongorongo River,
 - Waiwhetu Stream,
 - Lake Kohangatera,
 - Lake Kohangapiripiri.
- (iv) In respect of lots with areas 4 hectares or greater, an esplanade reserve or strip of 20m width shall be set aside for lots adjoining the mean high water springs of the sea.

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

(e) Earthworks

Compliance with permitted activity conditions 14I 2.1.1.

Compliance with NZS 4431 1989 (Code of Practice for Earth Fill for Residential Development) and Part 2 NZS 4404:2004 (Land Development and Subdivision Engineering).

Erosion and Sediment Control Guidelines for the Wellington Region 2003 and Small Earthworks Erosion and Sediment Control for Small Sites, Greater Wellington Regional Council.

Exception: The standards in Rules 14I 2.1.1 (a) and (b) shall not apply to trenching carried out as part of the subdivision.

(f) Other Provisions

Compliance with the following:

- (i) Financial Contributions in Chapter 12 of this Plan.
- (ii) General Rules in Chapter 14 of this Plan.

AMENDMENT 352 - Amend section 11.2.2.2 Matters in which Council Seeks to Control

11.2.2.2 Matters in which Council Seeks to Control

The matters over which control is reserved are:

- (a) The design and layout of the subdivision, including the size, shape and position of any lot, any roads or the diversion or alteration to any existing roads, access, passing bays, parking and manoeuvring standards, and any necessary easements;
- (b) The provision of servicing, including water supply, wastewater systems, stormwater control and disposal, roads, access, street lighting, telephone and electricity;
- (c) Management of construction effects, including traffic movements, hours of operation and sediment control;
- (d) Provision of esplanade reserves, esplanade strips and access strips;
- (e) Site contamination remediation measures and works;
- (f) Protection of significant sites, including natural, cultural and archaeological sites;
- (g) ~~Avoidance or mitigation of natural hazards;~~
- (ga) Avoidance or mitigation of any natural hazard risk in accordance with Policy 11.1.3;
- (h) The design and layout of the subdivision where any lot may affect the safe and effective operation and maintenance of and access to regionally significant network utilities (excluding the National Grid) located on or in proximity to the site;
- (i) The outcome of consultation with the owner and operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site; and
- (j) Those matters described in Section 108 and 220 of the Resource Management Act 1991.

Note: Rule 11.2.3(b) covers subdivision within the National Grid Corridor.

AMENDMENT 353 - Amend section 11.2.2.3(a) on assessment criteria for allotment design

11.2.2.3 Assessment Criteria

The following assessment criteria will be used:

- (a) Allotment Design:
 - Allotments to have the appropriate net site area and dimensions to enable activities, buildings or structures to be sited to comply with the specified activity area requirements.
 - Subdivisions should be designed so as to give areas a strong and positive identity by taking into account characteristics of the area and ensuring that roading patterns, public open space/reserves and community facilities are well integrated.
 - Subdivision should take into account the future character of an area as provided for the by Activity Area zoning.
 - Account must be taken of the future development potential of adjoining or adjacent land and any potential reverse sensitivity effects on regionally significant network utilities (excluding the National Grid).
 - The roading pattern must take into account the future development pattern of adjacent land.
 - Subdivisions should be designed in a manner which recognises and gives due regard to the natural and physical characteristics of the land and adverse effects are avoided, remedied or mitigated.
 - For the land identified in Appendix Subdivision 9, in addition to the above, subdivisions should be designed to give priority to avoiding where possible the need for indigenous vegetation clearance and earthworks within the identified no-development areas. Where avoidance is not possible the design must demonstrate how the effects will be minimised and remedied.

Subdivision shall also be designed to ensure that motor vehicle access to all new allotments is provided from Stratton Street only.

AMENDMENT 354 - Amend section 11.2.2.3(b) on assessment criteria for engineering design

(b) Engineering Design

(i) Access

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

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

(iii) Street Lighting

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

(iv) Stormwater

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

stabilised and that erosion is minimised.

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

(v) Wastewater

- The wastewater system is adequate for the maintenance of public health and the disposal of effluent in an environmentally appropriate manner.
- All wastewater systems shall be designed so that they have sufficient capacity for the ultimate design flow.
- All wastewater systems shall be designed so that they are self cleansing with the current or expected peak dry weather flow.
- Materials used in the wastewater system must be durable, maintainable, cost efficient and compatible with Council's engineering performance standards.
- Connection to a community sewerage system where one is available, and has the capacity to accept the additional sewerage load that the occupancy of the subdivision will create; or the installation of a sewerage system and community treatment plant when there is no community sewerage system available and the number of residential allotments and the soil/groundwater conditions indicate that the cumulative effects of the sewerage effluents have the potential to adversely affect public health.

(vi) Water Supply

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

(vii) Telecommunication and Electricity

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

by means of an underground system.

(viii) Earthworks

- Before any earthworks are carried out a thorough investigation be undertaken to determine the suitability of the land. Particular attention must be given to drainage, slope and foundation stability matters, topography, significant existing natural, cultural and archaeological resources, post construction settlement, shrinkage and expansion of material plus compaction.
- Appropriate design and construction methods must be used to control and manage soil erosion, surface runoff and siltation.
- For the land identified in Appendix Subdivision 9, in addition to the above, a sediment and erosion control plan must be prepared to manage the potential effects of earthworks on streams and identified wetlands on the site.

(c) Contamination

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

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

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

(d) Esplanade Reserves, Strips and Access Strips

Whether provision has been made for esplanade reserves and/or strips along the margins of any water body. If a reduction in the width or waiver of an esplanade reserve is sought, Council would have regard to the following:

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

- Whether the land is within a natural hazard area or in an identified risk from one or more natural hazards.

AMENDMENT 355 - Add new Restricted Discretionary Rules 11.2.3(e), 11.2.3(f) and 11.2.3(g)

11.2.3 Restricted Discretionary Activities

- (a) Any subdivision that does not comply with the standards and terms for controlled activity under Rule 11.2.2.1 in respect of (b) Engineering Design, (c) Contamination and (e) Earthworks.
- (b) Any subdivision located within a National Grid Corridor that complies with the standards and terms under Rule 11.2.3.2.

- (i) Non-notification

In respect of Rule 11.2.3 (b), public notification of applications for resource consent is precluded. Limited notification will be served on the National Grid Operator as the only affected party under section 95B of the Act.

Note: Rule 11.2.3 (b) (i) prevails over Rule 17.2.2.

- (c) Any subdivision located within close proximity to consented and existing renewable energy generation activities.

- (i) Non- notification

In respect of Rule 11.2.3 (c), public notification of applications for resource consent is precluded. Limited notification will be served on the renewable energy generation activities' operator as the only affected party under section 95B of the Act.

Note: Rule 11.2.3 (c) (i) prevails over Rule 17.2.2.

- (d) Any subdivision of the land identified in Appendix Subdivision 7 or Appendix Subdivision 8.

- (e) Any subdivision that creates building platforms within an Overland Flowpath area of the Flood Hazard Overlay.

- (f) Any subdivision that creates building platforms within the Medium Coastal Hazard Area Overlay.

- (g) Any subdivision in the Petone Commercial Activity Area and Suburban Mixed Use Activity Area which is also within the Coastal Hazards Overlays and involves the construction of new buildings which will be occupied by members of the public, employees or will result in the creation of a vacant allotment.

11.2.3.1 Matters in which Council has restricted its discretion

AMENDMENT 356 - Amend section 11.2.3.1(a) of Matters in which Council has restricted its discretion

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

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

(ia) The matters of control under Rule 11.2.2.2.

(ii) Amenity Values:

The extent to which any earthworks proposal will affect adversely the visual amenity values of the area, and the extent to which the earthworks will result in unnecessary scarring and be visually prominent. The effects on the amenity values of neighbouring properties including dust and noise.

The extent to which replanting, rehabilitation works or retaining structures are included as part of the proposal to mitigate adverse effects. Earthworks should not result in the permanent exposure of excavated areas or visually dominant retaining structures when viewed from adjoining properties or public areas, including roads.

(iii) Existing Natural Features and Topography:

The extent to which the proposed earthworks reflect natural landforms and are sympathetic to the natural topography.

(iv) Historical or Cultural Significance:

The extent to which the proposed earthworks will affect adversely land and features which have historical and cultural significance.

(v) Natural Hazards:

Consideration should be given to those areas prone to erosion, landslip, coastal hazards and flooding. Earthworks should not increase the vulnerability of people or their property to such natural hazards. In the Primary and Secondary River Corridors of the Hutt River, consideration should be given to the effects on the flood protection structures.

(vi) Construction Effects:

The extent to which the proposed earthworks have adverse short term and temporary effects on the local environment.

(vii) Engineering Requirements:

The extent of compliance with NZS 4431 1989 (Code of Practice for Earth Fill for Residential Development).

The extent of compliance with Part 2 NZS 4404:2004 (Land Development and Subdivision Engineering).

(viii) Erosion and Sediment Management:

The extent of compliance with the "Erosion and Sediment Control Guidelines for the Wellington Regional 2003" and "Small Earthworks – Erosion and Sediment Control for small sites" by Greater Wellington Regional Council.

(ix) Contaminated Land:

The extent to which works are consistent with the Ministry for the Environment, Contaminated Land Management Guidelines 1 – 5.

(x) Vegetation protection and presence:

The extent to which protection is given and how the safe, continuous presence of vegetation is provided for in the area as shown in Appendix Subdivision 5 by using an appropriate legal mechanism.

- (xi) Visual effects of built development on the wider area (Appendix Subdivision 6):

Consideration shall be given to any actual and potential adverse effects of built development in the area identified on Appendix Subdivision 6 on visual amenity of the wider area (ie the valley floor and upper Holborn Drive). To assist, an expert assessment shall be undertaken, and the extent to which development controls are placed on identified individual lots as a result of the assessment's findings shall be taken into account.

For the purposes of this rule, built development includes but is not limited to structures of any height such as dwellings and ancillary buildings, decks, fences, walls and retaining walls.

(b) Any subdivision located within a National Grid Corridor that complies with the standards and terms under Rule 11.2.3.1.

- (i) The extent to which the design, construction and layout of the subdivision demonstrates that a suitable building platform(s) can be located outside of the National Grid Yard for each new lot to ensure adverse effects on and from the National Grid and on public health and safety are appropriately avoided, remedied or mitigated;
- (ii) The provision for the on-going operation, maintenance (including access) and planned upgrade of Transmission Lines;
- (iii) The risk to the structural integrity of the National Grid;
- (iv) The extent to which the subdivision design and consequential development will minimise the risk of injury and/or property damage from such lines;
- (v) The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity on and amenity and nuisance effects of the transmission asset; and
- (vi) The extent to which landscaping will impact on the operation, maintenance, upgrade and development (including access) of the National Grid.

Advice Note: Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

Vegetation to be planted within proximity to Transmission Lines as shown on the planning maps should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support structures. To discuss works, including tree planting near any Transmission Line especially works within the transmission corridor; contact the National Grid operator.

(c) Any subdivision of the land identified in Appendix Subdivision 7 or Appendix Subdivision 8.

- (i) Amenity Values:
The extent to which any earthworks proposal will affect adversely the visual amenity values of the area, and the extent to which the earthworks will result in unnecessary scarring and be visually prominent. The effects on the amenity values of

neighbouring properties including dust and noise. The extent to which replanting, rehabilitation works or retaining structures are included as part of the proposal to mitigate adverse effects. Earthworks should not result in the permanent exposure of excavated areas or visually dominant retaining structures when viewed from adjoining properties or public areas, including roads.

- (ii) Existing Natural Features and Topography: The extent to which the proposed earthworks reflect natural landforms, and are sympathetic to the natural topography.
- (iii) Historical or Cultural Significance:
The extent to which the proposed earthworks will affect adversely land and features which have historical and cultural significance.
- (iv) Construction Effects:
The extent to which the proposed earthworks have adverse short term and temporary effects on the local environment.
- (v) Engineering Requirements: The extent of compliance with NZS 4431:1989 (Code of Practice for Earth Fill for Residential Development). The extent of compliance with Part 2 NZS 4404:2004 (Land Development and Subdivision Engineering).
- (vi) Erosion and Sediment Management:
The extent of compliance with the "Erosion and Sediment Control Guidelines for the Wellington Region 2002" and "Small Earthworks – Erosion and Sediment Control for small sites" by Greater Wellington Regional Council.
- (vii) The design and layout of the subdivision, including the size, shape and position of any lot, any roads or the diversion or alteration to any existing roads, access, passing bays, parking and maneuvering standards, and any necessary easements;
- (viii) The provision of servicing, including water supply, waste water systems, stormwater control and disposal, roads, access, street lighting, telephone and electricity;
- (ix) Management of construction effects, including traffic movements, hours of operation and sediment control;
- (x) Avoidance or mitigation of natural hazards;
- (xi) The design and layout of the subdivision where any lot may affect the safe and effective operation and maintenance of and access to regionally significant network utilities (excluding the National Grid) located on or in proximity to the site;
- (xii) The outcome of consultation with the owner and operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site;
- (xiii) Those matters described in Section 108 and 220 of the Resource Management Act 1991;
- (xiv) In regard to Appendix Subdivision 7, the engineering measures proposed to manage stormwater runoff to ensure the ecological health of Speedy's Stream and the onsite wetland. To assist, expert assessment shall be undertaken, and provided with any subdivision application. This report shall identify the following:
 - i. The existing ecological values of Speedy's Stream and the onsite wetland;
 - ii. The stormwater runoff rates for both the onsite wetland and Speedy's Stream to maintain these ecological values (including for smaller frequent events like the 1 in 1 year and 1 in 2 year rainfall events);
 - iii. The acceptable level of contaminants in the stormwater to maintain the ecological values of both the onsite wetland and Speedy's Stream;
 - iv. The engineering practices (for example, bio-retention devices and detention tanks) required to treat and control all stormwater runoff to ensure that the identified ecological values are at least maintained and the stormwater runoff rates and treatment identified in the points above are achieved. These engineering practices shall control all runoff generated by

- the 85-90th percentile rainfall depth. This is defined as treating the stormwater volume generated by the 27mm rainfall depth; and
- v. Any potential conditions that may need to be imposed on the subdivision consent to ensure that these engineering measures are undertaken and appropriately maintained.
- (xv) In regard to Appendix Subdivision 8, the engineering measures proposed to manage stormwater runoff to ensure the ecological health of any onsite streams and downstream receiving environments. To assist, expert assessment shall be undertaken, and provided with any subdivision application. This report shall identify the following:
- i. The existing ecological values of the onsite streams (and their downstream receiving environments);
 - ii. The stormwater runoff rates for the onsite streams (and their downstream receiving environments) to maintain or improve ecological values (including for smaller frequent events like the 1 in 1 year and 1 in 2 year rainfall events) ;
 - iii. The acceptable level of contaminants in the stormwater to maintain or improve the ecological values of the onsite streams (and their downstream receiving environments);
 - iv. The engineering practices (for example, bio-retention devices and detention tanks) required to treat and control all stormwater runoff to ensure that the identified ecological values are appropriately protected, and the stormwater runoff rates and treatment identified in the points above are achieved; and
 - v. Any potential conditions that may need to be imposed on the subdivision consent to ensure that these engineering measures are undertaken and appropriately maintained.
- (xvi) In regard to Appendix Subdivision 8, any measures to control reverse sensitivity effects in relation to noise on the adjoining properties within the Rural Residential Activity Area.
- (xvii) For the land in Appendix Subdivision 8, the measures to maintain the ecological values of the indigenous vegetation contained within the General Recreation Activity Area portion of the land. This includes the protection of indigenous vegetation within the General Recreation Activity Area portion of the land through appropriate legal mechanism and on-site measures to manage edge effects during any adjacent development activities.

AMENDMENT 357 - Add new section 11.2.3.1(d) to Matters in which Council has restricted its discretion

- (d) **Any subdivision that creates building platforms within an Overland Flowpath area of the Flood Hazard Overlay.**
- (i) The matters in Policy 14H 1.6.

AMENDMENT 358 - Add new section 11.2.3.1(e) to Matters in which Council has restricted its discretion

- (e) **Any subdivision that creates building platforms within the Medium Coastal Hazard Area Overlay.**
- (i) The matters in Policy 14H 1.10.

AMENDMENT 359 - Add new section 11.2.3.1(f) to Matters in which Council has restricted its discretion

- (f) **Any subdivision in the Petone Commercial Activity Area and Suburban Mixed Use Activity Area which is also within the Coastal Hazards Overlays and involves the construction of new buildings which will be occupied by members of the public, employees or will result in the creation of a vacant allotment.**
- (i) The matters in Policy 14H 1.13.

11.2.3.2 Standards and Terms

(a) Any Subdivision located within a National Grid Corridor shall:

- (i) comply with the Standards and Terms for a Controlled Activity in Rule 11.2.2.1 and
- (ii) demonstrate that each new residential allotment can provide a complying Shape Factor as required under Rule 11.2.2.1(a) or in the case of industrial and commercial activities, a suitable building platform which is fully located outside of the National Grid Yard.

11.2.4 Discretionary Activities

AMENDMENT 360 - Amend section 11.2.4 Discretionary Activities

- (a) Avalon Business Activity Area.
- (b) ~~Special Commercial Activity Areas 1 and 2.~~
- (c) Rural Residential Activity Area all subdivisions with direct access off Liverton Road.
- (d) ~~Historic Residential Activity Area.~~
- (da) Historic Residential Heritage Precinct and Patrick Street-Riddlers Crescent Precinct.
- (db) Subdivision of land containing a building or item in Appendix Heritage 1 or 2.
- (dc) Subdivision of land containing a "site of significance to Māori Culture" listed in Appendix Significant Natural, Cultural and Archaeological Resources 1.
- (e) General, Special, River and Passive Recreation Activity Areas.
- (f) Extraction Activity Area.
- (g) Community Health Activity Area.
- (h) Any subdivision within the identified coastal environment as shown in Map Appendices 2A, 2B, and 2C.
- (i) Any subdivision which is not a Permitted, Controlled or Restricted Discretionary Activity.
- (j) Any subdivision located wholly or partially within Avalon Business Activity Area (SubArea 1).
- (k) On 2/76 Normandale Road, Pt Lot 1 DP 7984, any earthworks undertaken as part of a subdivision, in that part of the site identified to the north and east of the stream, as shown on Appendix Earthworks 3.
- (l) ~~Any subdivision of the land identified in Appendix Subdivision 7 or Appendix Subdivision 8 that do not comply with the standards and terms for controlled activity under Rule 11.2.2.1 in respect of (a) Allotment Design.~~
- (m) Any subdivision of the land identified in Appendix Subdivision 9 that does not comply with the standards and terms for controlled activity under Rule 11.2.2.1 in respect of (a) Allotment Design relating to Minimum Size of Allotment, Minimum Frontage, Shape Factor, Number of Allotments, Access and Other but excluding No-development Areas.
- (n) Any subdivision that creates building platforms within the Wellington Fault Overlay.
- (o) Any subdivision that creates building platforms within the High Coastal Hazard Overlay.

11.2.4.1 Assessment Criteria for Discretionary Activities

AMENDMENT 361 - Amend section 11.2.4.1 Assessment Criteria for Discretionary Activities

- (a) The matters contained in sections 104 and 105, and in Part II of the Act shall apply.
- (b) Compliance with the engineering design standards.
- (c) The degree of compliance or noncompliance with any relevant Permitted and Controlled Activity Standards and Terms.
- (d) Those matters listed in the Assessment Criteria for Controlled Activities.
- (e) ~~For the sites identified in Appendix Subdivision 7 and Appendix Subdivision 8, those matters to which Council has restricted its discretion under Rule 11.2.3.1 (c).~~

- (f) For any subdivision that creates building platforms within the Wellington Fault Hazard Overlay, the matters in Policy 14H 1.2.
- (g) For any subdivision that creates building platforms within the High Coastal Hazard Overlay, the matters in Policy 14H 1.11.

AMENDMENT 362 - Amend section 11.2.5 Non-Complying Activities

11.2.5 Non-Complying Activities

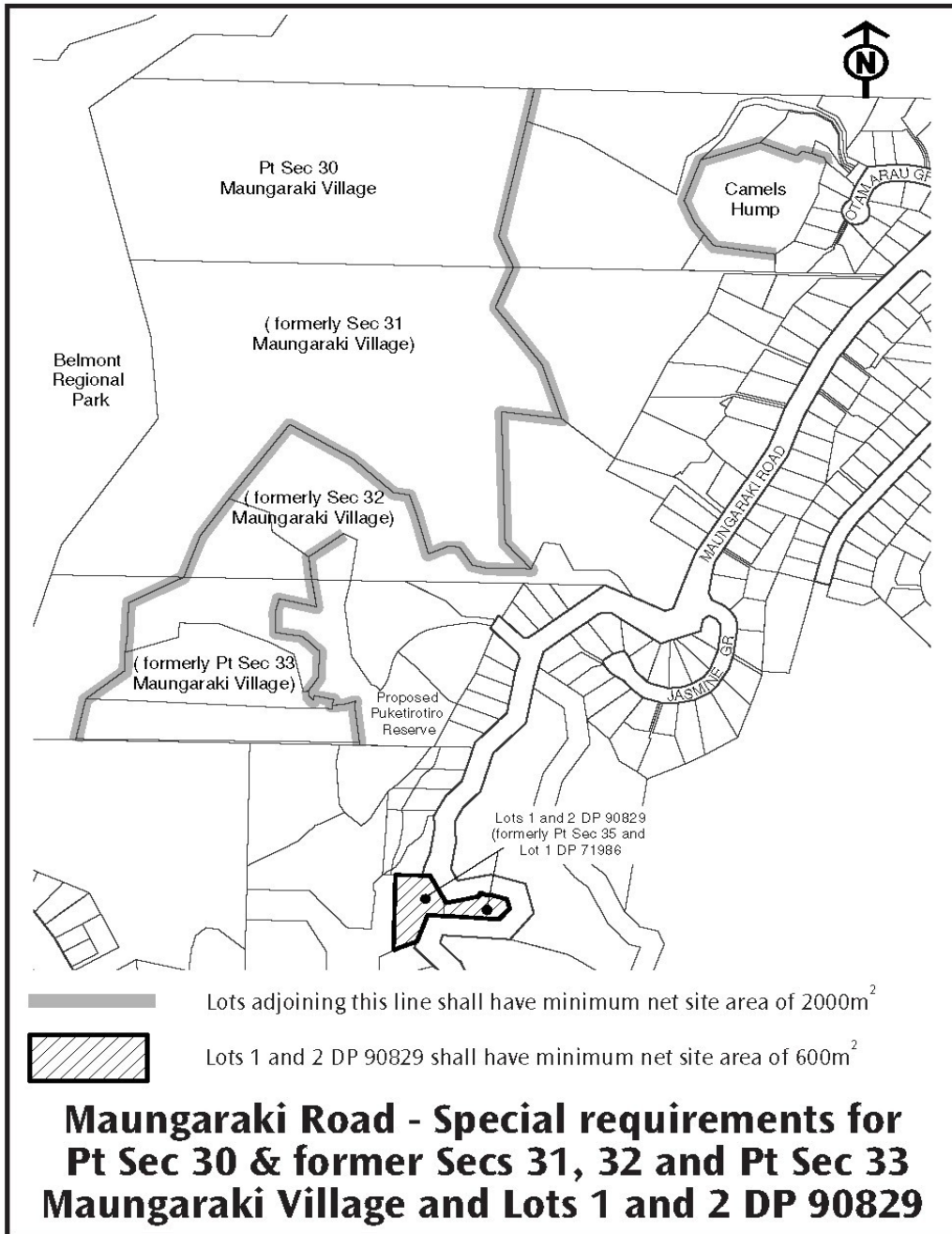
- (a) Any subdivision of land within the National Grid Corridor that does not comply with the standards and terms under Rule 11.2.3.2.
- (b) Any subdivision of the land identified in Appendix Subdivision 8 which results in any new lots having vehicular access to Liverton Road.
- (c) Any subdivision that creates building platforms within the Stream Corridor area of the Flood Hazard Overlay.
- (d) Any subdivision of land within the National Grid Corridor that does not comply with the standards and terms under Rule 11.2.3.2.
- (e) Any subdivision of the land identified in Appendix Subdivision 8 which results in any new lots having vehicular access to Liverton Road.
- (f) Any subdivision of the land identified in Appendix Subdivision 9 that does not comply with the standards and terms for controlled activity under Rule 11.2.2.1 in respect of (a) Allotment Design relating to No-development Areas.

11.3 Anticipated Environmental Results

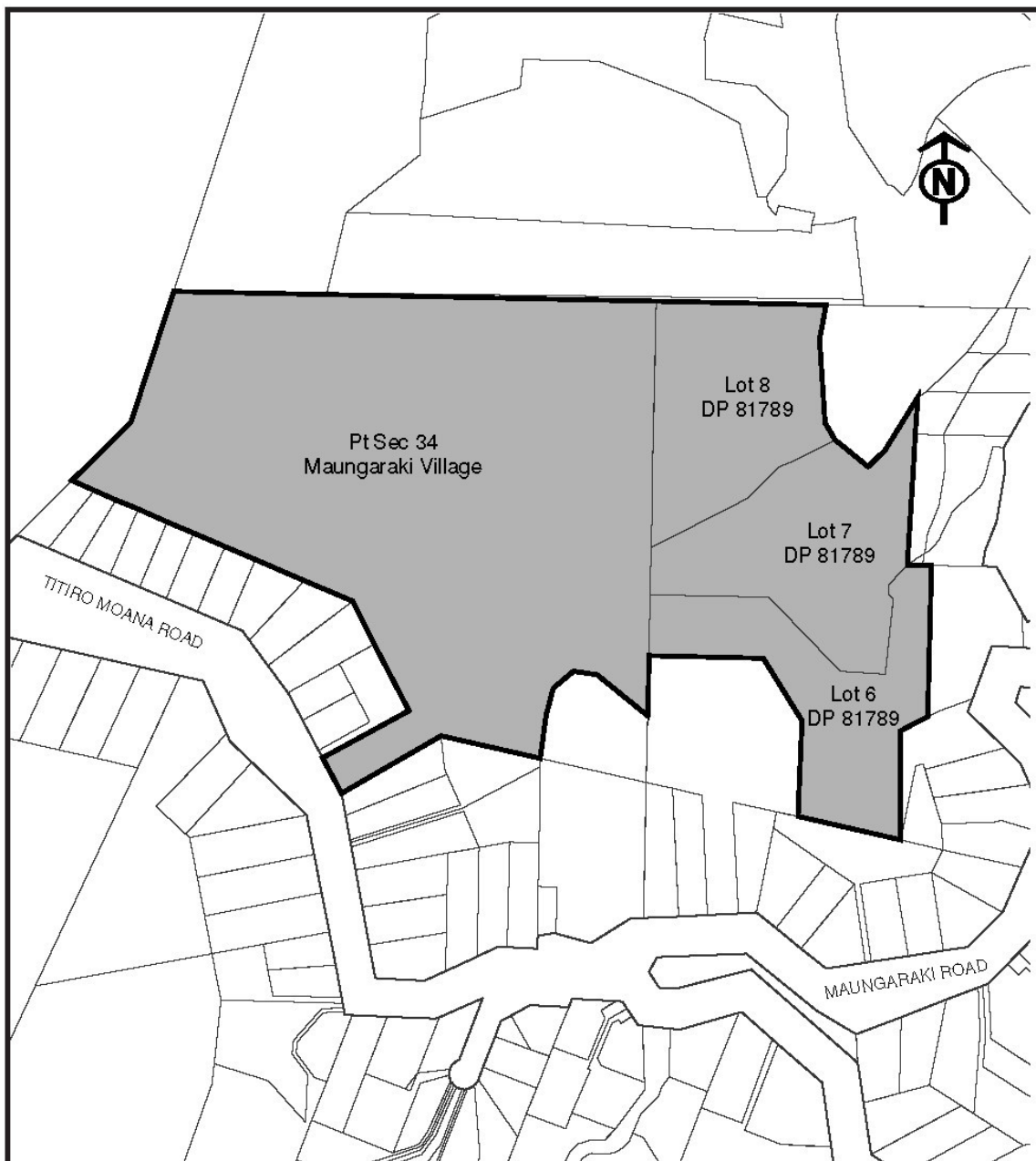
- (a) That allotments created are suitable for the proposed use.
- (b) That adverse effects arising from the subdivision of land will be managed and mitigated.
- (c) That where appropriate and necessary there be improved public access to public areas.

11 Appendices

Appendix Subdivision 1

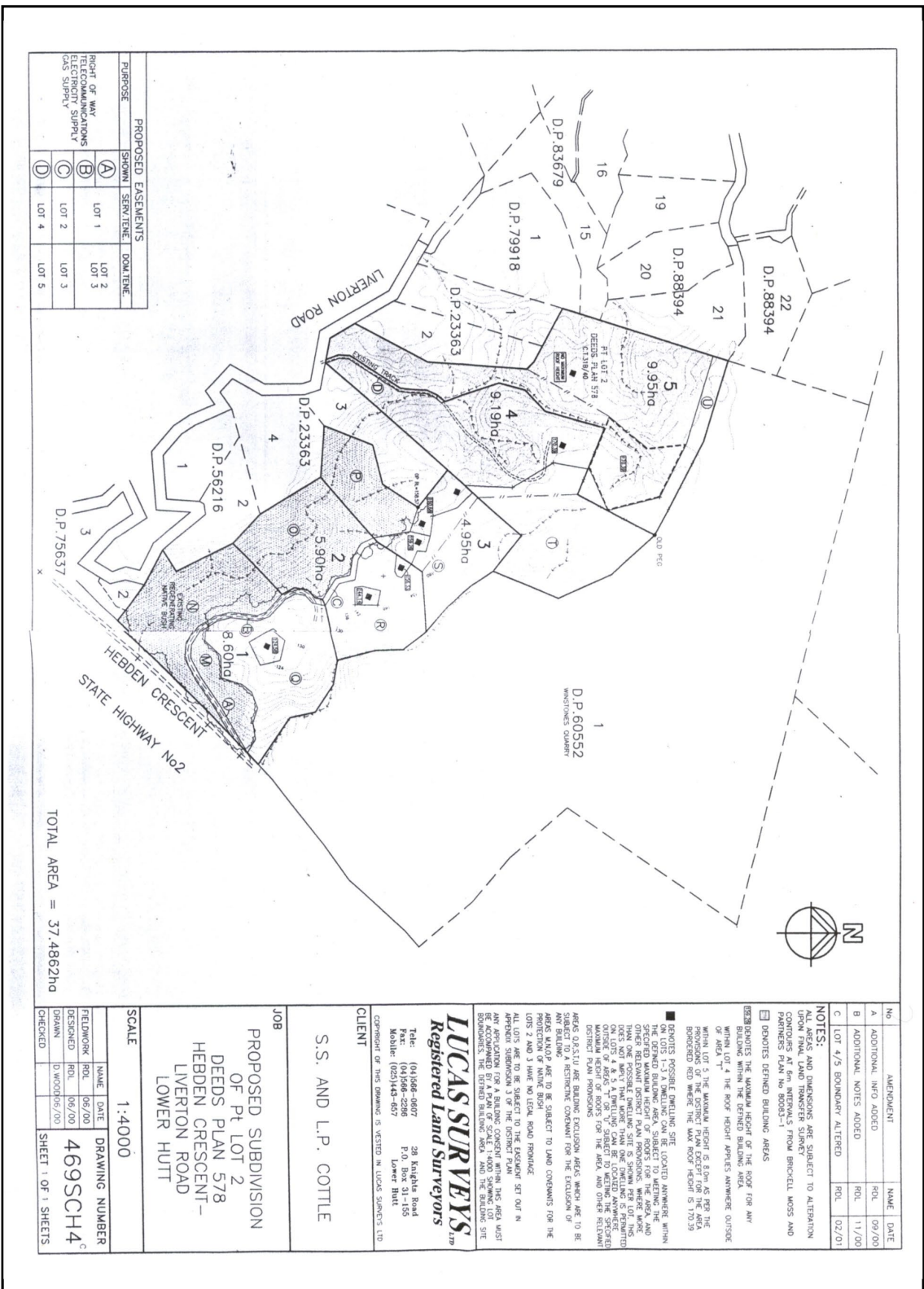


Appendix Subdivision 2



**Titiro Moana Road
Pt Section 34 Maungaraki Village and
Lots 6,7 & 8 DP 81789 (formerly Pt Sec 35
Maungaraki Village)**

Appendix Subdivision 3



Appendix Subdivision 4

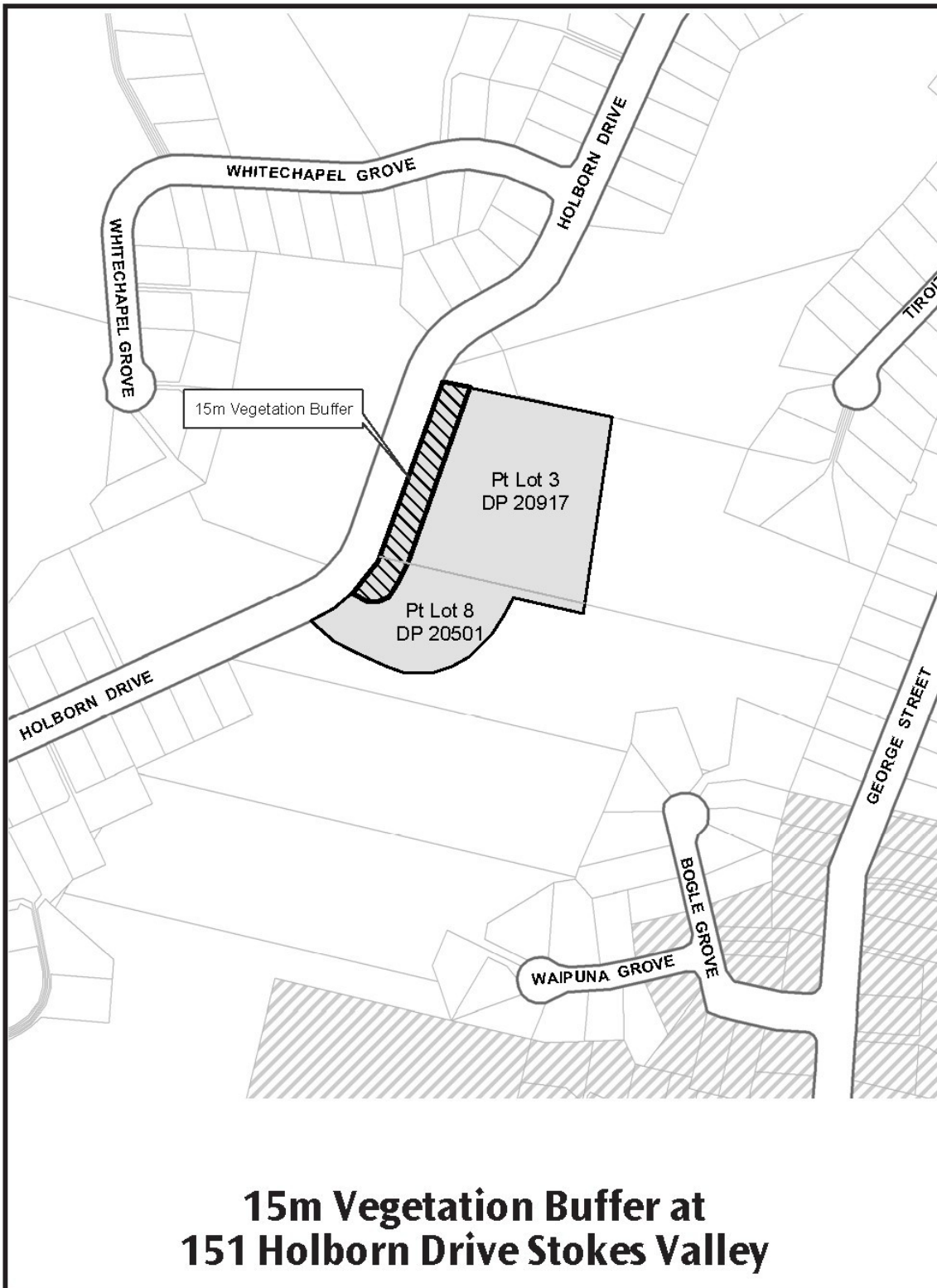
Encumbrance to be lodged against each new title resulting from the subdivision of Pt Lot 2 DP 578 in accordance with Drawing No 469SCH4°:

Easement Condition of Consent

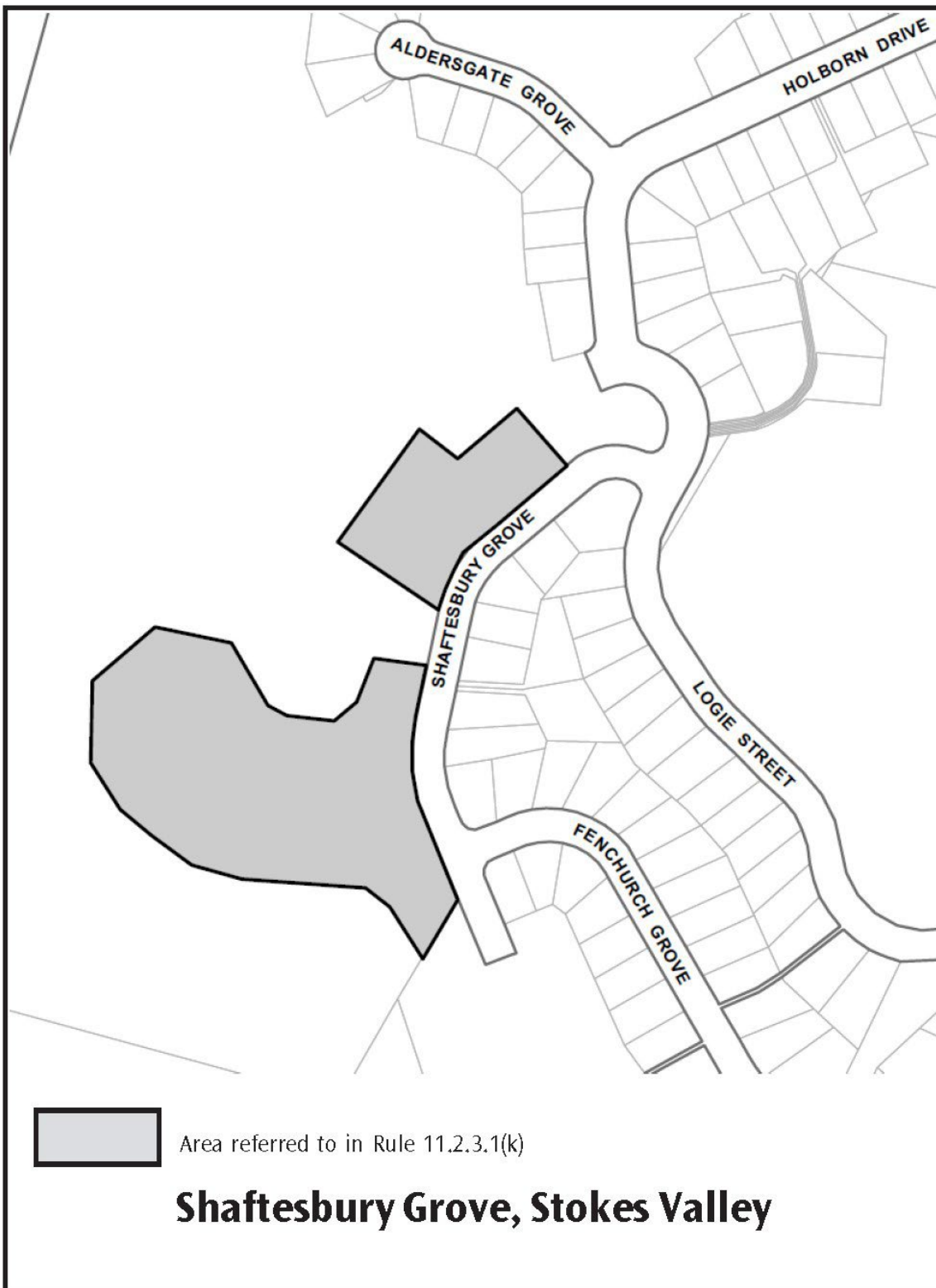
The applicant shall grant in favour of Winstone Aggregates Limited an easement permitting the emission of noise, road dust, rock dust and vibration and allowing such emission to escape, pass over or settle on, and vibration to pass through the applicant's land, in the course of the use (in such manner as is authorised under the Resource Management Act 1991) of any quarry on the land owned or occupied by Winstone Aggregates Limited adjacent to or in the vicinity of the applicant's proposed subdivision.

The easement is to be generally in accordance with this condition or upon such other terms as the District Land Registrar shall allow, provided that the easement should not be less favourable to Winstone Aggregates Limited than the terms of this condition.

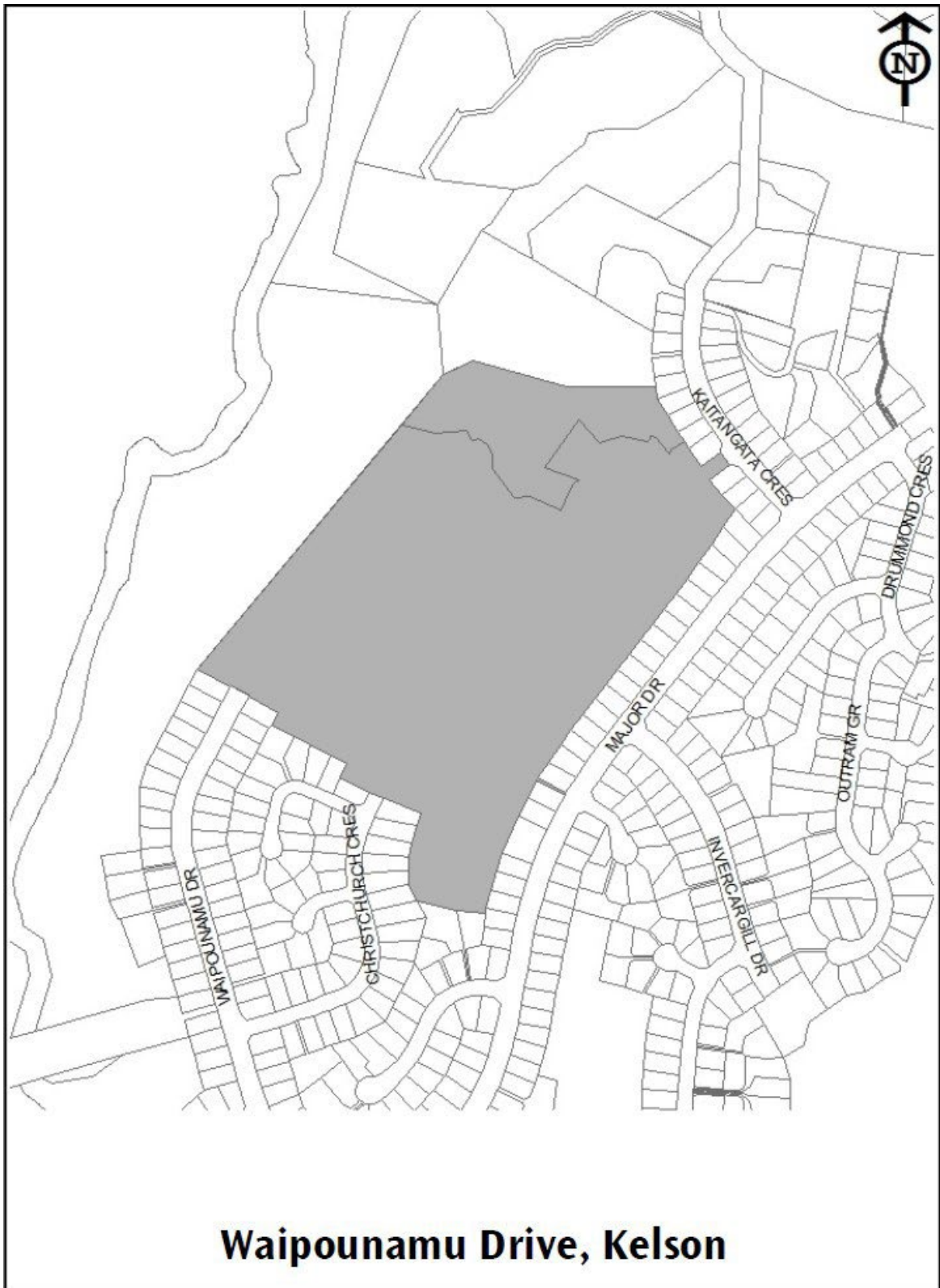
Appendix Subdivision 5



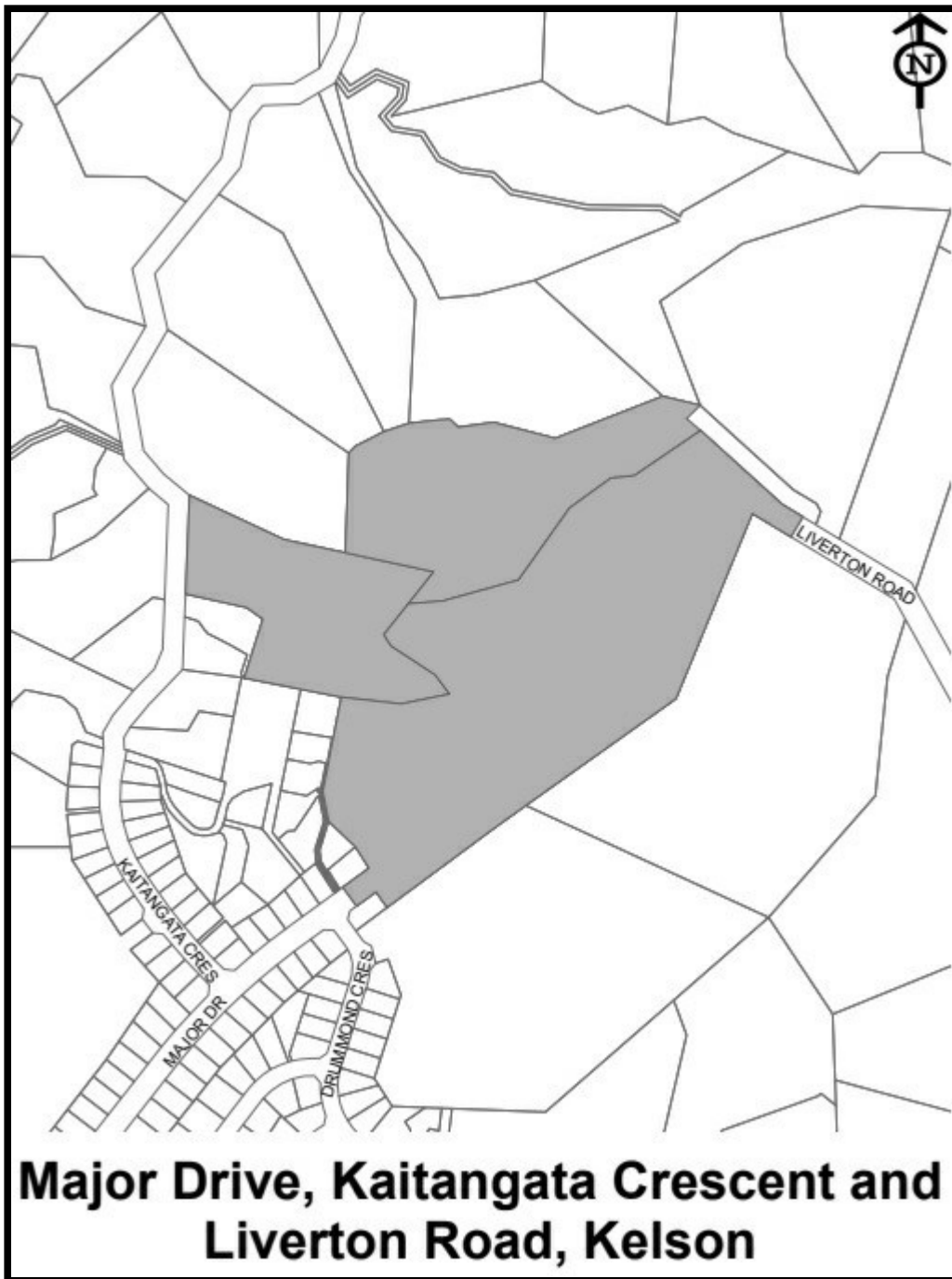
Appendix Subdivision 6



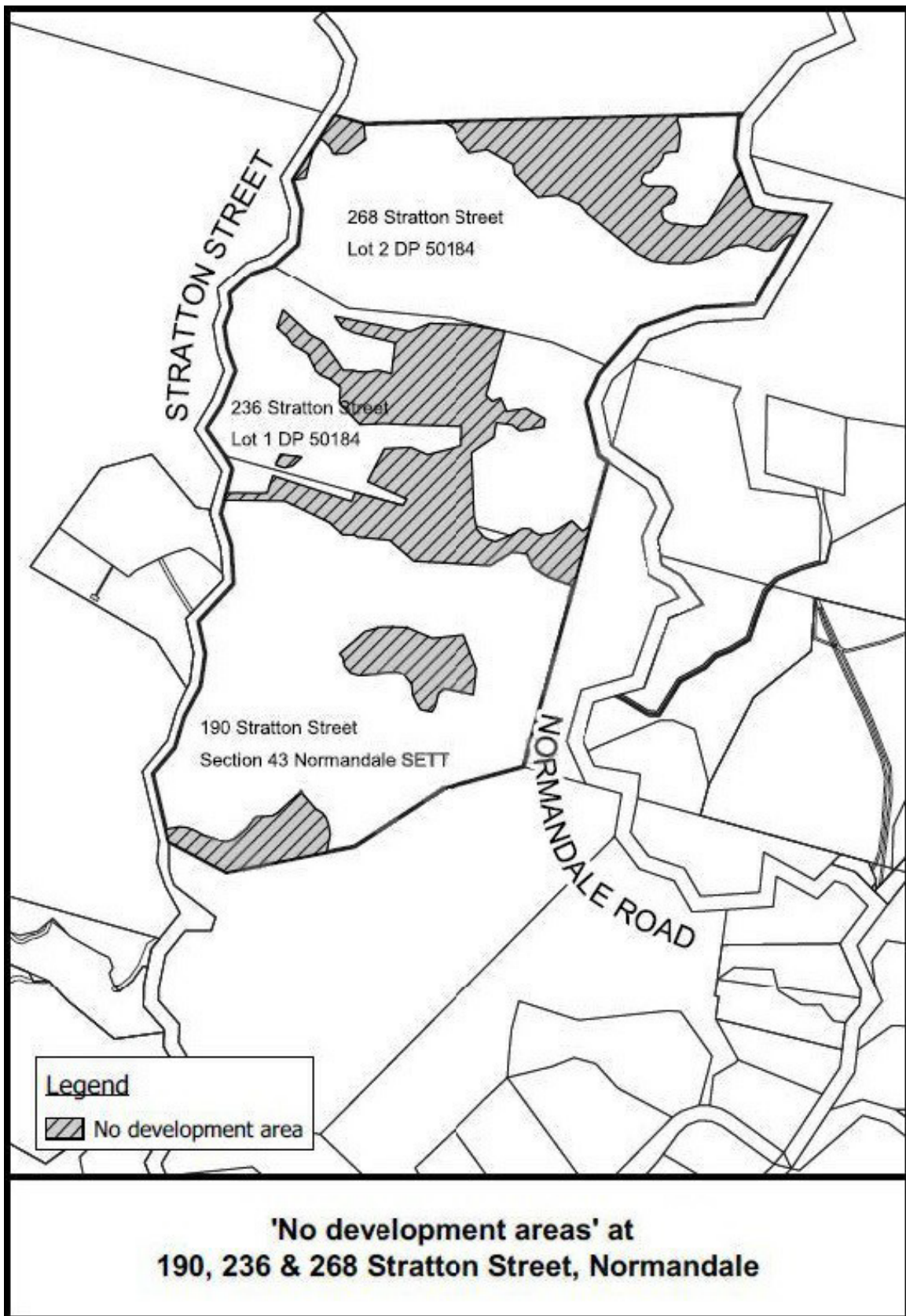
Appendix Subdivision 7



Appendix Subdivision 8



Appendix Subdivision 9



Chapter 12 Financial Contributions

AMENDMENT 363 - Amend Introduction to Chapter 12 Financial Contributions

Introduction

~~Section 108(a) as part of a resource consent authorises a condition requiring a financial contribution be made for purposes specified in the Plan.~~

Section 77E(1) of the Act authorises rules requiring a financial contribution for any class of activity other than a prohibited activity.

Section 108 (9) defines financial contribution as -

- (a) Money; or
- (b) Land, including an esplanade reserve or esplanade strip (other than in relation to a subdivision consent), but excluding Maori land within the meaning of the Maori Land Act 1993 unless that Act provides otherwise; or
- (c) A combination of money and land.

This Chapter contains the requirements for financial contributions which can be imposed for resource consents in all activity areas, subdivision and development of land.

The provisions of this Chapter apply to all activity areas. Activities must also be assessed in terms of the requirements of each activity area, and the requirements of Chapters 11, 13 and 15, to determine whether or not a resource consent is required.

This chapter uses the term developers to refer to those undertaking alterations or development works resulting in an increased intensity of use of the site, including (but not limited to) new buildings, redevelopment of existing buildings, changes of use or any form of subdivision of land.

12.1 Issues, Objectives and Policies

12.1.1 Provision of Utility Services and Reserves when land is subdivided or developed

AMENDMENT 364 - Amend Issue of section 12.1.1

Issue

In the subdivision or development of land it is important that the cost of providing the necessary services and land for reserves are allocated fairly between ~~subdividers or~~ developers and the Council.

Objective

To ensure that subdividers or developers and the Council make fair and reasonable contributions for the provision of utility services and land for reserves.

AMENDMENT 365 - Amend Policies of section 12.1.1

Policy

- (a) Subdividers and developers should bear the cost of providing all utility services within the land being subdivided or developed where the benefits accrue to the land being subdivided or developed.
- (b) In circumstances where the existing services outside the land being subdivided or developed are adequate but, the proposed subdivision or development will require upgrading or provision of new services and facilities, the subdivider or developer shall pay the full and actual cost of such upgrading or new utility services and facilities.
- (c) Where Council has provided the necessary utility services in advance of land being subdivided or developed, it is necessary for owners of such land to make a fair and reasonable contribution when the land is subdivided or developed.
- (d) Subdivision or development of land can lead to an increase in demand or need for reserves and open space and have adverse effects on the environment. It is important that subdividers or developers make a fair and reasonable contribution, either in cash or land, so that demand or need can be met and adverse effects can be avoided, remedied or mitigated.

Explanation and Reasons

Subdividers and developers should bear the full and actual cost of providing all utility services, such as roading, footpaths, stormwater and waste water disposal, within the land being subdivided or developed as the benefits accrue directly to the subdivision or development.

In circumstances where Council has provided the necessary utility services in advance of the land being subdivided or developed so as to enable scale economies to be achieved and for the land to be properly developed, owners must reimburse the Council at the time the land is subdivided or developed.

The Plan seeks to ensure that there are adequate reserves and open space to meet community needs and requirements, and that adverse effects on the environment from the subdivision or development of land are avoided, remedied or mitigated. In this respect Council seeks a fair and reasonable reserve contribution, either in the form of land or cash, to assist in offsetting these effects. In general, cash will be taken unless it can be shown that land meets Council's reserve requirements or includes areas of significant natural resources which require conservation.

12.1.2 Traffic Impact

Issue

Large retail activities can have adverse effects on the surrounding roading network. It is important that such adverse effects are managed or mitigated.

Objective

To ensure that adverse traffic effects of large size retail activities are managed or mitigated.

Policy

- (a) To ensure that developers make a fair and reasonable financial contribution to manage or mitigate adverse effects arising from large retail activities.

Explanation and Reasons

Large retail activities can have adverse effects on the surrounding roading network and on pedestrian circulation. In such circumstances it is important that developers contribute to the upgrading or modification of surrounding roads, intersections and footpaths.

12.2 Rules

These rules will not apply to an allotment created for the purposes of a network utility operator where that allotment is unoccupied and has no water or sewerage connection.

AMENDMENT 366 - Amend heading of section 12.2.1 Financial Contributions relating to subdivision of land

12.2.1 Financial Contributions relating to subdivision or development of land

AMENDMENT 367 - Amend Rules 12.2.1.1 Financial Contributions relating to roads, private ways, service lanes, accessways, footpaths and walkways

12.2.1.1 Financial Contributions relating to roads, private ways, service lanes, accessways, footpaths and walkways

- (a) The full and actual costs of providing all new roads, private ways, service lanes, accessways, footpaths and walkways within the land being developed or subdivided.
- (b) Where existing roads, service lanes, accessways, footpaths and walkways outside the subdivision development are adequate to serve the existing development but the proposed ~~subdivision~~ development will result in such roading facilities being inadequate in terms of specified performance standards the ~~subdivider~~ developer must pay the full and actual cost for all upgrading and/or any new facilities.
- (c) Notwithstanding (b) above, where the existing road(s), service lane, footpath, accessway and walkway outside the land being subdivided already are not in accordance with the engineering performance standards (see Subdivision Chapter for performance standards) and the increase in traffic, due to the subdivision development, requires the existing road, service lane, footpath, accessway and walkway to be upgraded or widened, the ~~subdivider shall make a contribution. The amount the subdivider will have to contribute will be based on the following method:~~ developer shall pay the full and actual costs for all upgrading and/or any new facilities. The Council may elect to reduce the financial contribution from full and actual costs where the works provide significant benefits to other parties, such as other development sites, vacant land to be developed, or address an existing and meaningful level of service deficit.
 - (i) ~~Determine the number of dwelling units or buildings that could be developed in the proposed subdivision.~~

- (ii) ~~Using the number of dwelling units or buildings obtained, estimate the number of vehicular and pedestrian trips likely to be generated (including any future growth in traffic) by the proposed subdivision.~~
- (iii) ~~Estimate the number of vehicular and pedestrian trips generated by the existing development (including any future growth in traffic) and where appropriate taking into account future development (i.e. vacant land that could be subdivided in the future).~~
- (iv) ~~Determine the cost of upgrading the road, footpath, accessways or service lane based on the combined vehicular and/or pedestrian traffic.~~
- (v) ~~Divide the cost of upgrading the road, footpath, accessway or service lane by the total vehicular and/or pedestrian trips generated and allocate costs based on (i) and (ii).~~
- (d) Where in (c) above Council has contributed to the cost of upgrading or the provision of new roading facilities subdividers developers of such vacant land development sites will pay the full and actual cost involved based on the trips generated and taking into account the time value of money.
- (e) Where Council has upgraded facilities to take into account both vehicular and pedestrian traffic increases from land yet to be developed subdividers or other development sites, developers of such undeveloped land development sites shall be required to pay the full and actual costs of the upgrading and/or the new facilities based on trips generated by the subdivision development and taking into account the time value of money.
- (f) Where Council provides or contributes to the necessary roading facilities for vacant land in advance of land being subdivided either by carrying out the necessary work or through other means such as in (c) above, the Council shall require a contribution from the developer when land is subdivided.
- (g) Except where (f) above applies, where Council provides or contributes to the roading facilities for land being developed either by carrying out the necessary work or through other means such as in (c) above, the contribution is payable by the 20th of the following month (after the issue of a financial contribution notice by the Council) unless Council agree to different payment timing for large scale multi-stage developments. For financial contributions related to future works, a deposit of up to 100% of the estimated cost of the works may be required at the time building consent is issued.

AMENDMENT 368 - New Rule 12.2.1.2, relocated from current Rule 12.2.2.1 (Traffic Impact Fee - for retail activities in all activity areas and places of assembly in all residential and rural areas)

12.2.1.2 Traffic Impact Fee for retail activities in all activity areas and places of assembly in all residential and rural activity areas

In all activity areas for all retail activities with a gross floor area exceeding 3,000 m², and all places of assembly in Rural and Residential Activity Areas, shall be assessed to determine whether a traffic impact fee is required.

- (a) Where the existing roading network is adequate to serve the current level of development but the proposed retail activity or place of assembly will result in the need to upgrade or provide new facilities due to an increase in traffic generated the developer must pay the full and actual cost of the upgrading or the provision of new facilities.

- (b) Where the existing roading network is below specified performance standards the developer shall pay for the upgrading or the provision of new facilities. The amount the developer shall pay will be determined in accordance with the following method:
- (i) Determine the number of vehicular and pedestrian trips likely to be generated by the proposed development (including any future growth in traffic).
 - (ii) Determine the number of vehicular and pedestrian trips generated by current development (including any future growth in traffic) and where appropriate taking into account future development.
 - (iii) Determine the cost of upgrading the roading network and/or the provision of new facilities.
 - (iv) Divide the cost of upgrading the roading network by the total number of vehicular and/or pedestrian trips generated and allocate costs based on (i) and (ii) above.
 - (v) Discounting the cost of upgrading the roading network, by the cost of completion of any works required, to bring the roading infrastructure up to an appropriate well maintained level for the activity area.
- (c) Council recognises that the impact fee is not appropriate in all cases and that each case must be assessed based on the particular circumstances that exist. In determining whether the base maximum should be adjusted the following matters need to be taken into account:
- (i) Whether there will be increase in intensity of use of land from that which existed before.
 - (ii) Whether there is a change in nature and character of the use of land.
 - (iii) The subsidies that council may receive from [Transit New Zealand New Zealand Transport Agency](#).

AMENDMENT 369 - Amend Rule 12.2.1.3 Financial Contributions relating to lighting

12.2.1.3 Financial Contributions relating to road lighting

The ~~subdivider~~ developer must meet the full and actual cost of providing the necessary road lighting within the land being ~~subdivided~~ developed.

AMENDMENT 370 - Amend Rules 12.2.1.4 Financial Contributions relating to water supply

12.2.1.4 Financial Contributions relating to water supply

- (a) Within the land being ~~subdivided~~ or developed the ~~subdivider~~ developer must pay the full and actual cost of providing the water supply for the proposed allotments.
- (b) Where the existing water supply capacity and pressure is adequate to serve existing development but the proposed subdivision will result in the capacity and/or pressure being inadequate the subdivider must pay the full and actual costs for all such upgrading and new facilities.
- (c) Where a developer ~~subdivider~~ is required to provide additional capacity to accommodate future demand beyond the land being ~~subdivided~~ or developed, the Council shall pay the additional cost involved based generally on the following method:
 - (i) Estimate the total number of litres per day in the area to be served by the new facility.

- (ii) Determine the actual and full cost of providing the new facility.
 - (iii) Determine average cost per litre: (ii)/(i) = (iii).
 - (iv) Multiply (iii) by the development potential of land outside the land being subdivided to obtain the amount the Council has to contribute.
- (d) Where Council provides or contributes to the necessary water supply facilities for vacant land in advance of land being subdivided either by carrying out the necessary work or through other means such as in (c) above, the Council shall require a contribution from the ~~subdivider~~ developer when land is subdivided based on the actual cost of providing the service to that land after taking into account the time value of money.
- (e) Except where (d) above applies, where Council provides or contributes to the necessary water supply facilities for land being developed either by carrying out the necessary work or through other means such as in (c) above, the Council shall require a contribution from the developer based on the actual cost of providing the service to that land after taking into account the time value of money. The contribution is payable by the 20th of the following month (after the issue of a financial contribution notice by the Council) unless Council agree to different payment timing for large scale multi-stage developments. For financial contributions related to future works, a deposit of up to 100% of the estimated cost of the works may be required at the time building consent is issued.

AMENDMENT 371 - Amend Rules 12.2.1.5 Financial Contributions relating to disposal of wastewater and stormwater

12.2.1.5 Financial Contributions relating to disposal of waste water and stormwater for subdivision of land

- (a) Within the land being subdivided or developed the ~~subdivider~~ developer must pay the full and actual cost of providing the necessary waste water and stormwater disposal facilities.
- (b) Where the existing waste water and/or stormwater capacity outside the land being subdivided or developed is adequate to serve existing development but the proposed subdivision or development will result in the capacity being inadequate the ~~subdivider~~ developer shall pay the full and actual cost for all such upgrading and new facilities.
- (c) Where the Council provides or contributes to the necessary sewage and/or stormwater disposal system for vacant land in advance of such land being subdivided ~~either by carrying out the necessary work~~ the Council shall require a contribution from the ~~subdivider~~ developer when such land is subdivided based on the actual and full cost of providing the service to that land after taking into account the time value of money.
- (d) Except where (c) above applies, where the Council provides or contributes to the necessary sewage and/or stormwater disposal system for development sites in advance of such sites being developed the Council shall require a contribution from the developer based on the actual and full cost of providing the service to that land after taking into account the time value of money. The contribution is payable by the 20th of the following month (after the issue of a financial contribution notice by the Council) unless Council agree to different payment timing for large scale multi-stage developments. For financial contributions related to future works, a deposit of up to 100% of the estimated cost of the works may be required at the time building consent is issued.
- (e) The above provisions shall apply to all staged subdivisions and other developments.

- (f) ~~The above provisions shall apply to all staged subdivisions.~~

12.2.1.6 Financial Contributions relating to electricity, gas and telephone supply

Within the land being subdivided the subdivider must pay for the full and actual cost of providing the necessary electricity, gas and telephone services.

12.2.1.7 Financial Contributions relating to site formation and development works

- (a) The subdivider must pay for the full and actual cost of all site formation and development works within the land being subdivided.
- (b) Where site formation and development works within the land being subdivided require remedial or stabilising work to be carried out on land adjoining or adjacent to the land being subdivided the subdivider must pay the full and actual cost of such work.

AMENDMENT 372 - Amend Rules 12.2.1.8 Financial Contributions relating to Reserves

12.2.1.8 Financial Contributions relating to reserves

(aa) 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.

(ab) For other residential developments including unit title developments, where the development results or will result in an increase or an intensification of use of land, the reserve contribution shall be a contribution in cash or land to an equivalent value equal a dollar contribution of \$10,000 per residential unit. The contribution is payable by the 20th of the following month (after the issue of a financial contribution notice and invoice by the Council) unless Council agree to different payment timing for large scale multi-stage developments. This notice will usually be issued shortly after building consent is issued.

~~(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.~~

(b) Council recognises that the maximum reserve contribution is not appropriate in all cases and that each case must be assessed based on the particular circumstances that exist. In determining whether the base maximum should be reduced the following matters will be taken into account:

- i. Whether there will be an increase in intensity of use of land which will lead to an increase in demand or need for reserves and open space.

- ii. Whether there will be changes to the nature and character of the use of land which will have adverse effects on the environment.
 - iii. The nature, type and suitability of recreation and open space provisions provided by the development.
 - iv. The amount, type and distribution of open/recreation space and whether they are adequately meeting community needs and requirements.
 - v. The nature of the topography, natural features, vegetation, landscape and visual amenity values of the land being developed to meet community open space and recreational requirements and/or to ensure protection of amenity values.
 - vi. The amount of reserve contribution paid on the land in the last ten years.
 - vii. The amount and nature of planting or improvements made to new and existing reserves and open space areas.
- (c) In determining whether land, cash or a combination of cash and land will be required the following matters will be taken into account:
- i. The size and nature of the proposed open/recreation space.
 - ii. The ability of the open/recreation areas to be used for the proposed purpose.
 - iii. The distance and accessibility of the proposed open/recreation space to users.
 - iv. The cost of maintaining the proposed open/recreation space.
 - v. The topography of the proposed open/recreation space.
 - vi. The ability to link the proposed open/recreation space to an existing or future network of open/recreation space and/or community facilities.

**AMENDMENT 373 - Add new Rules 12.2.1.9, relocated from current Rule 12.2.2.2
(Reserve Impact Fee – for all activities in the business and commercial activity areas)**

12.2.1.9 Reserve Impact Fee for all activities in the business and commercial activity areas

- (a) Where commercial or industrial development results or will result in an increase or intensification of use of land a contribution of money equivalent to 0.5% of the value of the development in excess of \$200,000 is required.
- (b) Council recognises that the maximum reserve contribution is not appropriate in all cases and that each case must be assessed based on the particular circumstances that exist. In determining whether the base maximum should be reduced the following matters will be taken into account:
 - (i) Whether there will be an increase in intensity of use of land which will lead to an increase in demand or need for reserves and open space.
 - (ii) Whether there will be changes to the nature and character of the use of land which will have adverse effects on the environment.
 - (iii) The nature, type and suitability of recreation and open space provisions provided by the development.
 - (iv) The amount, type and distribution of open/recreation space and whether they are adequately meeting community needs and requirements.
 - (v) The nature of the topography, natural features, vegetation, landscape and visual amenity values of the land being developed to meet community open

space and recreational requirements and/or to ensure protection of amenity values.

- (vi) The amount of reserve contribution paid on the land in the last ten years.
- (vii) The amount and nature of planting or improvements made to new and existing reserves and open space areas.
- (viii) The amount of floor area to be used exclusively for public recreation activities.

AMENDMENT 374 - Delete current Rules 12.2.2.1 and 12.2.2.2, relocated to Rules 12.2.1.2 and 12.2.1.9, respectively

12.2.2 ~~Financial Contributions relating to the development of land~~

12.2.2.1 ~~Traffic Impact Fee – for retail activities in all activity areas and places of assembly in all residential and rural activity areas~~

~~In all activity areas for all retail activities with a gross floor area exceeding 3,000 m², and all places of assembly in Rural and Residential Activity Areas, shall be assessed to determine whether a traffic impact fee is required.~~

- ~~(a) — Where the existing roading network is adequate to serve the current level of development but the proposed retail activity or place of assembly will result in the need to upgrade or provide new facilities due to an increase in traffic generated the developer must pay the full and actual cost of the upgrading or the provision of new facilities.~~
- ~~(b) — Where the existing roading network is below specified performance standards the developer shall pay for the upgrading or the provision of new facilities. The amount the developer shall pay will be determined in accordance with the following method:
 - ~~(i) — Determine the number of vehicular and pedestrian trips likely to be generated by the proposed development (including any future growth in traffic).~~
 - ~~(ii) — Determine the number of vehicular and pedestrian trips generated by current development (including any future growth in traffic) and where appropriate taking into account future development.~~
 - ~~(iii) — Determine the cost of upgrading the roading network and/or the provision of new facilities.~~
 - ~~(iv) — Divide the cost of upgrading the roading network by the total number of vehicular and/or pedestrian trips generated and allocate costs based on (i) and (ii) above.~~
 - ~~(v) — Discounting the cost of upgrading the roading network, by the cost of completion of any works required, to bring the roading infrastructure up to an appropriate well maintained level for the activity area.~~~~
- ~~(c) — Council recognises that the impact fee is not appropriate in all cases and that each case must be assessed based on the particular circumstances that exist. In determining whether the base maximum should be adjusted the following matters need to be taken into account:
 - ~~(i) — Whether there will be increase in intensity of use of land from that which existed before.~~
 - ~~(ii) — Whether there is a change in nature and character of the use of land.~~
 - ~~(iii) — The subsidies that council may receive from Transit New Zealand.~~~~

12.2.2.2 Reserve Impact Fee for all activities in the business and commercial activity areas

- ~~(a) Where commercial or industrial development results or will result in an increase or intensification of use of land a contribution of money equivalent to 0.5% of the value of the development in excess of \$200,000 is required.~~
- ~~(b) Council recognises that the maximum reserve contribution is not appropriate in all cases and that each case must be assessed based on the particular circumstances that exist. In determining whether the base maximum should be reduced the following matters will be taken into account:
 - ~~(i) Whether there will be an increase in intensity of use of land which will lead to an increase in demand or need for reserves and open space.~~
 - ~~(ii) Whether there will be changes to the nature and character of the use of land which will have adverse effects on the environment.~~
 - ~~(iii) The nature, type and suitability of recreation and open space provisions provided by the development.~~
 - ~~(iv) The amount, type and distribution of open/recreation space and whether they are adequately meeting community needs and requirements.~~
 - ~~(v) The nature of the topography, natural features, vegetation, landscape and visual amenity values of the land being developed to meet community open space and recreational requirements and/or to ensure protection of amenity values.~~
 - ~~(vi) The amount of reserve contribution paid on the land in the last ten years.~~
 - ~~(vii) The amount and nature of planting or improvements made to new and existing reserves and open space areas.~~
 - ~~(viii) The amount of floor area to be used exclusively for public recreation activities.~~~~

12.3 Anticipated Environmental Results

It is considered that the implementation of the above objectives, policies and rules will have the following environmental outcomes:

- (a)** Developers and subdividers will make a fair and reasonable contribution to the cost of development.
- (b)** Adverse effects resulting from development or the subdivision of land will be mitigated.

AMENDMENT 399 - Delete current Chapter 14H Natural Hazards.

AMENDMENT 400 - Add new Chapter 14H Natural Hazards

14H Natural Hazards

AMENDMENT 401 - Add opening paragraphs of introduction for Chapter 14H Natural Hazards

Introduction

Lower Hutt is an area comprising a wide variety of physical features including the coast, rivers and streams, steep hills, low lying valleys, an escarpment and a fault. This makes the city susceptible to a wide range of natural hazards, which can result in damage to property and buildings and lead to a loss of human life. Because of this, it is important to identify areas susceptible to natural hazards and to avoid or manage subdivision, use and development, relative to the natural hazard risk posed, to reduce the potential for damage to property, infrastructure and the potential for loss of human life.

The District Plan focuses on the following natural hazards as they are the hazards that present the greatest risk to people, property and infrastructure and their potential effects can be addressed through appropriate land use planning measures:

The Wellington Fault passes through the western side of Lower Hutt's valley floor and has the potential to generate permanent ground deformation in the event of an earthquake. There are also soft soils with a high liquefaction potential.

Flooding and coastal inundation from sea level rise are influenced by climate change. It is predicted that climate change will result in more intense rainfall events, storm events will become more common and the sea level will rise. The flooding and coastal inundation hazard maps incorporate current climate change predictions.

Slope stability is addressed through the earthworks rules within the District Plan. When a development does not comply with the earthworks rules, site stability is one of the matters that will be considered as part of the resource consent process.

Natural hazards such as severe winds, wildfires, and ground shaking from earthquakes are primarily managed by other statutory instruments or processes including the Building Act 2004, Civil Defence Emergency Management Act 2002 and the Local Government Act 1974 and 2002.

| <u>Natural Hazard Overlay</u> | <u>Respective Hazard Ranking</u> |
|--|---|
| <u>Wellington Fault Rupture (within 20m of known fault)</u> | <u>High</u> |
| <u>Stream Corridor (1:100 year inundation event + 1m sea level rise)</u> | |
| <u>Overland Flowpath (1:100 year inundation event + 1m sea level rise)</u> | <u>Medium</u> |
| <u>Inundation Area (1:100 year inundation extent + 1m sea level rise)</u> | <u>Low</u> |

AMENDMENT 402 - Add Coastal Hazards section of introduction for Chapter 14H Natural Hazards
Coastal Hazards

Hutt City's coastal environment is susceptible to a wide range of coastal hazards, some of which are mapped as Coastal Hazard Overlays. These include:

Tsunami; and

Coastal inundation including sea level rise.

Given the continued uncertainty associated with the rate of sea level rise, the different sea level rise scenarios as outlined in the Ministry for the Environment 'Preparing for Coastal Change' (2017) guidance have been used to form the basis of the mapping of these hazards.

The hazard ranking of coastal hazards is set out below:

| Coastal Hazard Overlay | Respective Hazard Ranking |
|--|----------------------------------|
| <u>Tsunami – 1:100 year scenario inundation extent</u> | <u>High</u> |
| <u>Existing Coastal Inundation Extent with a 1:100 year storm</u> | |
| <u>Tsunami – 1:500 year scenario inundation extent</u> | <u>Medium</u> |
| <u>Coastal Inundation Extent – (1.5m Relative Sea Level Rise and 1:100 year storm tide and wave setup)</u> | |
| <u>Tsunami 1:1000 year scenario inundation extent</u> | <u>Low</u> |

AMENDMENT 403 - Add Risk section of introduction for Chapter 14H Natural Hazards Risk

Risk is a product of both the likelihood of and the consequences from a natural hazard. A risk-based approach to natural hazards balances allowing people and communities to use their property and undertake activities, while also ensuring that lives or significant assets are not harmed or lost as a result of a natural hazard event. When addressing the consequences from natural hazards, priority has been given in this plan as follows to:

- The protection of people from loss of life and injury;
- Reducing damage to buildings from natural hazard events; and
- The protection of essential infrastructure to ensure the health, safety and resilience of communities;

While in most instances development is unable to change the likelihood of a natural hazard event, incorporating mitigation measures or avoiding any further development in certain hazard areas can reduce the consequences from natural hazards, thereby over time reducing the associated risks. Potential mitigation measures that can be incorporated into developments to reduce the consequences of natural hazards include:

- Building design and location (for example minimum floor levels or the ability for buildings to be relocated);
- Raising floor or ground levels to avoid inundation;
- The creation of flood water detention areas to protect areas from flooding;
- The creation, retention or enhancement of natural systems and features;
- The use of suitable materials in infrastructure and building construction;
- The type of activities within buildings and structures, or the type of development;
- The use of green infrastructure options (for example sacrificial fill); and
- Securing Overland Flowpaths to allow for controlled stormwater flows when primary network capacity is exceeded.

**AMENDMENT 404 - Add Overlays section of introduction for Chapter 14H Natural Hazards
Overlays**

Natural Hazard Overlays – Means the mapped extent within the District Plan of the following Natural Hazards:

- Fault Rupture Hazards
- Flood Hazards based on a 1% Annual Exceedance Probability Flood including effects of climate change, including:
 - Stream corridor
 - Overland Flow
 - Inundation Areas

Coastal Hazard Overlays – Means the mapped extent within the District Plan of the following Coastal Hazards

- Tsunami Hazards, including the effects of climate change:
 - Low Tsunami Hazard (1:1000 year tsunami event including 1m sea level rise)
 - Medium Tsunami Hazard (1:500 year tsunami event including 1m sea level rise)
 - High Tsunami Hazard (1:100 year tsunami event including 1m sea level rise)
- Coastal Inundation Hazard, including the effects of climate change and Vertical Land Movement
 - Medium Coastal inundation Hazard (1.5m Relative Sea Level Rise, 1% Annual Exceedance Probability storm tide and wave setup (the average raised elevation of sea level at the shore caused by breaking waves)

AMENDMENT 405 - Add Qualifying Matters section of introduction for Chapter 14H Natural Hazards

Qualifying Matters

Policies 14H 1.3 – 1.13 and Rules 14H 2.2 – 1.10 address Natural Hazards as Qualifying Matters in accordance with Section 77I Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 and Policy 4 of the National Policy Statement on Urban Development 2020. As such, these Policies and the associated rules are only applicable to the following areas:

- Medium Density Residential Activity Area
- High Density Residential Activity Area
- Suburban Mixed Use Activity Area
- Central Commercial Activity Area
- Petone Commercial Activity Area

AMENDMENT 406 - Add new section 14H 1 Issue, Objective and Policies

14H 1 Issue, Objective and Policies

AMENDMENT 407 - Add new section 14H 1.1 Local Area Issue

14H 1.1 Local Area Issue

AMENDMENT 408 - Add new section 14H 1.1.1 Risk associated with Natural Hazards

14H 1.1.1 Risk associated with Natural Hazards

AMENDMENT 409 - Add new Issue to section 14H 1.1.1

Issue

There is a risk of harm to people and damage to their property from natural hazards associated with natural and coastal hazards. ~~The risk to people and their property should be avoided or mitigated. People's actions including mitigation measures and ongoing development in areas at risk from natural hazards can cause, or increase, the risk and consequences from natural hazards.~~

AMENDMENT 410 - Add new Objective 14H 1.1

Objective 14H 1.1 Risk from Natural Hazards

To avoid or reduce the risk to people, property, and infrastructure from natural hazards and coastal hazards.

AMENDMENT 411 - Add new Policy 14H 1.1

Policy 14H 1.1 Levels of Risk

Subdivision, use and development reduce or do not increase the risk to people, property and infrastructure by:

1. Limiting the scale of subdivision, use and development on sites within the medium and high Natural Hazard Overlays and the medium and high hazard areas of the Coastal Hazard Overlays; and
2. Requiring mitigation for subdivision, use and development that addresses the impacts from natural hazards to people, property and infrastructure in the low hazard, medium hazard and high hazard areas within the Natural Hazard and Coastal Hazard Overlays.

AMENDMENT 412 - Add new Policy 14H 1.2

Policy 14H 1.2 Structures and Buildings within the Wellington Fault Overlay

~~Manage~~Limit Structures and Buildings, within the Wellington Fault Overlay ~~by ensuring that unless:~~

1. The activity is located more than 20m from the Wellington Faultline, or
2. The activity, excluding additions to existing building, has an operational or functional need to locate within the Wellington Fault Overlay and locating outside of these Overlays is not a practicable option; and
3. The activity incorporates mitigation measures that ensure the risk from fault rupture to people and property is reduced or not increased; or
4. For additions to existing buildings, the change in risk from fault rupture to people and property is reduced or not increased.

AMENDMENT 413 - Add new Policy 14H 1.3

Policy 14H 1.3 Additions to Buildings in an identified Inundation Area of the Flood Hazard Overlay

Provide for additions to buildings that are within the identified Inundation Area, where:

1. The impact from the 1% Annual Exceedance Probability flood event is low due to either the:
 - incorporation of mitigation measures;
 - size of the addition in relation to the existing building; or
 - type of activities undertaken within the addition; and
2. The risk to people and property is reduced or not increased from the 1% Annual Exceedance Probability Flood.

AMENDMENT 414 - Add new Policy 14H 1.4

Policy 14H 1.4 Additions to Buildings within the Overland Flowpaths and Stream Corridors of the Flood Hazard Overlays

Only allow additions to buildings that are within the Overland Flowpaths and Stream Corridors, where it can be demonstrated that:

1. The risk from the 1% Annual Exceedance Probability flood event is low due to either the:
 - proposed mitigation measures;
 - size of the addition; or
 - nature of the activities undertaken within the addition; and
2. The risk to people and property is reduced or not increased from the 1% Annual Exceedance Probability Flood; and
3. Overland Flowpaths and Stream Corridors are unimpeded, and unobstructed to allow for the conveyancing of flood waters.

AMENDMENT 415 - Add new Policy 14H 1.5

Policy 14H 1.5 New residential units, commercial activities or retail activities within the identified Inundation Areas of the Flood Hazard Overlays

Provide for new residential units, commercial activities or retail activities that are within the Inundation Area, provided that mitigation measures are incorporated to ensure the risk to people and property both on the site and on adjacent properties is not increased or is reduced.

AMENDMENT 416 - Add new Policy 14H 1.6

Policy 14H 1.6 New residential units, commercial activities or retail activities within the Overland Flowpaths of the Flood Hazard Overlays

Manage New residential units, commercial activities or retail activities that are within the Overland Flowpaths or any subdivision where the building platform is within the Overland Flowpaths by:

1. Incorporating mitigation measures that reduce or avoid an increase in risk to people and property from the 1% Annual Exceedance Probability Flood;

2. Ensuring that people can safely evacuate from properties during a 1% Annual Exceedance Probability Flood; and
3. Overland Flowpaths are unimpeded, and unobstructed to allow for the conveyancing of flood waters and is not diverted onto adjacent properties.

AMENDMENT 417 - Add new Policy 14H 1.7

Policy 14H 1.7 New residential units, commercial activities or retail activities within the Stream Corridors of the Flood Hazard Overlays

Avoid New residential units, commercial activities or retail activities that are within the Stream Corridors or any subdivision where the building platform where the building platform is within the Stream Corridors unless it can be demonstrated that:

1. The activity, has an operational and functional need to locate within the Stream Corridor and locating outside of the Stream Corridor is not a practicable option;
2. Mitigation measures are incorporated that reduce or avoid an increase in risk to people and property from the 1% Annual Exceedance Probability Flood;
3. People can safely evacuate the property during a 1% Annual Exceedance Probability Flood; and
4. The conveyancing of flood waters through the Stream Corridor is still able to occur unimpeded and is not diverted onto adjacent properties.

AMENDMENT 418 - Add new Policy 14H 1.8

Policy 14H 1.8 Additions to buildings within the Medium Coastal Hazard Area and High Coastal Hazard Area

Enable additions to buildings within the Medium Coastal Hazard Area and High Coastal Hazard Area, where

1. They enable the continued use of the existing building; and
2. The risk from the coastal hazard is low due to either:
 - proposed mitigation measures; or
 - the size and the activity of the addition.

AMENDMENT 419 - Add new Policy 14H 1.9

Policy 14H 1.9 New residential units within the Low Coastal Hazard Areas

Provide for new residential units, commercial activities or retail activities, where the building platform is or will be within the Low Coastal Hazard Area, where it can be demonstrated that:

1. The activity, building, or subdivision incorporates measures that reduce or do not increase the risk to people and property from a tsunami;
2. There is the ability to access safe evacuation routes for occupants of the building in case of a tsunami.

AMENDMENT 420 - Add new Policy 14H 1.10

Policy 14H 1.10 New residential units in the Medium Coastal Hazard Area

Manage new residential units, commercial activities or retail activities within the Medium Coastal Hazard Area or any subdivision where the building platform will be within the Medium Coastal Hazard Area by ensuring:

1. The activity, building, or subdivision incorporates measures that reduce or do not increase the risk to people and property from the coastal hazard, and
2. There is the ability to access safe evacuation routes for occupants of the building from the coastal hazard.

AMENDMENT 421 - Add new Policy 14H 1.11

Policy 14H 1.11 New residential units in the High Coastal Hazard Area

Manage Limit residential units, commercial activities or retail activities within the High Coastal Hazard Areas or any subdivision where the building platform will be within the High Coastal Hazard Area by ensuring:

1. The activity has an operational or functional need to locate within the High Coastal Hazard Area and locating outside of these High Coastal Hazard Area is not a practicable option
2. The activity, building, or subdivision incorporates measures that reduce or do not increase the risk to people, and property from the coastal hazard;
3. There is the ability to access safe evacuation routes for occupants of the building from the coastal hazard; and
4. The activity does not involve the removal or modification of a natural system or feature that provides protection to other properties from the natural hazard.

AMENDMENT 422 - Add new Policy 14H 1.12

Policy 14H 1.12 Subdivision, Use and Development in the Petone Commercial Activity Area and Suburban Mixed Use Activity Area which will not be occupied by members of the public and within the Coastal Hazards Overlays

Enable subdivision, development and use on sites within the Petone Commercial Activity Area and Suburban Mixed Use Activity Area and within any Coastal Hazard Overlay, where they do not involve the construction of new buildings which will be occupied by members of the public, or employees or the creation of vacant allotments.

AMENDMENT 423 - Add new Policy 14H 1.13

Policy 14H 1.13 Subdivision, Use and Development in the Petone Commercial Activity Area and Suburban Mixed Use Activity Area which will be occupied by members of the public and within the Coastal Hazards Overlays

Manage subdivision, development and use on sites within the Petone Commercial Activity Area and Suburban Mixed Use Activity Area and within any Coastal Hazard Overlay, where they involve the construction of new buildings which will be occupied by members of the public, employees or result in the creation of a vacant allotment by ensuring that

1. The activity, building or subdivision incorporates measures that reduce or do not increase the risk to people, and property; and
2. There is the ability to access safe evacuation routes for occupants of the building from the coastal hazard.

AMENDMENT 424 - Add new section 14H 2 Rules

14H 2 Rules

AMENDMENT 425 - Add new Rule 14H 2.1 Structures and buildings within the Wellington Fault Overlay

Rule 14H 2.1 Structures and buildings within the Wellington Fault Overlay

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| <p>1. <u>Structures and buildings on any site where the whole site or a portion of the site falls within the Wellington Fault Overlay are permitted activities where:</u></p> <p>a. <u>The proposed structures or buildings are for the following:</u></p> <ul style="list-style-type: none">• <u>accessory buildings which are not required for habitable or working purposes</u>• <u>utilities including associated uninhabited buildings which are otherwise Permitted Activities</u> |
| <p>2. <u>Structures and buildings on any site where the whole site or a portion of the site falls within the Wellington Fault Overlay are restricted discretionary activities where:</u></p> <p>a. <u>Compliance with 14H 2.1(1) cannot be achieved</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>1. <u>Safe Separation Distance of Structures and Buildings from the Wellington Fault:</u></p> <ul style="list-style-type: none">• <u>For all structures and buildings, an engineering report will be required to confirm that the Wellington Fault is not within 20.0m of any proposed structure or building, or that the necessary engineering precautions have been taken.</u> |

AMENDMENT 426 - Add new Rule 14H 2.2 Additions to residential buildings in the Inundation Area, Overland Flow Path or Stream Corridor Flood Hazard Overlays

Rule 14H 2.2 Additions to residential buildings in the Inundation Area, Overland Flow Path or Stream Corridor Flood Hazard Overlays

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| <p>1. <u>Additions to residential buildings that are within the Inundation Area, Overland Flow Path or Stream Corridor Flood Hazard Overlays are permitted activities where:</u></p> <p>a. <u>When located within an Inundation Area of the Flood Hazard Overlay, the finished floor levels of the additions are located above the 1% Flood Annual Exceedance Probability Level, where the finished floor level is to the bottom of the floor joists or the base of the concrete floor slab; and</u></p> <p>b. <u>The additions are not located within the Overland Flow Path Overlay; and</u></p> <p>c. <u>The additions are not located within the Stream or River Corridor Overlay.</u></p> |
| <p>2. <u>Additions to residential buildings that are within the Inundation Area, Overland Flow Path or Stream Corridor Flood Hazard Overlays are restricted discretionary activities where:</u></p> <p>a. <u>Compliance with the requirements of 14H 2.42(1)(a) cannot be achieved.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>1. <u>The matters in 14H 1.3.</u></p> |
| <p>3. <u>Additions to residential buildings that are in the Inundation Area, Overland Flow Path or Stream Corridor Flood Hazard Overlays are restricted discretionary activities where:</u></p> <p>a. <u>Compliance with the requirements of 14H 2.42(1)(b) cannot be achieved</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>1. <u>The matters in 14H 1.4.</u></p> |

4. Additions to residential buildings that are in the Inundation Area, Overland Flow Path or Stream Corridor Flood Hazard Overlays are non-complying activities where:
 - a. Compliance with the requirements of 14H 2.2(1)(c) cannot be achieved.

AMENDMENT 427 - Add new Rule 14H 2.3 New residential units, commercial activities or retail activities in the Inundation Area of the Flood Hazard Overlay

Rule 14H 2.3 New residential units, commercial activities or retail activities in the Inundation Area of the Flood Hazard Overlay

1. New residential units, commercial activities or retail activities that are within the Inundation Area of the Flood Hazard Overlay are permitted activities where:
 - a. When located within an Inundation Area of the Flood Hazard Overlay, the finished floor levels of the building for the Potentially Hazard Sensitive Activity are located above the 1% Flood Annual Exceedance Probability Level, including an allowance for freeboard, where the finished floor level is to the bottom of the floor joists or the base of the concrete floor slab.
2. New residential units, commercial activities or retail activities that are within the Inundation Area of the Flood Hazard Overlay are restricted discretionary activities where: Compliance with the requirements of 14H 2.3(1)(a) cannot be achieved.

Matters of discretion are restricted to:

 1. The impact from the 1% Annual Exceedance Probability flood is low due to either the:
 - implementation mitigation measures;
 - the shallow depth of the flood waters within the building; or
 - type of activity undertaken within the building; and
 - The risk to people and property is reduced or not increased.

AMENDMENT 428 - Add new Rule 14H 2.4 New residential units, commercial activities or retail activities that are within the Overland Flowpaths of the Flood Hazard Overlay

Rule 14H 2.4 New residential units, commercial activities or retail activities that are within the Overland Flowpaths of the Flood Hazard Overlay

1. New residential units, commercial activities or retail activities that are within the Overland Flowpaths of the Flood Hazard Overlay are restricted discretionary activities.

Matters of discretion are restricted to:

 1. The matters in 14H 1.6.

AMENDMENT 429 - Add new Rule 14H 2.5 New residential units, commercial activities or retail activities that are within the Stream Corridors of the Flood Hazard Overlay

Rule 14H 2.5 New residential units, commercial activities or retail activities that are within the Stream Corridors of the Flood Hazard Overlay

1. New residential units, commercial activities or retail activities that are within the Stream Corridors of the Flood Hazard Overlay are non-complying activities.

AMENDMENT 430 - Add new Rule 14H 2.6 Additions to buildings within the Coastal Hazard Overlays

Rule 14H 2.6 Additions to Buildings within the Coastal Hazard Overlays

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| <p>1. <u>Additions to Buildings within the Coastal Hazard Overlays are a permitted activity where:</u></p> <p>a. <u>The additions are to a building in the Low Coastal Hazard Area; or</u></p> <p>b. <u>The additions are to buildings for any of the following in either the Low Coastal Hazard Area, Medium Coastal Hazard Area or High Coastal Hazard Area:</u></p> <ul style="list-style-type: none">• <u>Accessory buildings used for non-habitable purposes</u>• <u>Parks facilities</u>• <u>Structures that are non-habitable and that are not used as places of employment; or</u> <p>c. <u>The additions are in the Medium Coastal Hazard Area and they do not increase the building footprint by more than 50m².</u></p> |
| <p>2. <u>Additions to Buildings within the Coastal Hazard Overlays are a restricted discretionary activity where:</u></p> <p>a. <u>Compliance with the requirements of 14H 2.6(1)(c) cannot be achieved; or</u></p> <p>b. <u>The addition is to a building within a High Coastal Hazard Area.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>1. <u>The matters in 14H 1.8.</u></p> |

AMENDMENT 431 - Add new Rule 14H 2.7 New residential units in the Low Coastal Hazard Area

Rule 14H 2.7 New residential units in the Low Coastal Hazard Area

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| <p>1. <u>New residential units in the Low Coastal Hazard Area are a permitted activity where:</u></p> <p>a. <u>The development involves the construction of residential units, the total number of residential units on a site is no more than three.</u></p> |
| <p>2. <u>New residential units in the Low Coastal Hazard Area are a restricted discretionary activity where:</u></p> <p>a. <u>Compliance with 14H 2.7(1)(a) cannot be achieved.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>1. <u>The matter in 14H 1.9.</u></p> |

AMENDMENT 432 - Add new Rule 14H 2.8 New residential units in the Medium Coastal Hazard Area

Rule 14H 2.8 New residential units in the Medium Coastal Hazard Area

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| <p>1. <u>New residential units in the Medium Coastal Hazard Area are a permitted activity where:</u></p> <p>a. <u>The total number of residential units on a site is no more than two</u></p> |
| <p>2. <u>New residential units in the Medium Coastal Hazard Area are a restricted discretionary activity where:</u></p> <p>a. <u>Compliance with 14H 2.8(1)(a) cannot be achieved.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>1. <u>The matters in 14H 1.10.</u></p> |

AMENDMENT 433 - Add new Rule 14H 2.9 New residential units in the High Coastal Hazard Area
Rule 14H 2.9 New residential units in the High Coastal Hazard Area

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| 1. <u>New residential units in the High Coastal Hazard Area are a permitted activity where:</u> a. <u>The total number of residential units on a site is no more than two</u> |
| 2. <u>New residential units in the High Coastal Hazard Area are a non complying activity where:</u> a. <u>Compliance with 14H 2.9(1)(a) cannot be achieved</u> |

AMENDMENT 434 - Add new Rule 14H 2.10 Commercial activities or retail activities that are within the Petone Commercial Activity Area and Suburban Mixed Use Activity Area and within the Medium or High Coastal Hazard Overlays

Rule 14H 2.10 Commercial activities or retail activities that are within the Petone Commercial Activity Area and Suburban Mixed Use Activity Area and within the Medium or High Coastal Hazard Overlays

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| 1. <u>Commercial activities or retail activities that are within the Petone Commercial Activity Area and the Suburban Mixed Use Activity Area and which are also within the Medium or High Coastal Hazard Overlays are a permitted activity where:</u> a. <u>The activity does not involve the construction of a building that would be occupied by more than 10 employees of the activity, or any members of the public; or</u> b. <u>The activity does not involve the conversion of an existing building into a building that would be occupied by more than 10 employees of the activity, or any members of the public.</u> |
| 2. <u>New buildings and commercial activities within the Petone Commercial Activity Area and Suburban Mixed Use Activity Area which are also within the Medium or High Coastal Hazard Overlays are a restricted discretionary activity where:</u> a. <u>Compliance with 14H 2.10(1) cannot be achieved.</u> <u>Matters of discretion are restricted to:</u> 1. <u>The matters in 14H 1.13.</u> |

AMENDMENT 435 - Add new section 14H 2.11 Other Matters

14H 2.11 Other Matters

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| (a) <u>All Permitted and Restricted Discretionary Activities must comply with other relevant Permitted Activity Conditions.</u> |
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AMENDMENT 436 - Add new section 14H 3 Anticipated Environmental Results

14H 3 Anticipated Environmental Results

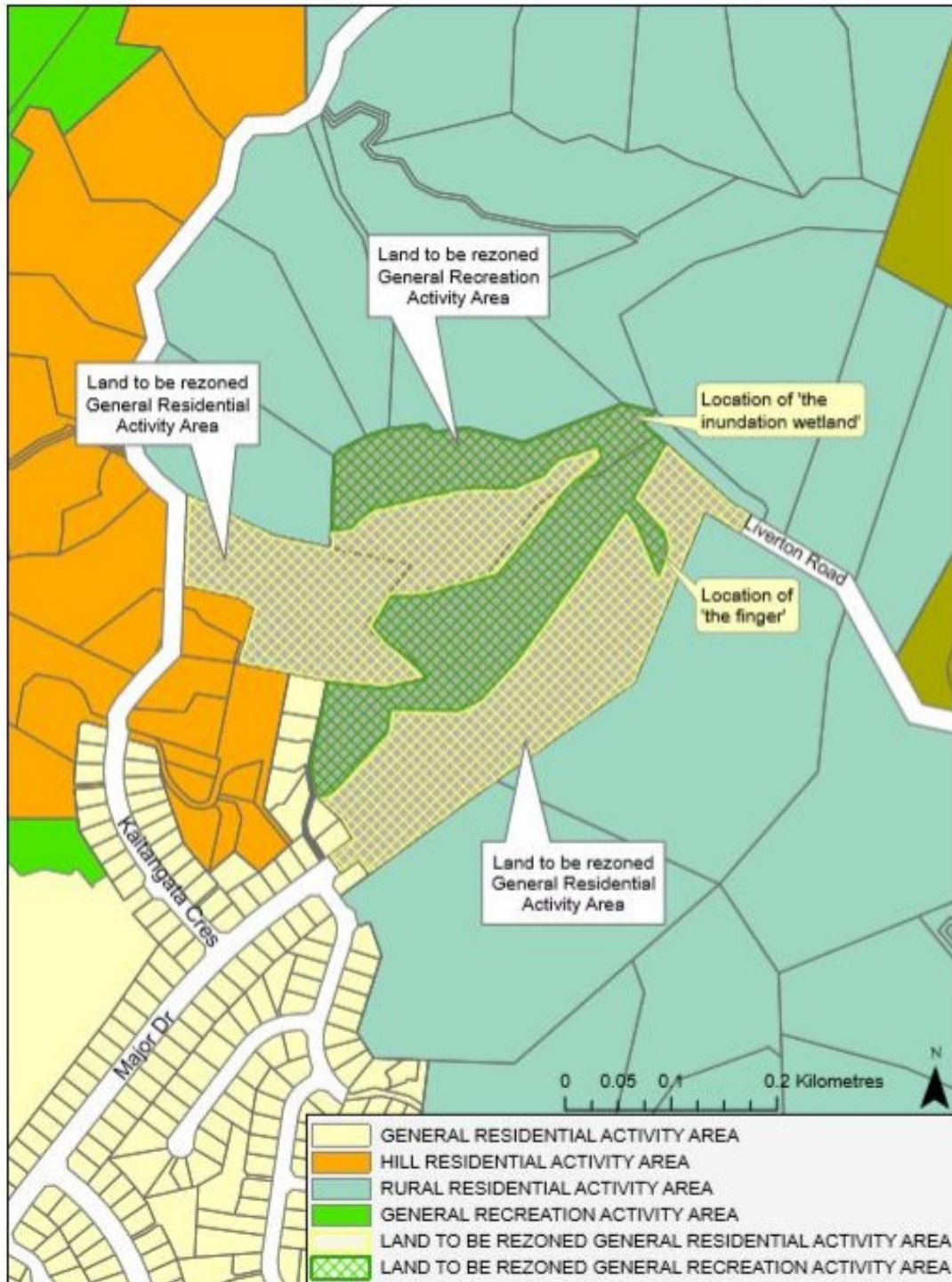
- (a) Increased public awareness of natural hazards.
- (b) Reduced level of vulnerability experienced by people and their property in hazard prone areas, through the safe location and construction of all structures and buildings.

Recommended changes to District Plan maps

280 Major Drive, 204/205 Liverton Road, and 36/50 Kaitangata Crescent, Kelson

Recommendation

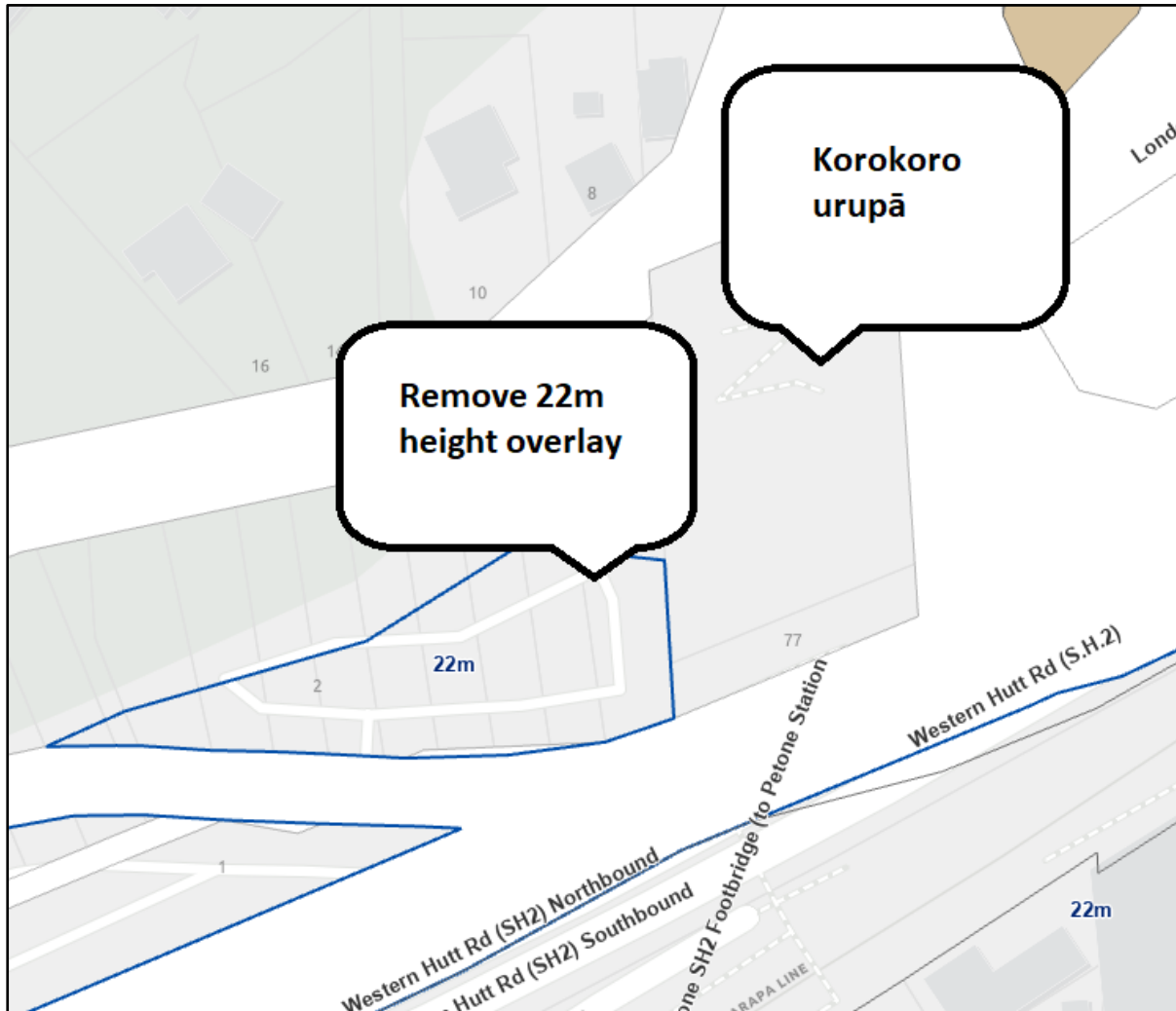
Rezone 280 Major Drive, 204/205 Liverton Road, and 36/50 Kaitangata Crescent, Kelson (shown below as General Residential Activity Area) to Medium Density Residential Activity Area (see section 6.1.6 of the report for details).



2 Pito-one Road, Petone - Remove Specific Height Control Overlay

Recommendation

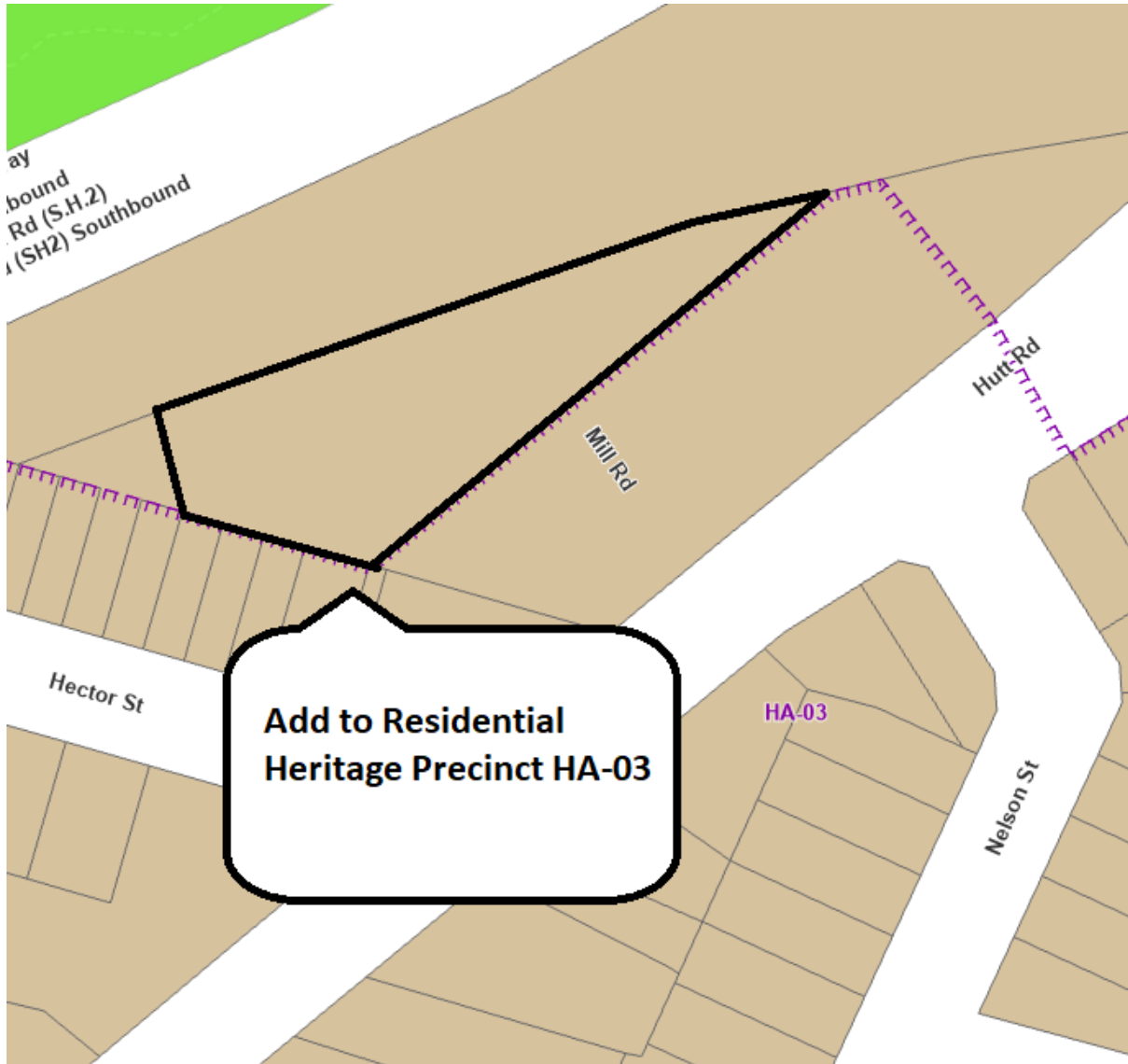
Remove the Specific Height Control Overlay from 2 Pito-one Road, Petone (see section 6.3.3 of the report for details).



Hutt Road and Mill Road – Add properties to the Residential Heritage Precinct (HA-03)

Recommendation

Add the properties on *Hutt Road* and *Mill Road* outlined in black below to the Residential Heritage Precinct HA-03 (see section 6.3.1 of the report for details).



Bay Street and Beach Street, Petone – Add properties to the Residential Heritage Precinct (HA-08)

Recommendation

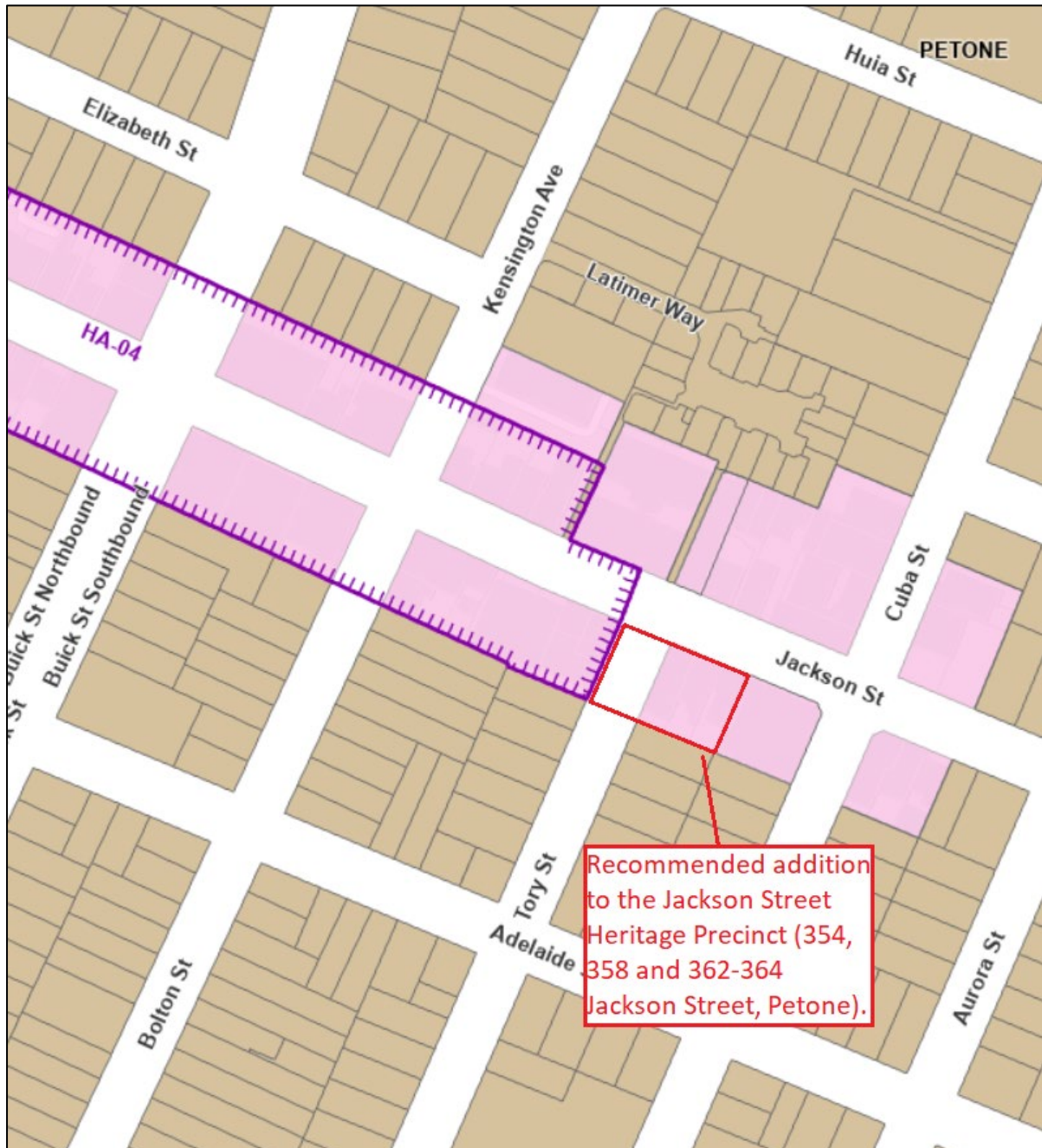
Add the properties on *Beach Street and Bay Street, Petone* outlined in black below to the Residential Heritage Precinct HA-08 (see section 6.3.1 of the report for details).



354, 358 and 362-364 Jackson Street, Petone – Add properties to the Jackson Street Heritage Precinct (HA-04)

Recommendation

Add 354, 358 and 362-364 Jackson Street, Petone to the Jackson Street Heritage Precinct (see section 6.3.1 of the report for details).



2 and 6 Myrtle Street, Hutt Central – Remove properties from the Lower Hutt Civic Centre Heritage Precinct (HA-05)

Recommendation

Remove 2 and 6 Myrtle Street, Hutt Central from the Lower Hutt Civic Centre Heritage Precinct (see section 7 of the report for details).

