

Appendix 2: Annotated version of plan change provisions

Black underlined text are additions proposed in the proposed plan change, as notified on 18 August 2022.

~~Black struckthrough text~~ are deletions proposed in the proposed plan change, as notified on 18 August 2022.

Red underlined text are additions recommended by the Hearing Panel.

~~Red struckthrough text~~ are deletions recommended by the Hearing Panel.

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,
 - (v) within the suburban centres of Eastbourne, Moera and Stokes Valley; and
 - (vi) 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 Medium Density Residential Activity Area (with a height control overlay) in residential areas adjacent to the Eastbourne, Stoke Valley and Wainuiomata centres.
- (d) Apply the Hill Residential and Landscape Protection Residential Activity Areas to areas with significant topographic constraints or amenity landscape values
- (e) 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 or other chapters (including Chapter 13) 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

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 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.

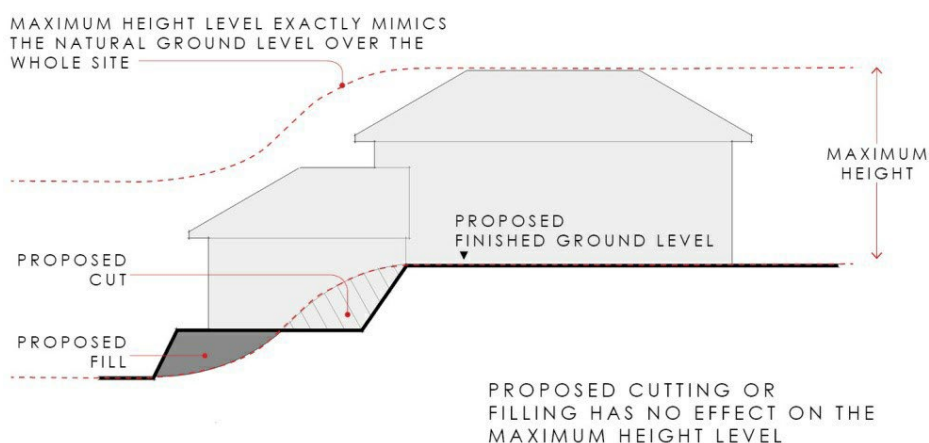
Health Care Services

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

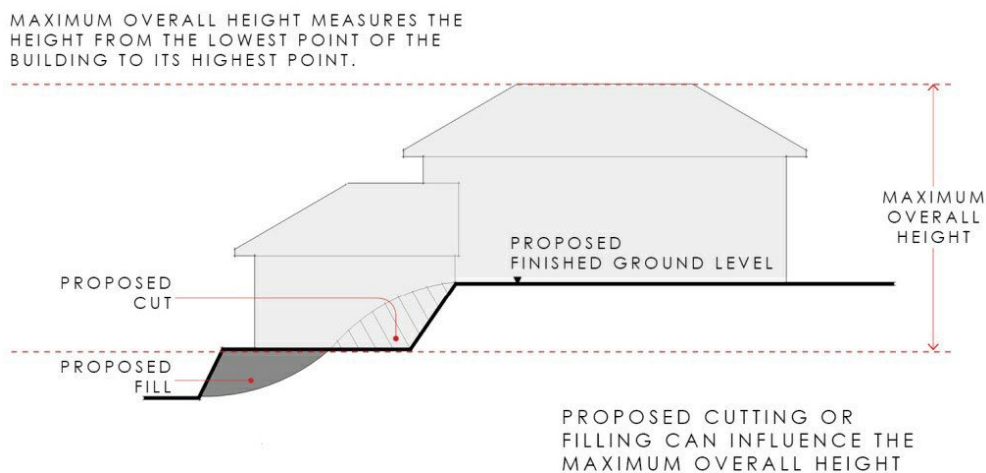
Maximum Height in relation to buildings and structures shall be the vertical distance between the ground level at any point and the highest part of the building or structure immediately above that point (rolling height method).

- (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

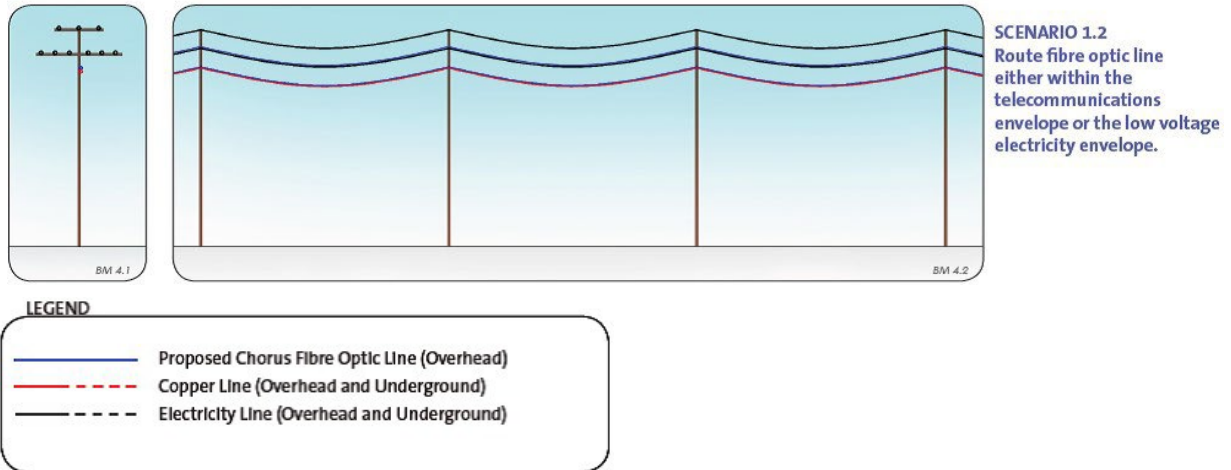
an adjustment or relocation of allotment boundaries which is desirable in order to improve the practicality of existing boundaries providing the number of titles and the general area and use of the allotments remains the same.

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

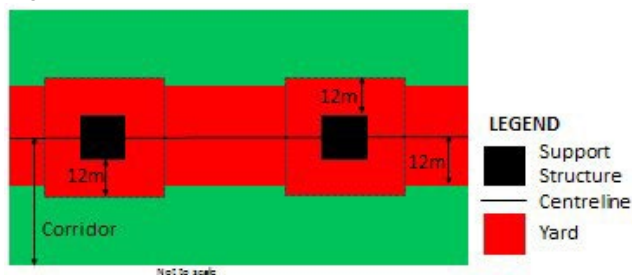
- (a) the area located 12 metres either side of the centreline of an above ground a National Grid transmission line which is 110kV or greater;
- (b) the area located 12 metres in any direction from the edge of a National Grid support structure which supports a National Grid transmission line which is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

Papakāinga Housing

residential accommodation on Māori 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.

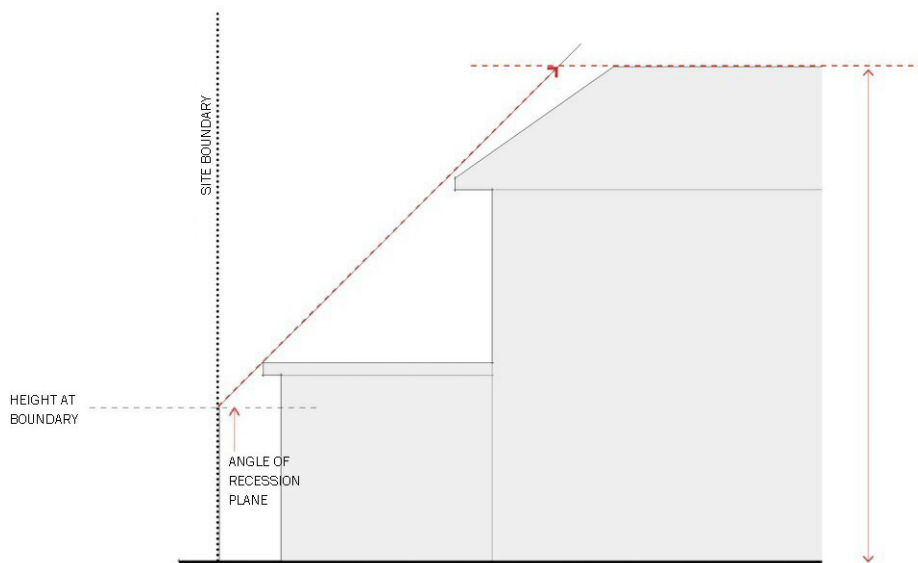
Recession Plane

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.

Chapter 4 Residential

AMENDMENT 44 - Amend opening paragraphs

The residential areas of the City vary considerably and cover a variety of landforms from coastal environments to exposed ridge tops. They are characterised by low rise dwelling houses, with many split-level houses on steeper hillsides.

Residential development has taken place on the valley floor, along the coastal areas of the Eastern Bays and Eastbourne, and on the Western and Eastern Hills, and the valley and hillside areas of Stokes Valley and Wainuiomata.

Dwelling densities range from high to low, within the context of this City. Higher dwelling densities can be found in Petone between the Esplanade and Jackson Street, which are a reflection of historical subdivision patterns. Medium densities are found in most parts of the City, whereas low dwelling densities are present in the steeper hillside areas of the Western Hills, Stokes Valley, Wainuiomata, and Eastbourne, and also in parts of Woburn, Military Road and Lowry Bay.

Residential areas of the City are seen not only as places to live, but places in which to work as well. As technology advances, it is becoming easier to conduct a business from home. While residential areas are generally free from large scale commercial and industrial activities, there are some non-residential activities which are suited to residential areas and can serve the local community.

The Plan will provide opportunity for home occupations and non-residential activities while ensuring characteristics of the surrounding area, and the amenity values are maintained or enhanced.

Access to education and emergency facilities is crucial to the overall wellbeing of residents of the City. Such facilities can be out of scale with surrounding areas, and it is necessary to ensure that adverse effects are managed.

~~Taking into account the diverse topography, native bush and vegetation, different characteristics and amenity values present in the residential areas of the City, six residential activity areas have been identified. Emphasis is placed on maintaining and enhancing the characteristics and amenity values which contribute to each residential area.~~

Four residential activity areas have been identified for the City, taking into account the diverse topography and native vegetation, and the need to provide for sufficient residential development capacity while managing the effects of development on the surrounding area.

The ~~six~~ four activity areas are:

AMENDMENT 45 - Delete paragraphs on General Residential Activity Area

~~(a) General Residential Activity Area~~

~~This activity area covers a large proportion of the City's residential areas. It is characterised by low to medium density residential development consisting of single or double storey dwelling houses, open space, gentle topography, and an absence of large scale commercial or industrial activities.~~

~~Within the General Residential Activity Area opportunity will be made for higher density through comprehensive residential developments on larger sites which manage any effects on the surrounding area.~~

AMENDMENT 46 - Delete paragraph on Historic Residential Activity Area

(b) — ~~Historic Residential Activity Area~~

~~Recognises that several areas of the City have a collection of buildings with distinctive form, style and character, based on their historical significance. These areas are to be protected from inappropriate development.~~

AMENDMENT 47 - Delete paragraph on Special Residential Activity Area

(c) — ~~Special Residential Activity Area~~

~~Recognises those parts of the City characterised by low density residential development, mature vegetation, and a high standard of development. This includes residential areas adjacent to the commercial area of Lower Hutt around Woburn, Military Road and Hathaway Avenue, and Lowry Bay in Eastbourne.~~

(d) Hill Residential Activity Area

Consists of developed residential land on the hill sides of the City, and recognises the amenity values and constraints to development offered by hillside development.

(e) Landscape Protection Residential Activity Area

This area recognises the unique physical landscape of the steep undeveloped residential areas, and its contribution to the visual backdrop of the City, its life supporting capacity, and the severe constraints on development. Within this activity area, inappropriate development has the greatest potential to adversely affect the amenity values and physical characteristics.

AMENDMENT 48 - Amend paragraphs on Medium Density Residential Activity Area

(f) Medium Density Residential Activity Area

~~This area provides opportunity for a variety of medium residential developments such as detached dwellings, terraced housing and low-rise apartments. It is mostly located around selected suburban centres and close to transport hubs and acts as a transitional area between higher density mixed use areas and low to medium density residential activity 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 areas in the High Density Residential Activity Area.

However, building heights and densities are expected to change over time. A mix of low to medium density residential development is permitted in the Medium Density Residential Activity Area. This includes stand-alone and multi-unit developments (such as semi-detached and terrace housing) of three storeys. Resource consent is required for higher density development that does not meet the development standards for the zone.

AMENDMENT 49 - Add new paragraphs on High Density Residential Activity Area

(g) High Density Residential Activity Area

The High Density Residential Activity Area covers residential areas with good access to a range of commercial activities, community facilities and public transport. This includes areas surrounding train stations, the Lower Hutt city centre, Petone metropolitan centre and suburban centres.

Opportunities for a variety of medium and high density residential developments such as detached dwellings, terraced housing and low-rise apartments are provided for in this Activity Area. Higher density development is enabled in the High Density Residential Activity Area by permitting multi-unit developments of up to three-storey buildings and enabling taller buildings through a resource consent process.

Chapter 4 Residential

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Dwelling densities range from high to low, within the context of this City. Higher dwelling densities can be found in Petone between the Esplanade and Jackson Street, which are a reflection of historical subdivision patterns. Medium densities are found in most parts of the City, whereas low dwelling densities are present in the steeper hillside areas of the Western Hills, Stokes Valley, Wainuiomata, and Eastbourne, and also in parts of Woburn, Military Road and Lowry Bay.

Residential areas of the City are seen not only as places to live, but places in which to work as well. As technology advances, it is becoming easier to conduct a business from home. While residential areas are generally free from large scale commercial and industrial activities, there are some non-residential activities which are suited to residential areas and can serve the local community.

The Plan will provide opportunity for home occupations and non-residential activities while ensuring characteristics of the surrounding area, and the amenity values are maintained or enhanced.

Access to education and emergency facilities is crucial to the overall wellbeing of residents of the City. Such facilities can be out of scale with surrounding areas, and it is necessary to ensure that adverse effects are managed.

~~Taking into account the diverse topography, native bush and vegetation, different characteristics and amenity values present in the residential areas of the City, six residential activity areas have been identified. Emphasis is placed on maintaining and enhancing the characteristics and amenity values which contribute to each residential area.~~

Four residential activity areas have been identified for the City, taking into account the diverse topography and native vegetation, and the need to provide for sufficient residential development capacity while managing the effects of development on the surrounding area.

The ~~six~~ four activity areas are:

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This area recognises the unique physical landscape of the steep undeveloped residential areas, and its contribution to the visual backdrop of the City, its life supporting capacity, and the severe constraints on development. Within this activity area, inappropriate development has the greatest potential to adversely affect the amenity values and physical characteristics.

AMENDMENT 48 - Amend paragraphs on Medium Density Residential Activity Area

(f) Medium Density Residential Activity Area

~~This area provides opportunity for a variety of medium residential developments such as detached dwellings, terraced housing and low-rise apartments. It is mostly located around selected suburban centres and close to transport hubs and acts as a transitional area between higher density mixed use areas and low to medium density residential activity 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 areas in the High Density Residential Activity Area.

However, building heights and densities are expected to change over time. A mix of low to medium density residential development is permitted in the Medium Density Residential Activity Area. This includes stand-alone and multi-unit developments (such as semi-detached and terrace housing) of three storeys. Resource consent is required for higher density development that does not meet the development standards for the zone.

AMENDMENT 49 - Add new paragraphs on High Density Residential Activity Area

(g) High Density Residential Activity Area

The High Density Residential Activity Area covers residential areas with good access to a range of commercial activities, community facilities and public transport. This includes areas surrounding train stations, the Lower Hutt city centre, Petone metropolitan centre and suburban centres.

Opportunities for a variety of medium and high density residential developments such as detached dwellings, terraced housing and low-rise apartments are provided for in this Activity Area. Higher density development is enabled in the High Density Residential Activity Area by permitting multi-unit developments of up to three-storey buildings and enabling taller buildings through a resource consent process.

Chapter 4A General Residential Activity Area

AMENDMENT 50 [Chapter 4A General Residential Activity Area]
Delete current Chapter 4A General Residential Activity Area.

Chapter 4B Special Residential Activity Area

AMENDMENT 51 [Chapter 4B Special Residential Activity Area]
Delete current Chapter 4B Special Residential Activity Area.

Chapter 4C Historic Residential Activity Area

AMENDMENT 52 [Chapter 4C Historic Residential Activity Area]
Delete current Chapter 4C Historic Residential Activity Area.

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 heights, densities, and appearance of neighbourhoods in the Activity Area will change over time. A mix of low to medium density residential development is permitted in the Medium Density Residential Activity Area. This includes stand-alone, semi-detached, terrace housing, and low-rise apartments of three storeys. Some areas in the Medium Density Residential Activity Area have been identified as being suitable to accommodate a more intensive form of residential development catered for by way of a height control overlay, subject to scale and design. These areas are adjacent to the centres at Wainuiomata, Eastbourne, and Stokes Valley, and are supported by a well-functioning urban environment.

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 ~~enablement flexibility~~ of individual **medium density** developments ~~to take any low to medium density form~~ of up to three storeys.

AMENDMENT 57.1 – Add new Objective 4F 2.3AA

Objective 4F 2.3AA

A greater intensity of built form (4-5 storeys) is provided for around identified centres that are supported by a well-functioning urban environment.

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 65.1 – Add new Policy 4F 3.2E

Policy 4F 3.2E

Provide for residential intensification of a site where it achieves positive urban design outcomes and living environments, taking into consideration the following urban design principles, development type, and the planned urban environment of the zone:

- i. Ensure the building location, form, and appearance is comprehensively designed with the landscape and is compatible with the planned urban built character of the zone
- ii. Achieve a positive frontage that engages and interacts with the street with a focus on human activity and scale
- iii. Achieve visual interest and aesthetic coherence using architectural and landscape design techniques
- iv. Minimise the effects of driveways, manoeuvring, and parking areas on the quality of the site and street, while ensuring safety
- v. Integrate building form and open space design to achieve high amenity, safe and functional outcomes for residents in both private and communal spaces, while respectful of neighbouring sites
- vi. Achieve reasonable sunlight, daylight, and outlook for all residential units and associated outdoor spaces where possible, while minimising overlooking of neighbouring living and private outdoor spaces
- vii. Provide reasonable internal visual privacy for all units through well-considered location of elements, rather than relying on window coverings
- viii. Achieve quality, legible, safe, and efficient circulation
- ix. Provide for servicing that is suitably generous, convenient, and visually discreet.

AMENDMENT 65.2 – Add new Policy 4F 3.2F

Policy 4F 3.2F

Provide for additional building height in identified areas that are adjacent to the centres in Wainuiomata, Eastbourne, and Stokes Valley, which are well-served by commercial activities and community services.

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

(a) Residential Activities are **permitted** activities.

Links to:

Objective 4F 2.1

Policy 4F 3.1

Rule 4F 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.
- (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.

(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 non-compliance with the permitted activity standard that is not being met.

Links to:

Objective 4F 2.1

Policy 4F 3.1

Rule 4F 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 4F 2.1

Policy 4F 3.1

Rule 4F 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
- (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

(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

(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

(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

(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

- (a) — The removal of vegetation (whether indigenous or exotic) is a **permitted** activity.
- (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 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)

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

<p>(a) Up to three residential units per site are a permitted activity.</p>
<p>(b) Four or more residential units per site are a restricted discretionary activity.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none">(i) <u>The planned urban built character for the Medium Density Residential Activity Area.</u>(ii) <u>The matters in Policies 4F 3.2B, 4F 3.2E, and 4F 3.8.</u>(iii) <u>The on-site amenity for future occupants of the development.</u>(iv) <u>The extent to which the development, building design, siting, and external appearance achieves an urban design outcome that:</u><ul style="list-style-type: none">a. <u>Contributes to attractive and safe streets and public open spaces, and provides safe pedestrian access to buildings from the street; and</u>b. <u>Achieves quality on-site living environments.</u>(v) <u>The capacity of the network infrastructure for water supply, wastewater, stormwater and land transport to service the proposed development.</u>(vi) <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>Provision for access to active modes, including bike and mobility vehicle parking, storage, and service areas.</u>(vii) <u>The following design elements:</u><ul style="list-style-type: none">1. <u>Building height</u>2. <u>Recession planes and setbacks</u>3. <u>Indoor and outdoor living spaces</u>4. <u>Open space and boundary treatments</u>5. <u>Entrances, carparking and garages</u>6. <u>Onsite stormwater management</u>7. <u>End / side wall treatment</u>8. <u>Building materials</u>9. <u>Bike parking, storage, and service areas Provision for access to active modes including bike and mobility vehicle parking, storage, and service areas</u>10. <u>Privacy and safety</u>11. <u>Landscaping</u>

~~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. Dominance, privacy, and shading effects on adjoining sites~~
 - (ii) ~~The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space. Streetscape and visual amenity effects.~~
- ~~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:

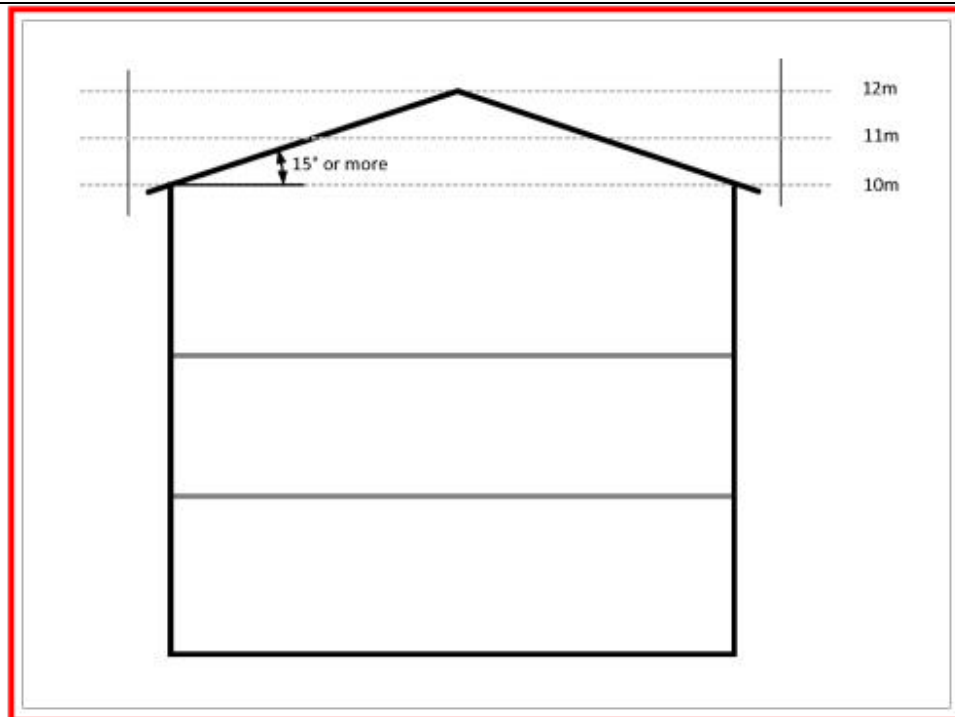
Objectives ~~4F 2.2, 4F 2.3, 4F 2.4, 4F 2.5~~

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, or-
 - (ii) The building is within a specific 18m height control overlay shown on the District Plan maps and does not exceed the maximum height shown for that overlay.



~~(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. Dominance, privacy, and shading effects on 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. Streetscape and visual amenity effects.~~

~~(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:

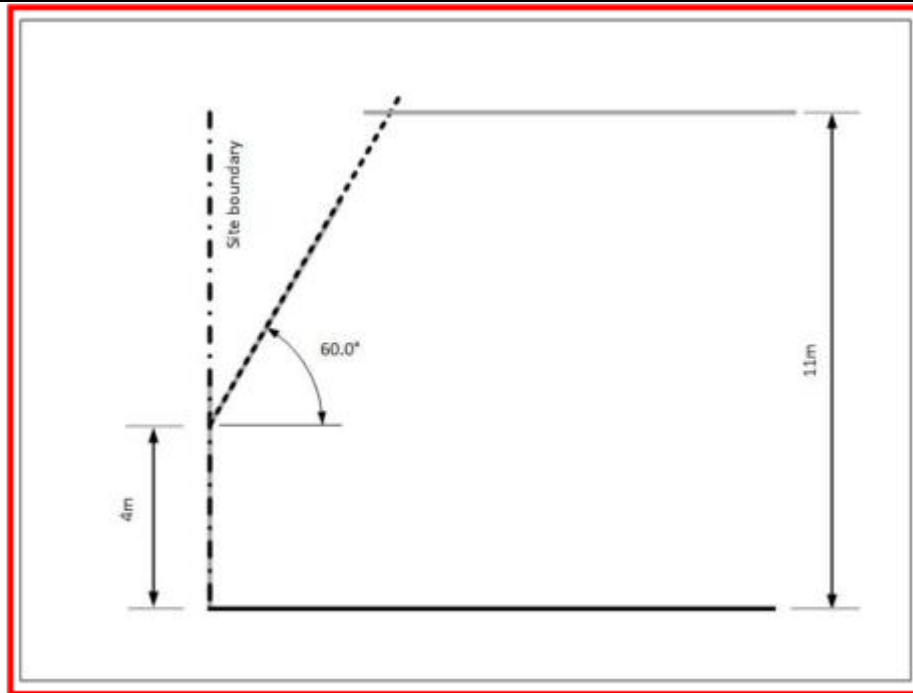
Objectives 4F 2.2, 4F 2.3, 4F 2.3AA, 4F 2.4, 4F 2.5

Policies 4F 3.2, 4F 3.2A, 4F 3.2B, 4F 2.3F, 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, or
 - (ii) Within areas subject to an 18m height control overlay:
 - a. 6m +60° along the first 21.5m of the side boundary as measured from the road frontage; and
 - b. 4m +60° at any side boundary further than 21.5m from the road frontage, on the rear boundary, and along any common boundary with a site within the MDRAA that is located outside the height control overlay.
 - (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.
- (d) Boundaries adjoining a commercial or business zone activity area
- (e) Chimney structures not exceeding 1.1m in width on any elevation, provided these do not exceed the height in relation to boundary by more than 1m, and
- (f) Antennas, aerials, satellite dishes (less than 1m in diameter), flues, and architectural features (e.g., finials, spires), provided these do not exceed the height in relation to boundary by more than 3m measured vertically.

- (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.~~ Dominance, privacy, and shading effects on 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. Streetscape and visual amenity effects.~~

~~(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~~

~~(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.~~

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. Dominance, privacy, and shading effects on adjoining sites~~

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

~~(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

(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 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 and limited notification is precluded for resource consent applications under Rule 4F 4.2.5(b).~~

Links to:

Objectives 4F 2.6

Policies 4F 3.2, 4F 3.3, ~~4F 3.4, 4F 3.5~~, 4F 3.9, 4F 3.10

AMENDMENT 84 - Amend Rule 4F 4.2.6 Outdoor Living Space

Rule 4F 4.2.6 Outdoor Living Space

- (a) Construction or alteration of a building is a **permitted activity** if:
- (i) ~~Each dwelling has an outdoor living space that:~~
 - ~~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:

(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 effects on the amenity of the surrounding residential area, the streetscape and adjoining public 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.~~

Links to:

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

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

Rule 4F 4.2.9 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 14F relating to demolition apply.

AMENDMENT 87 - Amend Rule 4F 4.2.10 Stormwater Retention

Rule 4F 4.2.10 Stormwater **Retention Detention**

- (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.
- ~~No rainwater tank is required for the construction of an Accessory Building.~~
- (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

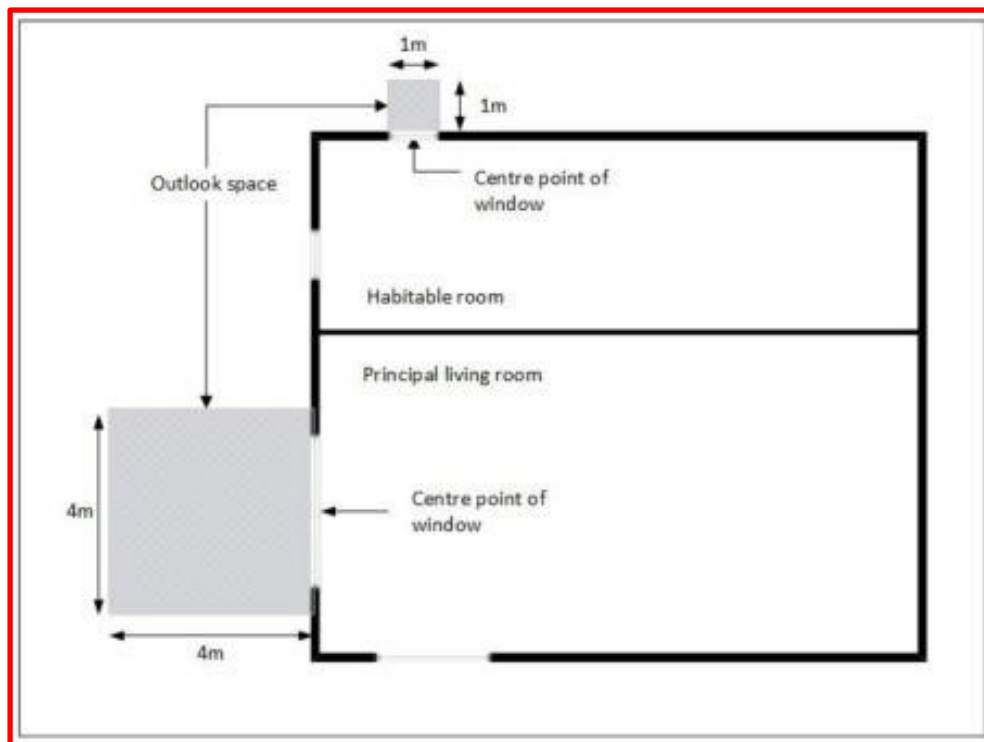
Links to:
Objective 4F 2.6
Policy 4F 3.9

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

Rule 4F 4.2.11 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:



- (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.

<p><u>(vii) Outlook spaces required from different rooms within the same building may overlap.</u></p> <p><u>(viii) Outlook spaces must:</u></p> <p style="padding-left: 40px;"><u>(a) Be clear and unobstructed by buildings; and</u></p> <p style="padding-left: 40px;"><u>(b) Not extend over an outlook space or outdoor living space required by another dwelling.</u></p>
<p><u>(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.</u></p> <p><u>Discretion is restricted to:</u></p> <p><u>(i) The planned urban built character for the Medium Density Residential Activity Area.</u></p> <p><u>(ii) The matters in Policy 4F 3.2D.</u></p> <p><u>(iii) The effects on internal privacy of future occupants resulting from a reduced outlook.</u></p> <p><u>(iv) The effects on the level of sunlight to internal living areas from a reduced outlook.</u></p> <p><u>(v) Any mitigation factors such as view or landscaping that compensates for a reduced outlook.</u></p> <p>When considering the matters in (ii), the Council will be principally guided by its Medium Density Design Guide.</p> <p>Public and limited notification is precluded for resource consent applications under Rule 4F 4.2.11(b).</p>

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

Rule 4F 4.2.12 Windows to Street

<p><u>(a) Construction or alteration of a building is a permitted activity if:</u></p> <p style="padding-left: 40px;"><u>(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.</u></p>
<p><u>(b) Construction or alteration of a building that does not comply with the above standard is a restricted discretionary activity.</u></p> <p><u>Discretion is restricted to:</u></p> <p><u>(i) The planned urban built character for the Medium Density Residential Activity Area.</u></p> <p><u>(ii) The matters in Policy 4F 3.8.</u></p> <p><u>(iii) The following design elements:</u></p> <p style="padding-left: 40px;"><u>1. Open space and boundary treatments.</u></p> <p style="padding-left: 40px;"><u>2. Entrances, carparking and garages.</u></p> <p style="padding-left: 40px;"><u>3. End / side wall treatment.</u></p> <p style="padding-left: 40px;"><u>4. Privacy and safety.</u></p> <p style="padding-left: 40px;"><u>5. Landscaping.</u></p>

~~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 and limited 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~~

- | |
|---|
| <p>(a) — Construction or alteration of a building is a permitted activity in the Residential Heritage Precinct if:</p> <ul style="list-style-type: none">(i) — The height of the building does not exceed the maximum height of buildings that were on the site on 20 August 2022.(ii) — The number of dwellings residential units on the site does not exceed the number of dwellings residential units that were on the site on 20 August 2022. |
|---|

~~(b) Construction or alteration of a building that does not meet the above permitted activity standard is a restricted discretionary activity~~

~~**Discretion is restricted to:**~~

~~(i) Impacts on the historic heritage values of the Residential Heritage Precinct from the form, bulk, height and density of the building.~~

~~(ii) Impacts on the Residential Heritage Precinct from the position of the buildings on the site and the design and materials associated with the building.~~

~~(iii) 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.~~

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.

(iv) Geotechnical matters

The extent to which the proposal addresses any geotechnical limitations on the site.

(v) Amenity values

The extent to which the proposal would adversely affect the amenity values of the surrounding residential area, including:

- The effect of buildings and structures on neighbouring and surrounding residential sites and, in particular the location, design and appearance of the buildings;
- Whether the proposal would cause significant loss of sunlight, daylight or privacy on adjoining residential properties;
- The effect on the amenity values of adjoining residential and recreational land caused by the removal of trees from the site; and
- 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.

(b) Housing for the Elderly on the site that does not comply with the Development Standards under 4F 4.2 is a discretionary activity.

Links to:

Objectives 4F 2.1

Policies 4F 3.1

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

- | |
|--|
| <p><u>(a) Visitor Accommodation, Conference Facilities and Places of Assembly at 320 Eastern Hutt Road are permitted activities if:</u></p> <p><u>(i) The buildings associated with the activity comply with the development standards under Rule 4F 4.2.</u></p> |
| <p><u>(b) 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><u>(i) The effects on the amenity of the surrounding residential area;</u></p> <p><u>(ii) The effects on the safe and efficient movement of vehicles and pedestrian safety;</u></p> <p><u>(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.</u></p> |

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.

Opportunities for a variety of medium and high density residential development such as detached dwellings, terraced housing, and apartments are provided for in this Activity Area. The High Density Residential Activity Area anticipates a built urban environment of at least six storeys, with greater intensification enabled in areas surrounding the Lower Hutt city centre.

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 dwellings, 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 ~~dwellings~~ 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. Some areas have been identified as being suited to a more intensive built form through increased building heights than the standard zone height. These areas are located within a walkable catchment of the City Centre. They are identified on the planning maps as Height Control Overlays. 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, noting that~~ 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 The form, appearance, and amenity of neighbourhoods within the High Density Residential Activity Area will change over time to reflect a more intensive urban built form. The High Density Residential Activity Area'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 more intensive scale, form, and typology of development compared with the Medium Density Residential Activity Area, with buildings of at least A form of up to six storeys being enabled. that achieves, for that development, the best practicable amenity outcomes for adjoining sites, or
- iii. Greater intensification in proximity to the city's key commercial areas.
- ~~iv. 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 ~~at least up to~~ six storeys, with greater height and density enabled around the city's key commercial areas, 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 to ensure adequate provision of privacy and access to sunlight is made to

neighbouring residential properties' internal and external living areas, and the effects of building bulk is mitigated or remedied through design responses.

~~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 privacy and sunlight access for adjoining sites.

AMENDMENT 125 - Add new Policy 4G 3.10

Policy 4G 3.10

Provide for residential intensification of a site where it achieves positive urban design outcomes and living environments, taking into consideration the following design principles, development type, and the planned urban built environment of the High Density Residential Activity Area: ~~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. Ensure the building location, form, and appearance is comprehensively designed with the landscape and is compatible with the planned urban built character of the High Density Residential Activity Area
- ii. Achieve a positive frontage that engages and interacts with the street with a focus on human activity and scale
- iii. Achieve visual interest and aesthetic coherence using architectural and landscape design techniques
- iv. Minimise the effects of driveways, manoeuvring, and parking areas on the quality of the site and street, while ensuring safety
- v. Integrate building form and open space design to achieve high amenity, safe and functional outcomes for residents in both private and communal spaces, while respectful of neighbouring sites
- vi. Achieve reasonable sunlight, daylight, and outlook for all residential units and associated outdoor spaces where possible, while minimising overlooking of neighbouring living and private outdoor spaces
- vii. Provide reasonable internal visual privacy for all units through well-considered location of elements, rather than relying on window coverings
- viii. Achieve quality, legible, safe, and efficient circulation
- ix. Provide for servicing that is suitably generous, convenient, and visually discreet.
 - 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

<p>(a) <u>Care Facilities, Residential Facilities, Boarding Houses, Hostels and Visitor Accommodation are permitted activities if:</u></p> <p>(i) <u>The maximum number of people accommodated on site including staff and residents does not exceed 10.</u></p>
<p>(b) <u>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.</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 vehicle and pedestrian traffic</u></p>
<p><u>Links to:</u></p> <p><u>Objective 4G 2.1</u></p> <p><u>Policy 4G 3.1</u></p>

AMENDMENT 137 - Add new Rule 4G 4.1.4 Childcare Facilities

Rule 4G 4.1.4 Childcare Facilities

<p>(a) <u>Childcare and Kohanga Reo Facilities are permitted activities if:</u></p> <p>(i) <u>The maximum number of children to be cared for at any one time does not exceed five.</u></p>
<p>(b) <u>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.</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 pedestrian safety and the safe and efficient movement of vehicles</u></p> <p>(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></p>
<p>(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></p>
<p><u>Links to:</u></p> <p><u>Objective 4G 2.1</u></p> <p><u>Policy 4G 3.1</u></p>

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

Rule 4G 4.1.5 Health Care Services

<p>(a) <u>Health Care Services with a maximum number of four practitioners (whether fulltime or part time) 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>

(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.

(b) Health Care Services with more than four practitioners are discretionary activities.

Links to:

Objective 4G 2.1

Policy 4G 3.1

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

(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 4G 2.1

Policy 4G 3.1

AMENDMENT 140 - Add new Rule 4G 4.1.7 Retirement Villages

Rule 4G 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 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 144.1 - Add new Rule 4G 4.1.12 Commercial Activity

Rule 4G 4.1.12 Commercial Activity

(a) Commercial activities are Restricted Discretionary activities where:

- (i) The commercial activity is limited to the ground floor tenancy of an apartment building
- (ii) The total gross floor area of the commercial activity/activities does not exceed 200m²
- (iii) The commercial activity does not include the repair, alteration, restoration, or maintenance of motor vehicles
- (iv) The hours of operation are between:
 - a. 7.00am and 9.00pm Monday to Friday; and
 - b. 8.00am to 7.00pm Saturday, Sunday, and public holidays.

Discretion is restricted to:

- (i) The extent to which the intensity and scale of the activity may adversely affect the amenity of the surrounding residential area
- (ii) Whether the business is compatible with the character of the surrounding neighbourhood, or whether it would be better located in a Centre
- (iii) The effects on pedestrian safety and the safe and efficient movement of vehicles
- (iv) The activity contributes positively to the urban environment and achieves attractive and safe streets
- (v) Cumulative effects.

(b) Activities that do not meet the above Restricted Discretionary activity development standards are Discretionary activities.

Links to:

Objective 4G 2.1

Policy 4G 3.1

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, 4G 3.10, 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 extent to which the development, building design, siting, and external appearance achieves an urban design outcome that:
 - a. Contributes to safe and attractive streets and public open spaces, and provides safe pedestrian access to buildings from the street
 - b. Achieves quality on-site living environments.
- (vi) The capacity of the network infrastructure for water supply, wastewater, stormwater, and land transport to service the proposed development.
- (vii) Any positive effects, including positive effects of increasing housing capacity and variety.
- (viii) The effects on the safety and efficiency of the transport network (including pedestrians, cyclists, and vehicles).
- (ix) Provision for access to active modes including bike and mobility vehicle parking, storage, and services areas
- ~~(x) 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).

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. Dominance, privacy, and shading effects on adjoining sites~~
 - ~~(iii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space. Streetscape and visual amenity effects.~~
- ~~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~~
 - 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 and adjacent public open space.~~
 - ~~(iii) The effects on the privacy of adjoining sites. Dominance, privacy, and shading effects on 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.

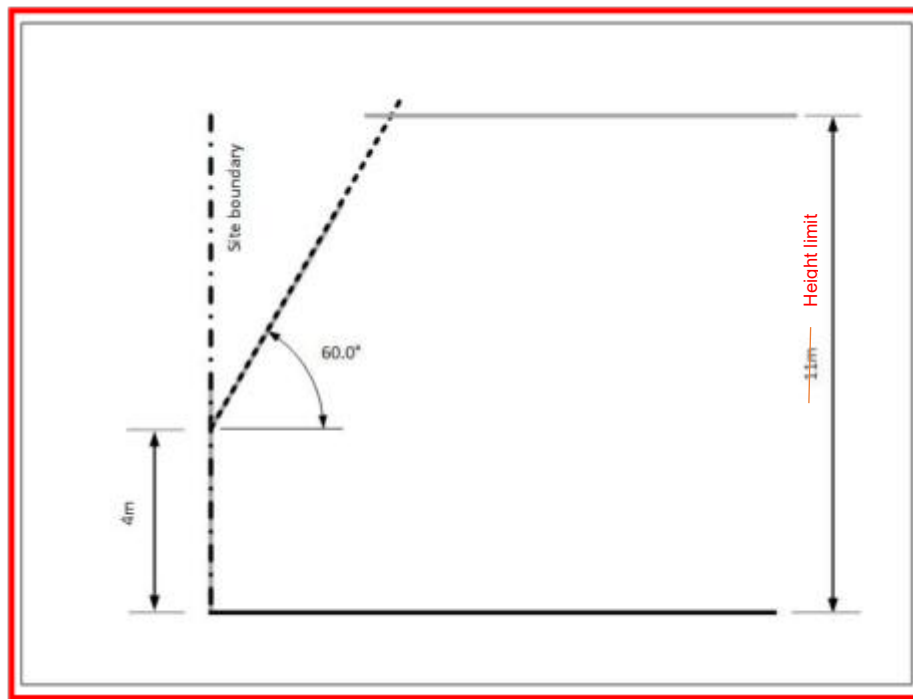
Public notification is precluded for resource consent applications under Rule 4G 4.2.3(b).

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 no more than 3 residential units will occupy a site.



(ii) Where four or more units occupy the site:

- a. 8m + 60° along the first 21.5m of the side boundary as measured from the road frontage
- b. 4m + 60° along all other boundaries
- c. Except 4m + 60° applies along any boundary that adjoins a site:
 - a. In any other Residential Zone

- b. Containing a historic heritage building or structure listed in Chapter 14F – Appendix Heritage 1, 2 or 3 or a significant cultural resource listed in Chapter 14E - Appendix Significant Natural, Cultural and Archaeological Resources 1.

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 **nearest 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.
- (d) Boundaries adjoining a commercial or business zone activity area
- (e) Chimney structures not exceeding 1.1m in width on any elevation, provided these do not exceed the height in relation to boundary by more than 1m, and
- (f) Antennas, aerials, satellite dishes (less than 1m in diameter), flues, and architectural features (e.g., finials, spires), provided these do not exceed the height in relation to boundary by more than 3m measured vertically.

- (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. Dominance, privacy, and shading effects on 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. Streetscape and visual amenity effects~~
- (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).

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

(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.

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. Dominance, privacy, and shading effects on adjoining sites~~

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

(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).

Limited notification is precluded for resource consent applications under Rule 4G 4.2.5(b)(i) where it relates to non-compliance with the front yard setback.

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.~~

~~Public and limited notification is precluded for resource consent applications under Rule 4G 4.2.7(b).~~

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 Detention**

(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.

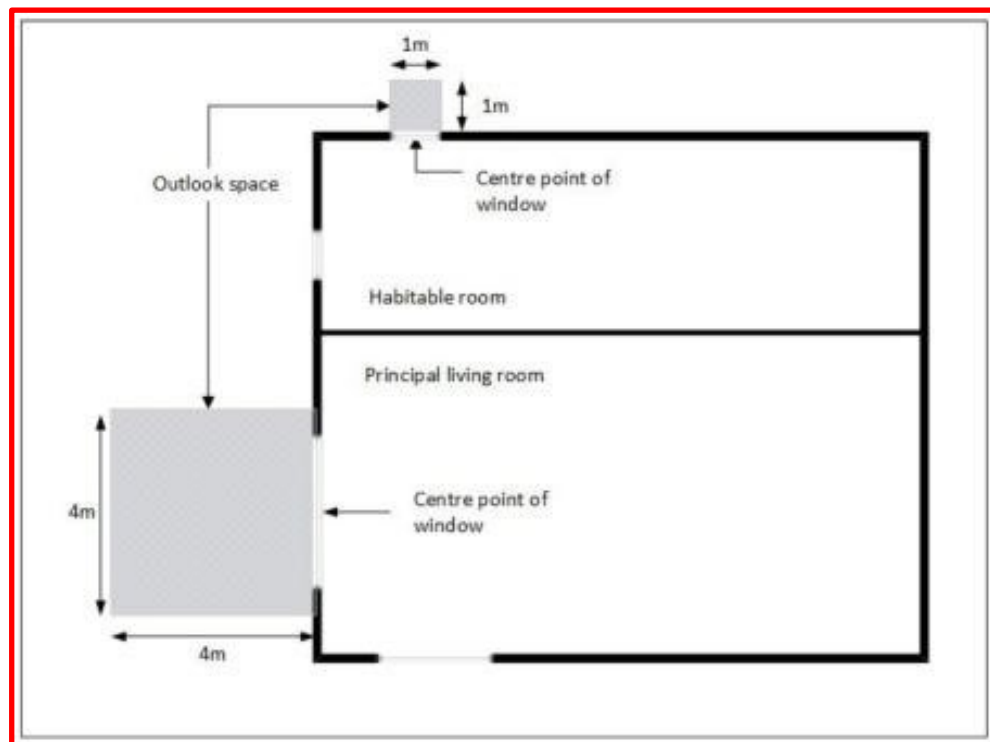
Public and limited notification is precluded for resource consent applications under Rule 4G 4.2.12(b).

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. Streetscape and visual amenity effects~~

~~(iii) Passive surveillance and safety.~~

~~(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 ~~and limited~~ 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 and limited 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.

<p><u>Discretion is restricted to:</u></p> <p>(i) <u>Amenity values</u> <u>The extent to which the proposal will affect adversely the amenity values of the surrounding residential area.</u></p> <p>(ii) <u>Noise</u> <u>The proposal should comply with the maximum noise levels specified in Chapter 14C Noise.</u></p>
<p><u>Links to:</u> <u>Policies 4G 5.1.1.1</u></p>

AMENDMENT 168 - Add new Rule 4G 5.1.2.2 Building Frontages
Rule 4G 5.1.2.2 Building Frontages

<p>(a) <u>Construction or alteration of a building for tertiary education purposes is a permitted activity if:</u></p> <p>(i) <u>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.</u></p> <p>(ii) <u>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.</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>Streetscape Effects</u> <u>The extent to which the proposal would adversely impact on the streetscape of the area.</u></p>
<p><u>Links to:</u> <u>Policies 4G 5.1.1.1</u></p>

AMENDMENT 169 - Add new Rule 4G 5.1.2.3 Corner Sites
Rule 4G 5.1.2.3 Corner Sites

<p>(a) <u>Construction or alteration of a building for tertiary education purposes is a permitted activity if:</u></p> <p>(i) <u>On any corner site, the main entrance to any building is to a primary street or at the corner.</u></p> <p><i><u>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.</u></i></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>Streetscape Effects</u></p>

<u>The extent to which the proposal would adversely impact on the streetscape of the area.</u>
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

<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>Links to: Policies 4G 5.1.1.1</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

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

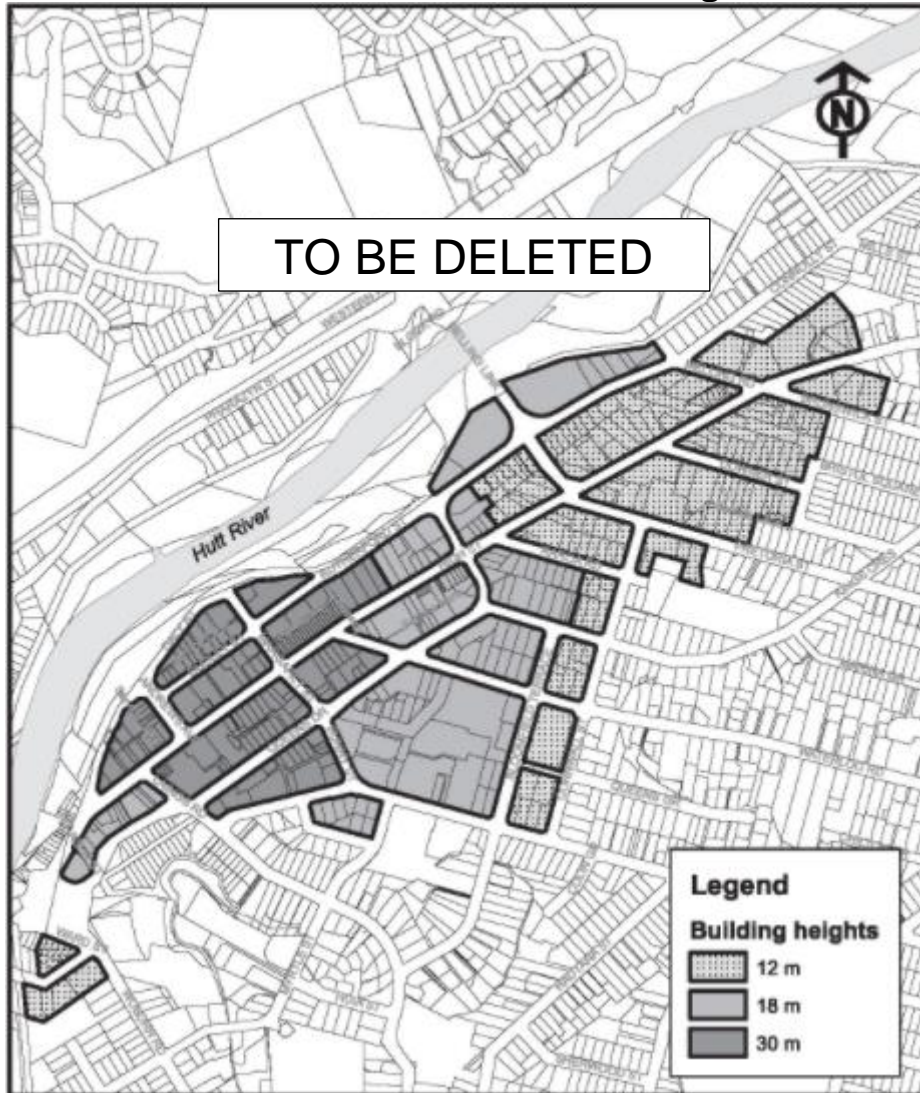
- (a) A Central Commercial Activity Area that is vibrant and economically viable that meets the needs of the community as the focal point for commercial, civic and community activities.
- (b) A sense of place and identity that reflects the different qualities and context of the Central Commercial Activity 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.

5A Appendices

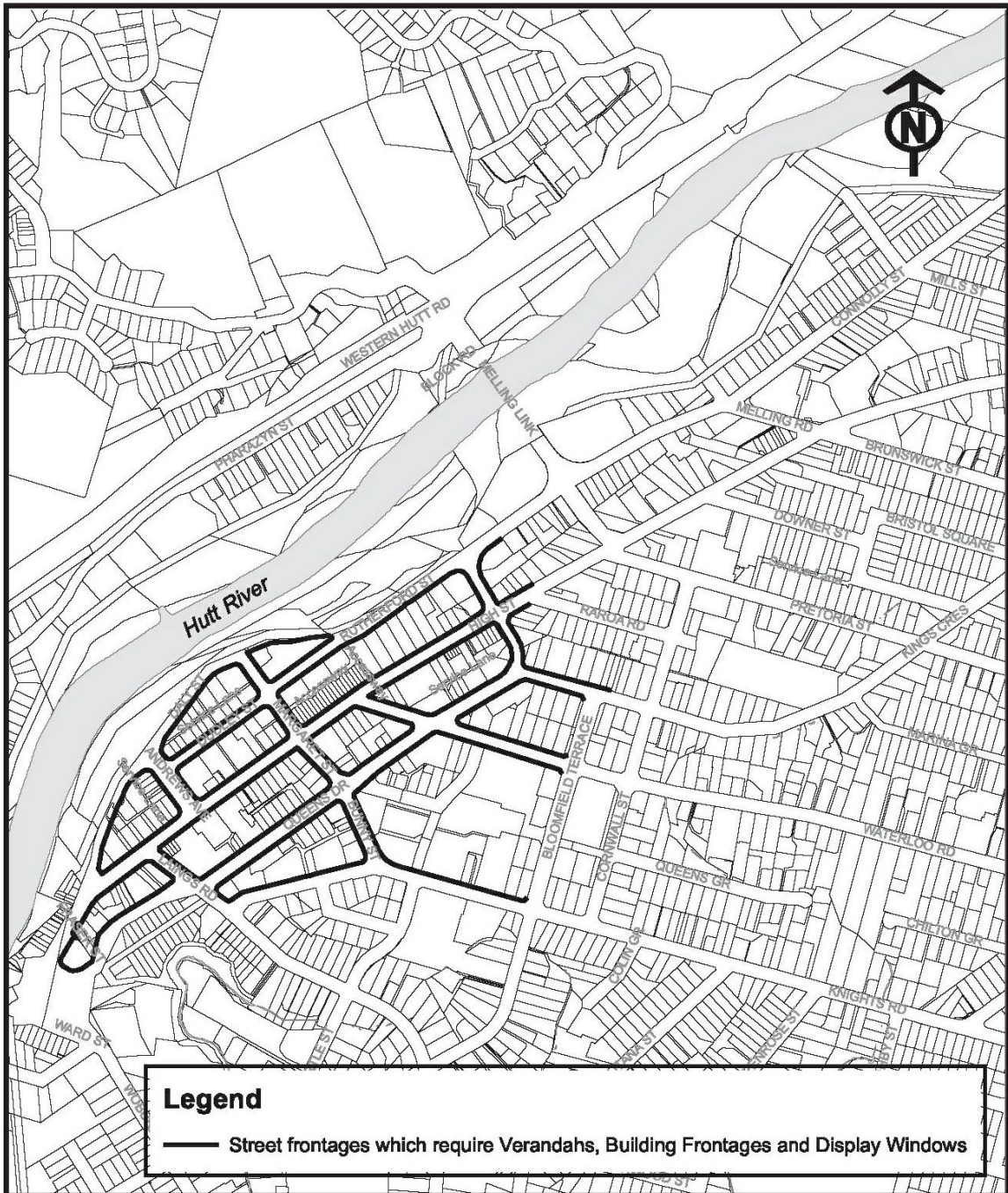
AMENDMENT 234 - Delete Appendix Central Commercial 1 Precincts ~~Appendix Central Commercial 1 Precincts~~



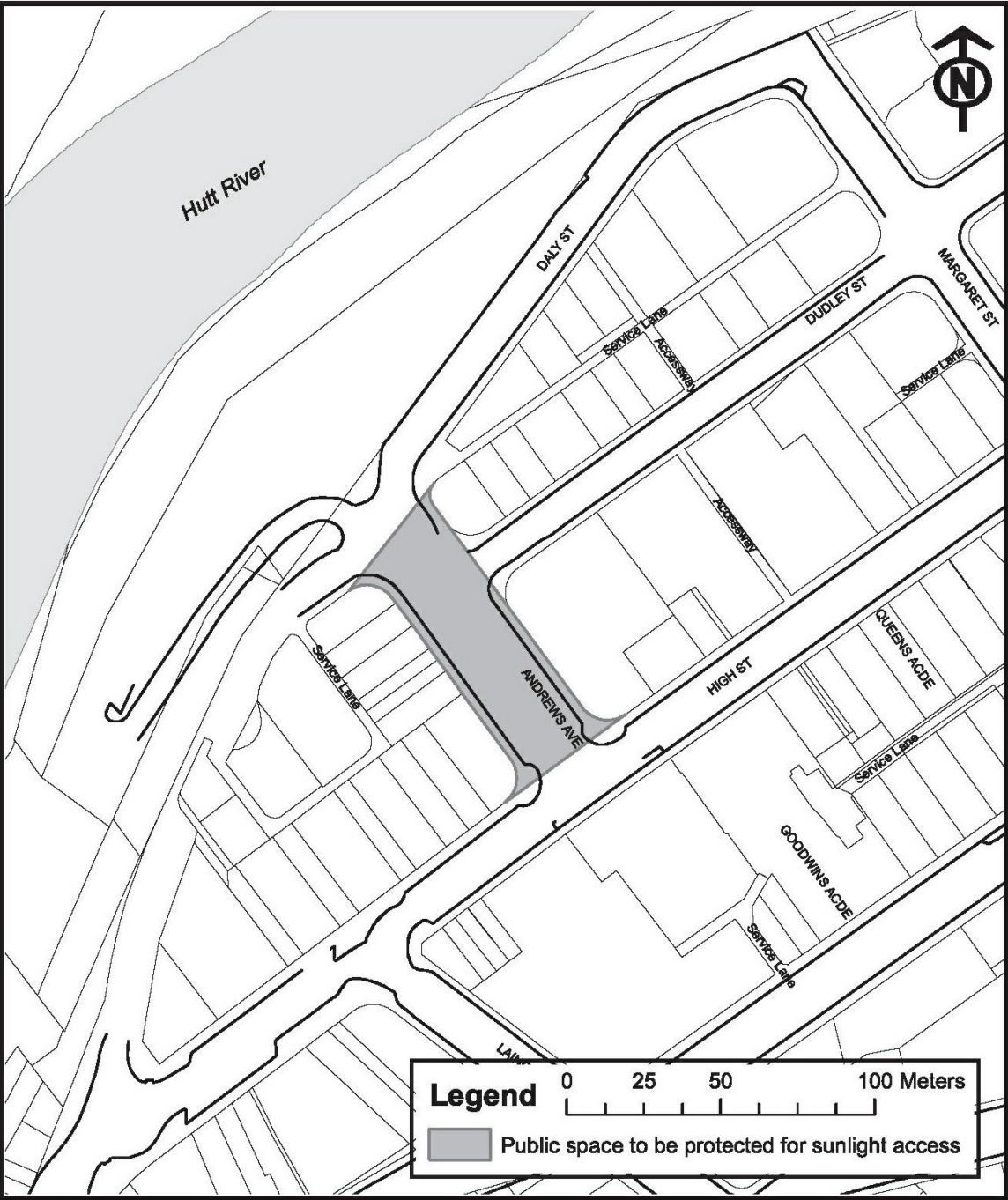
**AMENDMENT 235 - Delete Appendix Central Commercial 2 Maximum Height
~~Appendix Central Commercial 2 Maximum Height~~**



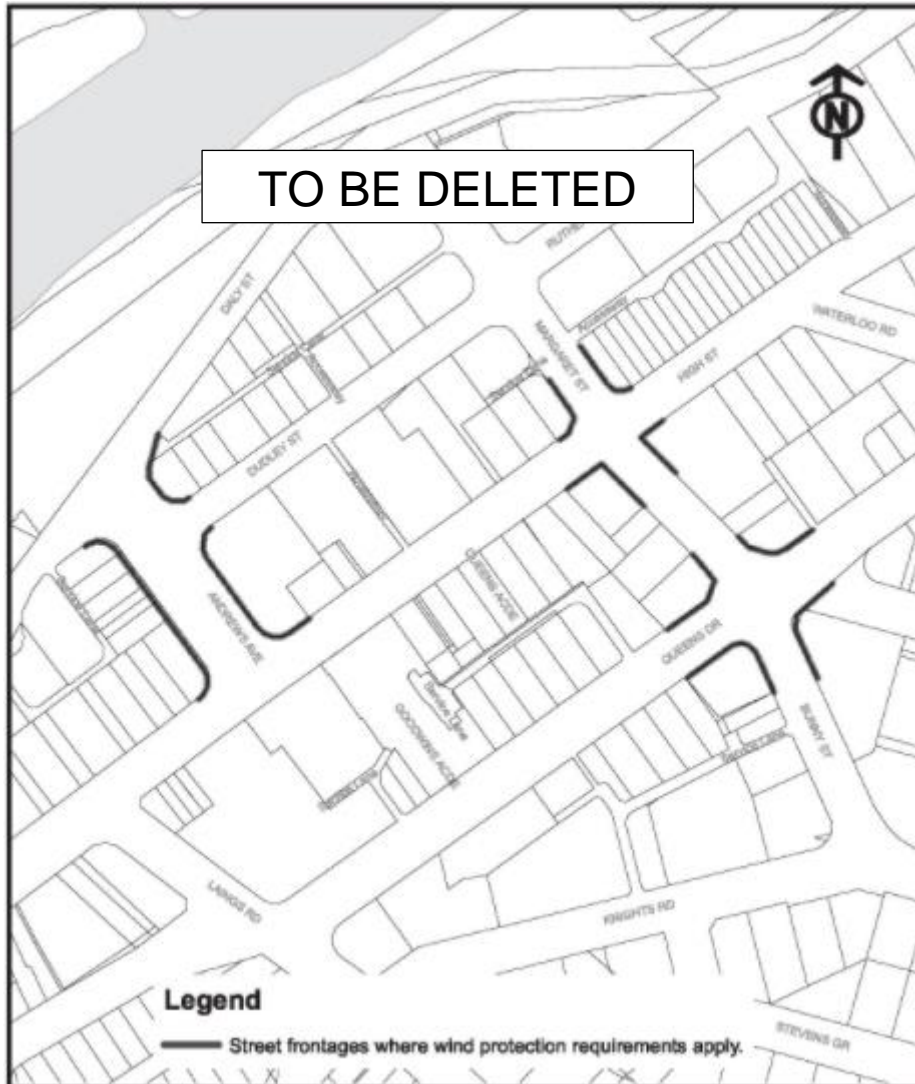
Appendix Central Commercial 3 - Verandahs, Building Frontages and Display Windows



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 $D_{nT,w} + C_{tr} > 30$ 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.

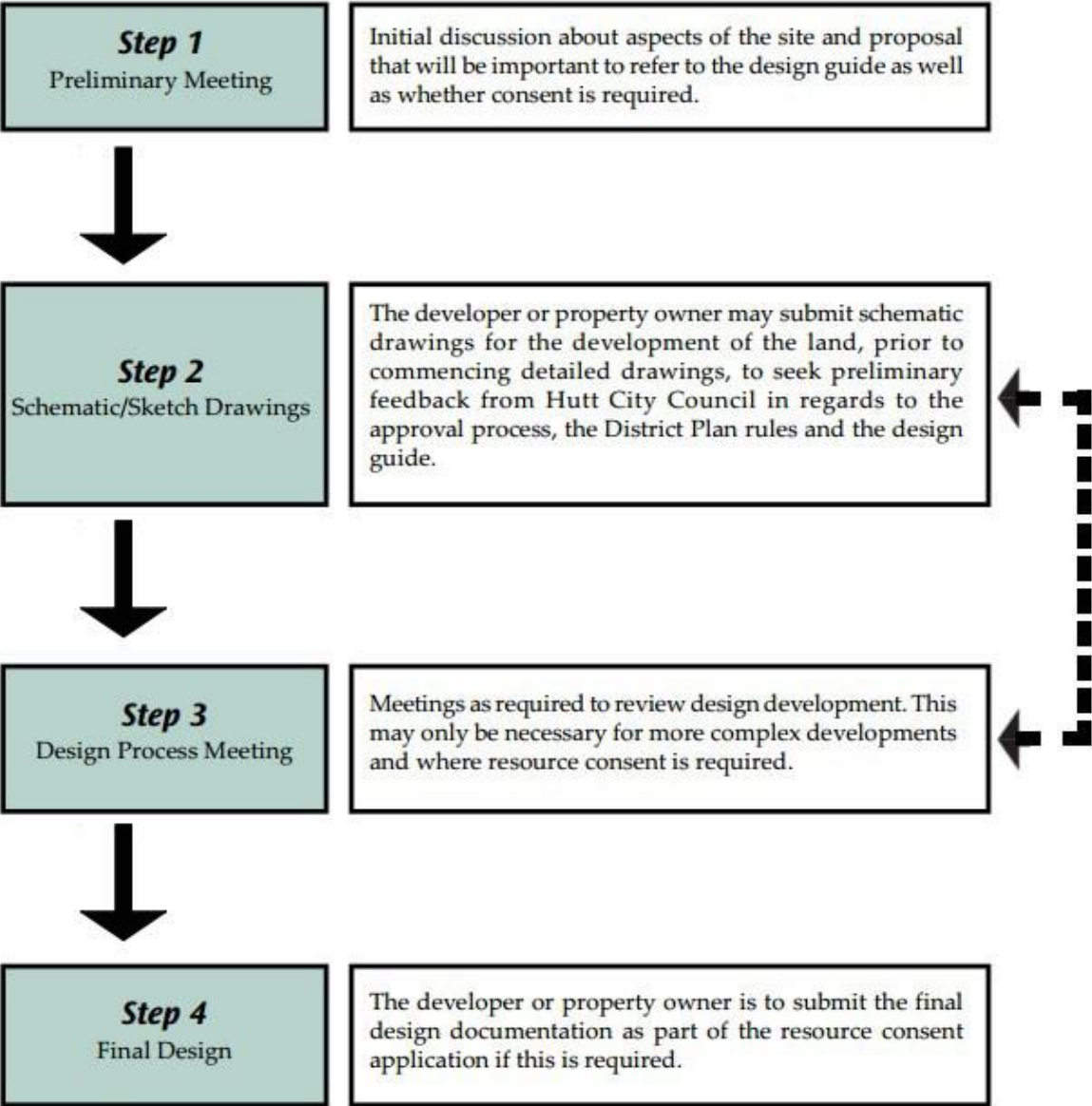
1.4 Approach to Working with Development Proponents

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.

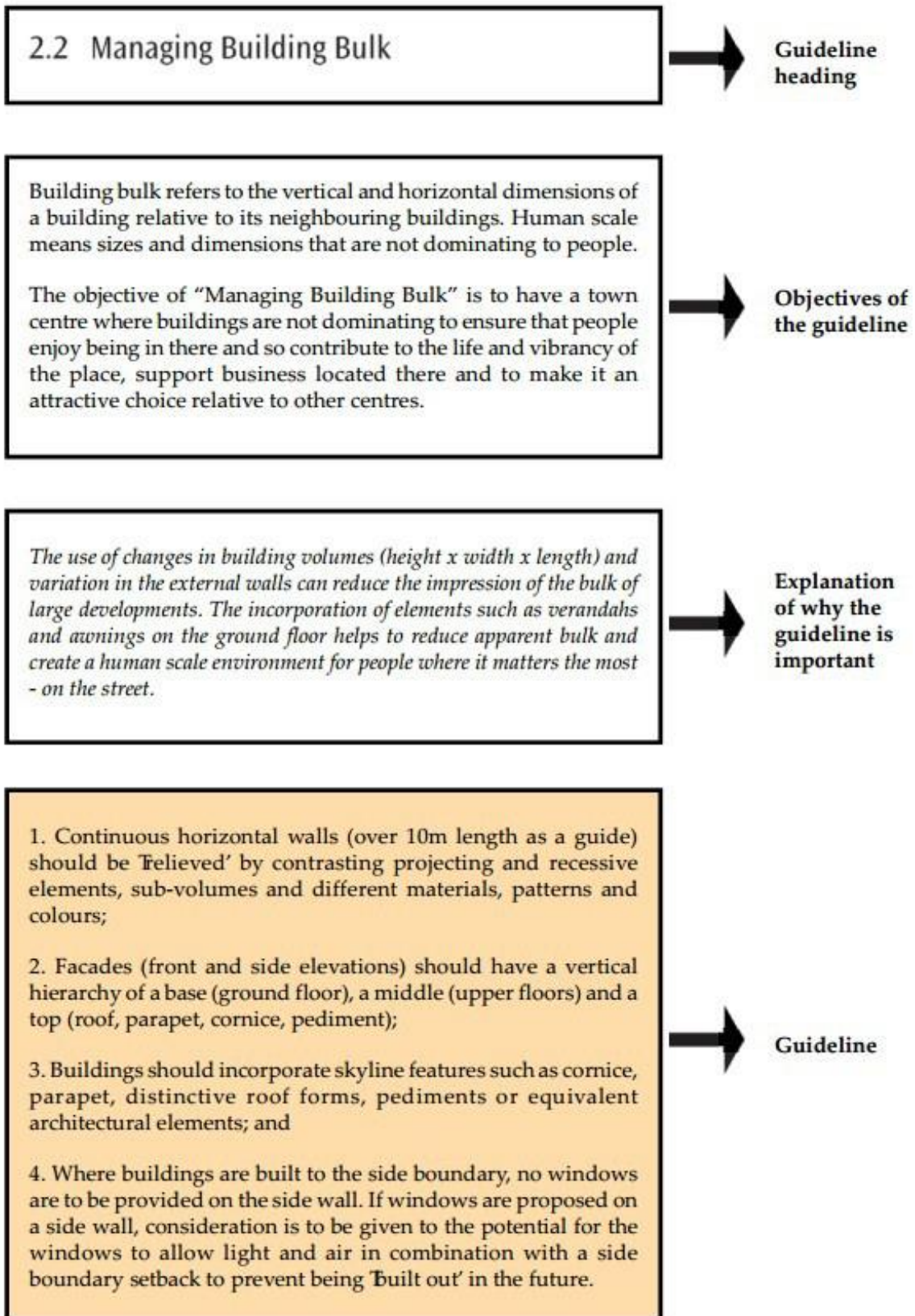
This will enable concepts to be discussed prior to commencing detailed design to enable early feedback from Council and the most appropriate outcome for all parties to be reached.

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.

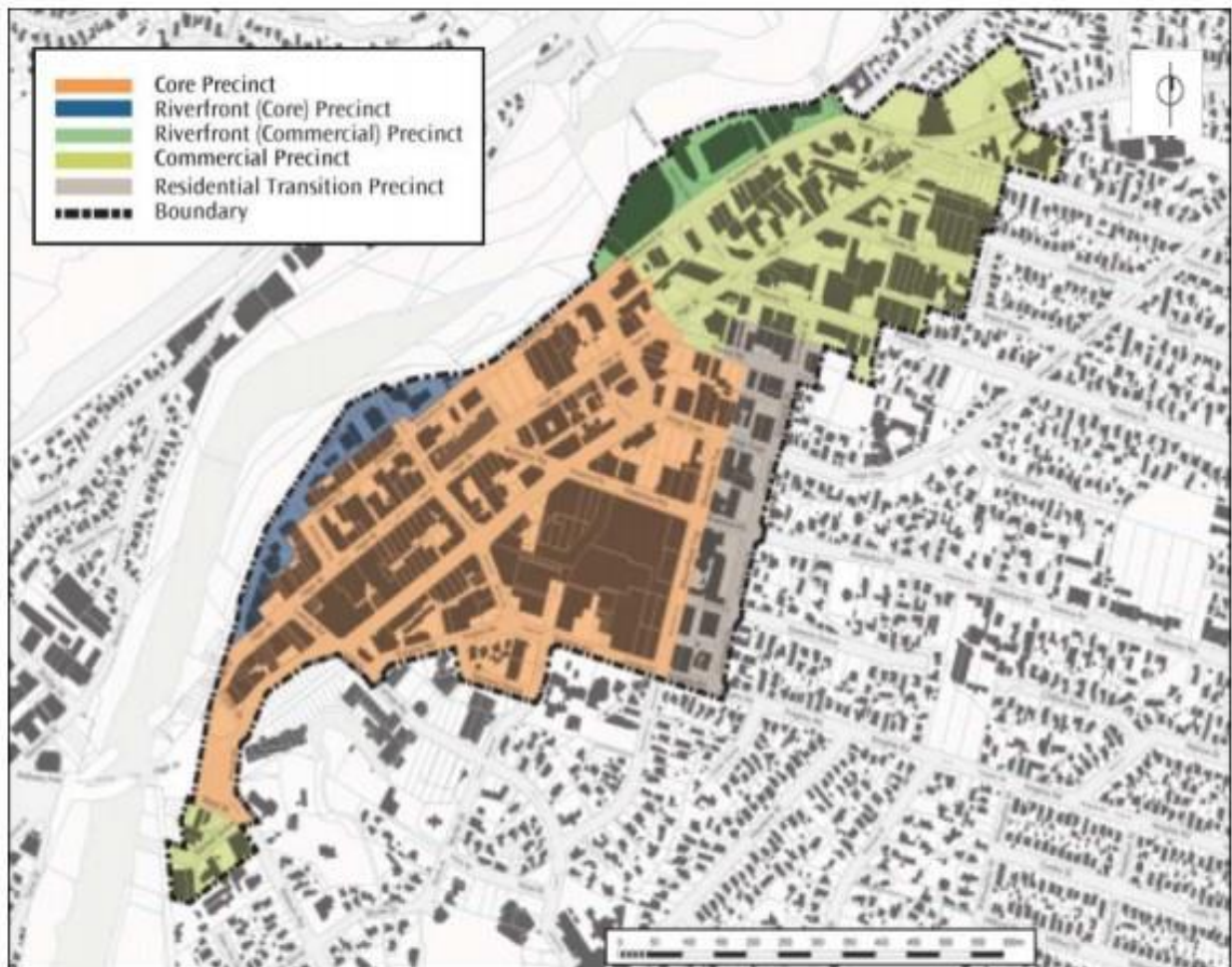
C. Commercial Precinct

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
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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 Any height
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; 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
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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:

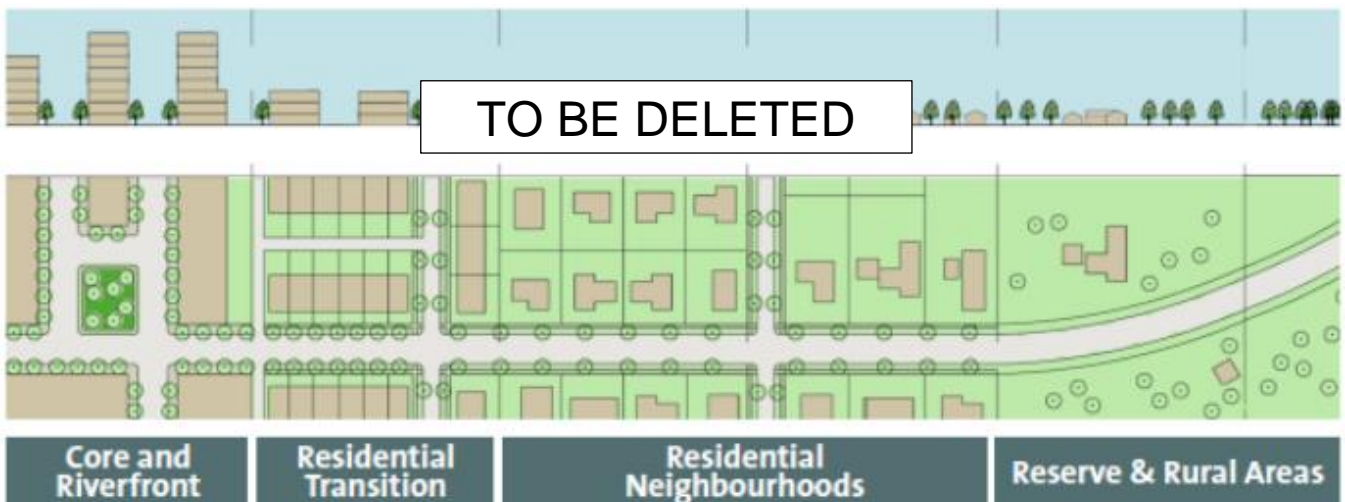
- Dominance from horizontal scale differences between the two types of uses ~~smaller~~ narrower residential buildings versus ~~larger~~ wider commercial structures;
- Traffic noise and safety in residential streets as well as over flow parking generated by the increase in commercial and retail activities;
- 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 mixeduse 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 high-density "residential character"

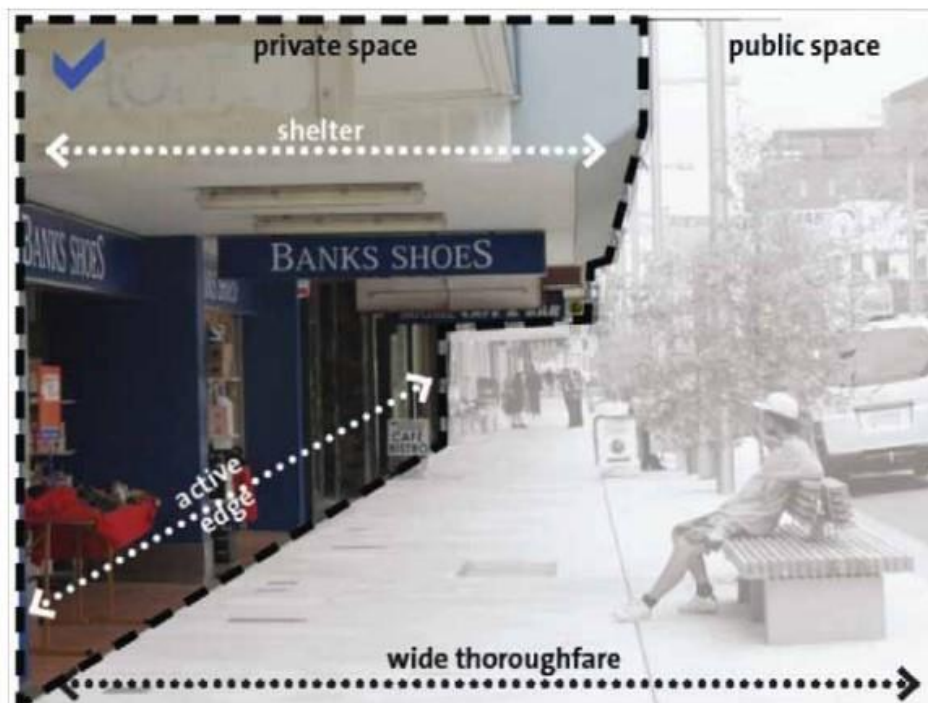
Part A Assessment Guidelines

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.*

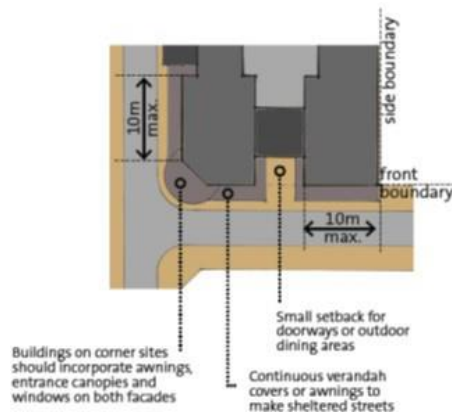
Long frontage modulated at intervals of less than 10m by change in uses (various shops and restaurants) materials, colours, good use



of sheltering elements, high percentage of transparent glazing and public/private lighting



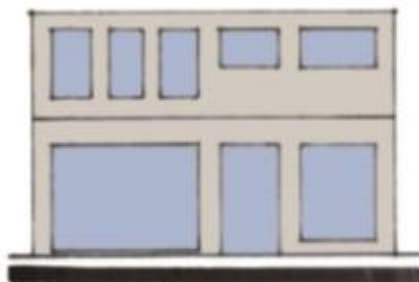
Shops and cafes fronting the street, transparent windows, active use of the sidewalk, residential above retail with balconies facing the public realm



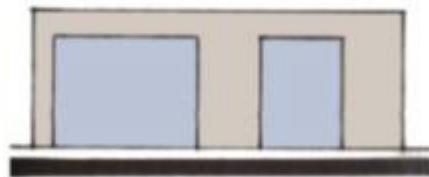
Building faces both primary and secondary street, provides shelter (balcony cover) and visual connection (large proportion of transparent windows on the ground floor with balcony and windows above)

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
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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.



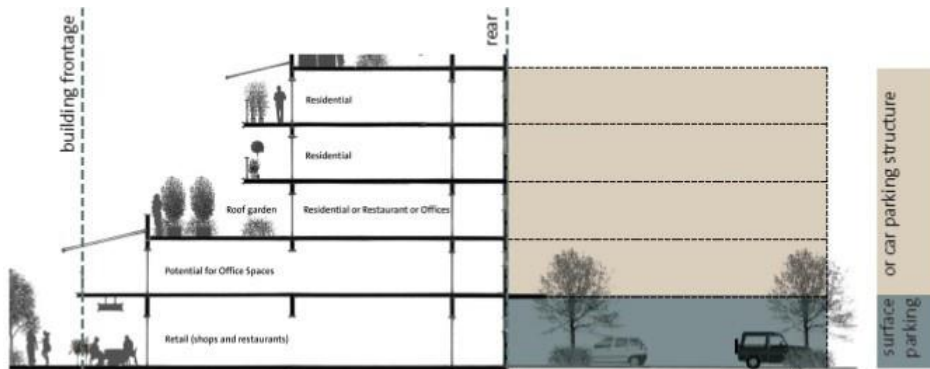
2.3 Providing for Car Parking

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



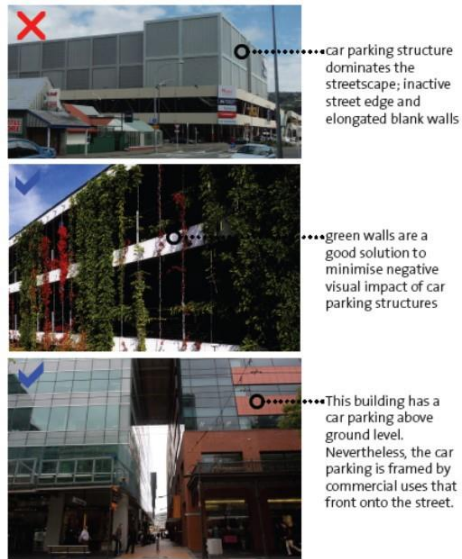
Large surface of car parking fronting the street; poor landscaping - not enough trees and shrubs

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.*

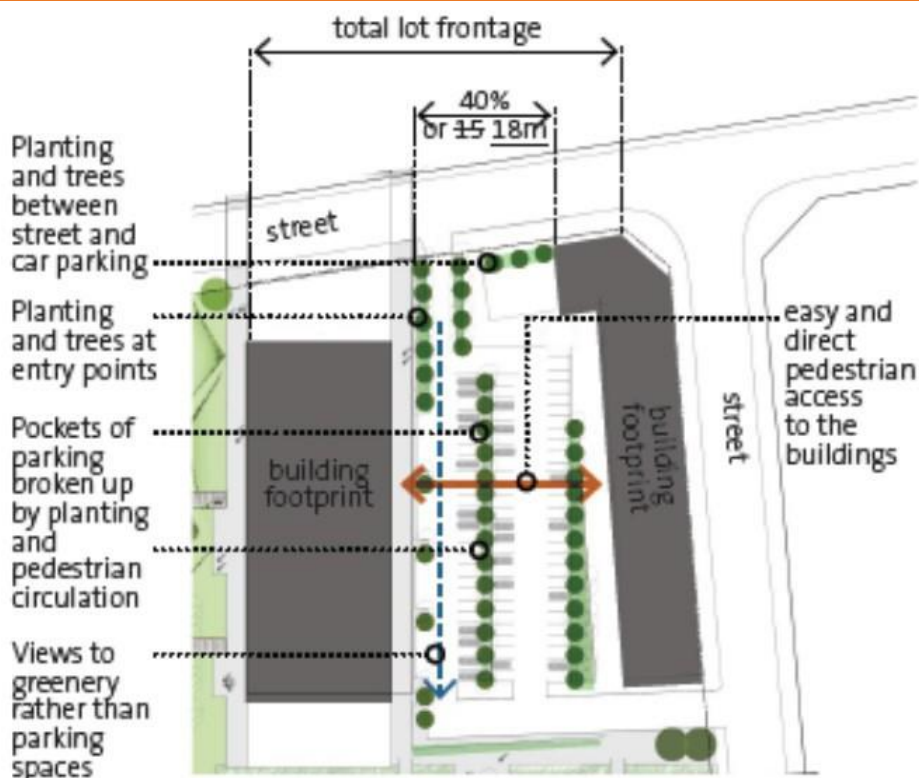


B. Locating on Site Car Parking within Structures

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.

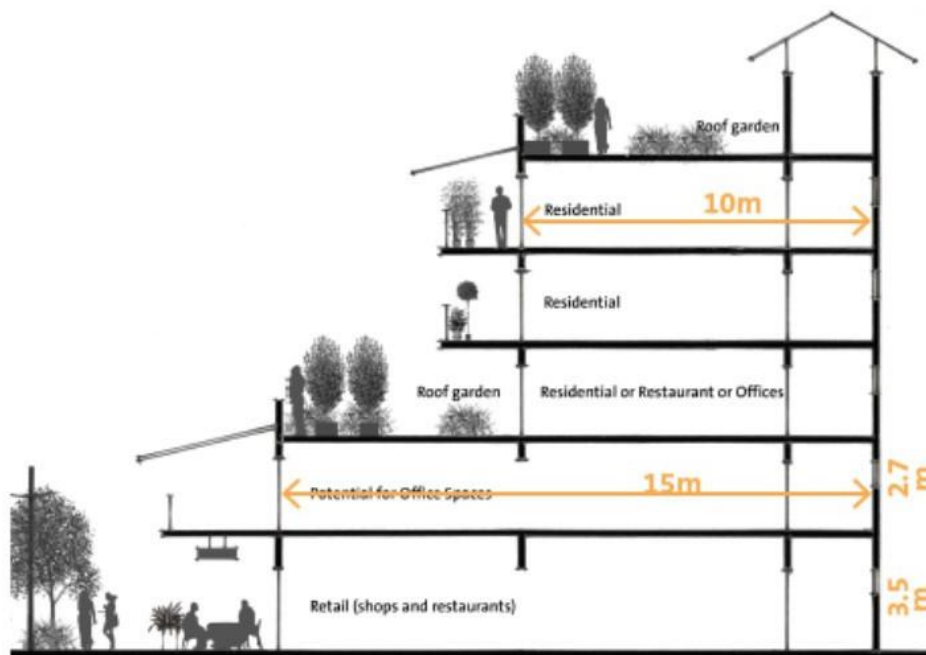
B. Design for Flexibility

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



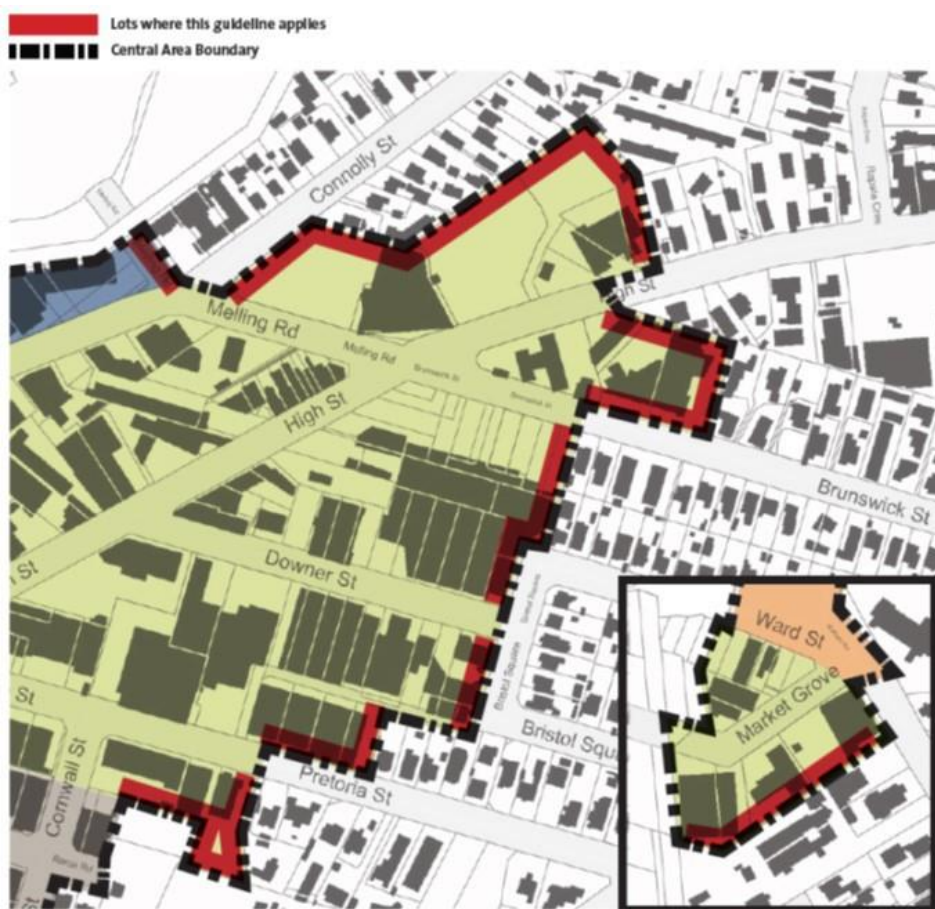
Commercial building that incorporates landscaped buffer and transparent windows facing the courtyard. Façade treatment at small intervals to minimise the bulky appearance



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

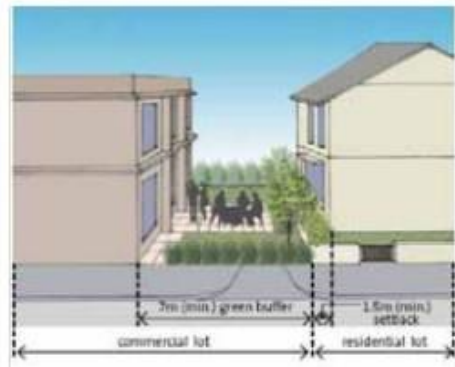
1. *Transition 1 only - Developments should provide a minimum of 4m wide pedestrian lane. In this case, commercial buildings should have a 3m side setback from the pedestrian lane;*
2. *Transition 2 only - Developments should provide a vegetated green buffer of no less than 7m;*
3. *All transitions - 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

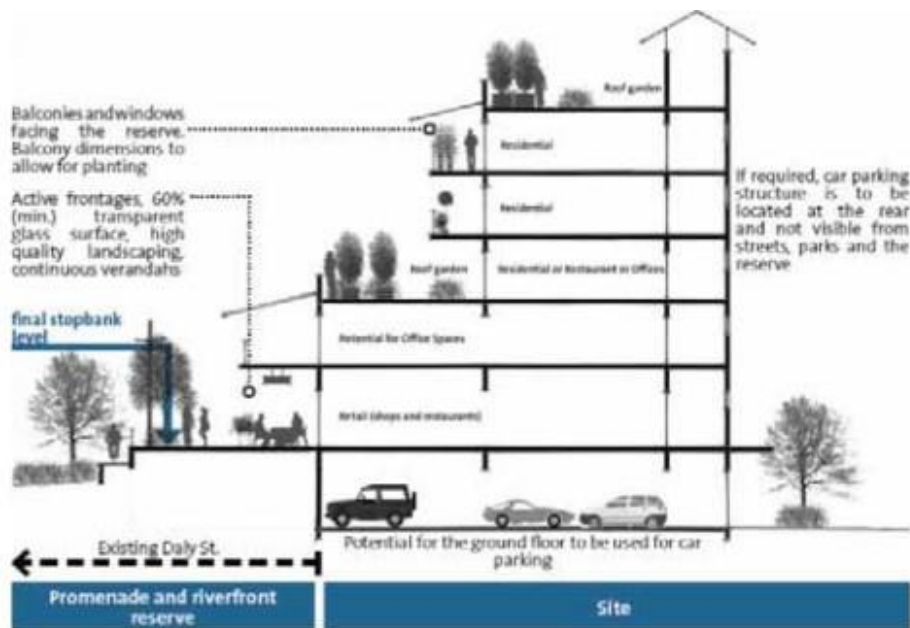


Transition 3 - Street Front Boundary Interface

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:

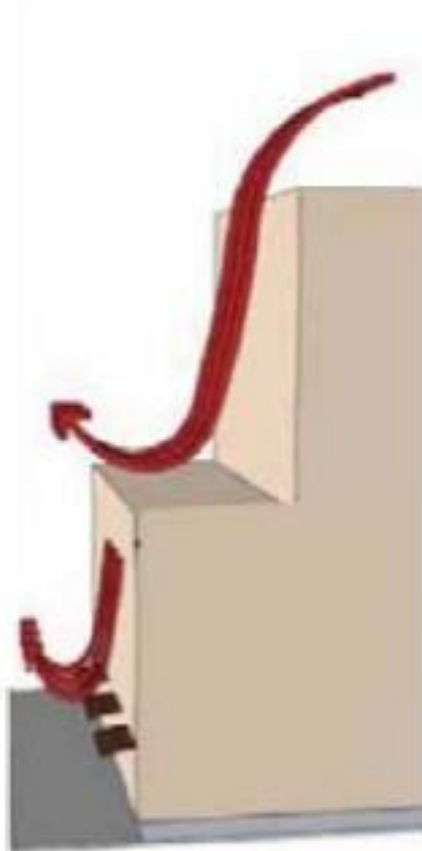
- *Streets that present significant variation of building heights (a taller building adjacent to a shorter one) can exacerbate adverse wind conditions;*
- *Taller buildings can create increased wind speeds down towards the ground level (downwash effect);*
- *Horizontally elongated plain façades (a building 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.

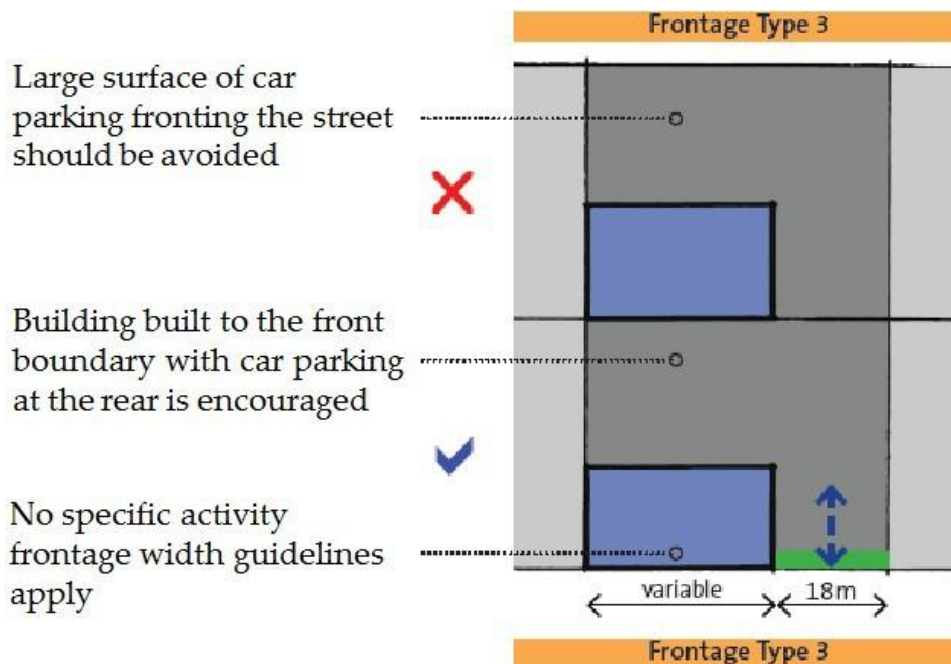
Assessment Guidelines

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.

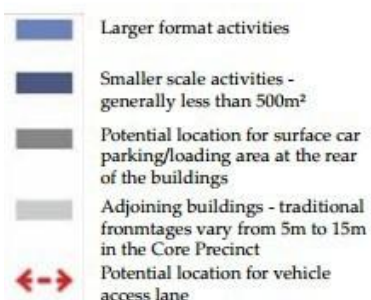
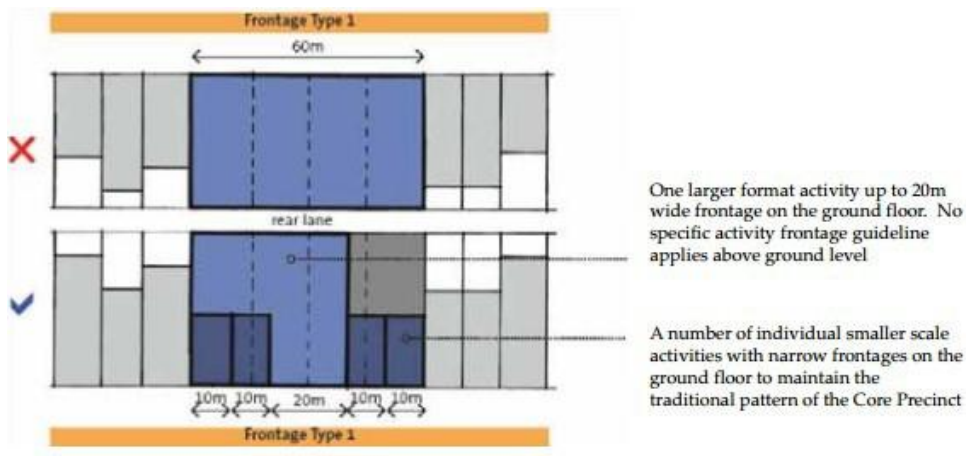
Given the role of large format retail activities in the Central Area, and their potential effects, appropriate design solutions should ensure they contribute to the quality and vitality sought in the Central Area.

The guidelines for large format and anchor type retail and malls are to be applied in conjunction with the other statutory guidelines.

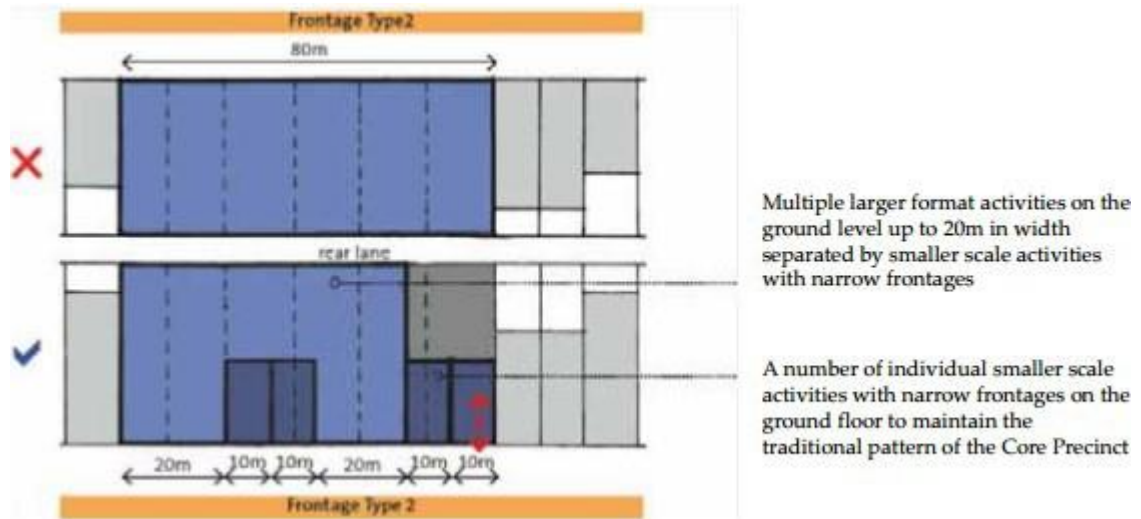
AMENDMENT 252 - Amend Central Commercial Design Guide – Section 2.12 Large Format and Anchor Type Retail and Malls

Assessment Guidelines

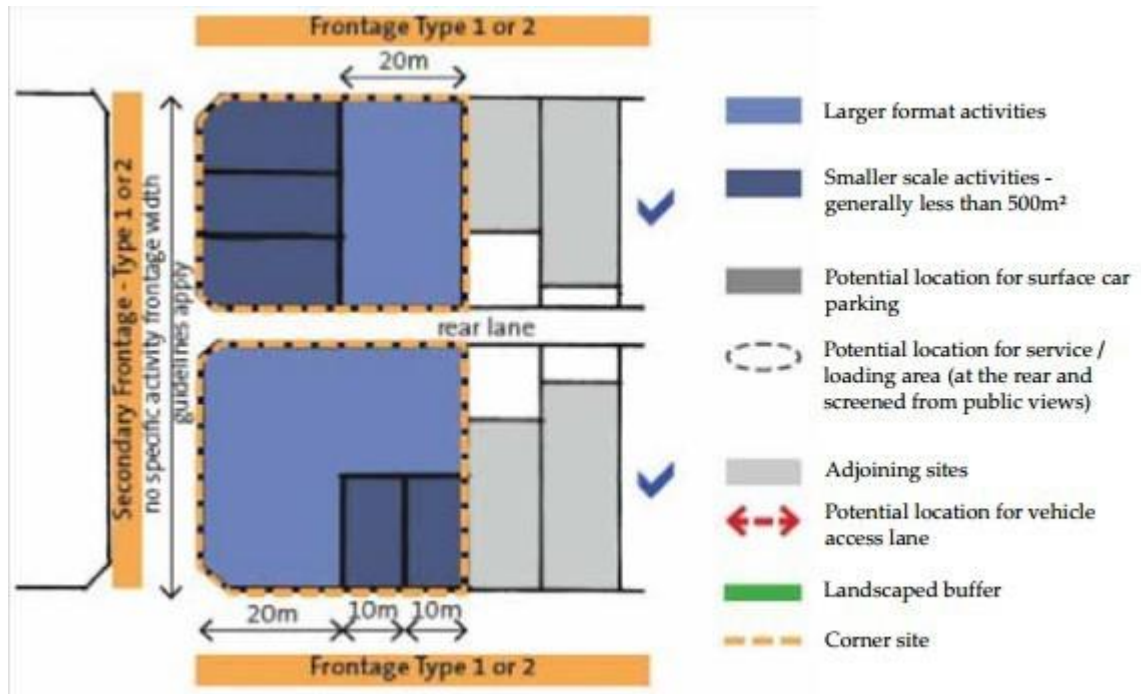
1. The composition of activities along frontages should recognise the type of frontage shown in guideline 2.1 (i.e. Frontage Type 1, Type 2 and Type 3). For Frontage Type 1, activities on the ground level should be a number of individual smaller scale activities with narrow frontages (each activity up 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).



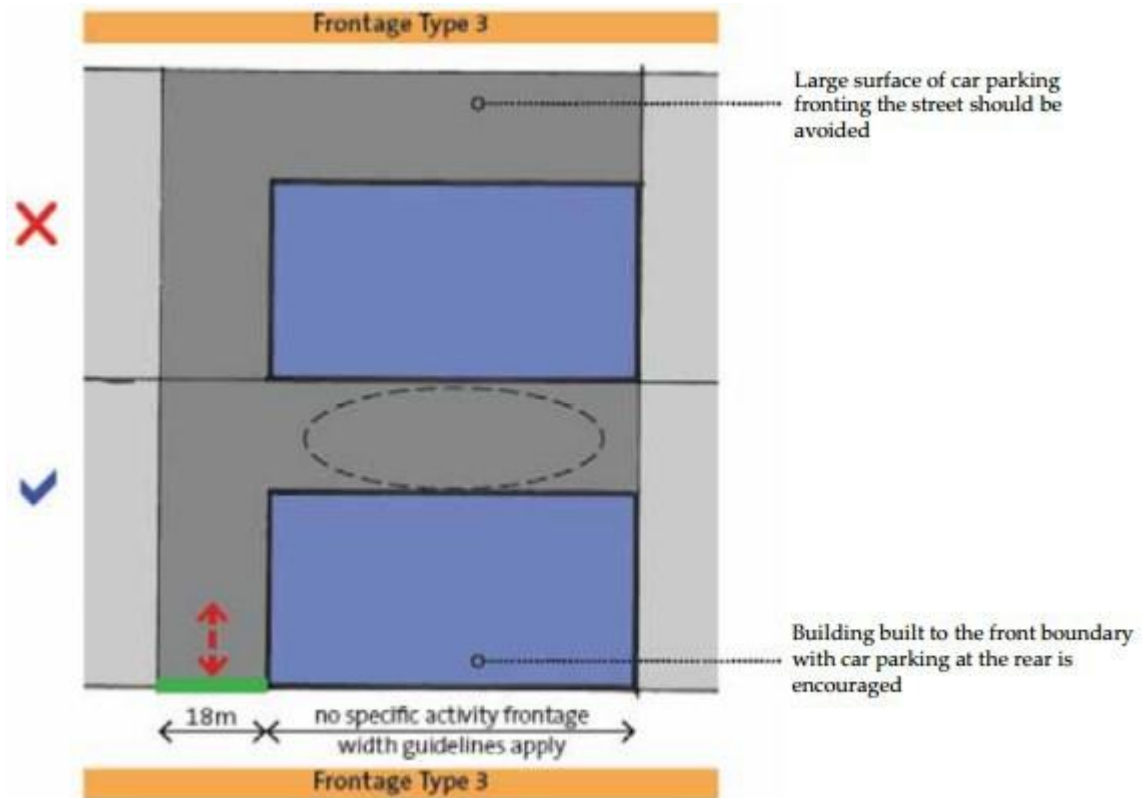
Example of large format activity on corner sites fronting "street frontage type 1 (indicative only)



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



Proposal for Countdown Newtown - Wellington

Part B Encouraged Guidelines

3. Amenity

3.1 Gaining Solar Access

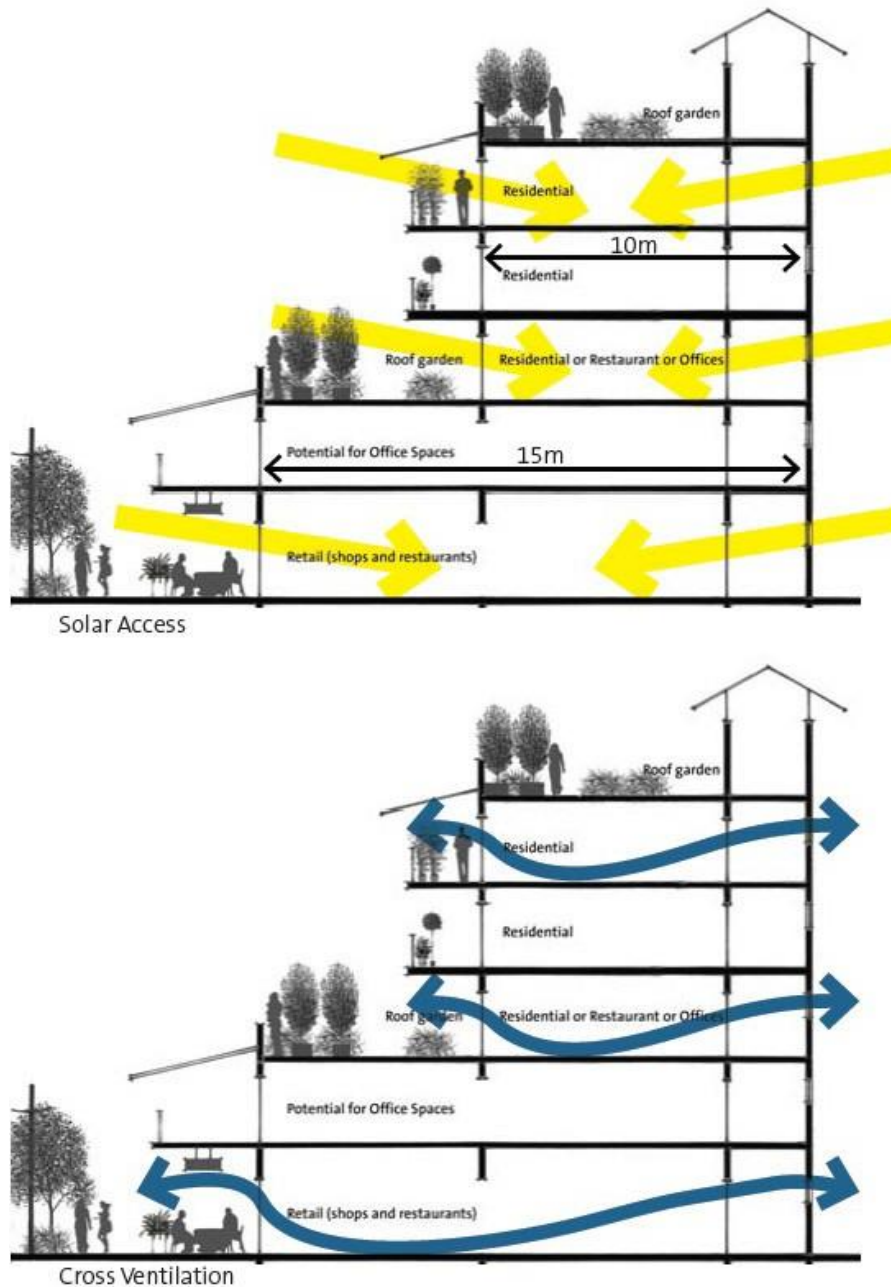
Designing for solar access means providing for the sun to penetrate a building, a lot or an open space to gain solar heat in winter and control solar radiation in summer.

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.

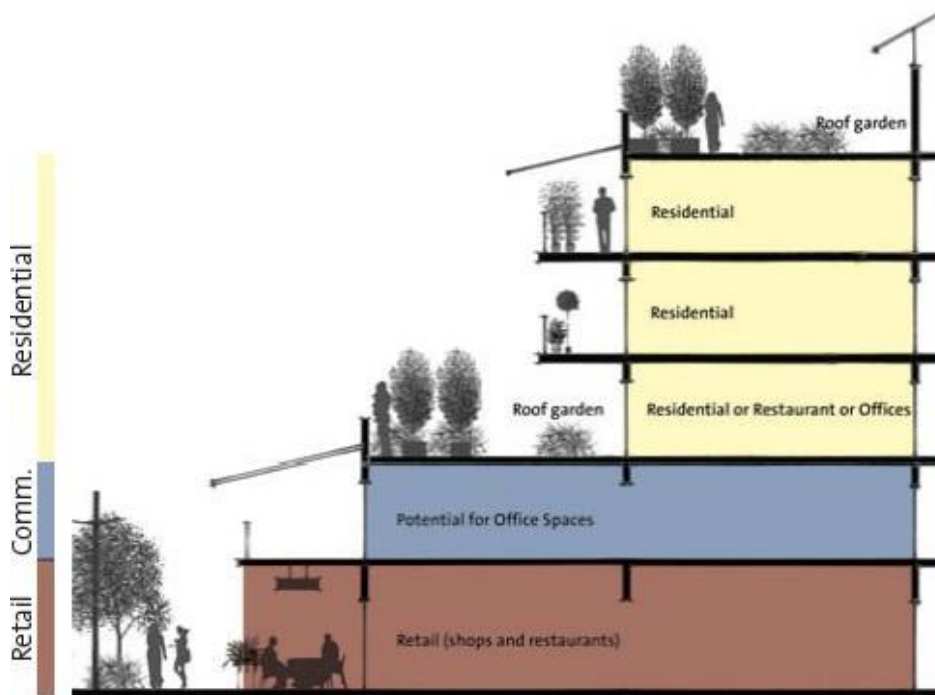
Similarly, noise attenuation becomes an important matter to be addressed once residential units are designed attached to each other to ensure good levels of privacy.

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

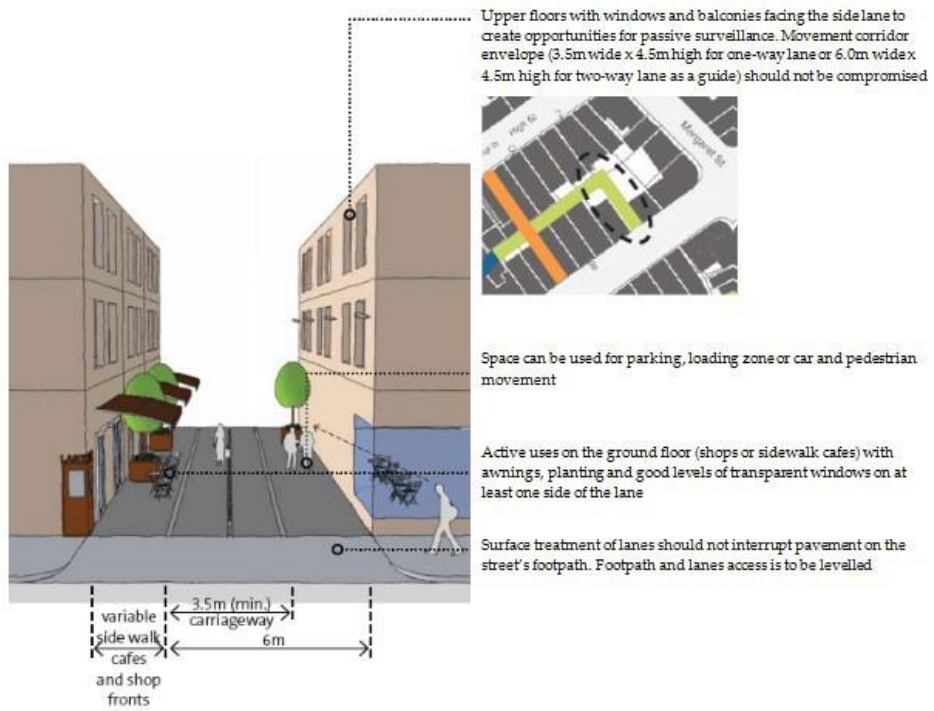


Side lane in mixed use development - designed for shared use, high quality of paving materials, windows and balconies facing onto

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



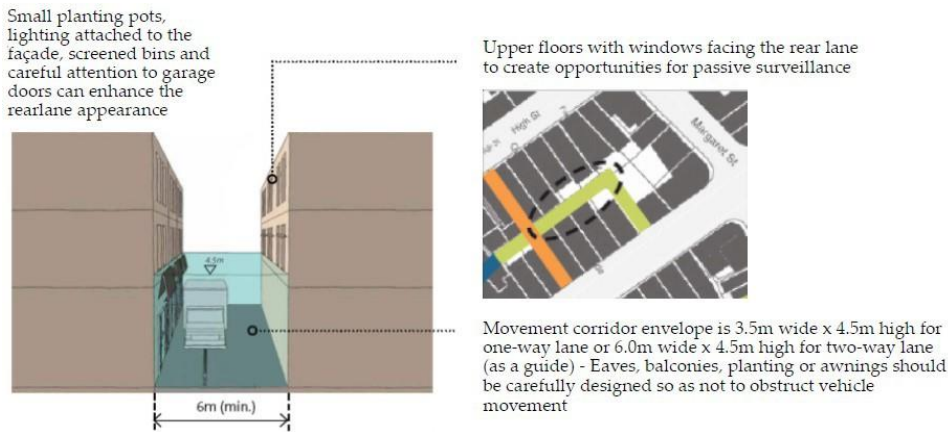
Side lane concept for the Central Area (the side of a building) Low-speed spaces with shared uses between pedestrians, cyclists and vehicles



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



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



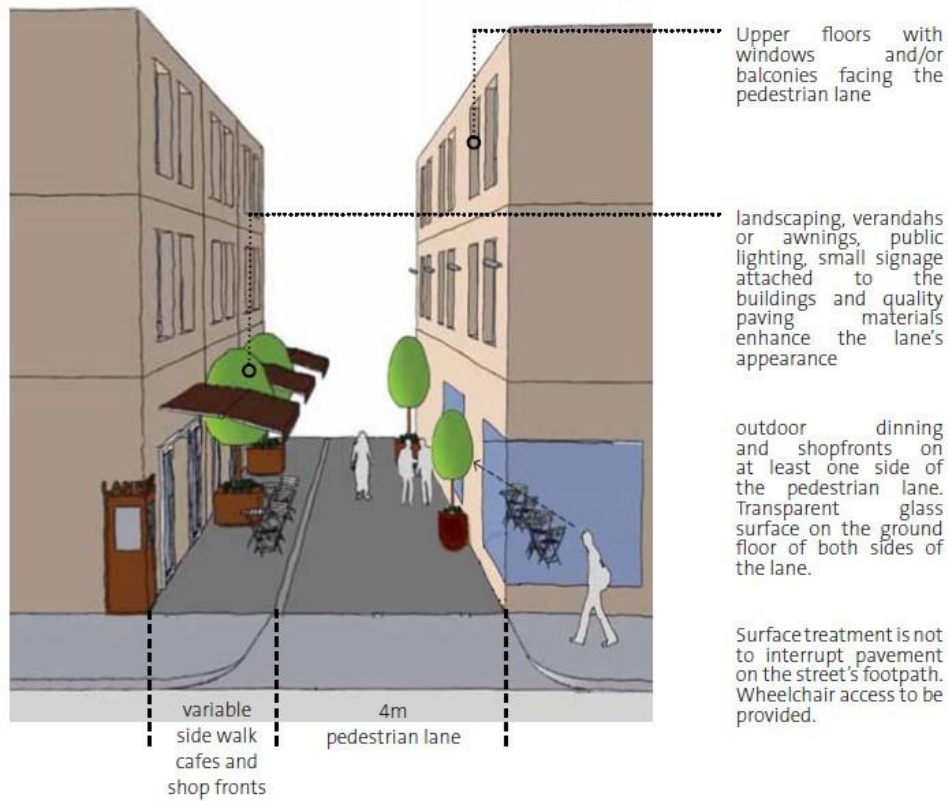
Pedestrian lane gives the impression to be an unsafe environment. Inactive frontages, low levels of transparency, poor attention to details such as signage, landscaping and lighting



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.

[$^1DnT_{w} + C_{tr} > 30 \text{ dB}$ 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 car parks 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, tsunami and liquefaction, and measures 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).
- (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?

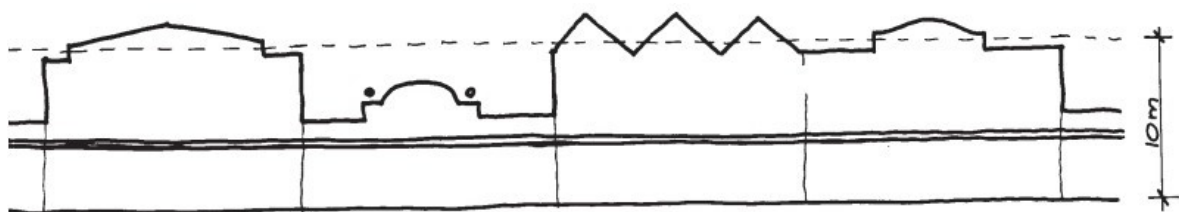


Make it part of the street!

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

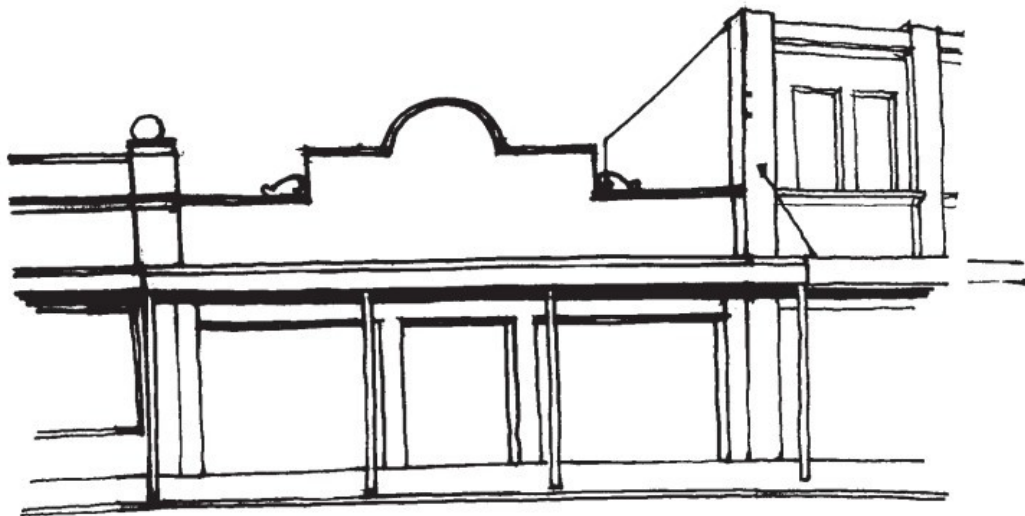


Generally consistent facade height

5. For buildings within Area 1 outside the Jackson Street Heritage Precinct, may be up to six storeys building heights of up to 22 metres are acceptable, but should be designed to mitigate visual dominance maintain the compatibility of cornice lines, floor to floor heights, and the street frontage and other façade elements where these are strongly expressed in adjacent buildings, 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



Single storey designed to abut adjacent two storey building

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

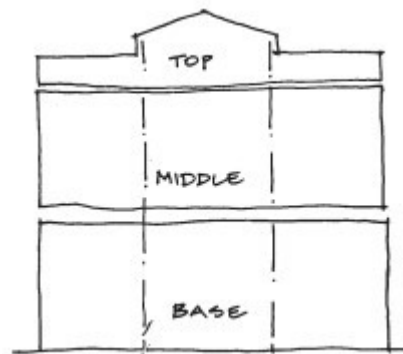


Figure 6



3.2 Design Performance Standards

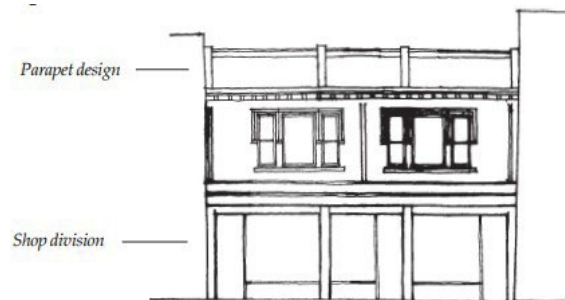
The design performance standards for assessing building modulation are:

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

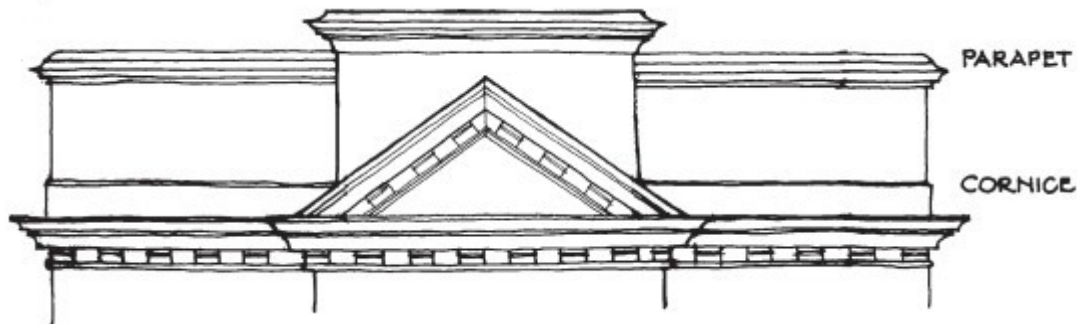
Due to the varied heights of buildings and their definite parapet patterns along the street the silhouette is varied and interesting. It provides a vitality to the streetscape above the verandah which is very visible to the pedestrian at street level. Many of the buildings have lost much of the embellishment 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.

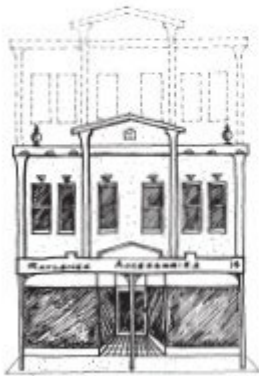
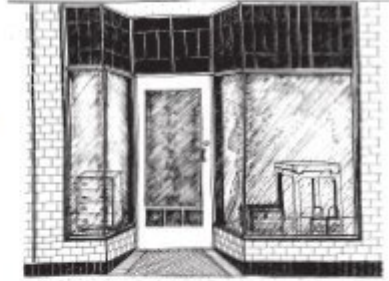
The position of the doorways within the bays of shops can be emphasised by a reflecting pattern on the verandah fascia, by a corresponding placement of verandah posts.

The use of glazing bars within shop fronts are an important historical detail. They give an

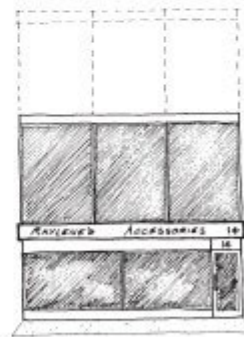
intimate feel, consistent with the size of the shop behind, and introduce an opportunity for tile and leadlight decoration.

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

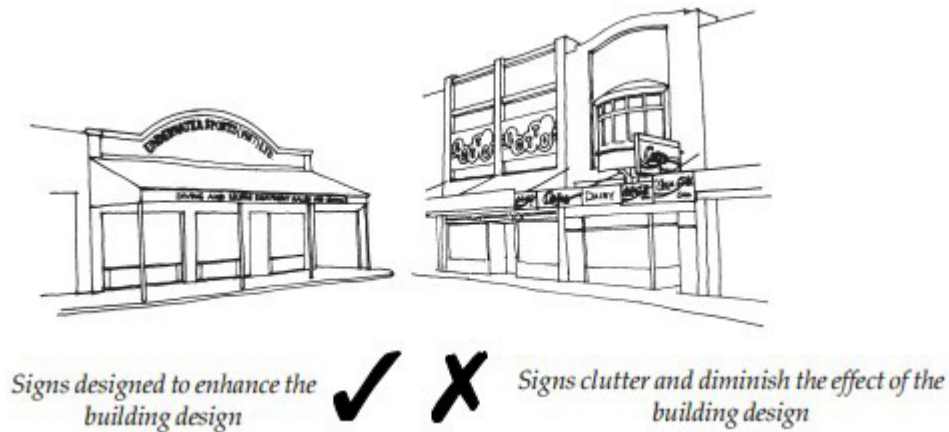
Advertising signs can have a dramatic effect on the whole appearance of a building facade, and character of the street as a whole. This effect can be positive or detrimental to the streetscape and quality of the environment.

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



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.

Appendix Petone Commercial 2

Petone Mixed Use Activity Area Design Guide

AMENDMENT 285 - Amend Appendix Petone Commercial 2 - Petone Mixed Use Activity Area Design Guide

1. Introduction

1.1 Objectives of the Design Guide

The Petone Mixed Use Activity Area Design Guide provides the basis for the design assessment of new development in this area. The purpose of the guide is to both: (a) assist the achievement of the strategic objectives for the area as set out in the Petone Vision Statement; and (b) assist the area to transition from its current physical condition to a mixed-use environment that reflects good urban planning and design practice.

A key objective of the Design Guide is to improve the quality and appearance of the Petone West area.

Buildings, structures and associated outdoor areas should be functional, attractive and contribute to the quality of the environment.

The Design Guide is to be used by:

- Hutt City Council (HCC) to evaluate development proposals as part of the resource consent process; and
- Property owners, developers, builders, architects, designers and planners who are considering investment, designing developments, and preparing consent applications.

Design guides are a tool commonly used throughout New Zealand in circumstances where Councils are seeking to improve urban environmental quality.

The Design Guide applies principles of good urban design. The NZ Urban Design Protocol, to which Hutt City Council is a signatory, is a reference.

The implementation of the Design Guide will be undertaken by the HCC. However, its success will rely on landowners, developers and their consultants sharing the common vision for Petone's future and working with HCC through the design guide to help achieve it together.

1.2 How the Design Guide Relates to the District Plan

Under the District Plan rules, all new buildings within the Petone Mixed Use Activity Area will require resource consent from HCC. Small scale alterations and additions are exempt from the rules, in recognition that their influence on the quality of the environment will generally be less significant. Aside from small scale alterations and additions, new building developments are to be assessed against the Design Guide.

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. Corresponding objectives and policies within the District Plan which relate to the guidelines and the design objectives are cross referenced.

The Design Guide offers some flexibility to allow innovation and alternative design solutions that meet the design objectives set out in this document. Inconsistency of development proposals with the Design Guide objectives can be a basis for the HCC to decline resource consent.

Despite this, the Design Guide is just that – a guide. In using the Guide to evaluate applications, HCC will adopt a flexible approach rather than an absolute one.

The illustrations in the Design Guide are indicative only and are intended to further explain the design objectives. They should not be seen as requiring specific design responses. Innovative and creative design solutions that help achieve the intended future character of the area are encouraged.

AMENDMENT 289 - Amend section 1.3 of Appendix Petone Commercial 2

1.3 How the Design Guide Relates to Petone Vision

The Design Guide has been prepared taking into consideration the elements contained in the Petone Vision to 2027. The vision presents four elements that will guide the future of Petone (including Petone West) as follows:

- Element 1: A distinguishing feature of Petone is it being a unique heritage place.
- Element 2: Growth in Petone will be managed in an economically and environmentally sustainable manner
- Element 3: We recognise that Petone has to be a real place for our people.
- Element 4: Petone needs an attractive and vibrant village culture at its heart.

It is important to recognise that Petone West has different characteristics and qualities from other parts of Petone. Variation between different parts of Petone is acceptable and the Design Guide does not require the replication of design styles found in other parts of Petone.

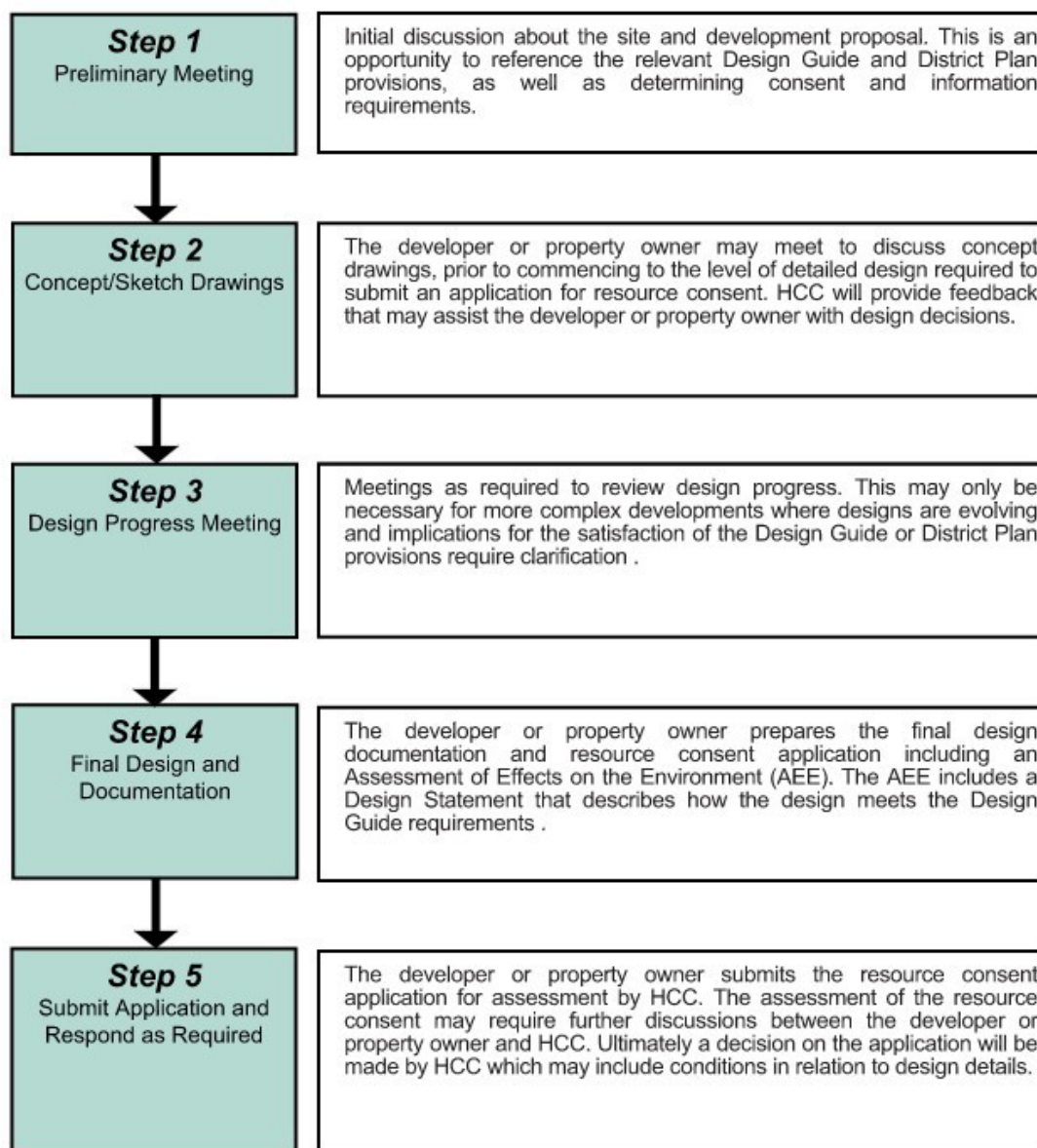
The Design Guide acknowledges that Petone West contains features of poor quality and aims to improve the character and quality of the area. Streets and sites with specific character or historical features, such as the ~~urupa~~ Te Puni Urupā and Jackson Street, are protected from development which would detract from these values.

1.4 Approach to Working with Development Proponents

The Hutt City Council encourages landowners, developers, architects, landscape architects,

planners and any other parties involved in the development of Petone West to work together throughout the development planning process.

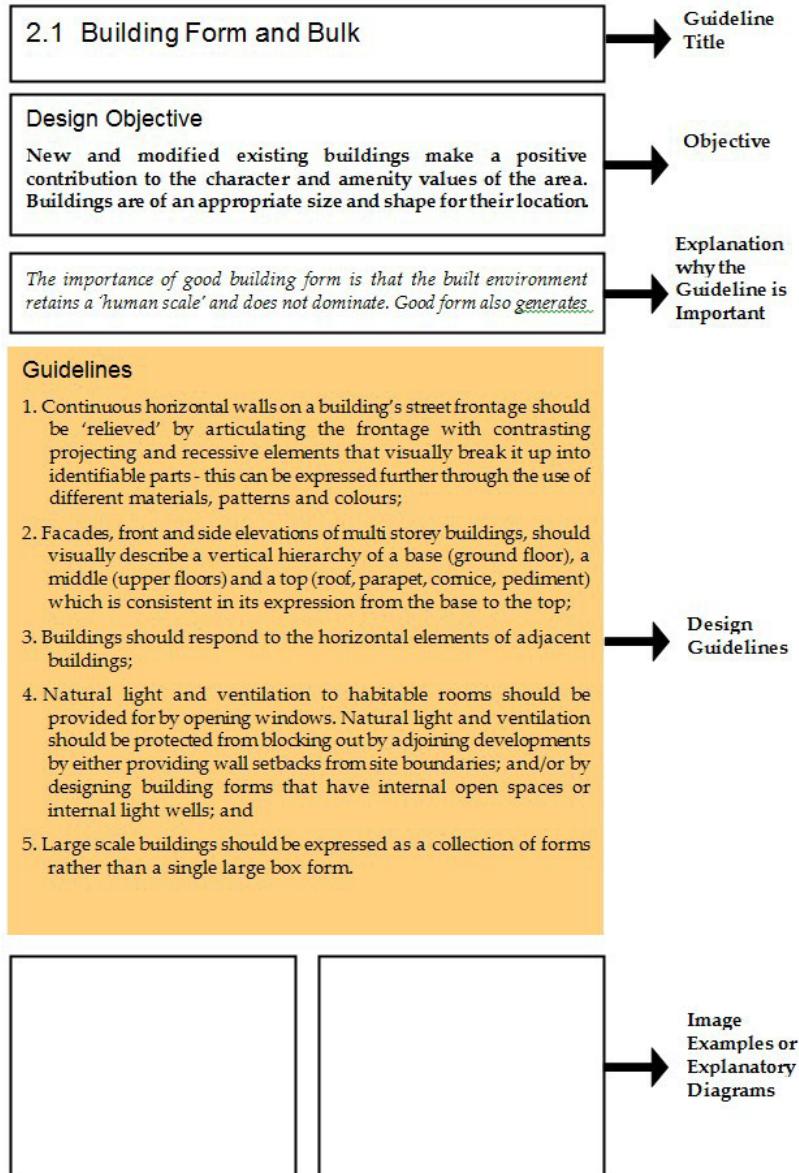
An important part of the process is early collaboration before development proposals are committed to. This enables concepts to be discussed prior to commencing detailed design. A diagram of the desired process is described below. The need for all these steps will depend on



the scale of the development proposal. Although this process is optional, it is intended to facilitate an efficient design and consenting process.

1.5 How to Use the Design Guide

Each section of the Design Guide is generally structured such that the content includes the elements (title, design objective, references to District Plan objectives/policies, guidelines, images) set out in the example below:



1.6 Design Guide Area

The Design Guide applies to any new development (except where the development is a permitted activity and does not require consent) located within the District Plan Zone “Petone Mixed Use Activity Area” as shown on the map below. The area is also described at times as



“Petone West” in the Design Guide to reference its geographic location in the wider Petone context.

1.7 Character and Context Description

The existing physical condition of the Petone Mixed Use Activity Area has been influenced over time by its land uses, including industrial, service and retail activities. As this area transforms into a mixed use environment with a different range of activities, the character will progressively change. To assist in understanding the future character planned for the Petone Mixed Use Activity Area, the descriptions below compare and contrast the existing and future character proposed.

Existing Character and Context

The character of the west end of Petone derives from its history of use and occupation over time. Physical remnants of Maori settlement still exist (urupa and archaeological sites). The whole area and its relationship to the context of hills and harbour remain significant to tangata whenua and many of the people living and working in Petone. As an early settlement of the NZ Company, a formal, regularised street pattern was developed and is still reflected in the grid of streets along the foreshore and across Petone.

Much of the subject area was industrialised (meat works, timber mills) in the later 1800's and land was amalgamated into larger blocks, many of which remain. A range of smaller servicing and trade-based activities associated with the larger industrial activities established in close proximity on nearby streets. The housing of workers occurred throughout Petone and the Hutt Valley, with the older housing stock, adjacent to the east of the Petone Mixed Use Activity



Area now popular with people seeking the benefits of the coastal location and amenities of Jackson Street.

Gear meat works, in the middle distance in this view from the early 20th century. In the foreground the Hutt Road doglegs and is crossed by the railway line. Beside the line are the railway workshops (left), beyond the hotel. Workers' houses surround the industries.

ATL Albert Percy Godber Collection (PA-Group-00048) APG-0614-1/2-G



Aerial view of Petone looking west. Shows Petone Wharf on the left. Photograph taken circa 1930s. The grid street pattern is evident.
ATL 1/2-116645-F

Petone as a whole has a legacy of older Victorian era architecture, and in the central part of Jackson Street (outside of the Petone Mixed Use Activity Area) many of the original buildings remain. This central part of Jackson Street has become a boutique retail and café location and forms the Jackson Street Historic Retail Precinct. The portion of Jackson Street within the Petone Mixed Use Activity Area is currently dominated by a mix of larger format retail buildings and service industries. These are typically utilitarian structures, which make a modest contribution to the streetscape and do not warrant protection.

The railway line went through to the Wairarapa via Petone in 1874, and the Petone Railway Station sits adjacent to the Petone Mixed Use Activity Area providing good public transport connectivity into Wellington City and the wider region. The motorway runs parallel to the rail line. This transport corridor separates the Petone Mixed Use Activity Area from the area further west at the foot of the Korokoro hills. By the late 1980's, most of the larger industrial uses closed down and were being replaced by offices and retail. Today the uses are a mix of older warehouses, distribution, service industries, trade supplies, large format retail (including supermarkets), food related industries and manufacturing.

The built form in the Petone Mixed Use Activity Area generally comprises lower height buildings (1–2 storeys) with a few exceptions being some taller (up to 8 storeys) buildings on The Esplanade and one on Jackson Street. Some of the light industrial and retail buildings in the area have large footprints. In the eastern part of the area the sites are relatively small and regularly shaped. The buildings on these smaller sites have a relatively uniform built form, being 1-2 storeys in height, with a setback of 5-8 metres from the front road boundary with on-site parking in front, and immediately abutting neighbouring buildings. Vehicle entrances, on-site parking and loading areas dominate streetscapes with limited pedestrian activity. In the block between Sydney and Nelson Streets these light industrial sites abut residential uses.

On the larger sites in the central and western parts of the subject area, most buildings are 1-2 storeys in height reflecting their large format retail and warehouse type uses. These larger sites also have wide expanses of on-site parking and service areas, with buildings typically free-standing within each site. The large sites are serviced from relatively few streets and some informal routes across these larger sites are used by pedestrians and vehicles as a short cut given the limited connectedness available within the transportation network.

The main street network is busy, with high vehicle volumes along The Esplanade and Hutt Road which are on the southern and western boundary of the subject area respectively. Jackson Street is also busy with a combination of stopping and shopping traffic mixed with connecting through traffic. Internally within the Petone Mixed Use Activity Area private car/vehicular

movements are the predominant mode of transport, along with a high proportion of heavy traffic



associated with the industrial uses. There are limited non-vehicular movements (pedestrian and cycling) on the street network.

The Esplanade's amenity is influenced by the traffic volumes, but it has a beach front and an attractive coastal outlook. Buildings variously adjoin or are set back from the street edge. Most have no direct ground floor relationship with the street edge.



The sites in the blocks between Victoria and Sydney Streets are relatively small (average 450m²), and many of the buildings are set back from narrow streets. Frontages are typically utilised for car parking and activities associated with the service/commercial uses.

These streets extend between The Esplanade and Jackson Street so are well located to shops and other services.



West of Victoria Street, Jackson Street has an open character with little street edge definition due to car based open parking areas. Some buildings have a direct frontage to the street.



In the area north of Jackson Street the activities are similar in nature to those in the Victoria to Sydney Street blocks. The buildings vary more in height and type and there is a greater mix of setbacks and buildings built to the street edge. The street pattern is less regular than the Victoria to Sydney Street blocks.



Between Victoria and Cuba Streets, Jackson Street is a more defined 'mainstreet' space due to the continuous typically 2 storey buildings along its edge. This area is not in Petone West, but is contiguous with it. The heritage values and streetscape character of this section of Jackson Street are important to Petone's identity, vibrancy and its attractiveness.



On Te Puni Street the urupa (burial ground) remains in use and is the only discrete green open space in the Petone West area. The visual connection from the urupa to the harbour and the Korokoro hills is important to iwi. Existing buildings encircle the urupa except where it is open to the street.

Future Character and Context

The desired future for the Petone Mixed Use Activity Area is that over time it transitions to become a place to live as well as to work. To successfully encourage people to live in the Petone Mixed Use Activity Area, new development will need to be of good quality and attractive. All development in the area will need to collectively contribute to the overall quality of the environment in order for the transition to be effective.

It is anticipated that improvements in the quality of development will allow for the intensification of existing and new activities on underutilised sites. This will lead to higher levels of use and increased vitality in the area. Increases in intensity of use and vibrancy will also be encouraged by promoting additional pedestrian and road connections within and across large sites.

At the same time, the historical values of streets and sites with specific character or historical features, such as the urupa and Jackson Street should be protected through sensitive adjacent development. It is important that Jackson Street's character and qualities are protected to the east, and extended west picking up on building modulation and articulation, and the use of display windows and verandahs.

Taking into account the European and Maori history of the area and the presence of a culturally significant site (Te Puni Urupa), any new development in Petone West (particularly in the vicinity of the urupa) should consider the potential for other sites of cultural or archaeological

significance (including burial sites) to be present below ground.

Development along the Esplanade should take advantage of the waterfront outlook available, while appropriately responding to the traffic and weather conditions of this location. Some of the existing buildings on smaller sites to the east of Victoria Street, may be suitable for conversion to alternative uses, such as residential apartments or townhouses.

It is desirable that development in Petone West provides for employment as well as residential activities. Additional building floor area can further diversify the employment base from service, industrial and retail activities to more office employment. There is also potential to create smaller scale workshops and business studios. It is also desirable to retain business service activities that contribute to the range of local services available and provide part of the working character of the area.

The design guide aims for more open space, less hard surfaces and more vegetation. It will be important for planting that the design is well considered in terms of the number and height of plants, quality and appearance of plantings and species composition being suitable for the location and intended maintenance regime. The intended result will be more landscaping and planting, a lower proportion of impervious surfaces and better management of stormwater.

There is a need for more connections, such as public streets or private accessways within the larger street blocks, to provide more richness and diversity of development. These new connections would encourage a higher level of non-vehicular movement (pedestrians and cyclists) within the area. There is also potential for greater use of public transport given the proximity of the Petone Railway Station and Petone Wharf, in addition to existing bus-stops and



bus routes. Improving the quality of the walking experience within Petone West will be important to encourage its transition to a mixed use environment that is desirable to live and work in.

The comprehensive development of larger blocks of land in Petone West can achieve medium density development for residential and commercial office uses with open space combined. This will require existing uses and buildings to be replaced over time.



The smaller streets, like Victoria or Sydney Street, have relatively small sites and conversion or replacement of existing buildings can be undertaken site-by-site which allows for incremental change.



There is potential for conversion of existing warehouse type space to be 'broken down' to residential or other working spaces and green spaces inserted.

AMENDMENT 290 - Amend section 1.7 of Appendix Petone Commercial 2 – Character and Context Description - Summary Table

Summary Table Existing to Future Character

ATTRIBUTES	EXISTING CHARACTER	FUTURE CHARACTER
Uses	Service, commercial, large format retail and industrial.	Mix of uses, including existing uses (service, commercial, large format retail and light industrial) plus medium density residential and retail (greater than 500m ²) along Jackson Street. No residential uses on the ground floor along Jackson Street.
Densities	Low with a high amount of open areas with surface car parks.	Increased intensity of development, including public and private open spaces with a reduced extent of open surface car parks.
Heights	Low, mostly 1 or 2 storeys with a few taller (up to 8 storeys).	Mix of low and taller buildings throughout the area Buildings of any height are provided for <u>except for limited areas around Te Puni Urupā</u>
Architecture and Style	Range of eras and no specific styles, utilitarian sheds, simple box forms, basic materials concrete, corrugated iron, little detail.	Contemporary, more articulation within forms. More attention to detail at street level, with a range of materials used. Conversions or replacement of existing buildings. Maintenance of existing heritage values in Jackson Street.
Built Form	Stand alone buildings with large floor plates mixed with adjoining smaller buildings on streets to the east.	Single use and mixed use buildings. New buildings provide opportunities for residential, commercial/business and light industrial activities. New buildings <u>may</u> include medium density residential development around private or public open spaces.
Open Space	No green open spaces.	New developments have onsite courtyards or larger open space areas that provide contained sheltered open areas for occupants' amenity.
Connections	Large blocks with limited connectivity for all transport modes.	Existing streets supplemented by new street and pedestrian connections.
Car Parking	Large areas of surface carparking fronting the streets.	Carparking is located either internally within buildings or behind buildings.

2 Design Guidelines

2.1 Building Form and Bulk

Design Objective

New and modified existing buildings make a positive contribution to the character and amenity values of the area. Buildings are of an appropriate size and shape for their location.

The importance of good building form is that the built environment retains a 'human scale' and does not dominate. Good form also generates visual interest and provides relief from repetitious building elements. It also reduces the apparent bulk of larger buildings through the use of design features. These features help to create an environment that people enjoy being in, whilst supporting a greater number, variety and mix of buildings and activities.

Design features which reduce the appearance of building bulk

- include: Varying roof lines and heights;
- Use of skyline features such as cornice, parapet and pediments;
- Varying building lines with recessive and projecting elements (such as balconies, verandahs, front gables, bay-windows, insets and setbacks);
- Use of contrasting materials, patterns and colours;
- Use of smaller scale shapes rather than a large box
- shape; Placement of windows and other openings; and
- Use and placement of open space and landscaping.

[Refer also to District Plan Objective 5B 1.2.3 and relevant associated policies]

Guidelines

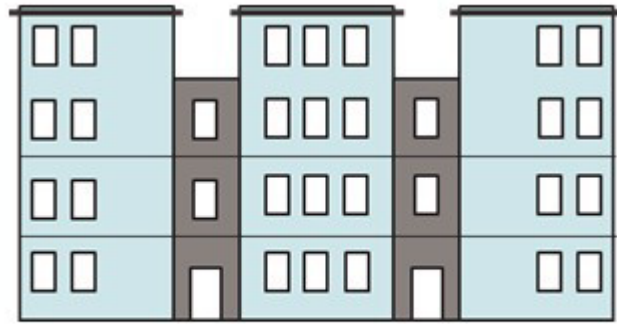
1. *Continuous horizontal walls on a building's street frontage should be 'relieved' by articulating the frontage with contrasting projecting and recessive elements that visually break it up into identifiable parts - this can be expressed further through the use of different materials, patterns and colours;*
2. *Facades, front and side elevations of multi-storey buildings, should visually describe a vertical hierarchy of a base (ground floor), a middle (upper floors) and a top (roof, parapet, cornice, pediment) which is consistent in its expression from the base to the top;*
3. *Buildings should respond to the horizontal elements of adjacent buildings;*
4. *Natural light and ventilation to habitable rooms should be provided for by opening windows. Natural light and ventilation should be protected from blocking out by adjoining developments by either providing wall setbacks from site boundaries; and/or by designing building forms that have internal open spaces or internal light wells; and*
5. *Large scale buildings should be expressed as a collection of forms rather than a single large box form.*



This building has an external facade expressed as a series of forms including a projecting corner form. Various materials and colours emphasise the form variations.

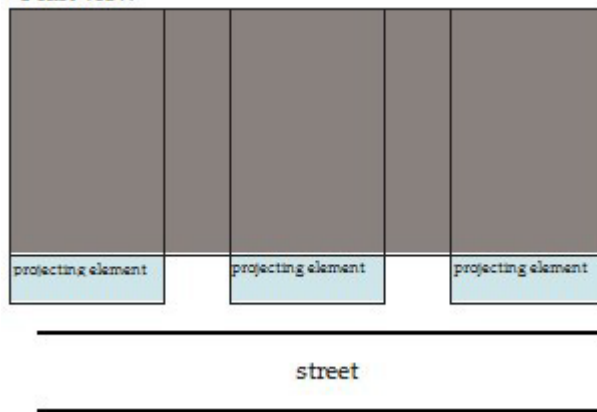


Long blank walls are reflective of utilitarian and internal space requirements and can detract from local character and amenity.



Elevation view

Plan view



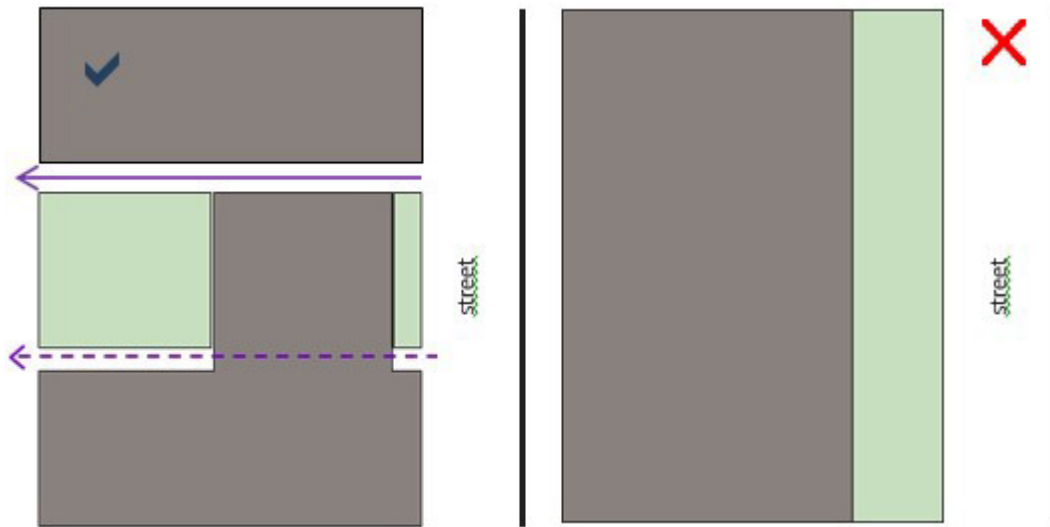
The impression of building bulk can be reduced by recessive and projecting elements. Variations in heights and colour or pattern can also be used.



Photo above (top) shows a residential building with projecting elements. Photo above (bottom) is an example of how larger buildings can use projecting elements, floor levels expression, colour and height changes to reduce apparent bulk and create visual interest.



Photo (left) shows building forms expressed separately with open space provisions (commercial building). The photo (right) shows a blank form and even with windows the building appears bulky.



The impression of building bulk can be reduced by designing for the site as a collection of forms (left) rather than a single large box (right). The provision for separate forms provides for natural light penetration into the buildings and allows for new connections through the block (left).

2.2 Large Sites

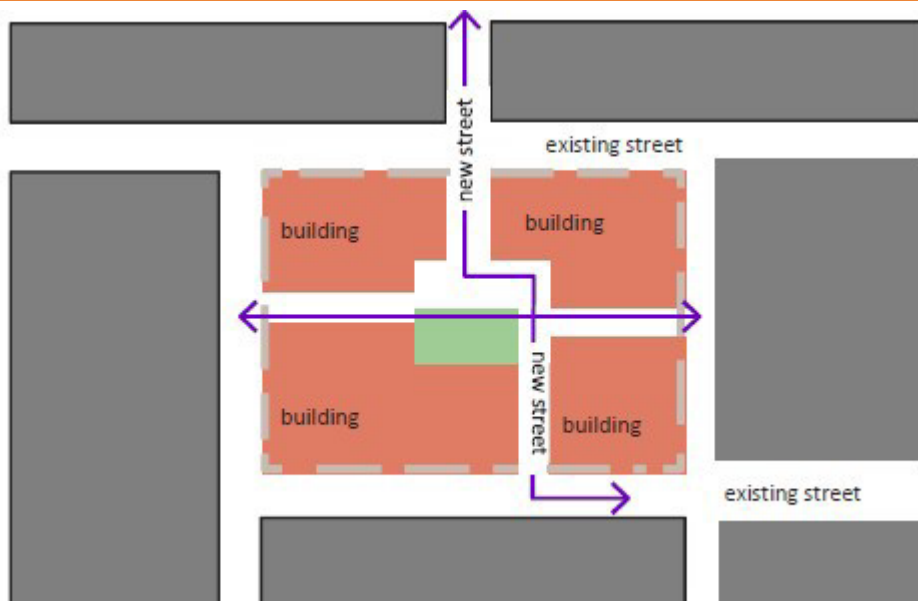
Design Objective

Existing large sites are comprehensively planned to encourage a more diverse range of uses as well as additional street and pedestrian connections.

There are a number of large sites which currently support single uses and/or have large surface car-parks which present opportunities for comprehensive redevelopment. Comprehensive redevelopment offers a number of benefits, including allowing for an increase in the intensity and diversity of activities, improving connectivity/accessibility and creating room for open space.

Guidelines

1. Large blocks of land (including large street blocks) should be divided to create new streets, lanes and open spaces in conjunction with new building forms;
2. Reference should be made to the existing street pattern in the eastern area of Petone West when considering the number and spacing of new streets;
3. Design of a development should be undertaken comprehensively, and consider the relationship between building forms and the open spaces between them, parking layout, amenity for building occupants, energy efficiency and other sustainable initiatives;
4. Consideration should be given to the development aspirations of adjoining site owners (if known); and
5. Early discussion with HCC should be undertaken to look for ways to generate mutual benefits from new street connections, open spaces and reduced block size.



Dividing a large block to create open spaces and new streets - the arrangement of building forms can generate internal block green space.



The sites in the western-most area of Petone are large and surface parking predominates. The subdivision of these sites over time to provide new streets, open space and increased intensity of use is intended.



New development that retains older buildings and arranges new buildings around green open space.



New development that forms open space and enables new connections for vehicles, walking and cycling through the block.

2.3 Prominent Sites

Design Objective

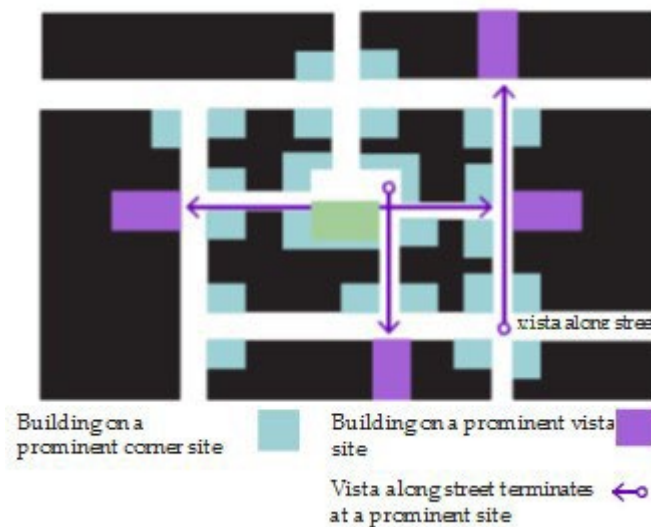
New development on prominent sites is of high quality and positively contributes to a sense of place and local identity.

Buildings on prominent sites such as major roads and street corners have the ability to act as attractive markers or local landmarks, which signal both arrival at an important destination and assist with orientation. To improve the visual quality and character of the area, it is important that new developments on prominent sites are well designed.

[Refer also to District Plan Objectives 5B 1.1.3, and 5B 1.2.3 and relevant associated policies]

Guidelines

1. Buildings on sites at the end of a street should have a form and facade treatment that responds to the terminating street's vista;
2. Buildings on corner sites should respond to their corner location (such as stepping down in height from the corner or extending a common facade surface treatment around the corner); and
3. Buildings on corner sites should be designed to complement existing buildings on the opposite corner.



Building at the end of street view: architectural elements (blue facade, windows) are aligned with the centreline of the street.



Building at a corner with its facade treatment, including window, wrapping around.



Building with an addition on top that is higher at the corner.

2.4 Street Frontage

Design Objective

Development along street frontages provides an interesting and comfortable environment for pedestrians.

Attractive and pedestrian focused street frontages contribute to economic vitality, by encouraging pedestrian activity and visitation. They also maximise passive surveillance and contribute to a feeling of safety.

[Refer also to District Plan Objectives 5B 1.1.2A, 5B 1.1.3, 5B 1.2.2, and 5B 1.2.3 and relevant associated policies]

A. Continuity, Visual Connections and Entries

Design Objectives

1. Provide a strong visual connection between streets and new development.
2. New development along street frontages provides a well-designed façade.
3. New development incorporates a well-designed entrance way.

Guidelines

1. *Buildings containing commercial, business and service activities should be parallel with and consistently aligned relative to the street frontage;*
2. *Buildings should have active frontages;*
3. *Continuous blank walls, opaque glazing, blanked out windows and doors, security shutters and roller doors on building frontages at street level should be avoided;*
4. *Buildings of more than one level should have windows on upper levels that overlook streets, parks, or lanes;*
5. *Entrances to buildings should be easily recognised and sheltered such as by the use of doorways within inset setbacks, bays and porches; or by the extension of canopies out to reflect the doorway positioning;*
6. *Separate door entrances for commercial and residential uses should be provided where the building has both activity types;*
7. *Entry areas should be designed as a transition from the public space of the street to the private or semi- public space of the building inside;*
8. *Entrances should be able to accommodate push chairs, mobility scooters and bicycles; and*
9. *Consideration should be given to the provision of bicycle parking.*



This building with an 'opening wall' makes the entrance easily recognisable and there is a sheltering element above the doorway.



The entrance to this building provides informal seating opportunities, is accessible for people that are mobility impaired and has a good transition from the public space of the street to private street of the interior.

B. The Esplanade

Design Objective

New development is of high quality and complements The Esplanade's visual prominence and existing visual amenities. New development provides safe vehicular and pedestrian movement onto the street.

AMENDMENT 291- Amend section 2.4 of Appendix Petone Commercial 2 – The Esplanade Design Objective – Guidelines

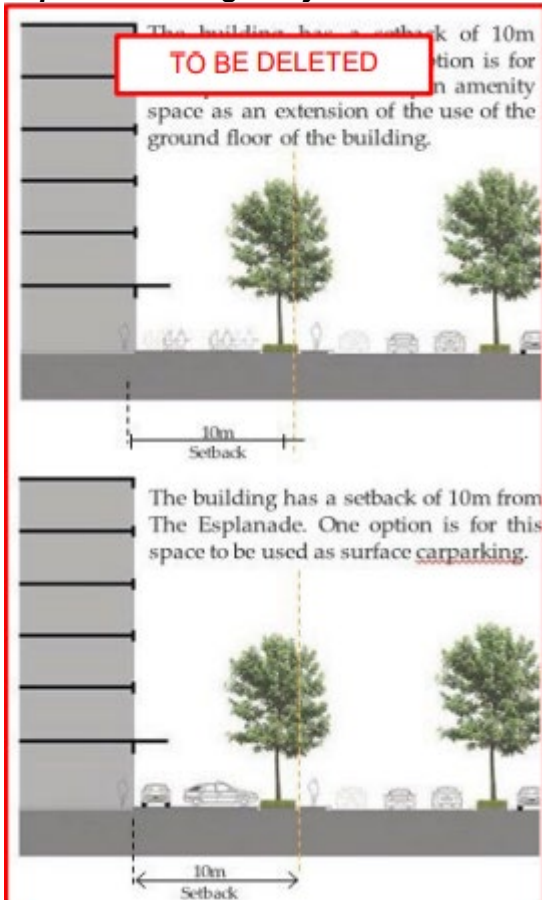
1. Buildings should be of a high architectural standard and quality;
2. New buildings should have a modulated building form to prevent the appearance of a solid wall of buildings along The Esplanade frontage;
- ~~3. A frontage setback of 10 metres (except for those sites identified in the District Plan) should be provided and designed in conjunction with the building. This setback space may be used as open amenity space or parking;~~
- ~~4. The front boundary to the Esplanade is to have a minimum of a 2.5m wide planted strip incorporating trees (e.g. pohutakawa) capable of growing to 5m in height. Trees should be spaced no less than 10m apart and maintained with a clear stem to enable visual connections beneath the canopy from The Esplanade into the site;~~
Consider the use of a landscaped setback from The Esplanade to provide open space, improve sunlight access, and soften the presentation of the building toward the street and beach.
5. Developments should make the most of the views of the beach and face towards The Esplanade and beach with windows and doors that address The Esplanade; and
6. The access for vehicles to each site should occur from side streets where practicable, so as not to increase the number of vehicle crossings to The Esplanade.



- Residential balconies stepped back to give privacy and views.
- Residential tower recessed from the front boundary to improve sunlight access to the street.
- Rooftop gardens above café.
- Planting provides a green edge to the street.

Example of how frontage treatment can enhance development.

AMENDMENT 292- Delete image from section 2.4 of Appendix Petone Commercial 2 – The Esplanade Design Objective – Guidelines – Image 2



C. Jackson Street Design Objectives

1. New development is of high quality and complements the gateway role of the western section of Jackson Street as the entrance to the Jackson Street Historic Retail Precinct.
2. New development along Jackson Street provides an active, transparent and continual frontage.
3. The design of new development near the Jackson Street Historic Retail Precinct is complementary to the historical character of this Precinct.

AMENDMENT 293- Amend in section 2.4 of Appendix Petone Commercial 2 – Jackson Street Design Objective – Guidelines

Guidelines

1. Residential uses along ground floor frontages should be avoided;
2. Buildings should be designed to address Jackson Street with road frontages featuring display windows and doors;
3. Buildings should be aligned with the Jackson Street front boundary and have a continuous frontage from side boundary to side boundary at ground floor level;
4. Corner buildings on Jackson Street should be built up to the street boundary and maintain continuity around the corner;
5. The access for vehicles to each site should occur from side streets and not increase the number of vehicle crossings to Jackson Street;
6. New buildings have a verandah or shelter attached between the ground and first floor level, extending the width of the site;
7. Buildings should be designed to reflect the modulation in the facade (including pattern of spacing in architectural elements) that exists with the buildings in the Jackson Street Historic Retail Precinct; and
8. Buildings in Jackson Street that are adjacent to the existing Jackson Street Historic Retail Precinct should be responsive to the form of those buildings to ensure the scale is complementary.

AMENDMENT 294- Delete image and caption from section 2.4 of Appendix Petone Commercial 2 – Jackson Street Design Objective – Guidelines



The building is fronting directly to Jackson Street and has a height of no more than 12m at the front. A higher height can be achieved in some locations where it is stepped back into the site.



Above ground floors are built to the front boundary with windows facing the street

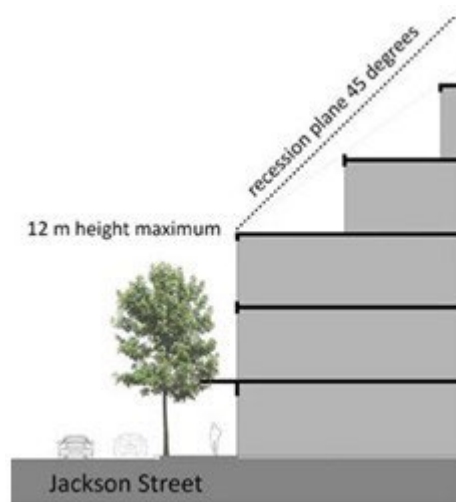
Continuous verandah frontage

Buildings have display windows to the street



The Jackson Street frontage arrangement for existing buildings to the east of Victoria Street provides a point of reference for the Petone West section of Jackson Street.

Many of the Jackson Street buildings have a regular modulation. This generates a consistent overall form of frontage widths, heights to parapet line, verandah and windows alignments.



The building is fronting directly to Jackson Street and has a height of no more than 12m at the front. A higher height can be achieved in some locations where it is stepped back into the site.

D. Residential Development

Design Objective

Residential development is of high quality and provides a quality living environment for occupants.

Guidelines

1. Residential uses at ground floor level along the Jackson Street frontage should be avoided;

2. *Features which create a degree of separation from the public street environment are encouraged, such as use of narrow front yards and level differences (no more than 1.2m);*
3. *The use of tall fences as a privacy screen should be avoided. The use of solid low-level fencing (up to 1.2m high) or semi-transparent screens would be acceptable;*
4. *Garages should be located behind the front elevation of residential buildings to avoid areas of blank walls and garage doors facing the street; and*
5. *Consideration should be given to the use of private and public open space. Open space can improve sunlight access and create a more open streetscape.*



Separation from the street front by setback and height variation.



Semi-transparent screen to street.



Poor quality frontage with car garages lining the streets and no separation from the street front.

2.5 Adjacent Uses

Design Objective

Development provides an appropriate design response to sensitive adjacent uses, by minimising effects on adjacent activities and occupants.

[Refer also to District Plan Objectives, 5B 1.2.3 and relevant associated policies]

A. Buildings adjacent to the Urupa

Design Objective

New development respects and preserves the cultural and historical values of the urupa.

The urupa at Te Puni Street is a culturally significant site which remains in active use. Adjacent future development needs to achieve a respectful relationship.

Guidelines

1. *New buildings should be designed to provide aural and visual privacy for both occupants of new buildings and people using the urupa;*
2. *New buildings should be designed to be respectful of the urupa and not dominate or generate significant shading of the open space; and*
3. *New buildings should be designed (as far as practicable) to provide good visual connections between the urupa, the harbour and the hills.*



The Te Puni Street urupa is located near to the coast and visual connections from the site to the harbour are important as they are reflective of the settlement here of Maori and the important relationship the people had with the sea. Similarly, views to the Korokoro Hills are important.

B. Buildings Adjoining Residential Neighbourhoods

Design Objective

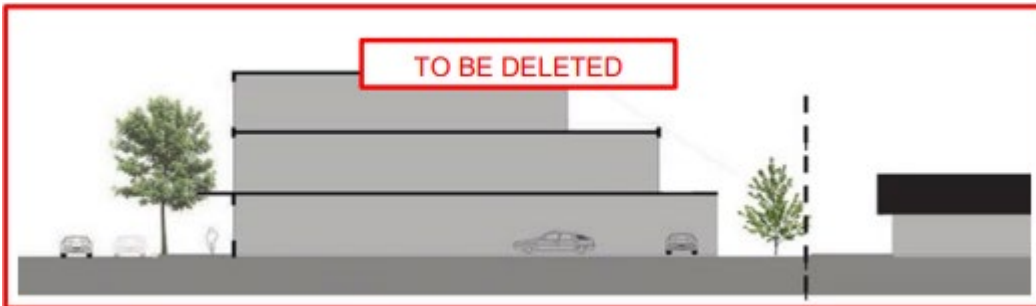
New development minimises adverse effects on adjacent residential properties and the residential amenities enjoyed by their occupants.

Existing and new development along the eastern boundary of the Mixed Use Activity Area (fronting Sydney Street) backs onto an established residential area. It is important that the amenity of this adjacent residential area is taken into account and protected to the degree practicable.

AMENDMENT 296- Amend in section 2.5 of Appendix Petone Commercial 2 – Adjacent Uses – B. Buildings Adjoining Residential Neighbourhoods – Guidelines

- ~~1. A setback should be provided between new development and existing residential development. It is recommended that this setback be used for planting or open space;~~
2. Screens and other devices should be provided to limit overlooking from new activities onto adjoining residential uses; and
3. The scale and massing of new buildings should be sympathetic to adjoining residential uses and apply design features such as breaking larger building forms into smaller shapes, using stepped back forms, using residential scale shapes, placing windows and open spaces to punctuate facades and avoiding tall blank walls except where this forms a common wall.

AMENDMENT 297- Delete image and caption from section 2.5 of Appendix Petone Commercial 2 – Adjacent Uses – B. Buildings Adjoining Residential Neighbourhoods – Image 1 and caption



~~Moderating the effect of scale of new mixed use development on existing residential development can be achieved by a setback from the boundary and stepping back the building form.~~



Adjustable screens enable privacy and management of sunlight access/solar gain to residential development (apartment).



Using hedges and open space or other dense planting in conjunction with fences and walls to screen residential areas.

AMENDMENT 298- Delete image and caption from section 2.5 of Appendix Petone Commercial 2 – Adjacent Uses – B. Buildings Adjoining Residential Neighbourhoods – Image 4 and caption



Using a sloping roof form, building setback and trees provides a transition between the new taller corner building and the existing buildings to the right.

2.6 Open Space and Greening

Design Objective

Increased provision of quality open space and quality landscaping.

The Petone West area would benefit from new green spaces for public seating, play areas and general amenity. Occupants of new residential development would benefit from on-site private open space.

[Refer also to District Plan Objectives, 5B 1.2.3 and relevant associated policies]

A. Residential Outdoor Areas

Design Objective

Ensure residential development provides quality private and/or communal open space.

Guidelines

1. Residential developments should provide outdoor areas in the form of private and/or shared open spaces;
2. Outdoor open spaces should be located where they will receive sunlight and be of a dimension that residents can functionally use; and
3. Privacy should be provided to private open spaces by incorporating planting and/or appropriate screening (such as louvres, shutters, blinds, balcony screens and low walls).



Balconies as private outdoor areas in residential apartments or townhouses.



Internal courtyard type shared space provides places for play and provides light and air circulation to residential uses.



Internal courtyard type private space screened from adjoining properties by combination of walls and plants.



Another example of an internal courtyard type shared space.

B. Public Open Space

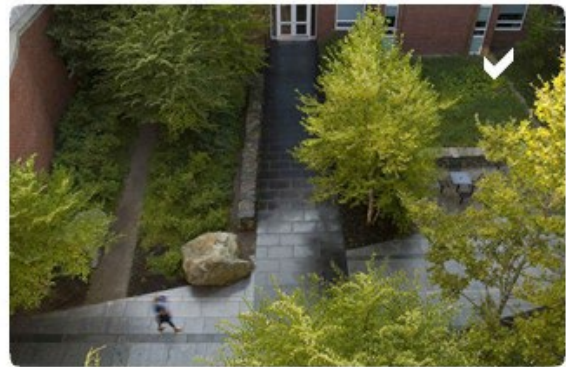
Design Objective

New areas of public open space are accessible, of good quality and form part of a network of public open spaces.

Public open spaces include open green space, open hard-landscaped areas, as well as public roads, laneways, cycleways, pedestrian paths and road verges/berms.

Guidelines

1. Provision of public open space is encouraged and where it is provided it should be developed in relation to local demand. Consider if the space is to be used by workers during lunch time (seating places, lunchtime sun, shading) or by residents (playground, seating places, "kick and play");
2. Open space intended for public use should be located where it is accessible (on walking/cycling routes), highly visible ("eyes on the streets", visual linkages and no hidden spaces), and encourages use by pedestrians and cyclists;
3. Open spaces should be designed in conjunction with any associated buildings to ensure the open space receives a minimum of 2 hours of sun per day from 12pm to 2pm during mid-winter;
4. The selection of trees and plants should be appropriate to the location, type and scale of the open space and its use, recognising for example climatic influences, maintenance requirements, irrigation regimes, and mature height of trees; and
5. Outdoor lighting should be provided for open spaces. Lighting should minimise light pollution.



The location of new open space should be considered in conjunction with building development. Petone West would benefit from sheltered and contained open spaces that provide a range of options for uses at different times and in different climatic conditions. Large open spaces with no shelter will have less amenity.



C. Greening Design Objective

Design Objective

Promotion of alternative forms of landscaping and open space provision.

Guidelines

1. Roof gardens and vertical green treatment is encouraged. The spaces created can either be publicly accessible (e.g. as part of the open space network), semi-public (e.g. for residents of a building) or not for use (design feature). If green roofs, roof gardens and vertical green treatments are to be provided, consideration should be given to:
 - a. waterproofing, drainage systems and structural strength to support weight loadings;

- b. *plant species that are resistant to severe environments (wind and drastic changes in temperature), require low maintenance and low water use;*
- c. *soil mix and depth;*
- d. *maintenance procedures and access;*
- e. *opportunities to use collected rainwater for irrigation; and*
- f. *plant types that maximise solar access in winter and control solar infiltration in summer.*



Green roof and balcony.



Greening of building facade.



Roof top garden with shelters for plants - vegetables and other plants grown.



Green wall grown from base on facade framework.

2.7 Stormwater

Design Objective

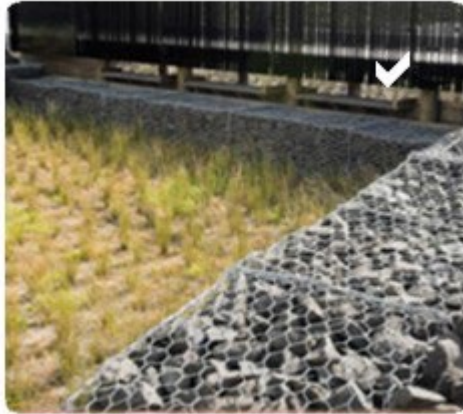
Stormwater capacity and water quality in the harbour (Te Whanganui-a-Tara) are improved by the use of on-site stormwater systems.

On-site stormwater systems offer benefits in terms of increasing the storage capacity of stormwater and treating stormwater prior to discharging into the reticulated network.

[Refer also to District Plan Objective 5B 1.1.2A and relevant associated policies]

Guidelines

1. *Measures to improve stormwater quality and reduce the volume of stormwater should be considered at the design phase of development;*
2. *Low impact design (LID) practices should be considered in order to reduce the volume of stormwater runoff and improve the quality of stormwater runoff. A range of LID techniques can be used including storage of water in larger gutters, storage and reuse on site for toilet flushing or plant watering, increasing on-site infiltration, and the use of swales and rain gardens;*
3. *Permeable surfaces are encouraged to reduce the volume of stormwater ;*
4. *Rainwater collection from roofs is encouraged, as a source of water for watering gardens and flushing toilets; and*
5. *The future management of LID devices to ensure their ongoing effectiveness should be provided for in their design, such as access for cleaning and replacement of elements.*



Stormwater detention can occur by the use of storage areas as part of the landscape, or tanks can be used to collect roof runoff and reuse.



Stormwater devices can be incorporated into the landscape design of new developments.



It is important to minimise impervious surfaces by using porous paving as much as possible.

2.8 Car Parking

Design Objective

Development provides appropriate levels of parking in a visually attractive manner.

Large areas of surface parking and car parking structures can, when poorly designed, dominate the streetscene and compromise the quality of the street environment

[Refer also to District Plan Objective 5B 1.2.4 and relevant associated policies]

A. Locating On-Site Car Parking within a Building

Design Objective

Car parking provided within buildings has an acceptable visual appearance.

Guidelines

1. Car parking within buildings should avoid directly fronting onto streets or open spaces. Parking should be set back into a building structure so as to be enveloped by associated active residential, commercial or other uses;
2. Car parking above ground level should also be within a building structure so as to be enveloped by active uses. However, if this is impracticable, the building should incorporate design features such as green walls and screen devices to minimise the visual impact of parking floors on public spaces;
3. Car parking within smaller scale building developments, such as for townhouses or terrace houses, should be located in garaging (or surface parking) at the rear of the building with access via a service lane or access from the street; and
4. Car parking within smaller scale building developments that incorporate a garage with direct access from the street should have a garage frontage that is less than 50% of, and is set back from, the frontage of the building.



Green walls are a good solution to minimise the negative visual effects of car parking above ground within a large scale structure.



Car parking structure dominates the streetscape; inactive street edge and elongated blank walls.

B. Surface Car Parking

Design Objective

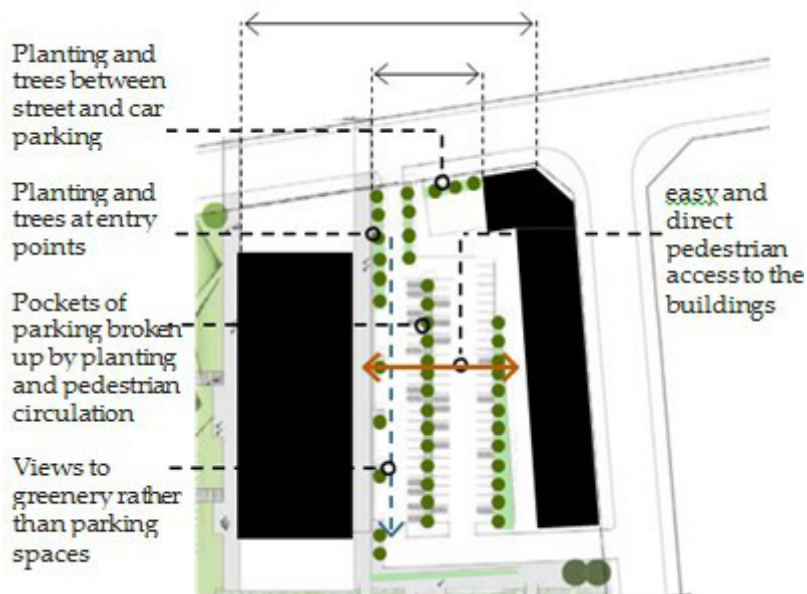
Surface car parking is of acceptable visual appearance.

AMENDMENT 299- Amend section 2.8 of Appendix Petone Commercial 2 – Car Parking – B.

Surface Car Parking – Guidelines

Guidelines

1. Location of Any surface car parking should be located behind buildings is encouraged;
2. Surface parking should not exceed more than 50% of the site's frontage;
3. Trees and planting should be located to alleviate the negative visual effects of car parking and to provide shading for cars and pedestrians;
4. Surface car parking should aim to provide 1 tree per 4 parking spaces, along with low maintenance shrubs; and
5. Permeable surfaces including porous pavement (permeable pavers, concrete and asphalt) and grasscrete are encouraged.



Surface carparking with tree planting.



Surface parking fronts the street and landscape treatment is of insufficient scale to mitigate the negative visual effects.



Trees, shrubs and appropriate paving minimise the visual impact of large surface car parking area.



Surface car parking at the rear of terrace houses with landscaped courtyard setting.



Surface car parking as part of landscape treatment reduces its dominance.

2.9 New Connections

Design Objective

Large street blocks are subdivided into smaller sites by creating new through connections in the form of streets or lanes.

Reducing street block sizes and improving accessibility will enable more intensive use of existing and new buildings. This in turn will encourage a more vibrant and diverse residential and commercial mixed use environment.

[Refer also to Design Guideline 2.2 Large Sites]

Guidelines

1. *New connections are encouraged, with the aim being for across block connections to be no more than 100 metres apart;*
2. *Large sites should be comprehensively planned to include new connections;*
3. *Paving, lighting, landscaping, servicing and provision for pedestrian, vehicle and cycle movements should be considered for all new connections; and*
4. *New connections should reflect expected traffic volumes. Smaller scale streets and lanes are encouraged to provide a 'hierarchy' of connections within the area.*



New street with cycleway, vehicle lanes, parking and stormwater management.

2.10 Wind

AMENDMENT 300- Amend section 2.10 of Appendix Petone Commercial 2 – Wind – Design Objective

Design Objective

Development does not increase wind intensity in streets and public places.

Buildings which are designed to minimise wind effects and create sheltered, safe and comfortable outdoor areas, can provide a more attractive residential and commercial mixed use environment. This is particularly important in coastal locations, such as Petone.

[Refer also to District Plan Objective 5B 1.2.3 and relevant associated policies Chapter 14M Wind]

Guidelines

1. Buildings should be designed with reference to the existing wind patterns of the site and not increase wind speed at ground level;
2. Projecting and recessive elements (such as balconies, verandahs, set-backs) should be used to reduce the adverse effects of wind at street level; and
3. Consideration should be given to providing sheltered open spaces which respond to the predominant wind directions.



Windy streets are uncomfortable and can be dangerous in high wind speeds. This discourages their use as public spaces.

AMENDMENT 301- Amend image in section 2.10 of Appendix Petone Commercial 2 – Wind – Guidelines



[Modify image to remove text on projecting roofline]

2.11 Amenity

Design Objective

New development provides an acceptable degree of amenity for future occupants in terms of privacy, outdoor space, useable internal space, sunlight, ventilation, noise and access to waste facilities. Design features which improve the amenity experienced by future occupants are included in new development. Design features which reduce operating costs and improve energy use are promoted.

A reasonable level of amenity for future occupants is essential to ensure that occupants can achieve an acceptable standard of living, which avoids harm to human health. The acceptable level of amenity for occupants of residential buildings is higher than for other types of uses. The District Plan contains minimum performance standards for ventilation, noise insulation and outdoor space provision for residential activities.

High levels of onsite amenity for occupants is encouraged. Designs which incorporate natural light, natural ventilation, good quality useable space and noise attenuation provide higher levels of amenity for occupants. The provision of low energy and waste management features can reduce operating costs for occupants. Both these options create more attractive residential and commercial mixed use environments.

[Refer also to District Plan Objective 5B 1.2.3 and relevant associated policies]

A. Light, Ventilation and Energy Use

Promote design features which maximise sunlight access, natural heating and ventilation.

AMENDMENT 302- Amend section 2.11 of Appendix Petone Commercial 2 – Amenity – D. Quality of Internal Residential Space – Guidelines

Guidelines

1. Developments that include residential dwellings should have appropriately proportioned spaces that enable comfortable use by the occupants including habitable rooms (dining, living and bedrooms) that have a minimum dimension in any one direction of 2.8m;
2. The minimum floor to ceiling height in habitable rooms should be 2.7m between finished floor level and finished ceiling level;
3. Habitable rooms should have windows to the outside and the living area should have direct access to an open space area with a minimum size of 20m² at ground level or 5m² as a balcony
4. Design proposals should demonstrate how habitable rooms within each dwelling are provided with an adequate level of privacy in relation to neighbouring properties, the street and other public spaces;
5. All developments are encouraged to provide storage space for cycles and other equipment; and
6. The number of dwellings accessed from a single corridor is recommended not to exceed 8 per floor. Corridors should receive natural light and adequate ventilation.



Horizontal shading device (overhangs) on north facing



Solar devices positioned to maximise sunlight absorption.



Eaves and moveable vertical shading device (external venetian blind) on east or west facing windows.

B. Waste Management

Design Objective

Promote well located and designed rubbish/waste collection facilities.

Rubbish/waste collection facilities are an essential facility for modern living with most businesses and residents expecting easy access to waste and recycling facilities. Well located and designed rubbish/waste collection facilities encourage use and minimise potential visual and odour effects on surrounding areas.

Guidelines

1. *Rubbish/waste containers or storage areas should be screened from public spaces and be located away from the building front façade;*
2. *Consideration should be given to the placement and ventilation of rubbish/ waste containers and storage areas, to avoid smells/odours affecting nearby residential occupants. Placement next to windows of residential occupants should be avoided;*
3. *Rubbish/waste containers or storage areas should be conveniently located to facilitate use and collection and appropriately sized to meet user needs; and*
4. *Provision of recycling bins and other forms of waste minimisation facilities are encouraged.*



Storage bins exposed to public view.



Storage bins screened from public spaces.

C. Noise

Design Objective

Consideration is given to design solutions to minimise noise experienced within buildings.

A range of design options are available to attenuate noise experienced by occupants of buildings, which increases the level of amenity available to occupants and hence their attractiveness.

Guidelines

1. *The potential noise context of the site should be considered in the building design;*
2. *Acoustic design should address potential for noise to be created within the building (e.g. between tenancies or units). Available options include insulation of floors and walls and arranging uses to provide a degree of separation between the quietest and noisiest areas.*
3. *Consideration is given to minimising noise generated by external appliances and equipment associated with the use of buildings (such as air conditioning, utility cabinets and extraction/ventilation equipment), so as to avoid noise disturbance to occupants of residential units/dwellings.*



A mixed use building

D. Quality of Internal Residential Space

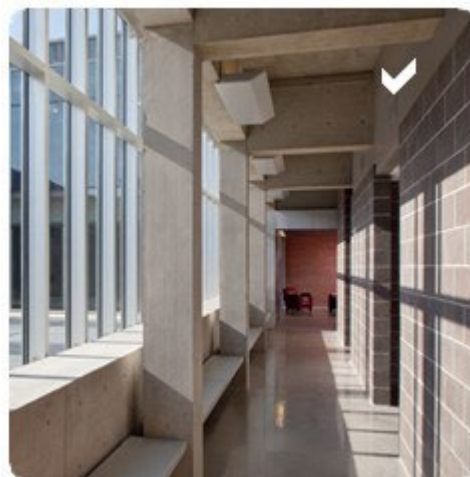
Design Objective

Promote design features which maximise the usability and functionality of living spaces.

Providing good quality internal residential spaces will increase the attractiveness of residential development and will enhance Petone West's reputation as a good place to live.

Guidelines

1. *Developments that include residential dwellings should have appropriately proportioned spaces that enable comfortable use by the occupants including habitable rooms (dining, living and bed rooms) that have a minimum dimension in any one direction of 2.8m;*
2. *The minimum floor to ceiling height in habitable rooms should be 2.7m between finished floor level and finished ceiling level;*
3. *Habitable rooms should have windows to the outside and the living area should have direct access to an open space area with a minimum size of 20m²;*
4. *Design proposals should demonstrate how habitable rooms within each dwelling are provided with an adequate level of privacy in relation to neighbouring properties, the street and other public spaces;*
5. *All developments are encouraged to provide storage space for cycles and other equipment; and*
6. *The number of dwellings accessed from a single corridor is recommended not to exceed 8 per floor. Corridors should receive natural light and adequate ventilation.*



Corridors should be light and limited in the number of dwellings they provide access to.



Dwellings should have a reasonable head height, not be long and narrow, and have natural light.



Storage for bicycles and other equipment.

2.12 Adaptation and Resilience

Design Objective

New and modified buildings have built-in flexibility for future alternative uses and greater resilience to natural hazards.

Buildings with higher flexibility for a range of uses and higher resilience to natural hazards provide greater opportunities to retain buildings in active economic use for longer.

[Refer also to District Plan Objective 5B 1.1.2B and relevant associated policies]

A. Design for Adaptation and Change

Guidelines

1. *Buildings are recommended to provide a minimum floor-to-ceiling height of 3.4 metres at ground floor level and 2.7 metres thereafter;*
2. *The provision of separate entrances to ground and upper floors is recommended;*
3. *Buildings with a depth between 10 and 15 metres are recommended to maximise adaptability between residential and commercial uses and to provide for natural light and ventilation;*
4. *Additions and alterations should respond to any positive attributes of the character of the building or area, including any heritage values associated with adjacent buildings; and*
5. *Extensions or alterations to existing high quality buildings should be in harmony with the old structure and should not dominate the original building.*



The existing large floor plate warehouse type structures and smaller industrial buildings may be adapted to new uses.

B. Natural Hazards

Guidelines

1. *Developers/landowners should investigate and understand potential natural hazards affecting their site;*
2. *Building design should appropriately respond to the potential risks from natural hazards the area presents (including seismic risk, sea level risk and other potential climate change effects); and*
3. *A precautionary approach should be adopted in relation to use or development affected by potential natural hazards.*

Further information and guidance on how to incorporate hazard resistance into the design of buildings can be provided from the Council upon request.

2.13 Large Format Retail

Design Objective

Large format retail developments make a positive contribution to the character and amenity values of the area. Buildings are of appropriate size and shape for their location.

Well-designed large format retail developments can make a positive contribution to the attractiveness and vibrancy of the Petone Mixed Use Activity Area. In contrast, poorly designed large format retail developments diminish the attractiveness of commercial areas and are to be avoided. It is important that large format retail developments maintain or enhance the urban fabric of the area, through the use of good design techniques.

[Refer also to related Guidelines for 2.1 Building Form and Bulk, 2.4 Street Frontage and 2.8 Car Parking]

Guidelines

1. *The following poor urban design practices are to be avoided: featureless walls on street edges, 'box-like' bulky buildings, inactive street frontages, large setbacks of buildings into sites with little or no street connection, and large areas of surface car parking fronting streets or without landscaping;*
2. *Where proposed development has a frontage exceeding 100m in width, a through block pedestrian link or new street should be provided; and*
3. *Car parking within structures or on roof tops is encouraged.*



Blank walls to streets are to be avoided.



This building has an external facade expressed as a series of forms including a projecting corner form. Various materials and colours emphasise the form variations.

2.14 Signage

Design Objective

Encourage the use of signage that maintains or enhances the attractiveness of the Petone Mixed Use Activity Area that is also effective at attracting people's attention and identifying retail or business premises.

Well-designed signage can make a positive contribution to the attractiveness and vibrancy of the Petone Mixed Use Activity Area. In contrast, poorly designed signage can diminish the attractiveness of commercial areas, compromise the design of buildings on which they are sited, visually dominate their surroundings and lead to visual clutter.

[Refer also to District Plan General Rules for Signage in Chapter 14B]

Guidelines

1. *Signs are encouraged to be:*
 - a. *Consistent with the building design as a whole;*
 - b. *Not obstructive to pedestrian movement;*
 - c. *Of a size, scale and materials that does not dominate the street environment; A good fit with architectural features or ground floor windows;*
 - d. *Located below the parapet or roof line of a building; and*
 - e. *Suitable number and type for the site area, to avoid a proliferation of signage and visual clutter.*



Poor signage - obscures building features and windows and generates visual clutter.



Good signage - simple and use of building material that reflects brand.

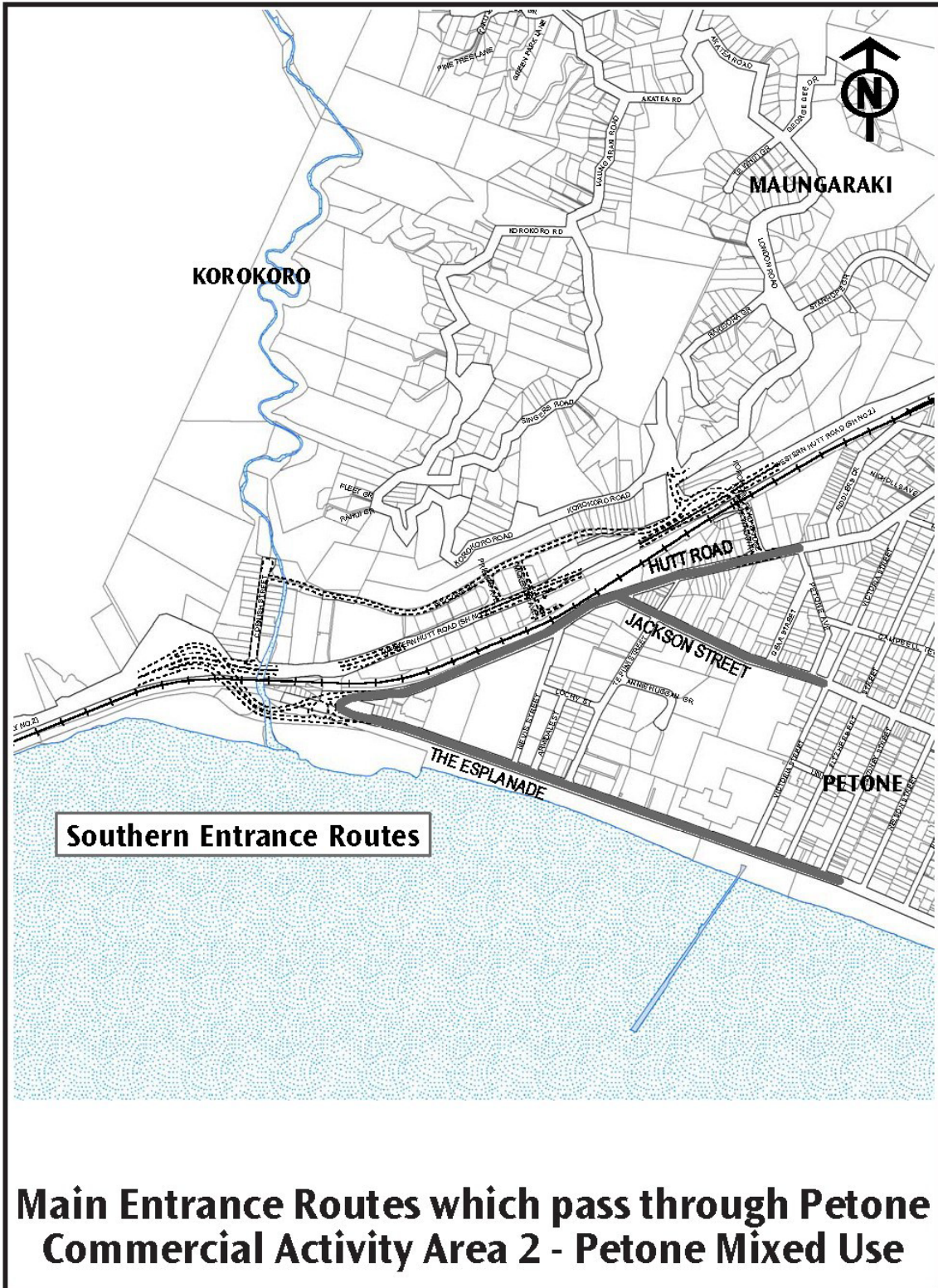


Poor signage - whole building painted which dominates street environment and various signs all over building generates visual clutter.



Good signage - simple and works with building corner feature and also lights the entrance area.

Appendix Petone Commercial 3



Appendix Petone Commercial 4

AMENDMENT 286 - Delete Appendix Petone Commercial 4 Wind Report

Appendix Petone Commercial 4

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 Petone Commercial 5



Appendix Petone Commercial 6



**AMENDMENT 287 - Delete Appendix Petone Commercial 7
Appendix Petone Commercial 7**

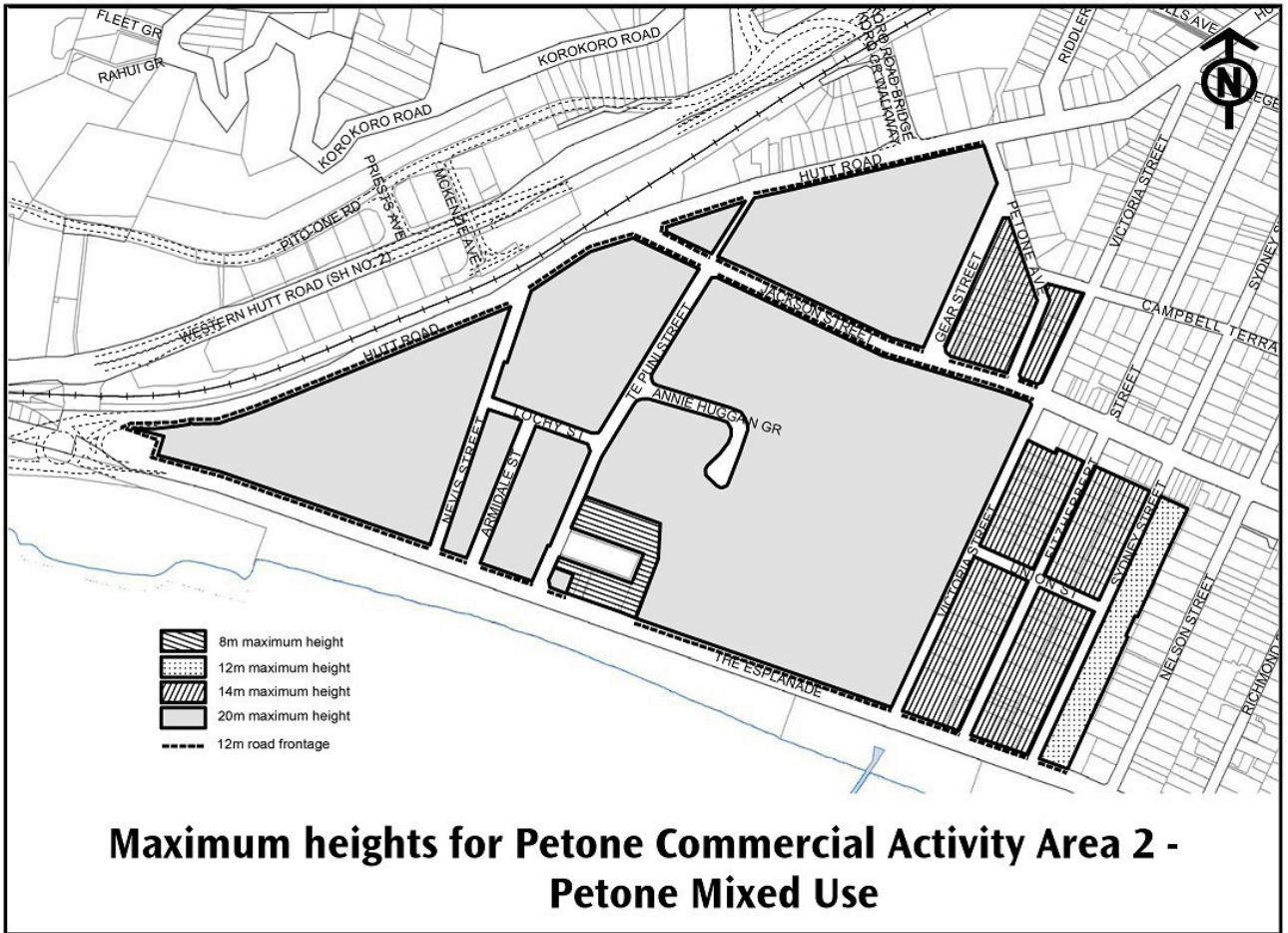
TO BE DELETED



Area 2 - Petone Mixed Use - Sites exempt from 10m setback from The Esplanade

**AMENDMENT 288 - Delete Appendix Petone Commercial
Appendix Petone Commercial 8**

TO BE DELETED



Chapter 5C Suburban Commercial Activity Area

AMENDMENT 303 [Chapter 5C Suburban Commercial Activity Area]
Delete current Chapter 5C Suburban Commercial Activity Area.

Chapter 5D Special Commercial Activity Area

AMENDMENT 304 [Chapter 5D Special Commercial Activity Area]
Delete current Chapter 5D Special Commercial Activity Area.

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 the Naenae and Waterloo centres 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

(a) Offices, Commercial Services, Retail and Entertainment Facilities are permitted activities if: (i) The gross floor area of the activity does not exceed 500m ² . (ii) For sites adjoining a Residential Activity Area: 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.
(b) Offices, Commercial Services, Retail and Entertainment Facilities that do not meet the above permitted activity standards are restricted discretionary activities. For non-compliance with (a) (i) above discretion is restricted to: (i) The effects arising from the scale and intensity of the activity. (ii) The need to provide for the functional requirements of the activity. For non-compliance with (a) (ii) above discretion is restricted to: (iii) The effects on the night time amenity of the surrounding residential area. (iv) The effects on the visual amenity of adjoining sites.
Links to: Objective 5E 2.1 Policy 5E 3.1

Rule 5E 4.1.2 Service Industries and Cottage Industries

(a) Service industries and cottage industries are permitted activities if: (i) The gross floor area of the activity does not exceed 500m ² . (ii) For sites adjoining a Residential Activity Area: 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.

(b) Service industries and cottage industries that do not meet the above permitted activity standards are

restricted discretionary activities.

For non-compliance with (a) (i) above discretion is restricted to:

- (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.

For non-compliance with (a) (ii) above discretion is restricted to:

- (iv) The effects on the night time amenity of the surrounding residential area.
- (v) The effects on the visual amenity of adjoining sites.

Links to:

Objective 5E

2.1

Policy 5E 3.1, 5E 3.3

Rule 5E 4.1.3 Health Care Services, Community Facilities, Marae, Education Facilities and Places of Assembly

(a) Health Care Services, Community Facilities, Marae, Education Facilities and Places of Assembly are

permitted activities if:

- (i) The gross floor area of the activity does not exceed 500m².
- (ii) For sites adjoining a Residential Activity Area:
 - 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.

(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.

For non-compliance with (a) (i) above discretion is restricted to:

- (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.

For non-compliance with (a) (ii) above discretion is restricted to:

- (iv) The effects on the night time amenity of the surrounding residential area.
- (v) The effects on the visual amenity of adjoining sites.

Links to:

Objective 5E

2.1

Policy 5E 3.1

Rule 5E 4.1.4 Residential Activities

- (a) Residential Activities are **permitted** activities if:
- (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.
- (b) Residential Activities 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 4.1.4(b).

Links to:

Objectives 5E

2.1

Policies 5E 3.1, 5E 3.2

Rule 5E 4.1.5 Care Facilities, Residential Facilities, Boarding Houses, Hostels and Visitor Accommodation

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

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 5E 2.2, 5E 2.3

Policies 5E 3.4, 5E 3.5, 5E 3.6, 5E 3.7, 5E 3.8

Rule 5E 4.2.2 Recession Planes

(a) Construction or alteration of a building is a **permitted** activity if the following recession plane requirements are being met:

- (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.

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.

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

Discretion is restricted to:

- (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.

~~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.~~

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

AMENDMENT 315 - Amend Rule 5E 4.2.3 Yards

Rule 5E 4.2.3 Yards

(a) Construction or alteration of a building is a **permitted activity** if the following yard requirements are being met:

- (i) For sites adjoining a residential activity area the building is not located within the following yard setbacks:

Side yards: ~~3m~~ 1m along the shared side boundary

Rear yards: ~~3m~~ 1m along the shared side boundary

No yard requirements apply along road boundaries, boundaries within the Suburban Mixed Use Activity Area and existing or proposed internal boundaries within a site.

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

Discretion is restricted to:

- (i) The effects on the amenity of adjoining residential sites.
- (ii) The effects on the privacy of adjoining residential sites.

~~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.~~

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

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, 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

(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 volume:

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 of, 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 (Appendix General Residential 1).

(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

Links to:

Objective 5E

2.5

Policy 5E 3.9

Note 5E 4.3 General Rules

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

6A General Business Activity Area

6A 1 Issues, Objectives and Policies

6A 1.1 Local Area Issues

6A 1.1.1 Accommodation of a Mix of Activities

Issue

A mix of activities should be accommodated where the potential effects of non industrial activities are not dissimilar to those generated by industrial activities. In accommodating non industrial activities, it is necessary to avoid or mitigate any adverse effects on the amenity values of the area and the environment.

Objective

To accommodate those non industrial activities which are suitable in the General Business Activity Area and which do not cause adverse effects on amenity values of the area and the receiving environment.

Policy

- (a) Accommodate those commercial activities which provide a local service for the work force in the same area.
- (b) Accommodate commercial recreational activities which are appropriate within the General Business Activity Area and which are compatible with the surrounding area.
- (c) Accommodate certain retail activities which are compatible with other activities of the General Business Activity Area and do not undermine the strength, vitality and viability of commercial activity areas.
- (d) Accommodate tertiary education activities within the Tertiary Education Precinct, which provides for tertiary education on a local and regional basis.
- (e) That the accommodation of non industrial activities avoids or mitigates adverse effects on the amenity values of the area and the environment.

Explanation and Reasons

A range of industrial and commercial activities are accommodated, based on controlling the adverse effects likely to

be generated. The range of commercial activities accommodated should not, however, undermine the strength, vitality and viability of commercial centres. Therefore, certain retailing activities are permitted where they are not suitable in commercial centres due to their nature and character. For example, kit set garages, caravans, trailers and boats. Natural materials are included where they are sold in bulk, such as gravel, shingle, rock, concrete, coal, fire wood and timber.

The accommodation of commercial recreation activities includes indoor sports complexes, go-kart racing and tenpin bowling alleys.

Those commercial activities which provide a local service for the work force are also accommodated. These activities include restaurants, dairies, takeaway bars, day care centres and creches. Kokiri centres are also permitted as the likely generated effects will be similar to those generated by business activities.

The range of non industrial activities accommodated also includes training facilities, conference centres, places of assembly and places of worship. Tertiary education activities are accommodated within the Tertiary Education Precinct, of which, that part on Cuba Street is located within the General Business Activity Area.

Tertiary education activities have historically been provided for within the area in Cuba Street and the activity is an established use on the site providing important tertiary education including vocational education and applied research.

These non industrial activities are provided for where the potential generated effects do not have an adverse effect on the amenity values of the area and the environment.

6A 1.1.2 Main Entrance Routes

Issue

The main entrance 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. Some of the main transport routes pass through the General Business Activity Areas. These routes include Railway Avenue, Hutt Road, Waione Street, and State Highway No.2. It is necessary to manage the effects of development along these routes to maintain and enhance the image of the City.

Objective

To enhance the image and visual appearance of main entrance routes of the City where they pass through the General Business Activity Area.

Policy

- (a) That the design, appearance and scale of structures or buildings fronting main transport routes be managed to emphasise the importance of the area as a major access to the City.
- (b) That all structures fronting main entrance routes are modulated and do not have

continuous blank walls.

- (c) That the design and appearance of sites fronting main transport routes be maintained to avoid adverse effects on the visual quality of the routes and the surrounding area.
- (d) That the location, design and appearance of structures be managed to reinforce the definition of the street edge and enclosure of the sites fronting Waione Street.
- (e) That the effects of activities fronting Railway Avenue, Hutt Road, Waione Street, and State Highway No.2 be managed to enhance the image of these main entrance routes and avoid adverse effects on the amenity value and character of the surrounding areas.

Explanation and Reasons

The objective is to maintain and enhance the image and visual appearance of main entrance 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 routes can assist peoples' sense of orientation and understanding of the physical structure, and the geography, of the City.

The main entrance routes include Railway Avenue, Hutt Road, Waione Street, and State Highway No.2 identified in Appendix General Business 1.

(a) **Railway Avenue:**

Railway Avenue is an important point of entry into Lower Hutt's Central Commercial Activity Area. The activities fronting Railway Avenue should reflect such locational importance and enhance the image of this main entrance route. This area accommodates industrial and commercial activities which provide a supporting role to the Central Commercial Activity Area. These activities should attain high levels of amenity and aesthetic standards to emphasise the importance of this entrance route.

(b) **Hutt Road:**

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. These include the roundabout with Jackson Street, the residential area at Riddlers Crescent and the railway overbridge. This route provides a link between the Petone Off Ramp and the Central Commercial Activity Area. Activities along this route should enhance the amenity value and visual appearance of this main entrance route.

(c) **Waione Street:**

The Esplanade and Waione Street carry 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, a panoramic seascape.

There is a transition at Waione Street from a seaside cottage style residential area to an industrial area which has a built up nature. The distinct industrial character and diversity of form contributes to signaling progression along the route. This contrasts with the openness and long range views to both the central city, and the river and harbour that can be obtained from the Estuary Bridge.

The buildings located close to the street boundary provide a sense of enclosure which contrasts with the openness of The Esplanade and the Hutt River and emphasises a sense of progression along this route.

The aim of the policies is to maintain the sense of enclosure and contrast with open panoramic sea views on other stretches of the entrance route. Buildings will be permitted up to the street boundary and there will be no requirement for front or side yards. Outdoor storage, parking and servicing will be accommodated in the rear yard.

The building design and appearance will be managed to enhance the amenity value of

the area. Design features will be incorporated to prevent visual monotony and promote a strong visual connection with the street. There is no landscaping requirement, however, landscaping may be permitted where it enhances the character of the site.

(d) **State Highway No.2:**

The business areas at Cornish Street and Hebden Crescent are highly visible from State Highway No.2. The effects generated by the activities need to be managed to enhance the visual appearance, amenity value and contribution to the image of the City. This involves attention to building design and appearance, landscaping and screening, signage and traffic generation.

6A 1.1.3 Environmental Effects

Issue

Business activities (commercial and industrial activities) and other activities accommodated within the General Business Activity Area have the potential to generate adverse effects on the amenity values of the area and neighbouring areas at the interface. These adverse effects include noise, dust, odour, glare, light spill and traffic. These activities can also have an adverse effect on the receiving environment in terms of air, water, and soil contamination, or damage to ecosystems. It is, therefore, necessary to manage such adverse effects to maintain and enhance the quality of the environment.

Objective

To avoid or mitigate adverse effects on the amenity values of the area and neighbouring areas, and the receiving environment.

Policy

- (a) 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 General Business Activity Area and interface areas.
- (b) 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.

Explanation and Reasons

The effects of activities in the General Business Activity Area on the environment may have an adverse impact on the character or amenity values of an area, or on the receiving environment.

These effects need to be managed to maintain and enhance the amenity values of the General Business Activity Area and their respective interface areas. Appropriate conditions are required at the interface areas to ensure that amenity values of neighbouring activity areas are not adversely affected.

The objective and policies promote protection of the receiving environment and enhancement of a good working environment that is attractive and healthy for present and future generations. The protection of the environment from harm or irreversible damage is important for the quality of land, air and water and the integrity of the ecological system.

6A 1.2 Site Development Issues

6A 1.2.1 Effects on the Amenity Values of the Area

Issue

The sites, structures and buildings used by business activities (commercial and industrial activities) and other activities accommodated within the General Business Activity Area

have the potential to generate adverse effects on the amenity values of the area and neighbouring areas at the interface. These adverse effects include out of scale development, poor site maintenance, litter, dust, and visual detraction. It is necessary to manage such adverse effects to maintain and enhance the amenity values of the area.

Objective

To maintain and enhance the amenity values of the activity area and neighbouring areas.

Policy

- (a) That each site, structure and building is designed and maintained to enhance the amenity values and character of both the General Business Activity Area and adjacent activity areas.
- (b) That identified urupa sites be protected from inappropriate development on neighbouring sites.
- (c) That buildings or structures in the Point Howard General Business Activity Area located on Eastern Bays Marine Drive adjacent to the Seaview Tanker Terminal be designed and maintained to maintain and enhance the amenity values and character of the coastal environment.

Explanation and Reasons

The objective and policies promote the enhancement of a good working environment that is attractive and healthy for present and future generations. The design and maintenance of sites, structures and buildings shall be managed to avoid or mitigate adverse effects on the character and amenity values of the area, and the respective interface areas. This involves attention being given to the design and external appearance of buildings and structures, and to the maintenance of the site. This also includes setback requirements for sites abutting urupa sites and standards and terms for development at the Point Howard General Business Activity Area to enhance the amenity values of the coastal environment.

6A 1.2.2 Effects of the Hutt River Flood Hazard

Issue

Buildings and structures within the Primary or Secondary River Corridor of the Hutt River are subject to flood hazard effects and can also have adverse effects on flood protection structures. The size, scale and location of buildings and structures need to be managed to avoid or mitigate these adverse effects.

Areas not protected by flood protection structures are at risk of flooding by the Hutt River. The site at 61 Connolly Street (Lot 1 DP 87322 C.T.WN 54D/764) has in place flood protection measures and these measures need to be recognised and maintained to ensure flood hazard effects are properly managed.

Objective

- (a) To avoid or mitigate adverse flood hazard effects on buildings and structures.
- (b) To avoid or mitigate adverse flood hazard effects on flood protection structures.

Policy

- (a) To discourage the siting of buildings and structures in the Primary and Secondary River

Corridors.

- (b) To ensure that buildings and structures in the Primary or Secondary River Corridor of the Hutt River have no more than minor adverse effects on flood protection structures.
- (c) To mitigate the effects of flood hazards on buildings and structures in the Primary and Secondary River Corridors by managing their location, size and scale.
- (d) Flood protection measures at 61 Connolly Street (Lot 1 DP 87322 C.T.WN 54D/764) need to be established and maintained to ensure buildings and structures on site are protected from adverse flood hazard effects of the Hutt River.

Explanation and Reasons

Buildings and structures which are inappropriately located can have adverse effects on adjoining activities. Buildings and structures in the Primary or Secondary River Corridor of the Hutt River could adversely affect flood protection structures. Buildings and structures in the river corridor will also be subject to effects of fast flowing water, deep flooding and erosion. The outcomes identified in the Hutt River Floodplain Management Plan are relevant and should be taken into account in any assessment of effects. It is important that buildings and structures are discouraged in the Primary and Secondary River Corridors. It is therefore appropriate to control the location of buildings and structures.

The site at 61 Connolly Street (Lot 1 DP 87322 C.T.WN 54D/764) is within the Hutt River floodway as shown in the Hutt River Floodplain Management Plan. The site is currently well developed and has in place flood protection measures to avoid and mitigate the adverse flood hazard effects from the Hutt River. These measures need to be maintained so that the risk of flooding is minimal. Flood protection measures protecting the site to 10.1m above mean sea level (which is the 100-year flood level) will ensure that Hutt River flooding is mitigated. In order to ensure that flood hazard effects are managed, minimum conditions are specified.

AMENDMENT 318 - Add new section 6A 1.2.3 Effects on Cultural Practices at Marae
6A 1.2.3 Effects on Cultural Practices at Marae

AMENDMENT 319 - Add new issue to section 6A 1.2.3 Effects on Cultural Practices at Marae
Issue

Marae provide for cultural activities of significant importance to tangata whenua. Poorly designed development in nearby areas can have adverse effects on tikanga associated with these cultural activities, including privacy and cultural safety.

AMENDMENT 320 - Add new objective to section 6A 1.2.3 Effects on Cultural Practices at Marae
Objective

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

AMENDMENT 321 - Add new policy to section 6A 1.2.3 Effects on Cultural Practices at Marae
Policy

(a) 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 322 - Add new explanation and reasons to section 6A 1.2.3 Effects on Cultural Practices at Marae

Explanation and Reasons

Development on sites adjacent to marae which are unsympathetically designed can create privacy and cultural safety risks to activities and associated tikanga that occur at that marae. These will be specific to the particular marae being affected. Therefore, the impacts of development likely to create such risks should be considered through engagement with tangata whenua responsible for the marae. This is required when buildings and structures are within a setback or above a recession plane applied from a boundary shared with marae.

6A 2.1 Permitted Activities

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

6A 2.1.1 Permitted Activities - Conditions

(a) **Minimum Yard Requirements:**

- (i) The side yard shall be a minimum depth of 3m where the site abuts a residential activity area. No side yard is required where a service lane is provided.
- (ii) The rear yard shall be a minimum depth of 8m where the site abuts a residential activity area. This may be reduced if there is a service lane to the rear of the site and sufficient provision has been made for loading and unloading operations.

(b) **Setback Requirements:**

Buildings and structures abutting an urupa shall have a minimum setback of 3m. All new buildings and structures or additions in the Primary or Secondary River Corridor with a gross floor area of 20m² or less and with a setback of 20m or more from a flood protection structure.

AMENDMENT 323 - Amend Permitted Activity Condition 6A 2.1.1(c)

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

Maximum height of all buildings and structures: ~~is 12m.~~

- (i) Within a specific height control overlay shown on the District Plan map, is the height shown in that overlay, and
- (ii) In any other case, is 12 metres.

(d) **Recession Planes:**

All buildings or structures shall comply with the recession plane requirements of the abutting residential activity area.

AMENDMENT 324 - Add new Permitted Activity Condition 6A 2.1.1(e)

(e) On all sites abutting marae in the Community Iwi Activity Area:

- (i) All buildings or structures shall meet a recession plane of 2.5m + 45° applied from the site boundary shared with the marae.
- (ii) All buildings or structures shall be set back 3m from the site boundary shared with the marae.

(e) **Maximum Site Coverage:**

- (i) Maximum site coverage - 100% subject to compliance with yards and screening requirements and off street carparking, loading and unloading requirements.
- (ii) That portion of the site not covered shall be to the rear of the site, for servicing and parking provision.

(f) **Dust:**

- (i) All outside areas shall be sealed, surfaced, or managed appropriately so that there is no dust nuisance at or beyond the boundary of the site.
- (ii) All use, handling and storage of goods, raw materials and waste materials shall be undertaken in such a manner so that there is no dust nuisance at or beyond the boundary of the site.

(g) Odour:

All activities shall be carried out in such a manner so as to ensure that there is not an offensive odour or fumes at or beyond the site boundary.

(h) Light Spill and Glare:

- (i) Artificial light shall not result in added illuminance in excess of 8 lux measured at the window of a dwelling on a neighbouring site.
- (ii) All activities shall be undertaken so as to avoid all unreasonable light spill beyond the site boundary.
- (iii) All activities, buildings and structures shall avoid glare (light reflection) beyond the site boundary.

(i) Vibration:

All activities that cause vibration shall be managed to ensure that no vibration is discernible beyond the site boundary.

(j) Retail Activities:

There shall be no retail activities except in the following circumstances:

- (i) Where the goods are manufactured on site; provided that the retailing shall be ancillary to such manufacturing. For the purposes of this Section, manufacturing excludes those activities which comprise only the packing, labelling, sorting, mixing or assembling of pre-made products.
- (ii) Where the retail activity involves the sale of: carports, kitset garages and sheds; trailers; caravans; boats; swimming pools, spa pools, new and used motor cars; heavy commercial and agricultural vehicles; machinery; and the accessory parts which are essential to the operation of those goods.
- (iii) Where the goods are natural materials which are sold in bulk: gravel, sand, shingle, rock, concrete, coal, fire wood and timber for construction purposes.
- (iv) Where the retail activity is a building improvement centre on Lots 536 and 555, SO 22903 - Vogel Street/Hollands Crescent, Naenae.
- (v) Where the goods are sold at an auction, or garden centre.
- (vi) Where the retail activity provides a food service, provided the gross floor area does not exceed 200m².
- (vii) Where the retail sale of goods is from a service station.
- (viii) Where the retail activity is a supermarket on Lot 2 DP 15329 and Sections 493, 537, 551 and 555 Hutt District - Cambridge Terrace/Vogel Street, Naenae.

(k) Residential Activities:

No residential activities are permitted except where it is necessary to provide living quarters for a caretaker on site.

(l) Visitor Accommodation:

No visitor accommodation is permitted.

(m) Storage Requirements:

- (i) All activities shall be provided with an outdoor area for storage of goods, materials and waste products. This area shall be clearly defined at the time an application is made for development or change of use and occupancy and shall be clear of vehicle access, manoeuvring and parking areas.
- (ii) All outdoor storage areas shall be of such dimensions as to adequately provide for the storage requirements of the proposed use.
- (iii) Waste management: All storage and disposal of refuse will be carried out in such a

manner so as to avoid causing adverse effects beyond the boundary of the site.

(n) **Landscaping and Screening Requirements:**

- (i) All outdoor storage and servicing areas must be screened so that they are not visible from a road or public space. Where this is not practicable such areas must be screened by a close-boarded fence or a fence made of solid material with a minimum height of 1.8m.
- (ii) Where a site abuts a residential or recreation activity area, all outdoor storage and servicing areas must be screened by a close-boarded fence or a fence made of solid material with a minimum height of 1.2m and a maximum height of 1.8m.
- (iii) Where there are 5 or more parking spaces on site, that area is to be screened from the street and adjoining properties by a fence or wall not less than 1.5m in height.

(o) **Servicing Hours:**

Where a site abuts or is opposite a residential activity area, servicing of activities must not occur between the hours of 10.00pm and 7.00am, however this shall not apply to any activity on Pt Lot 1 DP 10694, Sec 1 SO 31984 and Secs 70, 71 and 72 Blk XIV Belmont SD where the hours of servicing are not limited (land adjacent to the Seaview Tanker Terminal).

(p) **61 Connolly Street, Lot 1 DP 87322 C.T.WN 54D/764 (identified in Appendix General Business 2):**

In addition to the other Permitted Activity Conditions, the following shall apply to the scheduled activities on this site:

- (i) (i)The site must be protected from flooding by flood protection measures. The flood protection measures protecting the site from Hutt River flooding must be to a minimum level of 10.1m above mean sea level; and
- (ii) All buildings and structures must have a minimum floor level of 9.2m above mean sea level; and
- (iii) There must be at all times an operational mobile onsite water pump that will be used to manage surface water run-off.

(q) **General Rules:**

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

6A 2.2 Controlled Activities

- (a) Any Permitted Activity on a site abutting or on the opposite side of a road from a residential activity area.

6A 2.2.1 Matters in which Council Seeks to Control and Standards and Terms

- (a) **Any Permitted Activity on a site abutting or on the opposite side of a road from a residential activity area.**
 - (i) External appearance and design of buildings and structures:
All buildings and structures erected shall be of such design and appearance to maintain and enhance the amenity values of the adjoining area.
 - (ii) Maintenance of structures, buildings and space about buildings:
All structures, buildings and space about buildings shall be maintained in a tidy state at all times to ensure that there is no adverse effect on the amenity values of the surrounding area.

6A 2.2.2 Other Matters

All Controlled Activities must comply with the other relevant Permitted Activity Conditions

6A 2.3 Restricted Discretionary Activities

- —
- (a) Any activity which involves vehicle repairs, vehicle maintenance and servicing, engine and bodywork, spray painting and panel beating, or car wrecking and is located, either wholly or in part on a site abutting or on the opposite side of a road from a residential activity area.
- (b) Any building or structure on a site fronting Waione Street.
- (c) Any building or structure on a site fronting Railway Avenue.
- (d) Any building or structure on a site fronting Hebden Crescent.
- (e) Any building or structure on a site fronting State Highway No.2 and the Hutt Road. (These main entrance routes are identified in Appendix General Business 1.)
- (f) Any building or structure on Pt 1 DP 10694, Sec 1 SO 31984 and Sec's 70, 71 and 72 Block XIV Belmont Survey District - land adjacent to Seaview Tanker Terminal.
- (g) All new buildings and structures or additions in the Primary or Secondary River Corridor with a gross floor area greater than 20m² or with a setback less than 20m from a flood protection structure.

- (i) Principal tertiary education activity within the Tertiary Education Precinct (as shown on Appendix General Business 2), including associated buildings and structures, which do not comply with the relevant Permitted Activity Conditions.

- (i) Non-notification

- In respect of Rule 6A 2.3 (i), public notification of applications for resource consent is precluded and limited notification of applications for resource consent need not be required.

- NOTE: Rule 6A 2.3 (i) (i) prevails over Rule 17.2.2.

- (j) All ancillary tertiary education activities within the Tertiary Education Precinct, including associated buildings and structures.

- (i) Non-notification

- In respect of Rule 6A 2.3 (j), public notification of applications for resource consent is precluded and limited notification of applications for resource consent need not be required.

- NOTE: Rule 6A 2.3 (j) (i) prevails over Rule 17.2.2.

AMENDMENT 325 - Add new Restricted Discretionary Rule 6A 2.3(k)

- (k) Any Permitted or Controlled Activity which fails to comply with Permitted Activity Condition 6A 2.1.1(e), relating to setback and recession plane requirements adjacent to marae in the Community Iwi Activity Area, but which otherwise complies with the Permitted Activity Conditions and relevant requirements of Chapter 14 General Rules.

6A 2.3.1 Matters in which Council has Restricted its Discretion and Standards and Terms

- (a) **Any activity which involves vehicle repairs, vehicle maintenance and servicing, engine and bodywork, spray painting and panel beating, or car wrecking and is located, either wholly or in part on a site abutting or on the opposite side of a road from a residential activity area.**
 - (i) External appearance and design of buildings and structures:
All buildings and structures erected shall be of such design and appearance to maintain and enhance the amenity values of the adjoining area.
 - (ii) Maintenance of structures, buildings and space about buildings:
 - The site shall be managed to maintain and enhance the amenity values of the adjoining area.
 - All structures, buildings and space about buildings shall be maintained in a tidy state at all times to ensure that there is no adverse effect on the amenity values of the surrounding area.
 - No vehicles shall be repaired in the front yard; nor shall vehicles in various stages of repair be parked in the street.
- (b) **Any building or structure on a site fronting Waione Street.**
 - (i) Sense of enclosure along Waione Street: Buildings are to be built up to the front boundary.
 - (ii) External appearance and design of buildings and structures:
 - All buildings and structures shall be of such design and appearance to maintain and enhance the amenity values of the adjoining area, and the image of the main entrance route.

- All buildings and structures shall be designed and constructed such that the facade nearest to the street incorporates design features that prevent visual monotony and promote a strong visual connection with the street.
 - Provision for parking, servicing and outdoor storage to be made in the rear yard. No parking in front yards.
- (iii) Maintenance of structures, buildings and space about buildings:
All structures, buildings and space about buildings shall be maintained in a tidy state at all times to ensure that there is no adverse effect on the amenity values of the surrounding area.

(c) Any building or structure on a site fronting Railway Avenue

- (i) Design and location of buildings and structures:
- All buildings and structures erected shall be of such design and appearance to maintain and enhance the amenity value of the area and the image of Railway Avenue as a main entrance route.
 - All buildings and structures shall be designed and constructed such that the facade nearest to the street incorporates design features that prevent visual monotony and promote a strong visual connection with the street.
 - The maximum building facade width of a building, structure or the primary forms of any multi-unit building at the street edge shall not be out of keeping with the local characteristic building width.
 - The publicly relevant activities such as entrance areas, windows, display areas, and offices within all buildings shall be located immediately adjacent to the street edge.
 - All sites, structures and buildings and space about buildings shall be maintained in a tidy state at all times to ensure that there is no adverse effect on the amenity value of the area.
 - There shall be no front yard or required setback of buildings from the front boundary and buildings should be located as close as is practicable to the boundary with Railway Avenue.
 - Where it is proposed to have the building set back from Railway Avenue, the assessment will consider the following factors:
 - Building design and appearance;
 - The location of landscape planting. Soft landscaping of the front yard adjacent to Railway Avenue, where the design contributes to the urban landscape of the area.
 - The location of publicly relevant activities (entrance areas, windows, display areas, offices) as close as practicable to the street edge; and
 - The location and finished appearance of carparking and access areas. Carparking areas and hard-paved storage areas should not be located in front yards in such a way as to separate buildings from the street edge.
- (ii) Landscaping requirements:
Soft landscaping of the front yard adjacent to Railway Avenue should be minimised and permitted only where it contributes to the sense of enclosure along Railway Avenue.
- (iii) Car parking and servicing:
- Car parking areas shall not be provided in any yard area immediately between buildings and Railway Avenue, but should be located in side and rear yard areas.
 - Loading and unloading facilities should be provided in the rear or side yards of the site.

- (iv) Layout and location of activities and facilities not enclosed within a building or structure:
The site shall be designed and maintained in such a manner so as to enhance the amenity values of the area and the image of Railway Avenue as a main entrance route of the City.

(d) Any building or structure on a site fronting Hebden Crescent.

- (i) Design and appearance of buildings and structures:
Any building or structure erected shall be of such design and appearance to maintain and enhance the amenity values of the area and the image of State Highway No.2 as a main entrance route.
- (ii) Maintenance of structures, buildings and space about buildings:
All structures, buildings and space about buildings shall be maintained in a tidy state at all times to ensure that there is no adverse effect on the amenity values of the surrounding area.
- (iii) Maximum height of buildings and structures: 8 metres.
- (iv) Landscaping requirements:
A comprehensive landscaping plan shall be prepared, showing not less than 15% of the site area to be landscaped. Landscaping shall be carried out in terms of the approved plan before any activity commences on the site.
- (v) Maximum site coverage:
Maximum site coverage 60% provided that the portion of the site not covered shall be nearest to Hebden Crescent, for parking, servicing and outdoor storage facilities.
- (vi) Yard requirements:
The rear yard shall be 1.5 metres to allow for the provision and protection of bulk services.
- (vii) Layout and location of activities and facilities not enclosed within a building or structure:
The site shall be designed and maintained in such a manner so as to enhance the amenity value of the area and the image of State Highway No.2 as a main entrance route of the City.
- (viii) Vehicular access:
All vehicular access shall be from Hebden Crescent.

(e) Any building or structure on a site fronting State Highway No.2 and the Hutt Road

- (i) Design and appearance of buildings and structures:
Any building or structure erected shall be of such design and appearance to maintain and enhance the amenity value of the area and the image of the route as a main entrance route. This shall be assessed in terms of design, shape, bulk, height and location of all buildings and structures.
- (ii) Maintenance of structures, buildings and space about buildings:
All structures, buildings and space about buildings shall be maintained in a tidy state at all times to ensure that there is no adverse effect on the amenity values of the surrounding area.
- (iii) Layout and location of activities and facilities not enclosed within a building or structure:
The site shall be designed and maintained in such a manner so as to enhance the amenity value of the area and the image of the route as a main entrance route of the City.

(f) Any building or structure on Pt 1 DP 10694, Sec 1 SO 31984 and Sec's 70, 71 and 72 Block XIV Belmont Survey District - land adjacent to Seaview Tanker Terminal.

- (i) Design, appearance and location of buildings and structures:
Any building or structure erected shall be of such design and appearance to maintain

and enhance the amenity values of the area. This shall be assessed in terms of design, shape, bulk, height and location of all buildings and structures.

- (ii) Maintenance of structures, buildings and space about buildings:
All structures, buildings and space about buildings shall be maintained in a tidy state at all times to ensure that there is no adverse effect on the amenity values of the surrounding area.
 - (iii) Maximum height of buildings and structures: 8 metres.
 - (iv) Landscaping:
A comprehensive landscaping plan shall be prepared, showing not less than 15% of the site area to be landscaped. Landscaping shall be carried out in terms of the approved plan before any activity commences on the site.
 - (v) Maximum site coverage: 60%.
 - (vi) Layout and location of activities and facilities not enclosed within a building or structure:
The site shall be designed and maintained in such a manner so as to enhance the amenity values of the area.
- (g) **All new buildings and structures or additions in the Primary or Secondary River Corridor with a gross floor area greater than 20m² or with a setback less than 20m from a flood protection structure.**
- Proximity of buildings and structures to flood protection structures; and
 - Adverse effects of the flood hazard on buildings and structures and on flood protection structures.
- (h) **All new buildings and structures or additions in the Primary or Secondary River Corridor with a gross floor area greater than 20m² or with a setback less than 20m from a flood protection structure.**
- Proximity of buildings and structures to flood protection structures; and
 - Adverse effects of the flood hazard on buildings and structures and on flood protection structures.
- (i) **Principal tertiary education activities within the Tertiary Education Precinct (as shown on Appendix General Business 4), including associated buildings and structures, which do not comply with the relevant Permitted Activity Conditions.**
- (i) Amenity Values
The extent to which the proposal would affect adversely the amenity values of the surrounding area, including:
 - The effect of buildings and structures on the neighbouring and surrounding sites and, in particular the location, design and appearance of the buildings.
 - Whether the proposal would cause significant loss of sunlight, daylight or privacy of adjoining residential properties.
 - (ii) Layout and location of activities and facilities not enclosed within a building or structure, including:
 - Whether the sites is designed in such a manner so as to maintain or enhance the amenity values of the area.
 - The location, nature and degree of proposed landscaping.
 - The location, nature and screening of outdoor storage, servicing and parking areas, including visibility and relationship to adjoining residential sites and visibility from any public space.

AMENDMENT 326 - Add new Matter of Discretion 6A 2.3.1(j)

j) Buildings and structures that do not meet the setback or recession plane requirements for marae in the Community Iwi Activity Area.

- Privacy, visual dominance, and noise impacts on the tikanga and cultural safety of activities that occur at the marae.
- Whether there are alternative methods, locations or designs that would avoid or reduce impacts on tikanga and cultural safety.
- The outcomes of any engagement undertaken with tangata whenua responsible for the marae, relevant to the effects of the standard not met.
- Any matters of control that would have applied to a Controlled Activity

6A 2.3.2 Other Matters

All Restricted Discretionary Activities must comply with the other relevant Permitted Activity Conditions.

6A 2.4 Discretionary Activities

AMENDMENT 327 - Amend Discretionary Activity Rule 6A 2.4(a)

- (a) Except where stated in the General Rules or as provided for in Rule 6A 2.3(k), any Permitted, Controlled or Restricted Discretionary Activity which fails to comply with any of the relevant Permitted Activity Conditions, or relevant requirements of Chapter 14 General Rules.
- (b) Residential activities, except where it is necessary to provide living quarters for a caretaker on site.
- (c) Visitor accommodation.
- (d) Waste transfer stations.
- (e) Any offensive trade specified in the Third Schedule to the Health Act 1956 and amendments.
- (f) Any activity which involves the use of radiation processes emitting up to 1,000,000 curies. This does not include x-ray machines and low-level laboratory chemicals licensed by the National Radiation Laboratory, under the Radiation Protection Act 1965.
- (g) Trading warehouses.
- (h) 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.

6A 2.4.1 Assessment Matters for Discretionary Activities

- (a) The matters contained in sections 104 and 105, and in Part II of the Act shall apply.
- (b) The degree of compliance or non-compliance with any relevant Permitted Activity Conditions.
- (c) In addition to the above the following matters will be taken into account:
 - (i) For activities involved with radiation processes the assessment shall consider the level of protection for workers, the general public and adjacent premises from exposure above certain acceptable criteria, under the Radiation Protection Act 1965.

6A 2.5 Non-Complying Activities

- (a) Any retail activity which is not identified as a Permitted Activity.
- (b) Any activity involving the use of radiation in excess of 1,000,000 curies or acceptable limits as defined in the Radiation Protection Act 1965 and subsequent amendments.
- (c) Any abattoir, slaughterhouse or packing house required to be licensed pursuant to the

Meat Act 1981 and amendments.

6A 2.6 Other Provisions

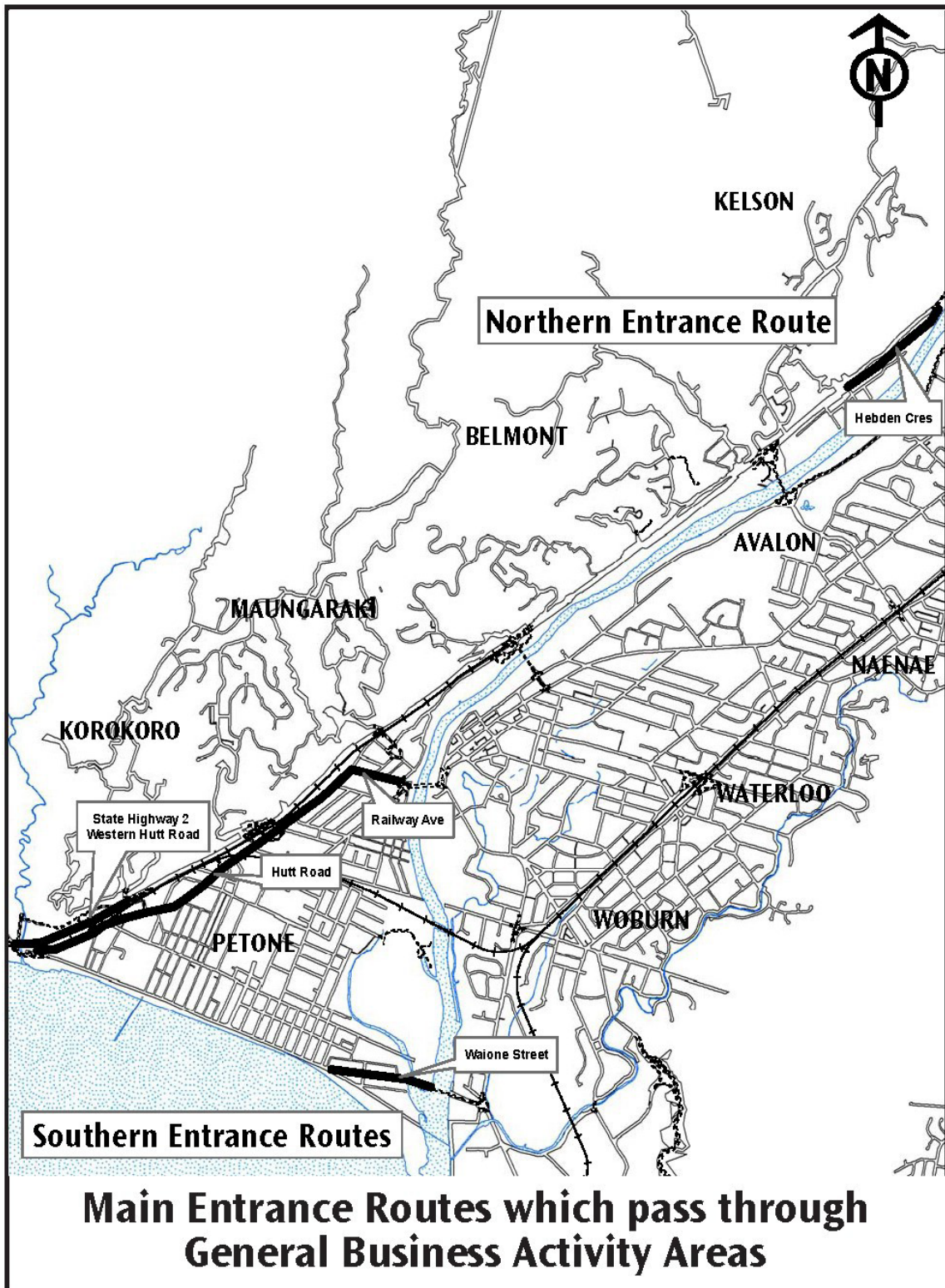
- (a) Subdivisions - See Chapter 11.
- (b) Financial Contributions - See Chapter 12.
- (c) Network Utilities, including the National Grid - See Chapter 13.
- (d) General Rules - See Chapter 14.

6A 3 Anticipated Environmental Results

- (a) Protection of other activity areas from the intrusion of industrial development, which has the potential to generate adverse effects on the community and environment.
- (b) Mitigation and containment within the site of adverse effects to maintain and enhance compatibility with adjacent sites, amenity values of the area, and the receiving environment.
- (c) Safeguarding of the life supporting capacity of air, water, soil and ecosystems of the area from harm or irreversible damage.
- (d) Protection of the community and the environment from potential adverse effects associated with the use, storage, transportation and disposal of hazardous substances.
- (e) Accommodation of a mix of both industrial and non-industrial activities.

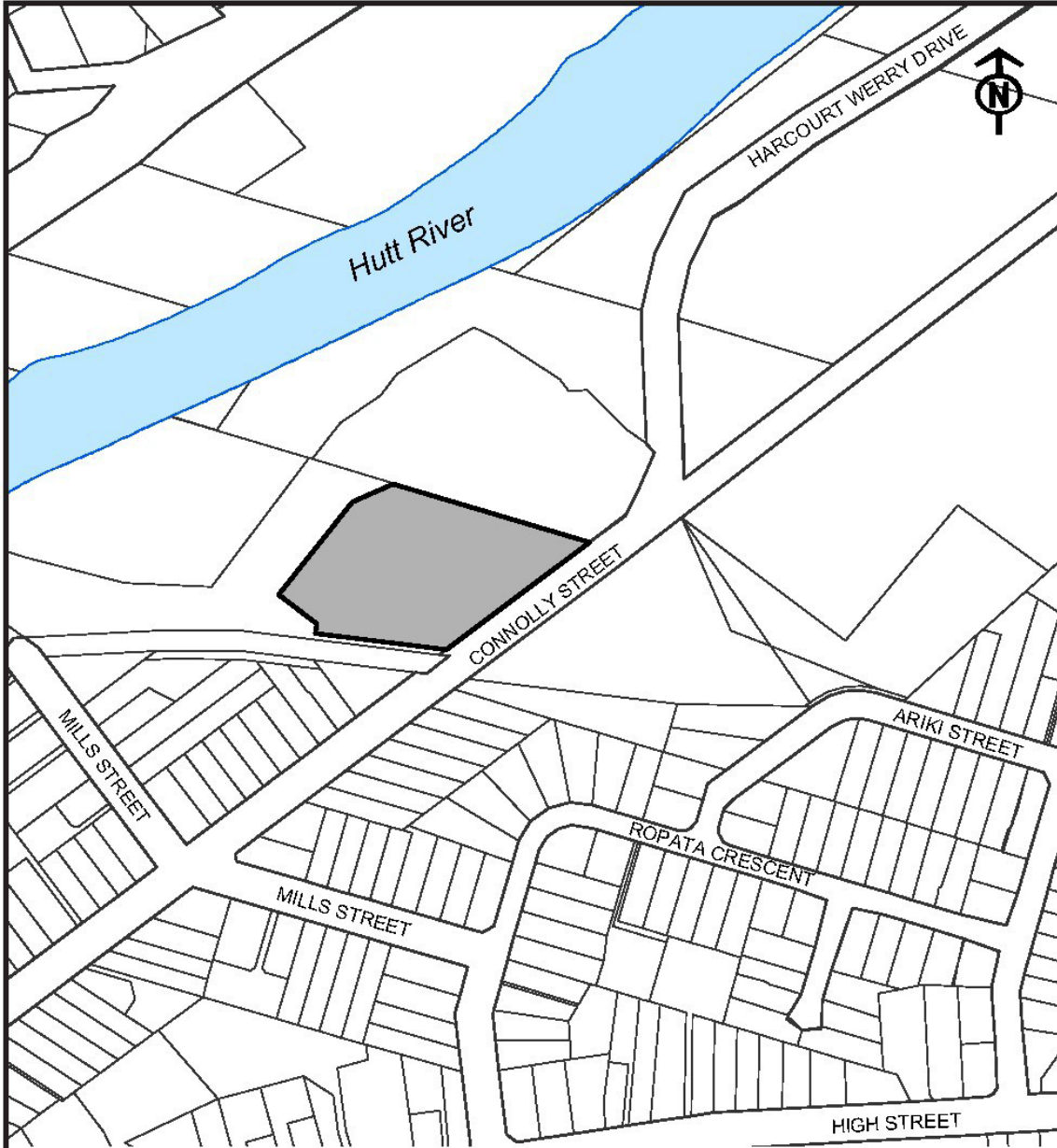
- (f) The scale, size and location of buildings and structures will have adverse effects which are no more than minor on flood protection structures.
- (g) The adverse effects on buildings and structures in the Primary and Secondary River Corridors will be avoided or mitigated.

6A Appendices



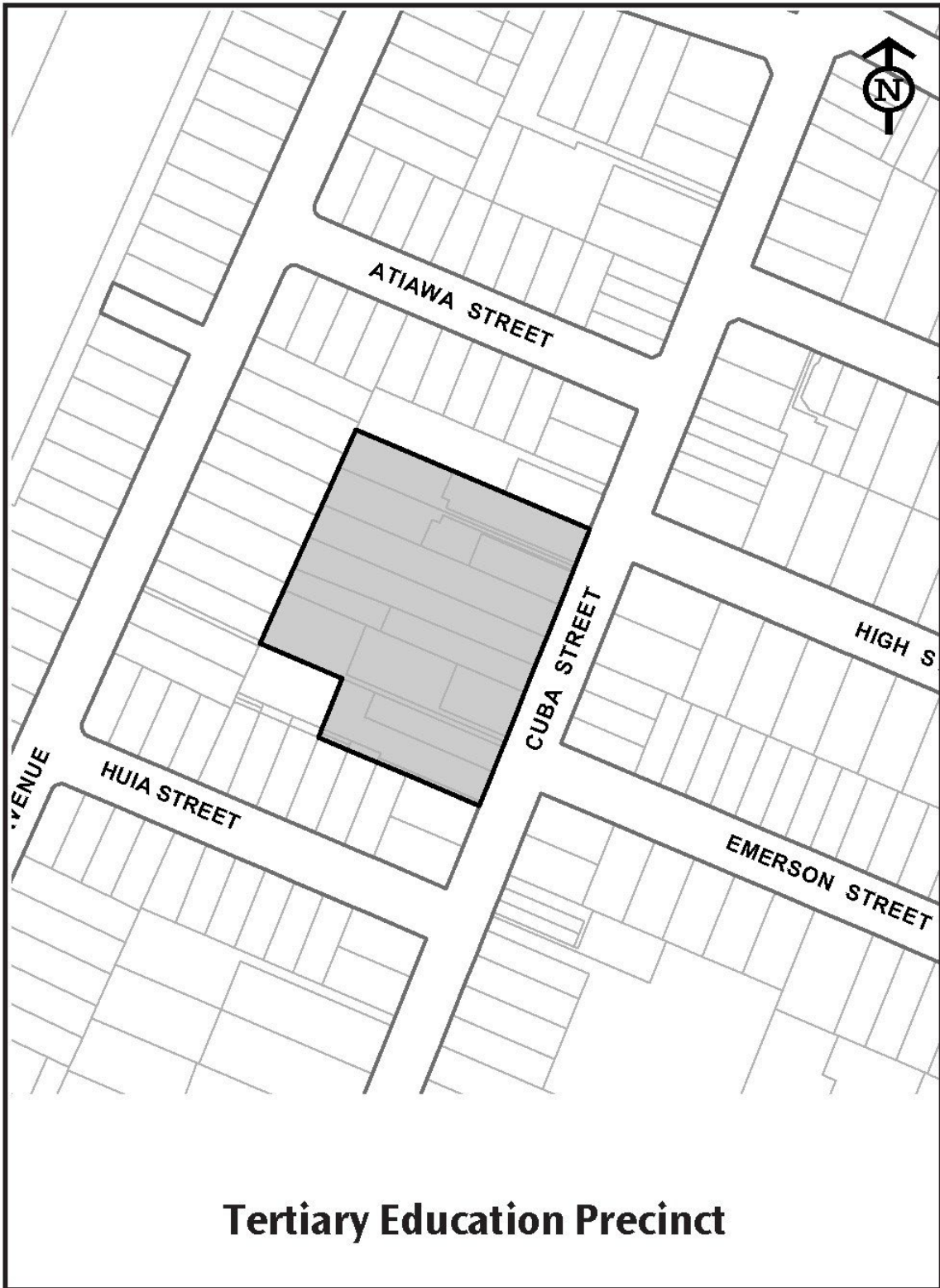
Appendix General Business 1

Appendix General Business 2



**61 Connolly Street, Lower Hutt
Lot 1 DP 87322 C.T. WN 54D/764**

Appendix General Business 3



Tertiary Education Precinct

9A Community Health Activity Area

9A 1 Issues, Objectives and Policies

9A 1.1 Local Area Issues

9A 1.1.1 Amenity Values

Issue

The Hutt Hospital provides essential health care services, however the nature and scale of activities on the site have the potential to affect adversely the amenity values of the surrounding area. It is important that opportunity is available for the operations to continue and expand where necessary, while ensuring adverse effects upon the surrounding area are managed.

Objective

To accommodate a range of activities on the site in a manner which does not affect adversely amenity values of the surrounding area.

Policy

- (a) That opportunity be available for a range activities related to the provision of health services.
- (b) That the accommodation of activities not related to the provision of health care services be managed to ensure adverse effects upon the character and amenity values of surrounding recreation and residential activity areas.
- (c) That the amenity values of surrounding residential and recreation activity areas be maintained and enhanced.
- (d) That subdivision is managed to ensure character and amenity values of surrounding residential and recreation activity areas are maintained and enhanced.

Explanation and Reasons

The provision of health care services to the community is the primary function of the Hutt Hospital. Health care services include any activity which provides services relating to physical and mental health and welfare. In addition to this, in the context of this activity area, health care services shall also include commercial activities directly associated with patient and visitor welfare such as a cafe or kiosk.

Provisions in the Plan will ensure continued opportunity is available for these services to operate and expand where necessary, while ensuring the nature, and scale of activities does not affect adversely the amenity values of surrounding residential and recreation activity areas.

Consideration shall also be given to activities not related to the provision of health care services. Such activities will be managed to ensure adverse effects upon the surrounding residential and recreation activity areas.

9A 1.1.2 Residential Activities

Issue

Activities on sites surrounding the Hutt Hospital are principally residential in nature. It is necessary to provide opportunity for residential activities within the activity area, where the character and amenity values of surrounding activity areas can be maintained and enhanced.

Objective

To ensure opportunities are available for residential activities on the site, in a manner which does not affect adversely the amenity values or character of the surrounding area.

Policy

- (a) That opportunity be available for a range of residential activities.
- (b) To ensure residential amenity values of surrounding areas are maintained and enhanced.
- (c) To allow home occupations where the adverse effects on the surrounding residential area are managed and the residential characteristics of the site and buildings are retained.

Explanation and Reasons

Activities which surround the Community Health Activity Area are principally residential in nature. Although the current activities on the site are associated with the provision of health care services, recognition of the potential for residential activities is also made in the Plan.

Where residential activities other than those associated with health care services are proposed, compliance with the Permitted Activity Conditions within the General Residential Activity Area will be required.

9A 1.2 Site Development Issues

9A 1.2.1 Height, Scale and Location of Building and Structures

Issue

The site on which the Hutt Hospital is located is used intensively, and the scale of buildings is different in character to those in surrounding areas. Future development on the site must

be managed to ensure buildings and structures do not affect adversely the amenity values of the surrounding area.

Objective

To ensure that all structures and buildings are designed and maintained to ensure the amenity values of surrounding residential and recreation activity areas, and the streetscape are maintained and enhanced.

AMENDMENT 328 - Delete Policy 9A 1.2.1(c) of section 9A 1.2.1

Policy

- (a) To ensure a progressive reduction in height of buildings the closer they are located to a site boundary, maintaining adequate daylight and sunlight for adjoining properties.
- (b) To require minimum setback requirements from all boundaries to maintain and enhance amenity values of surrounding the activity areas and the streetscape.
- ~~(c) To ensure that new buildings are of a height, shape and form that adverse effects of wind are managed and mitigated.~~
- (d) To ensure that new buildings and structures are of a height, scale and design that adverse effects upon visual amenity values are avoided, remedied or mitigated.

AMENDMENT 329 - Amend Explanations and Reasons of section 9A 1.2.1

Explanation and Reasons

All new buildings and structures on the site have the potential to affect adversely the amenity values of adjoining sites and the surrounding area if their height, location, intensity and scale is not managed.

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

The Plan will manage the adverse effects of buildings and structures through the use of rules.

The amenity values of adjoining sites will be maintained by restricting the height of buildings in close proximity to residential boundaries.

The visual amenity values of the site when viewed from High Street will also be maintained, by restricting development between the existing buildings and the road frontage.

9A 1.2.2 On Site Parking

Issue

The demand for on site vehicle parking generated by staff and visitor cars is significant. It is essential that on site parking is managed to maintain and enhance amenity values of the surrounding area.

Objective

To ensure provision made for on site parking does not affect adversely the amenity values of adjacent activity areas.

Policy

- (a) That on site parking areas be adequately screened from surrounding activity areas and adjoining roads.

Explanation and Reasons

Health related activities on the site generate a significant amount of vehicle activity, consisting principally of staff and visitor vehicles.

It is necessary that provision for on site parking be managed to ensure adverse effects of vehicle activities on the surrounding activity areas are avoided, remedied or mitigated.

The Plan specifies minimum parking requirements when new buildings are erected on the site. Landscaping and screening of car parking areas can improve the visual amenities of an area. It is important therefore that car parking areas and adjoining roads or boundaries with residential or recreation activity areas are suitably landscaped and screened.

9A 2 Rules

9A 2.1 Permitted Activities

- (a) Activities relating to the provision of health care services and ancillary activities of a commercial nature.
- (b) Additions to existing buildings and new buildings and structures.
- (c) Dwellings.
- (d) Care facilities.
- (e) Home occupations.
- (f) Childcare and Kohanga Reo facilities.
- (g) Accessory buildings to the above Permitted Activities.

9A 2.1.1 Permitted Activities - Conditions

AMENDMENT 330 - Amend Permitted Activity Condition 9A 2.1.1(a)

- (a) **Minimum Yard Requirements:** ~~All yards: 3m.~~
For sites adjoining a Residential Activity Area a 1 metre yard is required on the shared boundary.

AMENDMENT 331 - Amend Permitted Activity Condition 9A 2.1.1(b)

- (b) **Recession Planes:**
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.
~~For all buildings and structures~~
 - ~~i. From the north facing boundary: 2.5m + 45°~~
 - ~~ii. From the northeast and northwest facing boundary: 2.5m + 41°~~
 - ~~iii. From all other site boundaries: 2.5 m + 37.5°~~~~provided the recession plane shall not apply to television aerials, flagpoles and chimneys.~~
See Appendix Community Health 1

AMENDMENT 332 - Amend Permitted Activity Condition 9A 2.1.1(c)

- (c) **Maximum Height of Buildings and Structures: 22 metres**
~~Area 1 – 20.0m~~
~~Area 2 – 8.0m~~
~~See Appendix Community Health 2~~

AMENDMENT 333 - Delete Permitted Activity Condition 9A 2.1.1(d)

- ~~(d) **Maximum Length for all Buildings and Structures:**
No part of any building exceeding 20m in length may fall outside two arms meeting at a common point on the boundary and each making an angle of 20 degrees with that boundary.
See Appendix General Residential 18 in the General Residential Activity Area.~~

(e) Dust:

All outside areas shall be sealed, surfaced or managed appropriately so that there is no dust nuisance at or beyond the boundary of the site.

All storage of goods, and waste materials shall be stored in such a manner so that there is no dust nuisance at or beyond the boundary of the site.

All use of goods shall be undertaken in such a manner so that there is no dust nuisance at or beyond the boundary of the site.

(f) Odour:

All activities shall be carried out on the site in such a manner so as to ensure that there is not an offensive odour at or beyond the site boundary.

(g) Light Spill and Glare:

- (i) Artificial light shall not result in added illuminance in excess of 8 lux measured at the window of a dwelling on a neighbouring site.
- (ii) All activities shall be undertaken to avoid glare (light reflection) and light spill beyond the boundary of the site.
- (iii) No outdoor lighting or illumination may flash.

(h) Vibration:

Any activity that would cause vibration shall be managed and controlled in such a way that no vibration is discernible beyond the boundaries of the site.

(i) On Site Parking:

- (i) All parking areas where they are not contained within buildings, which abut a Residential or Recreation Activity Area shall be screened by a close boarded fence or a fence of solid material, to a height of 1.8 metres.
- (ii) At least 5% of car parking areas not contained within a building and adjoining legal roads must be landscaped and screened.
- (iii) General Rules:
Compliance with all matters in the General Rules - See Chapter 14.

- (j) For Permitted Activities (c), (d), (e) and (f), the Permitted Activity Conditions in the General Residential Activity Area - Chapter 4A, shall apply.

9A 2.2 Discretionary Activities

- (a) Except where stated in the General Rules, any Permitted Activity which fails to comply with any of the Permitted Activity Conditions, or relevant requirements of Chapter 14 - General Rules.
- (b) Offices not associated with a Permitted Activity.

9A 2.2.1 Assessment Matters for Discretionary Activities

- (a) The matters contained in Sections 104 and 105, and Part II of the Act shall apply.
- (b) The degree of compliance or non-compliance with any relevant Permitted Activity Conditions.

9A 2.3 Non-Complying Activities

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

9A 2.4 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.

9A 3 Anticipated Environmental Results

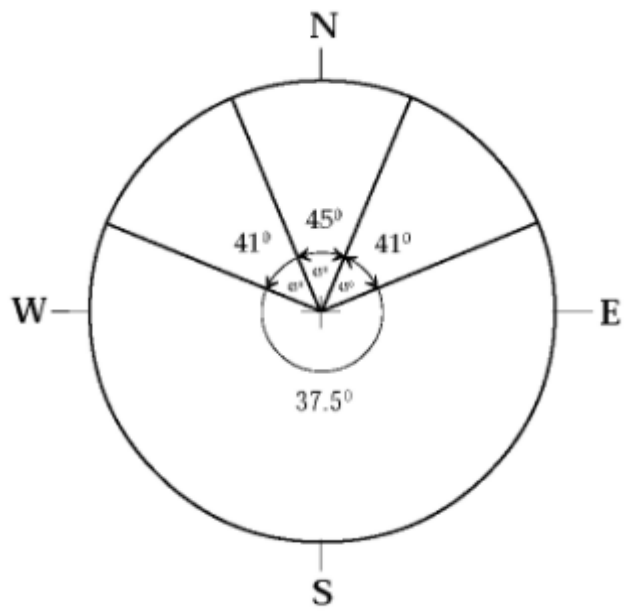
- (a) Opportunity available for the provision of health services.
- (b) Opportunity available for certain activities not associated with the provision of health services.
- (c) Maintenance and enhancement of the amenity values of the surrounding activity areas and the streetscape.
- (d) Opportunity available for residential activities.

9A Appendices

AMENDMENT 334 - Delete Appendix Community Health 1

Appendix Community Health 1

TO BE DELETED



Recession Plane Indicator

AMENDMENT 335 - Delete Appendix Community Health 2
Appendix Community Health 2

TO BE DELETED



10A Community Iwi Activity Area

10A 1 Issues, Objectives and Policies

10A 1.1 Local Area Issue

10A 1.1.1 Provision for Traditional Maori Activities

Issue

Crucial to the overall wellbeing of Maori is the opportunity to maintain an association with land of historical importance and to undertake appropriate activities on that land which reflect their cultural aspirations. This must be managed to ensure that the amenity values of adjoining areas are maintained and enhanced.

Objective

To recognise those sites of historical importance together with the range of appropriate activities while ensuring that the amenity values of adjoining areas are maintained and enhanced.

Policy

- (a) To ensure that Maori cultural, training and education services, health facilities and employment related activities are provided for in a manner that ensures that the amenity values of adjoining areas are maintained and enhanced.
- (b) To recognise that there may be further sites of historical importance identified for inclusion in the Community Iwi Activity Area.

Explanation and Reasons

Chapter 2 of this Plan has recognised the partnership of Te Runanganui o Taranaki Whanui ki te Upoko o Te Ika a Maui and the Wellington Tenth Trust. The Community Iwi Activity Area makes provision for a number of the site specific activities. Generally these involve the provision of Marae, education and training services, health facilities, employment opportunities and urupa (burial grounds). All are based on the traditions and culture of Maori. In addition to those sites and activities identified within this activity area, a variety of activities are provided for within other activity areas. These include the existing urupa in the business activity areas, new urupa within the General Rural Activity Area, and te kohanga reo and papakainga housing within the residential activity areas. The urupa sites

have additional protection from neighbouring activities. This is achieved through minimum setback requirements and restrictions on the nature and locations of signs.

The District Plan Maps identify the Community Iwi Activity Areas. The rules provide for three areas which are identified as Marae, urupa and Kokiri Centres.

10A 1.2 Site Development Issue

10A 1.2.1 Amenity Values in Neighbouring Activity Areas

Issue

The amenity values of neighbouring activity areas are influenced by elements such as the extent and position of buildings, the character of those buildings, and the effects of the activity which extend beyond the boundaries of the Community Iwi Activity Area. It is necessary to ensure that activities in the Community Iwi Activity Areas have no more than minor adverse effects on the amenity values of neighbouring, business and residential activity areas.

Objective

To ensure that activities being undertaken on sites in Community Iwi Activity Areas have no more than minor adverse effects on the amenity values of neighbouring business and residential activity areas.

Policy

- (a) To ensure that activities in the Community Iwi Activity Areas have no more than minor adverse effects on the amenity values of neighbouring business and residential activity areas through specific minimum standards relating to the extent and position of buildings and the performance standards of activities.

Explanation and Reasons

Amenity values in areas adjoining sites in the Community Iwi Activity Areas should not be affected adversely by the nature or scale of activities within the activity area. To ensure that adverse effects are no more than minor, it is appropriate to manage the nature and scale of activities by identifying appropriate activities and applying those standards established for the business and residential activity areas.

10A 2 Rules

10A 2.1 Community Iwi Activity Area 1 - Marae

AMENDMENT 336 - Amend section 10A 2.1 Rules for Community Iwi Activity Area 1 - Marae

10A 2.1 Community Iwi Activity Area 1 Marae

(See Appendix Community Iwi 1 for the locations)

- (a) All provisions of the ~~General Residential Activity Area~~ Medium Density Residential Activity Area shall apply to the Waiwhetu Marae (Puketapu Grove, Waiwhetu), Te Mangungu Marae (Rata Street, Naenae), and Koraunui Marae (Stokes Valley) ~~and Te Kakano O Te Aroha Marae (Moera).~~
- (aa) All provisions of the High Density Residential Activity Area shall apply to Te Kakano O Te Aroha Marae (Moera).
- (b) All provisions of the General Business Activity Area shall apply to the Te Tatau O Te Po Marae (Puke Ariki Hutt Road).
- (c) All provisions of the General Recreation Activity Area shall apply to the Wainuiomata Marae (Pukeatua).

In addition the following rules listed below apply to all locations.

(See Appendix Community Iwi 1 for the locations)

- (a) All provisions of the General Residential Activity Area shall apply to the Waiwhetu Marae (Puketapu Grove, Waiwhetu), Te Mangungu Marae (Rata Street, Naenae), Koraunui Marae (Stokes Valley), and Te Kakano O Te Aroha Marae (Moera).
- (b) All provisions of the General Business Activity Area shall apply to the Te Tatau O Te Po Marae (Puke Ariki - Hutt Road).
- (c) All provisions of the General Recreation Activity Area shall apply to the Wainuiomata Marae (Pukeatua).

In addition the following rules listed below apply to all locations.

10A 2.1.1 Permitted Activities

- (a) Marae.
- (b) Health Clinics.
- (c) Kohanga Reo.
- (d) Kokiri Centres at Te Tatau O Te Po Marae, Waiwhetu Marae and Wainuiomata Marae.

10A 2.1.1.1 Permitted Activity - Conditions

AMENDMENT 337 - Amend section 10A 2.1.1.1 Permitted Activity - Conditions

10A 2.1.1.1 Permitted Activity Conditions

- (a) All conditions for Permitted Activities in the ~~General~~ Medium Density Residential Activity Area shall apply to the Waiwhetu Marae, Te Mangungu Marae and Koraunui Marae ~~and Te Kakano O Te Aroha Marae.~~
- (aa) All conditions for Permitted Activities in the High Density Residential Activity Area shall apply to Te Kakano O Te Aroha Marae.
- (b) All conditions for Permitted Activities in the General Business Activity Area shall apply to the Te Tatau O Te Po Marae.
- (c) All conditions for Permitted Activities in the General Recreation Activity Area shall apply to the Wainuiomata Marae.
- (a) All conditions for Permitted Activities in the General Residential Activity Area shall apply to the Waiwhetu Marae, Te Mangungu Marae, Koraunui Marae and Te Kakano

O Te Aroha Marae.

- (b) All conditions for Permitted Activities in the General Business Activity Area shall apply to the Te Tatau O Te Po Marae.
- (c) All conditions for Permitted Activities in the General Recreation Activity Area shall apply to the Wainuiomata Marae.

10A 2.1.2 Restricted Discretionary Activities

- (a) Kokiri Centres at the Te Mangungu Marae, Koraunui Marae and Te Kakano O Te Aroha Marae.
- (b) Cultural Centre (including the manufacture and sale of Maori craft products) at Waiwhetu Marae.

10A 2.1.2.1 Matters in which Council has Restricted its Discretion and Standards and Terms

- (a) **Kokiri Centres at the Te Mangungu Marae, Koraunui Marae and Te Kakano O Te Aroha Marae.**
 - (i) Amenity Values:
The extent to which the activity will alter the amenity values of the neighbouring residential activity area. This includes consideration of factors such as visual amenity values, the character of the residential area, the character of any proposed buildings and the existing amenity values.
- (b) **Cultural Centre (including the manufacture and sale of Maori craft products) at Waiwhetu Marae.**
 - (i) Amenity Values:
The extent to which the activity will alter the amenity values of the neighbouring residential activity area. This includes consideration of factors such as visual amenity values, the character of the residential area, the character of any proposed buildings and the existing amenity values.

10A 2.1.2.2 Other Matters

All restricted Discretionary Activities must comply with other relevant Permitted Activity Conditions.

10A 2.2 Community Iwi Activity Area 2 - Urupa

(See Appendix Community Iwi 2 for the locations)

10A 2.2.1 Permitted Activities

- (a) Urupa

10A 2.3 Community Iwi Activity Area 3 - Kokiri Centres

(See Appendix Community Iwi 3 for the locations)

- (a) All provisions of the General Business Activity Area shall apply to the Pukeatua Kokiri (Wainuiomata) and all provisions of the Special Business Activity Area shall apply to the Ngau-matau Kokiri (Seaview).

In addition the following rules listed below apply to both locations.

10A 2.3.1 Permitted Activities

- (a) Kokiri Centres.
- (b) Marae.

10A 2.3.1.1 Permitted Activity - Conditions

- (a) All conditions for Permitted Activities in the General Business Activity Area shall apply to the Pukeatua Kokiri.
- (b) All conditions for Permitted Activities in the Special Business Activity Area shall apply to the Ngau-matau Kokiri.

10A 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.

10A 3 Anticipated Environmental Results

- (a) Recognition and provision for activities which are undertaken by Maori on land that is of historical and cultural significance.
- (b) Maintenance and enhancement of the amenity values of properties neighbouring the Community Iwi Activity Area.

10A Appendices

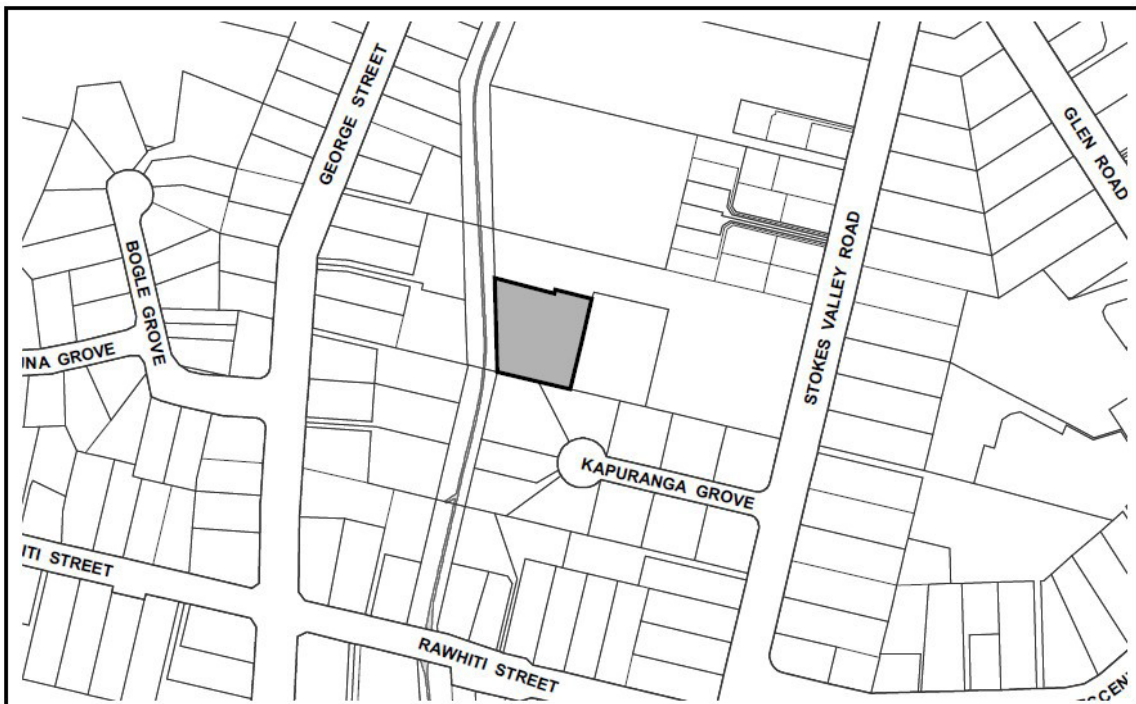
Appendix Community Iwi 1



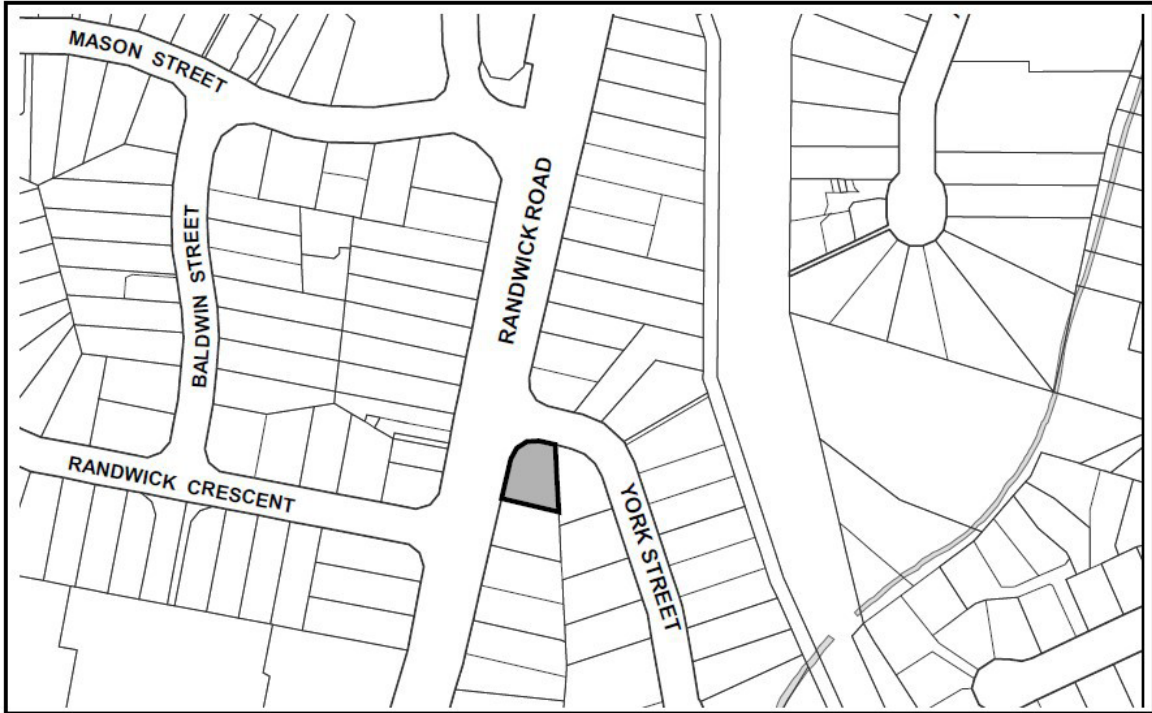
Waiwhetu Marae (Puketapu Grove)



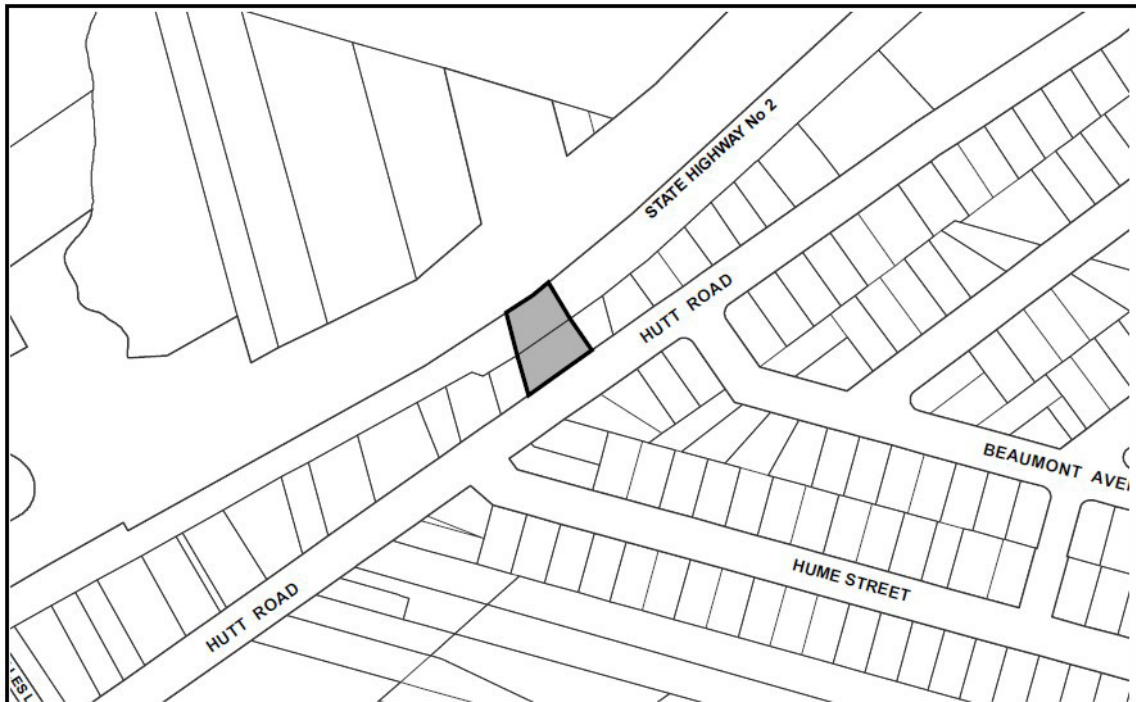
Te Mangungu Marae (Rata Street)



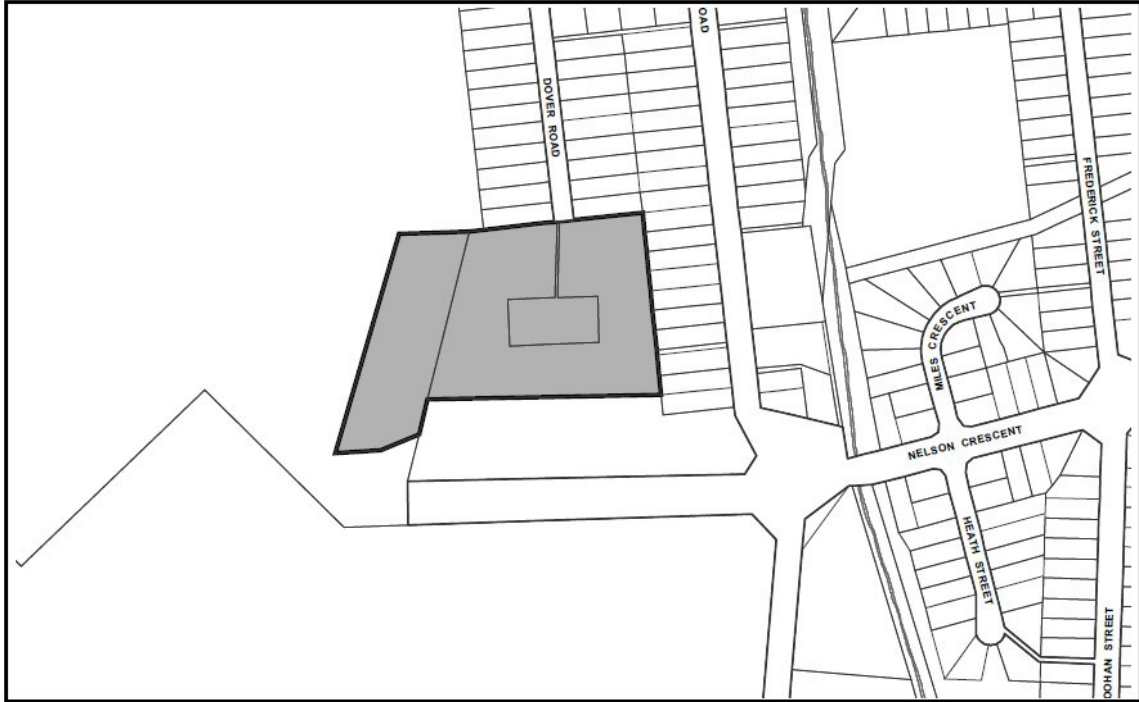
Koraunui Marae (Stokes Valley)



Te Kakano O Te Aroha Marae (Moera)

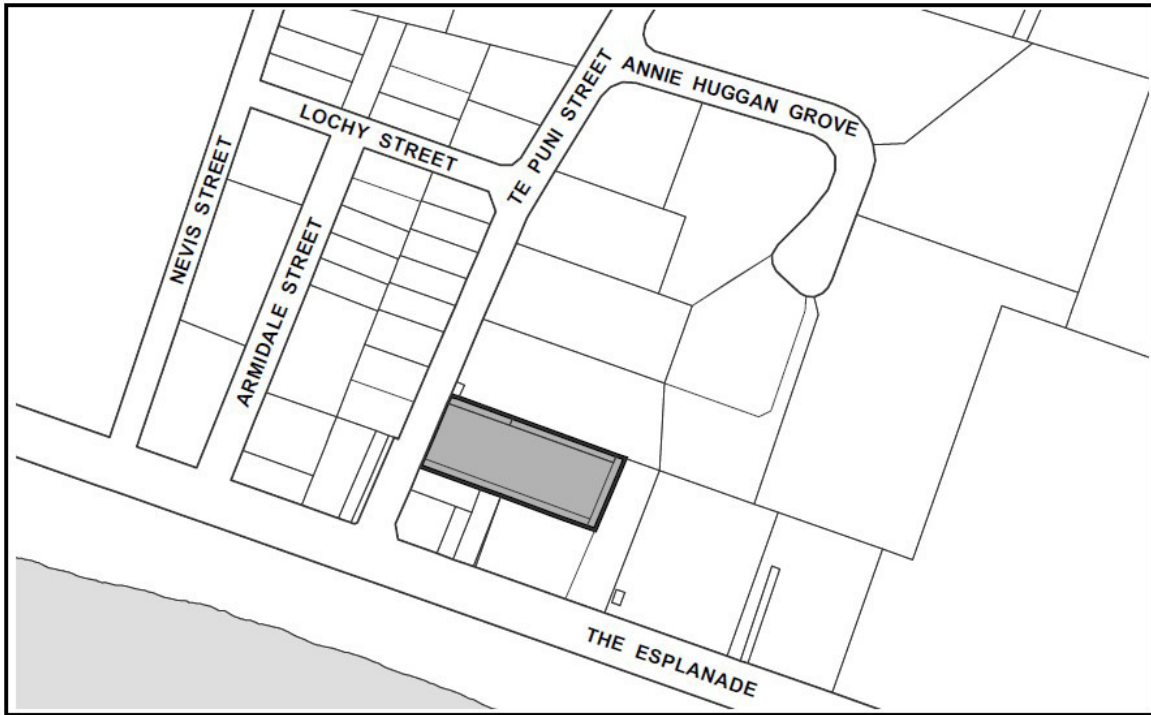


Te Tahau O Te Po Marae (Puke Ariki, Hutt Road)

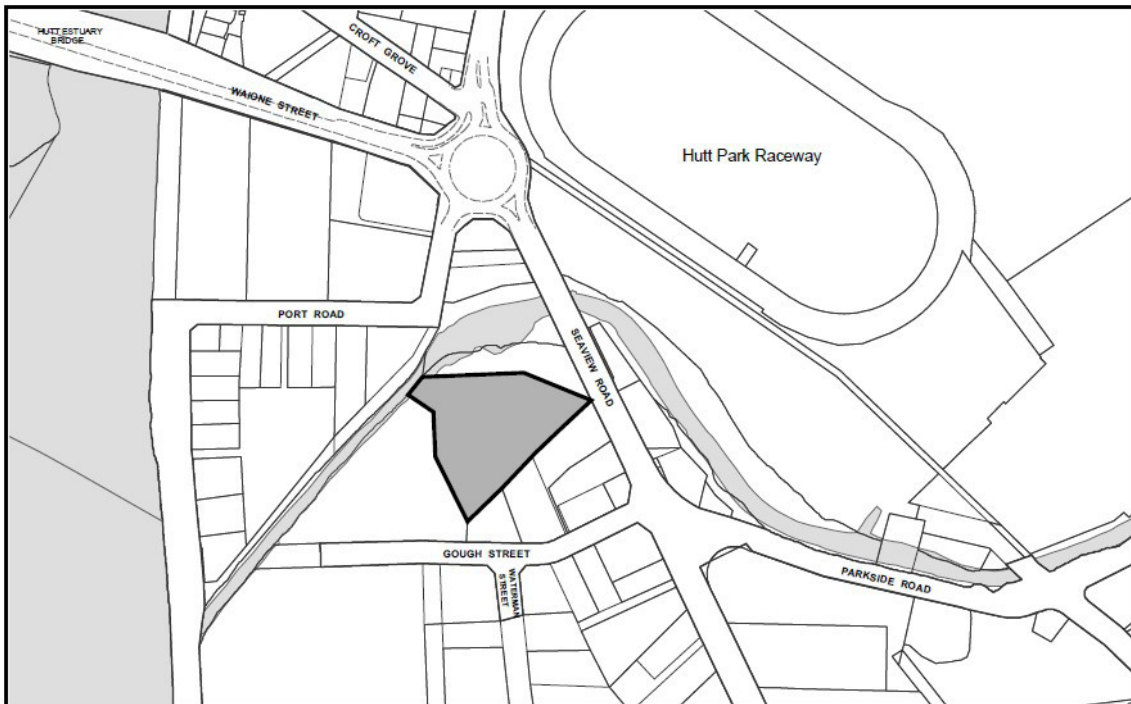


Wainuiomata Marae (Pukeatua)

Appendix Community Iwi 2



Te Puni Urupa (Petone)

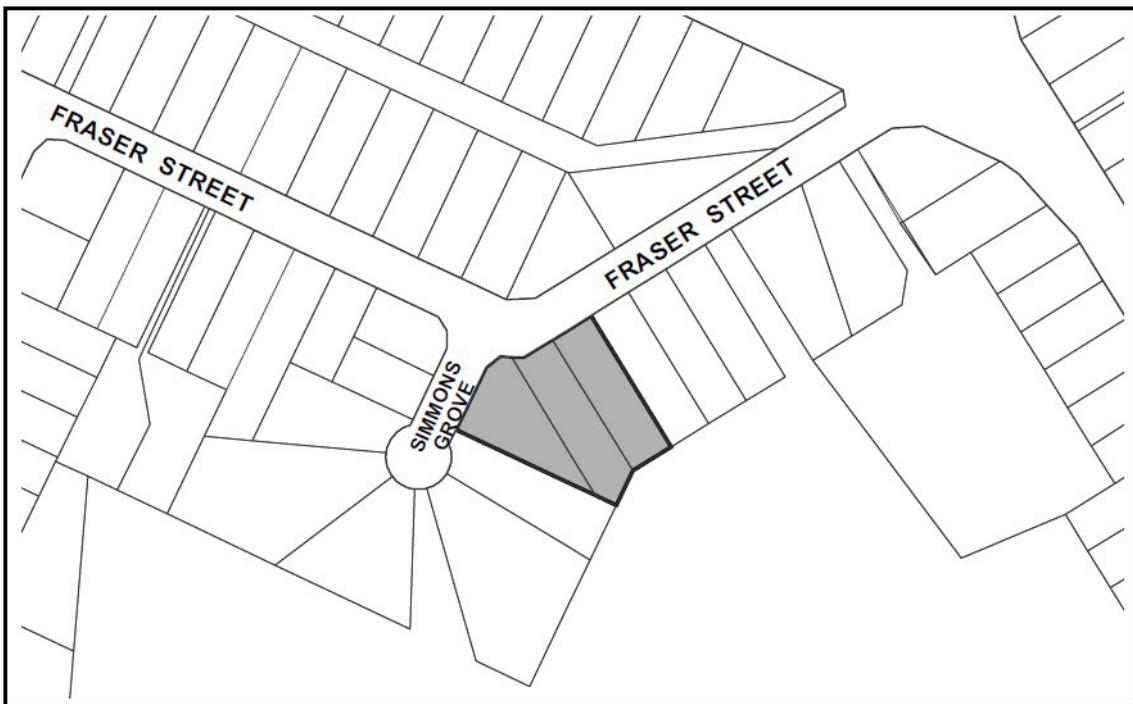


Seaview Urupa

Appendix Community Iwi 3



Pukeatua Kokiri (Wainuiomata)



Pukeatua Kokiri (Wainuiomata)

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.
- (be) Subdivision of land within high hazard areas within Natural Hazard Overlays and Coastal Hazard Overlays shall be avoided, unless there is an exceptional reason for the subdivision within this area and the subsequent use and development mitigates the impacts from natural hazards to people, property and infrastructure.
- (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 Heretaunga Settlement** and **Patrick Street-Riddlers Crescent Heritage Precincts** 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 and all sites containing items listed in Appendix 14F, Appendix Heritage 1 and 2

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. <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. <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).
<u>Notification</u>	<u>Public and limited notification of an application for resource consent under this rule is precluded.</u>

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 8,000m ² .
-	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 Heretaunga Settlement and Patrick Street Riddlers Crescent Heritage Precincts.
- (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

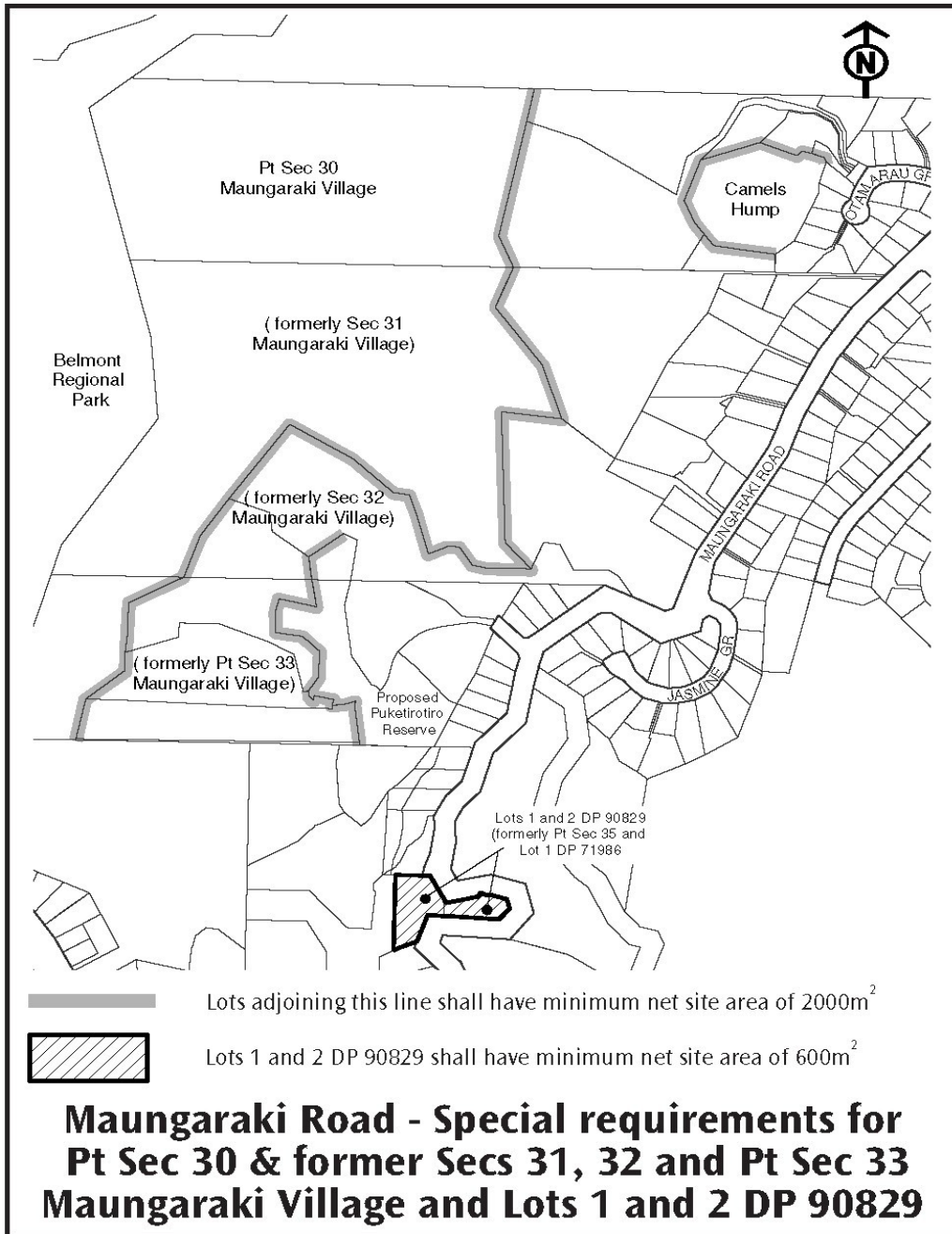
- (a) Any subdivision of land within the National Grid Corridor that does not comply with the standards and terms under Rule 11.2.3.2.
- (b) Any subdivision of the land identified in Appendix Subdivision 8 which results in any new lots having vehicular access to Liverton Road.
- (c) Any subdivision that 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.
- (g) Any subdivision within the High Coastal Hazard Overlay.

11.3 Anticipated Environmental Results

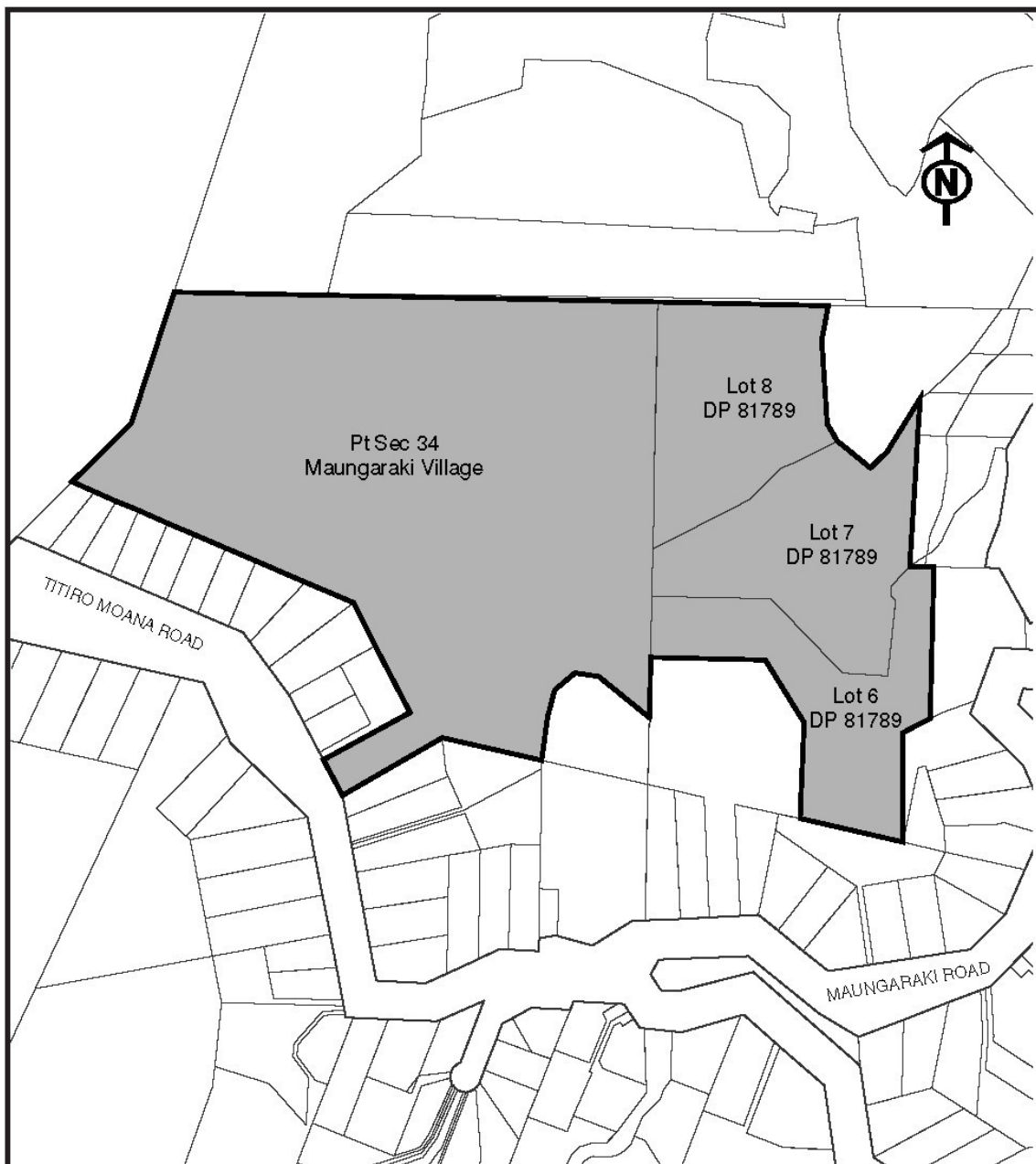
- (a) That allotments created are suitable for the proposed use.
- (b) That adverse effects arising from the subdivision of land will be managed and mitigated.
- (c) That where appropriate and necessary there be improved public access to public areas.

11 Appendices

Appendix Subdivision 1

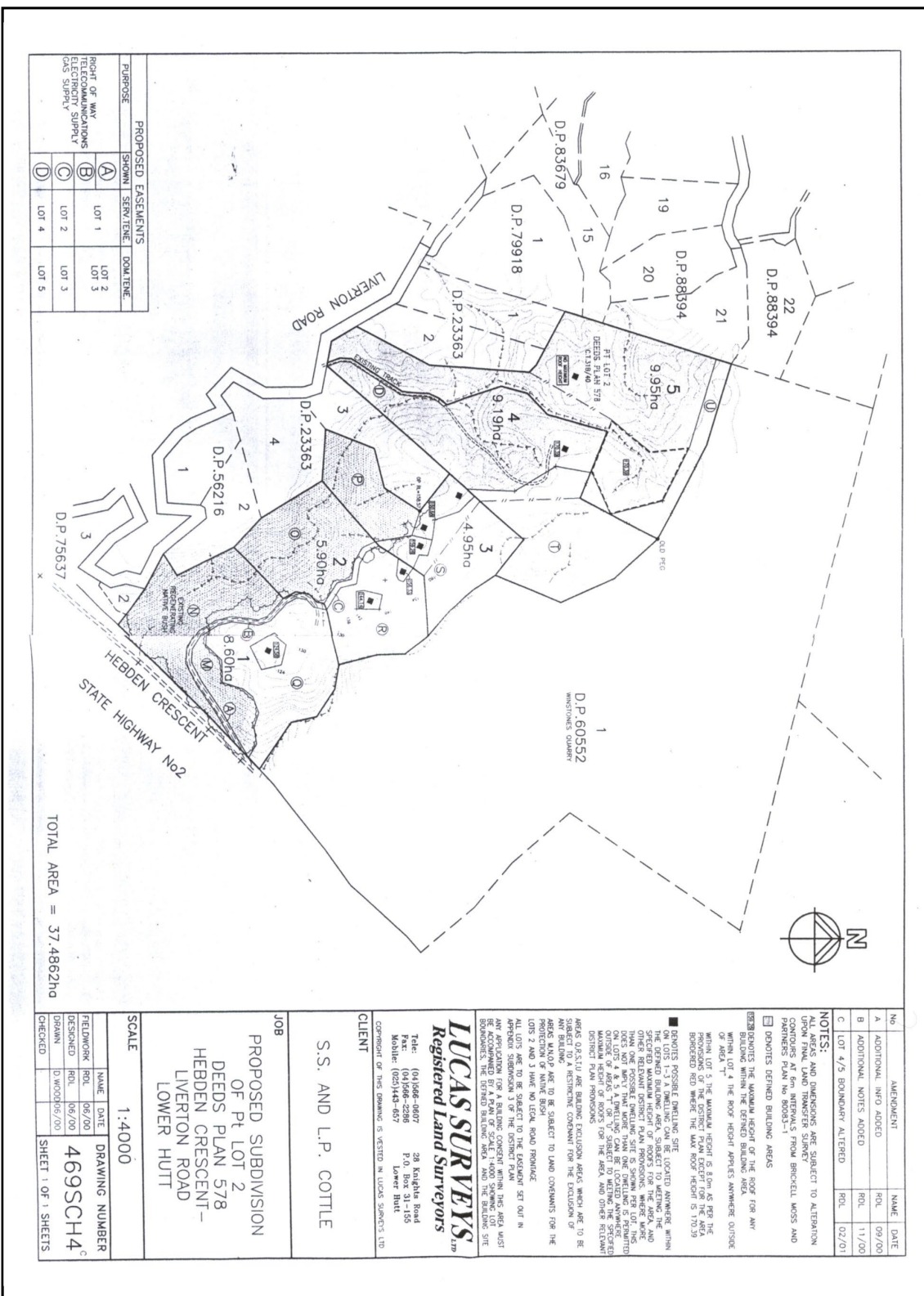


Appendix Subdivision 2



**Titiro Moana Road
Pt Section 34 Maungaraki Village and
Lots 6,7 & 8 DP 81789 (formerly Pt Sec 35
Maungaraki Village)**

Appendix Subdivision 3



TOTAL AREA = 37.4862ha

No.	AMENDMENT	NAME	DATE
A	ADDITIONAL INFO ADDED	ROL	09/00
B	ADDITIONAL NOTES ADDED	ROL	11/00
C	LOT 4/5 BOUNDARY ALTERED	ROL	02/01

NOTES:
 ALL AREAS AND DIMENSIONS ARE SUBJECT TO ALTERATION AND DIMENSIONS ARE SHOWN AS PER THE PARTNERS PLAN No 80093-1.
 [Symbol] DENOTES DEFINED BUILDING AREAS
 [Symbol] DENOTES THE MAXIMUM HEIGHT OF THE ROOF FOR ANY BUILDING WITHIN THE DEFINED BUILDING AREA.
 [Symbol] WITHIN LOT 4 THE ROOF HEIGHT APPLIES ANYWHERE OUTSIDE OF AREA 1.
 [Symbol] WITHIN LOT 5 THE MAXIMUM HEIGHT IS 8.0m AS PER THE MAXIMUM HEIGHT PROVISIONS IN THE DISTRICT PLAN. THE REFERENCED RED WHERE THE MAX ROOF HEIGHT IS 1.70.39
 [Symbol] DENOTES POSSIBLE DWELLING SITE
 [Symbol] ON LOTS 1-3 A DWELLING CAN BE LOCATED ANYWHERE WITHIN THE DEFINED BUILDING AREA SUBJECT TO ALL OTHER RELEVANT DISTRICT PLAN PROVISIONS WHERE APPLICABLE. THE MAXIMUM DWELLING HEIGHT CAN BE LOCATED ANYWHERE WITHIN THE DEFINED BUILDING AREA. THE MAXIMUM DWELLING HEIGHT OF ROOFS FOR THE AREA AND OTHER RELEVANT DISTRICT PLAN PROVISIONS.
 [Symbol] AREAS TO EXIST ARE BUILDING EXCLUSION AREAS WHICH ARE TO BE MAINTAINED AS EXCLUSION AREAS FOR THE EXCLUSION OF ANY BUILDING.
 [Symbol] AREAS WHICH ARE TO BE SUBJECT TO LAND COVENANTS FOR THE PROTECTION OF THE EXCLUSION OF ANY BUILDING.
 ALL LOTS ARE TO BE SUBJECT TO THE EXCLUSION SET OUT IN ANY APPLICATION FOR A BUILDING CONSENT WITHIN THIS AREA MUST BE SUBJECT TO THE EXCLUSION SET OUT IN THE DISTRICT PLAN AND THE BUILDING SITE BOUNDARIES THE DEFINED BUILDING AREA AND THE EXCLUSION SET OUT IN THIS PLAN.
 [Symbol] ALL LOTS ARE TO HAVE NO LOCAL ROAD FRONTAGE.
 ALL LOTS ARE TO BE SUBJECT TO THE EXCLUSION SET OUT IN ANY APPLICATION FOR A BUILDING CONSENT WITHIN THIS AREA MUST BE SUBJECT TO THE EXCLUSION SET OUT IN THE DISTRICT PLAN AND THE BUILDING SITE BOUNDARIES THE DEFINED BUILDING AREA AND THE EXCLUSION SET OUT IN THIS PLAN.

LUCAS SURVEYS
 Registered Land Surveyors
 Tel: (04)566-0077 28 Knights Road
 Fax: (04)566-2286 P.O. Box 31-155
 Mobile: (025)143-657 Lower Hutt

CLIENT: S.S. AND L.P. COTTLE

JOB: PROPOSED SUBDIVISION OF Pt LOT 2, DEEDS PLAN 578, HEBDEN CRESCENT - LVERTON ROAD LOWER HUTT

SCALE: 1:4000

NAME	DATE	DRAWING NUMBER
FELDMORK ROL	06/00	469SCH4
DESIGNED ROL	06/00	
DRAWN D WOODS/00		
CHECKED		

SHEET 1 OF 1 SHEETS

Appendix Subdivision 4

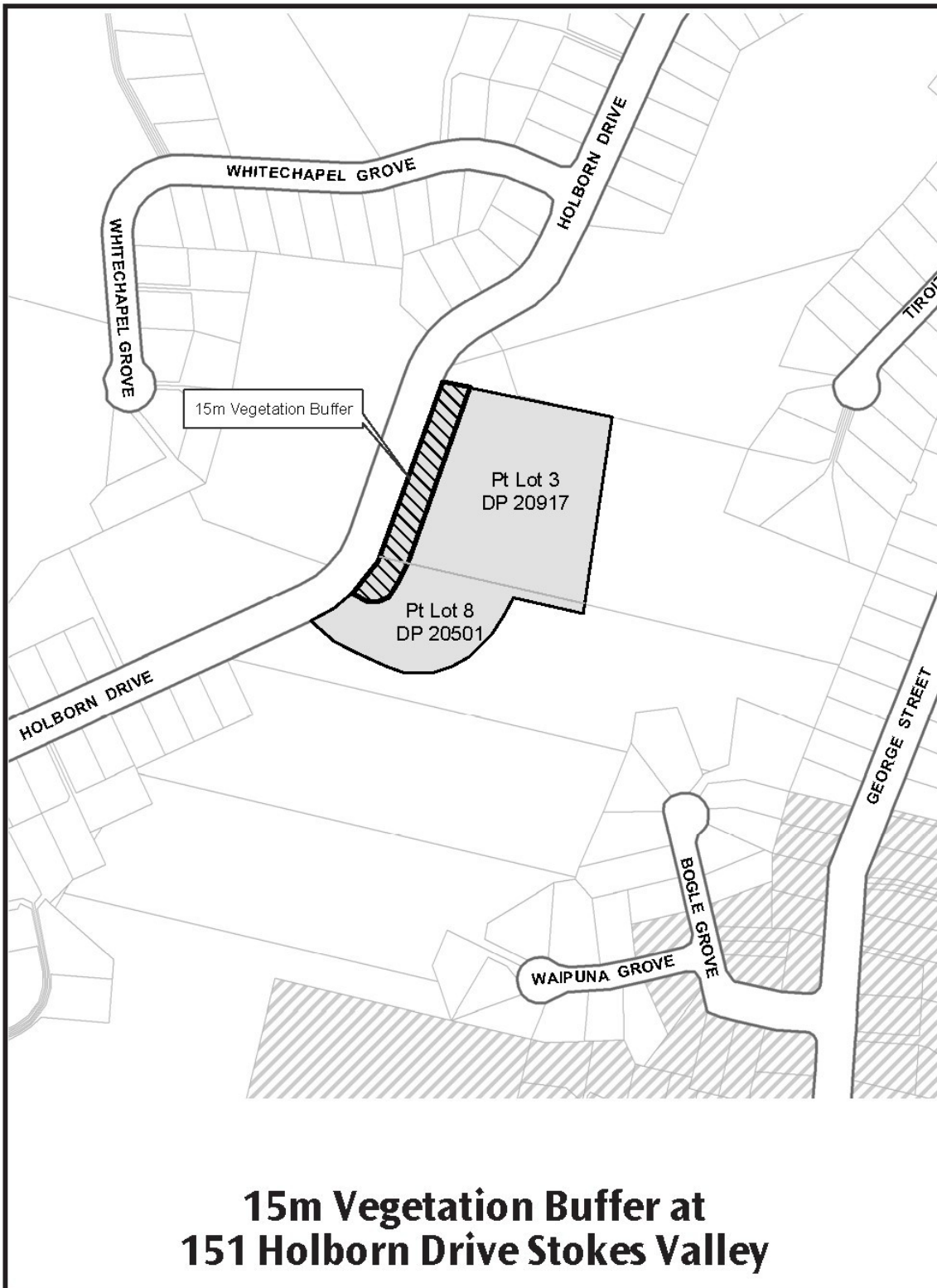
Encumbrance to be lodged against each new title resulting from the subdivision of Pt Lot 2 DP 578 in accordance with Drawing No 469SCH4°:

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.

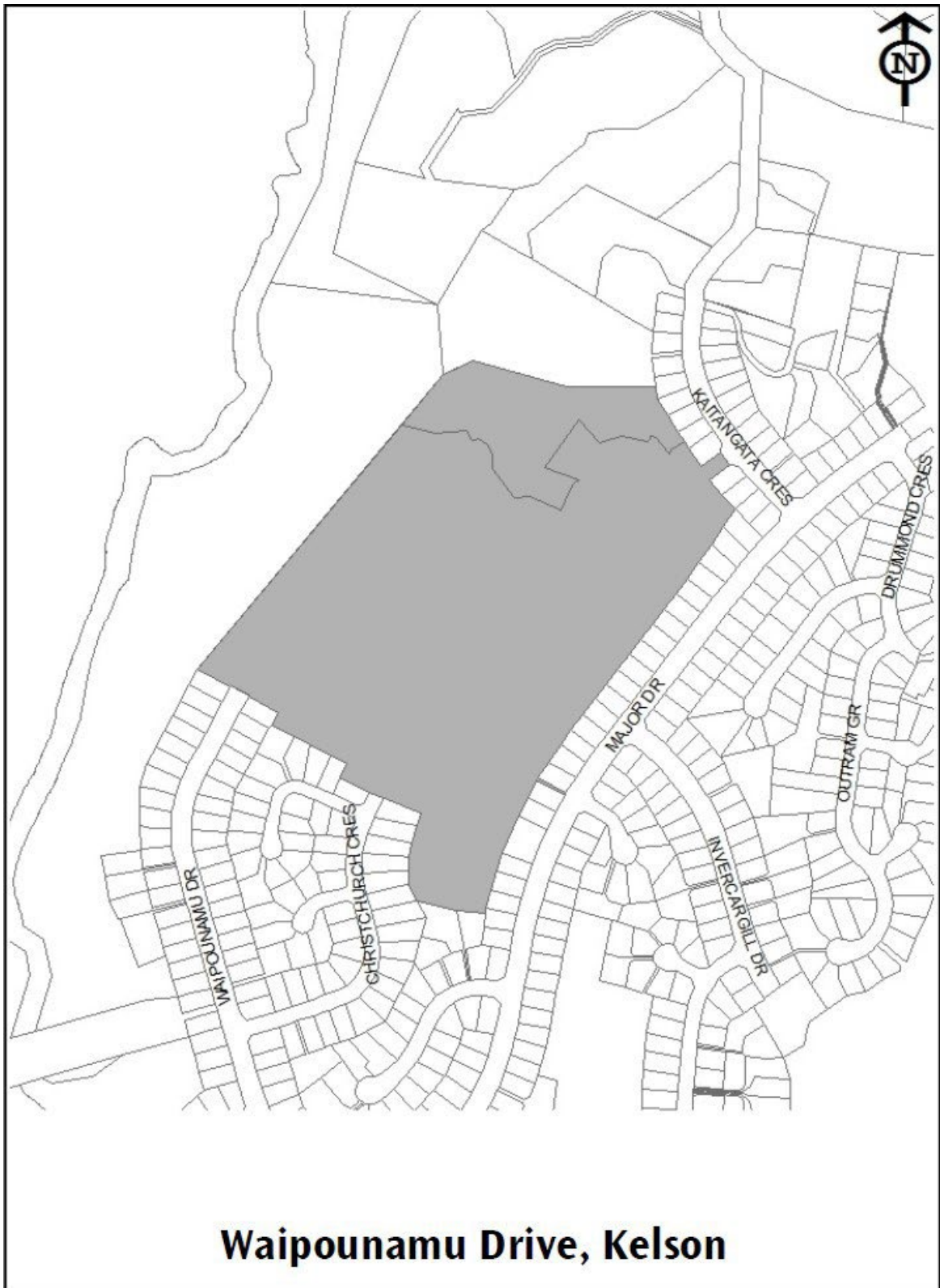
Appendix Subdivision 5



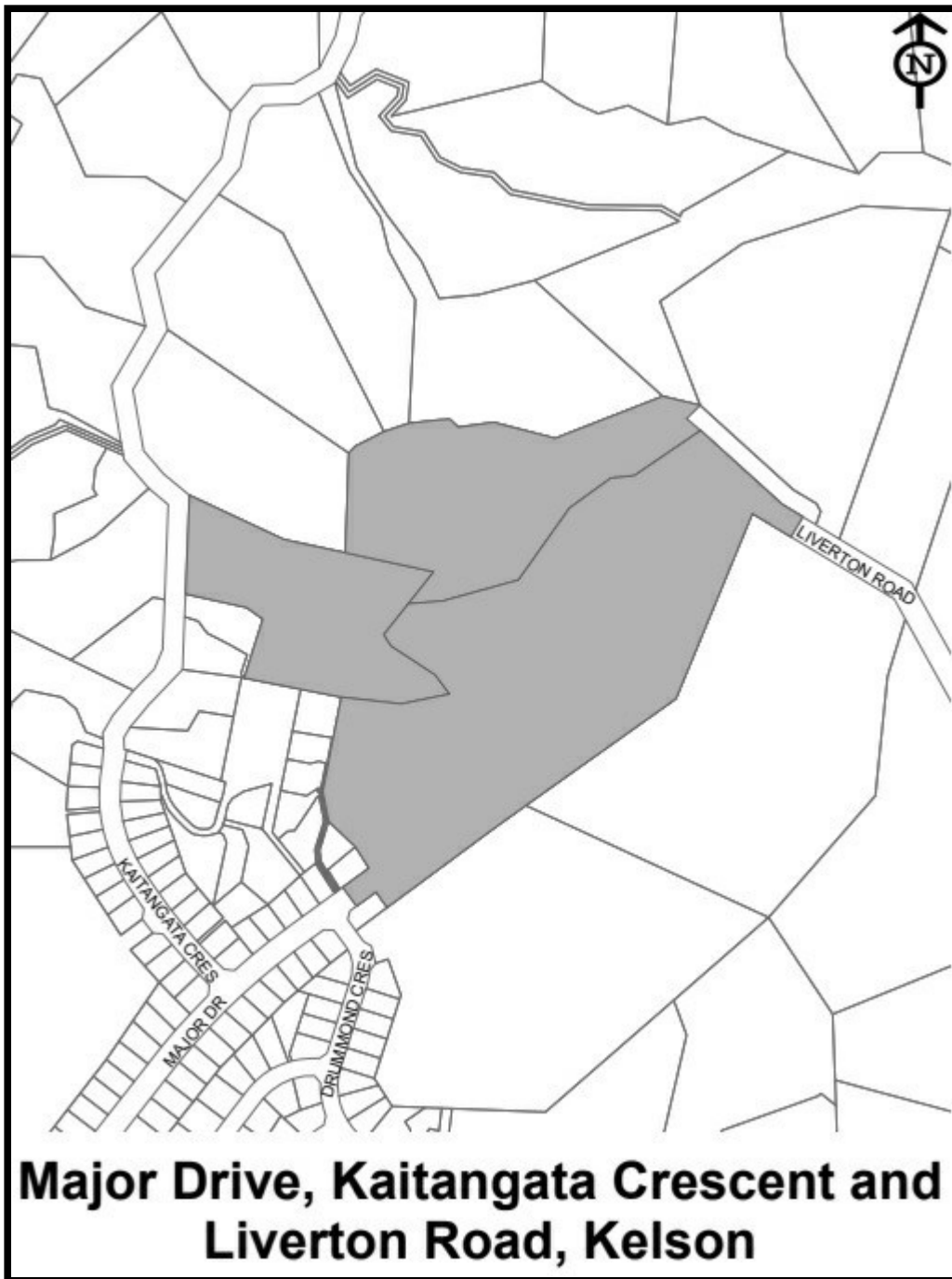
Appendix Subdivision 6



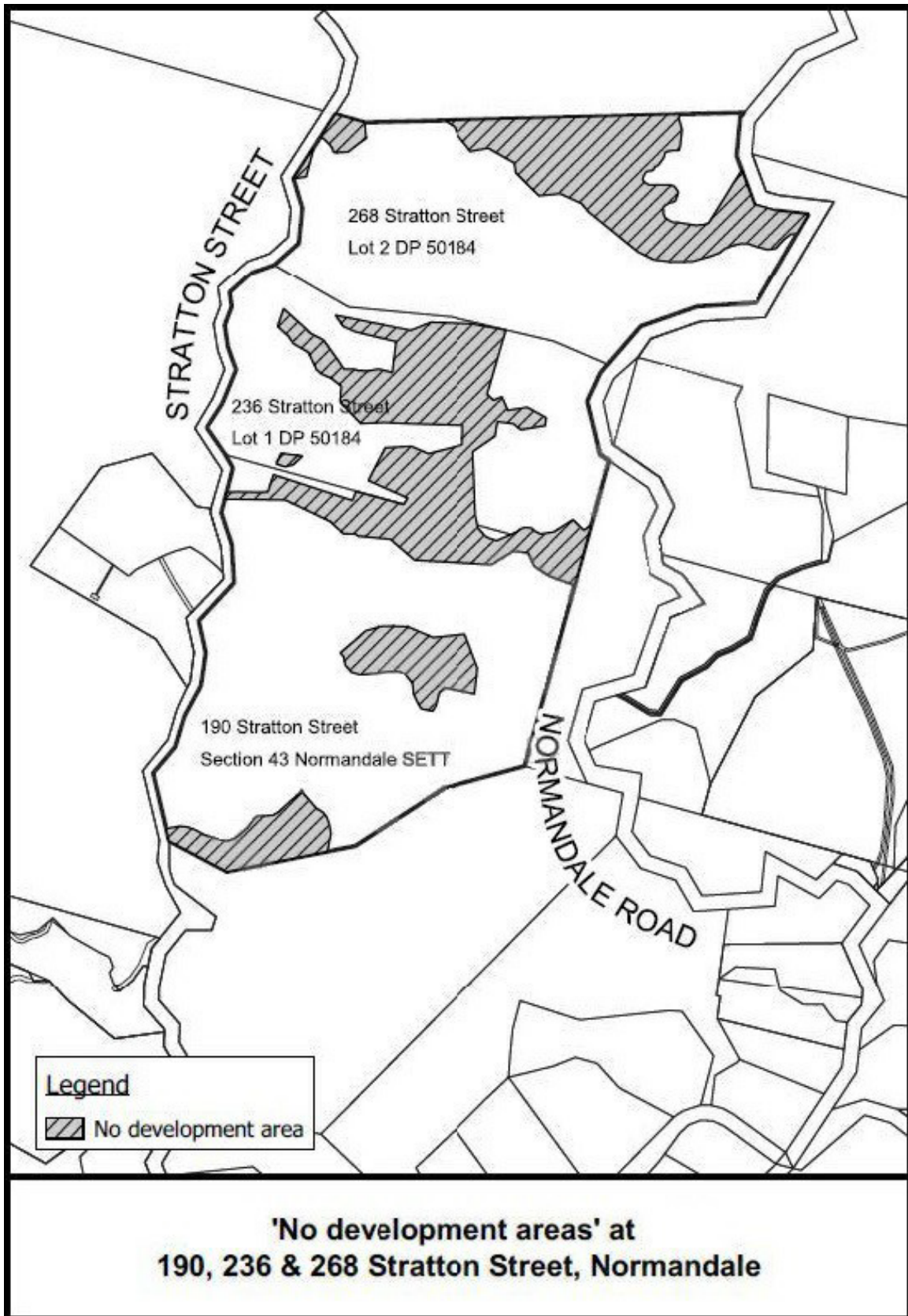
Appendix Subdivision 7



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.

Financial contributions in the District Plan and development contributions in the Council's Development and Financial Contributions Policy are separate charges, and Council uses them to fund separate categories of expenditure. This ensures there is no 'double dipping' and is consistent with the intention of section 200 of the Local Government Act.

Development contributions can be required under the Local Government Act and are used to help fund planned and budgeted capital expenditure related to growth for the activities and assets listed in the development contributions schedule of assets in the Development and Financial Contributions Policy.

Financial contributions can be required under the RMA in line with the provisions in the District Plan. Financial contributions are required for reserves and where individual developments give rise to capital expenditure that is not planned and recovered via development contributions. In these cases, Council may impose a financial contribution as a condition of a permitted activity or resource consent, specifically:

- financial contributions for reserves
- financial contributions to which District Plan rules apply.

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 either:
 - (i) pay the full and actual cost of such upgrading or new utility services and facilities where it is required to solely serve the proposed subdivision or development; or
 - (ii) pay a fair and reasonable contribution of such upgrading and new utility services and facilities that is proportionate to its demand on those services, accounting for cumulative effects from other developments where the upgrading or new services serve multiple proposed subdivisions or developments.
- (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, that is proportionate to its demand on those services, accounting for cumulative effects from other developments.
- (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, that is proportionate to their demand on reserves and open spaces and adverse effects on the environment, accounting for cumulative effects from other developments, either in cash or land, so that demand or need can be met and adverse effects can be avoided, remedied or mitigated.

- (e) Recognise that different types of development may place different demands on services and reserves and that any financial contributions imposed should be proportionate to the actual demand of a development on those services and reserves accounting for cumulative effects from other developments.
- (f) Recognise that the demand for services and reserves associated with retirement villages are expected to be less than those from typical multi-unit residential developments, on a per unit basis due to the age and mobility of older residents, onsite amenities and operational efficiencies.

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~~ Council engineering performance standards (see Subdivision Chapter for performance standards), the ~~subdivider~~ developer must pay either:
- (i) the full and actual cost for all upgrading and/or any new facilities where it is required to solely serve the proposed development; or
 - (ii) a fair and reasonable contribution for all upgrading and new facilities that is proportionate to its demand on those roading facilities, accounting for cumulative effects from other developments where the upgrading and new facilities serve multiple proposed developments.
- (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~~ a fair and reasonable contribution for all upgrading and/or any new facilities that is proportionate to its demand on those roading facilities. In assessing what is a fair and reasonable, the Council may elect to reduce the financial contribution from full and actual costs where ~~must take into account whether~~ 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, as well as cumulative effects from other developments.
- (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~~ fair and reasonable contribution based on what is proportionate to its demand on those roading facilities in terms of the trips generated and the related impact on levels of service after 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~~ a fair and reasonable contribution based on what is proportionate to its demand on those roading facilities of the upgrading and/or the new facilities ~~based on in terms of the~~ trips generated by the subdivision development and the related impact on levels of service after 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 fair and reasonable contribution from the developer when land is subdivided based on what is proportionate to its demand on upgrading and/or the new facilities in terms of the trips generated by the development and the related impact on levels of service.
- (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 either:
 - (i) the full and actual costs for all such upgrading and new facilities [where it is required to solely serve the proposed development; or](#)

- (ii) a fair and reasonable contribution for all upgrading and new facilities that is proportionate to its demand on water supply services, accounting for cumulative effects from other developments where the upgrading and new facilities serve multiple proposed developments.
- (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 fair and reasonable contribution from the subdivider developer when land is subdivided based on the actual cost of providing the service to that land what is proportionate to its demand on the upgrading and/or the new water supply facilities to service 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 fair and reasonable contribution from the developer based on the actual cost of providing the service to that land what is proportionate to its demand on the upgrading and/or the new water supply facilities to service 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 for the development.
- (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 either:
 - (i) the full and actual cost for all such upgrading and new facilities where it is required to solely serve the proposed development; or

- (ii) a fair and reasonable contribution for all upgrading and new facilities that is proportionate to its demand on those services, accounting for cumulative effects from other developments where the upgrading and new facilities serve multiple proposed developments.
- (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 fair and reasonable contribution from the ~~subdivider~~ developer when such land is subdivided based on ~~the actual and full cost of providing the~~ what is proportionate to its demand on those services 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 fair and reasonable contribution from the developer based on the actual and full cost of providing what is proportionate to its demand on the services 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.

(new) Whether the development generates lower levels of demand or need for reserves and open space per residential unit than the average (e.g. retirement villages).

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.

Chapter 13 Network Utilities, including the National Grid

Introduction

This chapter outlines the provisions of the District Plan that relate to network utilities within Lower Hutt City, including the National Grid. Network utilities provide the infrastructure which enables a community to undertake its everyday activities and functions and allows people to provide for their social and economic wellbeing, and their health and safety. Network utilities which are managed through this Chapter include those defined by way of section 166 of the Resource Management Act 1991.

The City has a range of important network utilities that serve an important function locally, regionally and nationally, some of which are critical and life-supporting. The City is traversed by State Highway 2, linked to Porirua by State Highway 58, contains Transpower's Hayward's Substation which is the northern end of the DC link with the Benmore substation in the South Island, the National Grid, the Regional Wellington – Wairarapa railway line and the Hutt Valley and Melling railway lines.

The Regional Policy Statement for the Wellington Region recognises the importance of regionally significant infrastructure within the Region, as forming part of national or regional networks that enable communities to provide for their social, economic and cultural wellbeing and their health and safety. There are a number of network utilities within Lower Hutt City that are identified as being regionally significant infrastructure in the Regional Policy Statement. The Regional Policy Statement requires that the benefits of such regionally significant infrastructure be recognised and protected in the District Plan.

The Council is required to give effect to any National Policy Statement. The National Policy Statement on Electricity Transmission came into force in 2008 and applies to effects on and effects of the National Grid. The National Policy Statement on Electricity Transmission's objective is to recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the National Grid and the establishment of new transmission resources to meet the needs of present and future generations while: managing the adverse environmental effects of the network; and managing the adverse effects of other activities on the network.

There are many providers of network utilities within Lower Hutt City including the Council, Crown agencies, the Greater Wellington Regional Council, State Owned Enterprises, trading enterprises and private companies. The Council is in itself a major provider of network utilities and services, supplying water, sewage and stormwater reticulation, waste disposal and roads.

Other utilities that are managed through this Chapter because of their nature and function are lighthouses, navigation aids, beacons, signal stations and natural hazard emergency warning devices and meteorological services. These other utilities are owned and / or operated by Maritime New Zealand, local authorities, or the Meteorological Service in order to provide for the health, safety and wellbeing of the local community, region and nation.

The successful functioning of the City depends on network utilities. It is therefore very important that construction, maintenance, upgrade and operation of these services be effectively provided for, technical and geographical constraints on the operation of network utilities are acknowledged, and that the benefits that derive from them are adequately recognised. Network utilities can be vulnerable to reverse sensitivity effects when new activities (that are sensitive to the effects of the existing network utility) are established nearby, leading to constraints on the operation of the network utility. However, network utilities can also have adverse effects resulting from their construction, operation or associated maintenance activities.

For example, network utilities may typically include buildings, poles, overhead wires, pylons, pipes or antennas, which may have an adverse visual impact depending on their location and proximity to other land use activities. The installation and upgrading of network utilities will also typically involve earthworks. However, network utilities may also involve few structures and have limited visual impact, such as underground electricity and telecommunication lines. Network utilities are also often seen as a necessary and normal part of the environment, such as a road.

The network utility rules apply where network utility operators do not hold a designation for their activities under the designation procedures of the Act. They may, however, also be used by Council to help assess any notices of new requirement for new designations.

The provisions in this Chapter apply to network utilities throughout all zones of the City. The underlying zone objectives, policies and rules do not apply to network utilities, including roads, unless specifically referred to. City wide rules, such as those relating to historic heritage, notable trees, earthworks and hazardous substances will still apply. Under Rule 14A (a), network utilities that are located in the road reserve are subject to the provisions of the activity area where the road reserve is located. Where the road reserve is between two different activity areas, the centre line of the road reserve will become the boundary between such activity areas.

¹The Meteorological Service is a requiring authority for its network operation of a system comprising telecommunication links to permit telecommunication and radiocommunication. Therefore, these aspects of meteorological service activities and facilities are network utilities.

13.1 Issues, Objectives and Policies

13.1.1 Regionally Significant Network Utilities

Issue

The benefits of regionally significant network utilities to the City, region and nation need to be recognised and protected.

Objective

To recognise and protect the benefits of regionally significant network utilities.

Policy

- (a) To identify regionally significant network utilities within the City on Council planning maps, as practicable.
- (b) To recognise the national, regional and local benefits of regionally significant network utilities.

Explanation and Reasons

The importance of and benefits arising from regionally significant network utilities within the City needs to be identified and recognised and the Regional Policy Statement needs to be given effect to. The objective and supporting policies are focused on recognising the benefits that these regionally significant network utilities have locally, regionally and nationally.

Policy (a) requires the Council to identify regionally significant network utilities within the City on its planning maps, as practicable. The majority of any new and extensions to existing regionally significant network utilities are expected to be identified on Council planning maps by network utility operators through a notice of requirement for designation process. In the case of the National Grid, which is not designated, this network will be specifically recognised and mapped, as required by the National Policy Statement on Electricity Transmission. Due to the scale of the planning maps and the extensive nature of some regionally significant network utilities, it is however not feasible to identify all regionally significant network utilities on Council planning maps, particularly the local gas distribution lines.

Policy (b) recognises that regionally significant network utilities provide benefits within the City, as well as regionally and nationally. These benefits need to be protected and considered in respect of any matter relating to regionally significant network utilities. Some of these benefits are:

- (i) That people and goods can travel to, and from and around the City and Region efficiently and safely;
- (ii) That community well-being and public health and safety is maintained through the provision of essential services including supply of potable water, the collection and

- transfer of sewage and stormwater, and the provision of emergency services;
- (iii) People have access to electricity and gas to meet their needs.

13.1.2 Managing Adverse Effects, including Reverse Sensitivity Effects, on Regionally Significant Network Utilities

Issue

Inappropriate subdivision, use and development in the vicinity of regionally significant network utilities may lead to adverse effects including reverse sensitivity effects that have the potential to impact upon the effective and efficient operation, maintenance, upgrading and development of such utilities.

Objective

To ensure the operation, maintenance, upgrading and development of regionally significant network utilities is not compromised by other activities.

Policy

- (a) To avoid, or as appropriate, remedy or mitigate, the potential for any adverse effects, including reverse sensitivity effects on regionally significant network utilities from incompatible new subdivision, use and development occurring under, over, or adjacent to regionally significant network utilities.
- (b) To ensure the safe and efficient maintenance, operation, upgrade and development of the National Grid by avoiding the incompatible establishment of or changes to sensitive activities and incompatible buildings and structures within a defined National Grid Yard.

Explanation and Reasons

Inappropriate subdivision, use and development may result in adverse effects on regionally significant network utilities and / or restrict access to such network utilities including the ability to undertake maintenance or upgrade work. Reverse sensitivity can occur when sensitive activities locate near to or intensify by existing regionally significant network utilities and seek to or constrain the operation or expansion of these utilities. This may mean that the local, regional and national benefits of those regionally significant network utilities may be compromised. The City has a lot of well-established regionally significant network utilities located in close proximity to existing land use activities. The Council is concerned with new more intensive land use activities establishing in proximity to existing regionally significant network utilities may lead to adverse effects, including reverse sensitivity effects on those utilities.

Policy (a) requires that any potential adverse effects, including reverse sensitivity effects on regionally significant network utilities are appropriately managed, with priority given to avoiding adverse effects, where practicable, on those utilities. The location of inappropriate new subdivision, use or development in proximity to existing regionally significant network utilities

has the potential to compromise the efficient operation and use of the network utility including by restricting access and result in the benefits of that network utility being reduced. In addition, the safety and amenity values of the community may be adversely affected by locating in too close proximity to regionally significant network utilities. The potential for reverse sensitivity effects may arise when the pattern and density of land use activities changes through the subdivision or rezoning of land. At the time of rezoning, the Council will seek to introduce new provisions to manage those potential reverse sensitivity effects on existing or designated regionally significant network utilities. Any applications for subdivision that involve potential intensification located in proximity to regionally significant network utilities will require assessment in terms of the potential effects on those utilities as well as consultation with the relevant network utility operator.

Policy (b) recognises the importance of the National Grid and seeks to protect the continued operation, maintenance, and upgrade and functioning of that network. The policy provides for the establishment of a National Grid Yard within which sensitive activities and incompatible buildings and structures will be avoided. The management of buildings and structures within a National Grid Yard is aimed at:

1. Maintaining access to the National Grid for its on-going operation, maintenance, upgrading and development;
2. Mitigating safety risks for occupants and users of properties;
3. Protecting the structural integrity of transmission lines; and
4. Maintaining the opportunity to further optimise existing National Grid lines in the future.

This is a matter of national significance under the National Policy Statement on Electricity Transmission. This Chapter contains specific rules that apply to the use and development of land within the National Grid Yard throughout the District Plan. Chapter 11 Subdivision contains specific rules that apply to subdivision within the National Grid Corridor.

The on-going operation, upgrade and maintenance of the existing National Grid is provided for by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009. These regulations specify that existing electricity transmission activities are permitted, subject to terms and conditions to ensure that these activities do not have significant adverse effects. The standards also specify resource consent requirements for electricity transmission activities that do not meet the terms and conditions for permitted activities.

13.1.3 Recognising and Providing for Network Utilities

Issue

The key role that network utilities play and the benefits they have needs to be recognised and the technical and operational requirements of the network utility concerned should not be unreasonably restricted. Failing to adequately provide for network utilities may result in the desired level of well-being and quality of life not being achieved within the City.

Objective

To recognise and provide for the sustainable, secure and efficient use, operation and development of network utilities within the City.

Policy

- a) To recognise and provide for the:
 - (i) need for new and the maintenance and upgrading of existing network utilities;
 - (ii) technical and operational requirements and constraints of network utilities in assessing their location, design, development, construction and appearance; and
 - (iii) benefits that network utilities provide to the economic, social and cultural functioning of the City.
- b) To enable the efficient construction, installation, operation, upgrading and maintenance of network utilities.
- c) To ensure that the provision and operation of utilities that cross jurisdictional boundaries is managed in an integrated manner.
- d) To encourage the appropriate use of designations for new network utilities and extensions to existing network utilities that are not designated.

Explanation and Reasons

It is important that the benefits of all network utilities, including those that are not identified as regionally significant, are recognised and provided for. Network utilities provide essential services to people's homes and businesses, such as water, transport means, electricity, gas, radiocommunications and telecommunications, and are critical for the effective functioning and liveability of the City. Failing to adequately provide for network utilities may result in the desired level of well-being and quality of life not being achieved within the City.

Policy (a) recognises that the provision of new and the upgrading of existing network utilities is necessary to meet the needs of City, both now and into the future. In considering any proposals for new or upgrades to existing network utilities, the technical and operational requirements that may constrain where and how they can locate and be designed need to be recognised. In some cases, some level of adverse effects may need to be accepted to recognise the necessity for some network utilities and meet their operational requirements. This policy also recognises the benefits that all network utilities have.

Policy (b) acknowledges the important role that network utilities have in providing for the wellbeing of the City's community. Network utilities form an essential part of the efficient functioning of the City and their maintenance and development allows their benefits to be realised. There are a range of network utilities that enable communities to undertake everyday activities and functions and provide essential services to people's homes and businesses. It is therefore important that the District Plan provides for network utilities to be constructed, installed, operated, upgraded and maintained.

Policy (c) reflects that by their nature, many network utilities cross jurisdictional boundaries between councils. Cross boundary issues can result for network utility providers and for the community, particularly where different councils have different rules or processes for how they recognise and provide for network utilities and manage their effects. It is important that councils work together in an integrated manner both when developing plan provisions and when dealing with proposals for new or upgrades to existing network utilities.

Policy (d) is focussed on encouraging network utility operators, particularly those who operate regionally significant network utilities, to use the notice of requirement for designation process when they seek to develop new or extend existing network utilities. This is particularly encouraged for operators where such new or extended network utilities involve restrictions on the use of privately owned land and may require land acquisition. It is recognised that not all network utility operators use designations, particularly those that do not operate linear infrastructure.

Objective

To recognise and provide for the sustainable, secure and efficient use, operation and development of network utilities within the City.

Policy

- a) To recognise and provide for the:
 - (i) need for new and the maintenance and upgrading of existing network utilities;
 - (ii) technical and operational requirements and constraints of network utilities in assessing their location, design, development, construction and appearance; and
 - (iii) benefits that network utilities provide to the economic, social and cultural functioning of the City.
- b) To enable the efficient construction, installation, operation, upgrading and maintenance of network utilities.
- c) To ensure that the provision and operation of utilities that cross jurisdictional boundaries is managed in an integrated manner.
- d) To encourage the appropriate use of designations for new network utilities and extensions to existing network utilities that are not designated.

Explanation and Reasons

It is important that the benefits of all network utilities, including those that are not identified as regionally significant, are recognised and provided for. Network utilities provide essential services to people's homes and businesses, such as water, transport means, electricity, gas, radiocommunications and telecommunications, and are critical for the effective functioning and liveability of the City. Failing to adequately provide for network utilities may result in the desired level of well-being and quality of life not being achieved within the City.

Policy (a) recognises that the provision of new and the upgrading of existing network utilities is necessary to meet the needs of City, both now and into the future. In considering any proposals for new or upgrades to existing network utilities, the technical and operational requirements that may constrain where and how they can locate and be designed need to be recognised. In some cases, some level of adverse effects may need to be accepted to recognise the necessity for some network utilities and meet their operational requirements. This policy also recognises the benefits that all network utilities have.

Policy (b) acknowledges the important role that network utilities have in providing for the wellbeing of the City's community. Network utilities form an essential part of the efficient functioning of the City and their maintenance and development allows their benefits to be

realised. There are a range of network utilities that enable communities to undertake everyday activities and functions and provide essential services to people's homes and businesses. It is therefore important that the District Plan provides for network utilities to be constructed, installed, operated, upgraded and maintained.

Policy (c) reflects that by their nature, many network utilities cross jurisdictional boundaries between councils. Cross boundary issues can result for network utility providers and for the community, particularly where different councils have different rules or processes for how they recognise and provide for network utilities and manage their effects. It is important that councils work together in an integrated manner both when developing plan provisions and when dealing with proposals for new or upgrades to existing network utilities.

Policy (d) is focussed on encouraging network utility operators, particularly those who operate regionally significant network utilities, to use the notice of requirement for designation process when they seek to develop new or extend existing network utilities. This is particularly encouraged for operators where such new or extended network utilities involve restrictions on the use of privately owned land and may require land acquisition. It is recognised that not all network utility operators use designations, particularly those that do not operate linear infrastructure.

13.1.4 Managing Environmental Effects

Issue

The actual and potential adverse environmental effects arising from network utilities need to be managed.

Objective

To manage any adverse effects on the environment resulting from the design, location, operation, upgrading and maintenance of network utilities.

Policy

- a)** To ensure that network utilities are designed, located, developed, constructed, upgraded, operated and maintained to avoid, remedy or mitigate any actual or potential adverse effects on the environment.
- b)** To manage effects on health and safety by ensuring network utilities are designed, located, upgraded, operated and maintained to comply with relevant national environmental standards and to meet other nationally recognised standards and guidelines.
- c)** To enable the co-location or multiple use of network utilities where this is efficient, technically feasible and practicable and assists with avoiding, remedying or mitigating adverse effects on the environment.
- d)** To require the underground placement of new network utilities unless
 - (i)** there are natural or physical features or structures, or technological and operational constraints that makes underground placement impractical or unreasonable;

- (ii) they are of a temporary nature and required for emergency purposes or critical events; and
 - (iii) they are of a nature that they can only operate aboveground.
- e) To encourage the use of roads as network utility corridors in accordance with the National Code of Practice for Utility Operators'; Access to Transport Corridors.
 - f) To encourage network utility providers to consult with local communities, landowners and the Regional Council (where relevant) on the appropriate placement, location and design of new network utilities.

AMENDMENT 375 - Amend Explanation and Reasons of section 13.1.4 Managing Environmental Effects

Explanation and Reasons

The issue and supporting objective recognise that the construction, operation, upgrading and/or maintenance of network utilities can have adverse effects and adversely affect the amenity of areas of the City, as a result of noise, emissions, and visual dominance, for example. Some network utilities are relatively large, visually prominent and capable of generating significant adverse effects on the surrounding environment. Such network utilities may also have actual or perceived adverse effects on public health and safety. Adverse effects may only occur at the time of construction or installation of the utility, but in some instances may continue throughout its operation or during maintenance and/or upgrade works. For new linear network utilities, adverse effects are often best able to be mitigated through the route selection process. However, in some cases, it might not be entirely possible to avoid, remedy or mitigate all adverse effects associated with a network utility due to their technical and operational constraints, meaning there may be some level of residual adverse effect on the surrounding environment. In such circumstances, there is a need to carefully consider both the benefits the utility will provide and the significance of the adverse effects on the surrounding environment.

Policy (a) recognises the importance of managing the design, location, operation, upgrading, construction, and maintenance of network utilities and requires that any potential adverse effects arising from network utilities are avoided, remedied or mitigated. It is acknowledged that it is not always possible to do so, and that there may be some level of residual effect, due to the technical and operational requirements of network utilities, as reflected through Policy 13.1.3(a)(ii). This policy is sufficiently broad to recognise that there are a range of different network utilities with different potential adverse effects on the environment. For instance, above ground network utilities can have adverse effects including visual, noise, traffic, odour and amenity, depending on their size, location, frequency and their scale in comparison with the character of a particular environment. For instance, a different activity status and different performance standards apply to some network utilities in the ~~Historic Residential~~, Landscape Protection Residential, Recreation and Rural Residential Zones, historic heritage precincts and the Coastal Environment identified as Significant Natural Resource 9, to reflect that these ~~zones~~ areas have special environments that are more vulnerable to adverse effects and associated loss of amenity.

Policy (b) recognises that some network utilities may adversely affect health and safety. For example, telecommunication facilities generate radio frequency emissions which may have detrimental effects on health. Any potential health effects arising from radiofrequency emissions are addressed by Regulation 4 of the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008. Electricity transmission/distribution can present a risk to public health and safety, primarily through the risk of electrocution from direct contact with conductors or as a result of a flashover. The National Policy Statement on Electricity Transmission requires that the exposures be limited to the guidelines of the International Commission on Non- Ionising Radiation Protection (ICNIRP) to prevent the potential for public

health effects. Other possible health and safety risks are accidental spillage or leakage of hazardous substances from gas or petroleum pipelines, explosions from gas or petroleum pipelines; accidental overflow from sewage pump stations, and flooding from damaged/inoperative stormwater systems. Chemicals used in conjunction with some network utilities, such as water treatment plants for example, also pose a risk if an accidental spill occurs. There are also a number of national and international standards and guidelines addressing health and safety matters that are external to the District Plan but that must be complied with, including the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008, and the New Zealand Electrical Code of Practice. The International Commission on Non-Ionising Radiation Protection (ICNIRP) Guidelines provides best practice guidance.

Policy (c) recognises that the co-location and co-siting of network utilities may provide environmental benefits in terms of reduced visual impacts and consolidation of network utilities in existing areas thereby reducing adverse effects on amenity by reducing the need for more network utility structures. While co-location is encouraged it needs to be understood that technical requirements will generally mean that associated structures may need to be taller or bulkier to avoid interference between the two or more providers, such as radio-frequency bands. It is also recognised that co-location is not always possible due to operational issues such as radiofrequency interference, electrical interference, lease arrangements and structural capacity.

Policy (d) requires the underground placement of new network utilities unless particular circumstances apply. The adverse visual effects of certain network utilities can often be managed by putting the services underground. With some exceptions, this is the required approach for those network utilities, such as those with cables that can be located underground. For those network utility structures that need to be located aboveground, particular attention should be given to their design, location and minimising of any adverse visual effects as outlined in Policy (a). This can be achieved in a number of ways including, where practical, through screening, careful placement, size and appearance and applying different activity status. In particular, the underground placement of electricity and telecommunications lines is required in most circumstances by only providing for aboveground lines in particular defined situations, such as for customer connections, and through different activity status. New above ground lines and their associated supporting structures in areas that do not have existing above ground lines are generally considered to be unacceptable within the City, except in those areas that can visually absorb new aboveground lines, such as the Rural Zone where they are permitted. However it is recognised that particular consideration needs to be given to the efficient use of resources and that there are situations where placing lines underground is, or may be, impracticable or unreasonable.

Policy (e) promotes the use of the road corridor for the location of network utilities, in line with the National Code of Practice for Utility Operators' Access to Transport Corridors. Locating network utilities in the road can assist to minimise the adverse effects of network utilities on amenity and other values as these locations generally have a range of existing network utilities and are less sensitive to new network utilities. However, the effects of these activities require some management to ensure conflicts with the primary function of the road corridor and with each other are avoided.

Policy (f) encourages network utility operators to engage with the local community when they are considering the location, placement and design of new network utilities. In some cases,

engaging early with the community about a proposed new network utility may result in an alternative more appropriate location to be identified that both meets the needs of the network utility operator and addresses any concerns that the community may have. In encouraging consultation, the Council recognises that it cannot require network utility operators to consult on permitted activities.

13.2 How to Use the Network Utility Rules

The following is an advice note on how to navigate and use the suite of Rules, Standards and Terms and Conditions for this Chapter in the District Plan. This Chapter applies to all network utilities as defined in Chapter 3 (Definitions) and with the exception of rules in General Chapters 14A – 14L, these rules override all zone rules.

- (1) Before using the Rules, check which Activity Area (zone) the site(s) which is intended to be used for network utility activities is located in. The District Plan Activity Areas are available to view on the Council’s website (via the District Plan Chapters and Maps or through the interactive GIS viewer) as well as hard copies at all libraries and the administration building.
- (2) Once the Activity Area has been identified, check the rules in table 13.3.1 to find a description of which activity you want to carry out. Make sure the Activity Area of your site(s) is listed next to the rule otherwise it will not apply.
- (3) Each rule can have associated standards and matters of control or discretion associated with it.
- (4) Section 13.3.2 contains the standards. Where a rule has a standard(s) associated with it, that standard(s) must be complied with for the activity status to apply. If the activity cannot comply with the associated standard(s), it will have a different status and may need a land use consent.
- (5) Sections 13.3.3, 13.3.4 and 13.3.5 contain matters of control and discretion. If the rule has a status of Controlled, Restricted Discretionary or Discretionary (i.e.: a land use consent is required), Matters of Control or Discretion may apply. Where a rule has matters associated with it, the Council will use them to assess the consent application. Chapter 17 of the District Plan outlines what information needs to be submitted with any land use consent application.
- (6) Section 13.4 contains provisions for activities within the National Grid and has its own set of rules, standards and terms and conditions. Use this section if your activity is going to be within the National Grid Corridor or Yard (defined in Chapter 3 of the District Plan).

13.3 Rules - Network Utilities

AMENDMENT 376 - Amend section 13.3.1 – Table of Activity Status

13.3.1 Activity Status

Rule Number	Rule	Activity Area	Status	Standards	Matters of Control or Discretion
	Removal, Maintenance and Upgrading				

13.3.1.1	The removal of existing network utilities, including any existing associated structures.	All	Permitted	Earthworks: 13.3.2.5.1 Vegetation: 13.3.2.6 Noise: 13.3.2.7	
13.3.1.2	The operation and maintenance of network utilities.	All	Permitted	Earthworks: 13.3.2.5.1 Vegetation: 13.3.2.6 Noise: 13.3.2.7	
13.3.1.3	The minor upgrading of electricity and telecommunication lines and support structures.	All	Permitted	Earthworks: 13.3.2.5 Vegetation: 13.3.2.6 Noise: 13.3.2.7	
13.3.1.4	The upgrading of existing network utilities, excluding: - Electricity and telecommunication lines; - Gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals.	All	Permitted	Health and Safety: 13.3.2.1 Earthworks: 13.3.2.5 Vegetation: 13.3.2.6 Noise: 13.3.2.7	
13.3.1.5	The removal, operation and maintenance of network utilities and the minor upgrading of electricity and telecommunication lines that does not meet permitted activity standards .	All	Controlled		13.3.3 (e), 13.3.3 (h)
13.3.1.6	The upgrading of network utilities, excluding: - Electricity transmission lines above 110KV; and - Gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals that does not meet permitted activity standards .	All	Restricted Discretionary	Health and Safety: 13.3.2.1	13.3.4 (a), 13.3.4 (r), 13.3.4 (s), 13.3.4(u), 13.3.4(v)
13.3.1.7	The upgrading of: - Electricity transmission lines 110 kV and above; and - Gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals.	All	Restricted Discretionary	Health and Safety: 13.3.2.1	13.3.4 (b), 13.3.4 (p), 13.3.4 (r), 13.3.4 (s); 13.3.4(u), 13.3.4(v)
Subdivision					
13.3.1.8	Subdivision for the purpose of accommodating any network utility.	All	Controlled		13.3.3 (a), 13.3.3 (b), 13.3.3 (c), 13.3.3 (e), 13.3.3 (f), 13.3.3 (j)
General					

13.3.1.9	Cabinets and other network utility structures not otherwise listed in this table.	All, excluding <u>Historic Residential Heretaunga Settlement and Riddlers Crescent Heritage Precincts</u> and Landscape Protection Residential	Permitted	Health and Safety: 13.3.2.1 Height: 13.3.2.2.4, 13.3.2.2.5 Size and Diameter: 13.3.2.3.6, 13.3.2.3.7, 13.3.2.3.7A Separation/Setback: 13.3.2.4.1, 13.3.2.4.3 Earthworks: 13.3.2.5 Vegetation: 13.3.2.6 Noise: 13.3.2.7	
13.3.1.10	Cabinets and other network utility structures not otherwise listed in this table.	Historic Residential Heretaunga Settlement and Riddlers Crescent Heritage Precincts, Landscape Protection Residential	Restricted Discretionary	Health and Safety: 13.3.2.1 Height: 13.3.2.2.4, 13.3.2.2.5 Size and Diameter: 13.3.2.3.6, 13.3.2.3.7, 13.3.2.3.7A Separation/Setback: 13.3.2.4.1, 13.3.2.4.3 Earthworks: 13.3.2.5 Vegetation: 13.3.2.6 Noise: 13.3.2.7	13.3.4 (a), 13.3.4 (b) 13.3.4 (e), 13.3.4 (f) 13.3.4 (g), 13.3.4 (h) 13.3.4 (j), 13.3.4 (k) 13.3.4 (l), 13.3.4 (m) 13.3.4 (r), 13.3.4(u), 13.3.4(v)
13.3.1.11	Cabinets and other network utility structures not otherwise listed in this table that do not meet the permitted activity standards in Rule 13.3.1.9.	All, excluding <u>Historic Residential Heretaunga Settlement and Riddlers Crescent Heritage Precincts</u> and Landscape Protection Residential.	Restricted Discretionary	Health and Safety: 13.3.2.1	13.3.4 (a), 13.3.4 (b) 13.3.4 (e), 13.3.4 (f) 13.3.4 (g), 13.3.4 (h) 13.3.4 (j), 13.3.4 (k) 13.3.4 (l), 13.3.4 (m) 13.3.4 (r), 13.3.4(u), 13.3.4(v)
13.3.1.12	Cabinets and other network utility structures not otherwise listed in this table that do not meet the restricted discretionary activity standards.	Historic Residential Heretaunga Settlement and Riddlers Crescent Heritage Precincts, Landscape Protection Residential	Discretionary	Health and Safety: 13.3.2.1	
13.3.1.13	Network utilities located within existing buildings.	All	Permitted	Health and Safety: 13.3.2.1 Noise: 13.3.2.7	

13.3.1.14	Aerial crossings necessary for network utilities, located on or within existing bridges and structures or across watercourses, and including regulator stations but not compressor stations.	All	Permitted	Health and Safety: 13.3.2.1 Earthworks: 13.3.2.5	
13.3.1.15	All network utilities that are not otherwise listed as a permitted, controlled, restricted discretionary or non-complying activity.	All	Discretionary	Health and Safety: 13.3.2.1	
13.3.1.16	All network utilities which do not comply with the permitted activity standards for radiofrequency and electro-magnetic fields in standard 13.4.1 Health and Safety	All	Non-Complying		
Underground Utilities					
13.3.1.17	The construction, installation and development, of new underground network utilities , except for: - Electricity transmission lines above 110kV; and - Gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals.	All	Permitted	Health and Safety: 13.3.2.1 Earthworks: 13.3.2.5 Vegetation: 13.3.2.6	
Radiocommunication, Telecommunications and Electricity Distribution and Transmission					
13.3.1.18	Masts with or without associated antennas.	Commercial (All), Business (All), General Rural, Community Health, Community Iwi	Permitted	Health and Safety: 13.3.2.1 Height: 13.3.2.2.1, 13.3.2.2.2 Size and Diameter: 13.3.2.3.1, 13.3.2.3.2, 13.3.2.3.3, 13.3.2.3.4 Separation/Setback: 13.3.2.4.1, 13.3.2.4.2 Earthworks: 13.3.2.5	
13.3.1.19	Masts with or without associated antennas.	Residential (excluding <u>Historic Residential Heretaunga Settlement</u> and <u>Riddlers Crescent Heritage Precincts</u> and Landscape Protection Residential), Recreation, Rural Residential	Restricted Discretionary	Health and Safety: 13.3.2.1 Height: 13.3.2.2.1, 13.3.2.2.2 Size and Diameter: 13.3.2.3.1, 13.3.2.3.2, 13.3.2.3.3, 13.3.2.3.4 Separation/Setback: 13.3.2.4.1, 13.3.2.4.2 Earthworks: 13.3.2.5	13.3.4 (b), 13.3.4 (e) 13.3.4 (f), 13.3.4 (g) 13.3.4 (h), 13.3.4 (i) 13.3.4 (j), 13.3.4 (l) 13.3.4 (m), 13.3.4 (n) 13.3.4 (o), 13.3.4 (r), 13.3.4(u), 13.3.4(v)

13.3.1.20	Masts with or without associated antennas.	The Coastal Environment identified as SNR 9, shown in Map Appendices 2A, 2B and 2C, Historic Residential Heretaunga Settlement and Riddlers Crescent Heritage Precincts. Landscape Protection Residential	Discretionary	Health and Safety: 13.3.2.1	
13.3.1.21	Antenna and support structure attached to buildings.	All, except for Historic Residential Heretaunga Settlement and Riddlers Crescent Heritage Precincts	Permitted	Health and Safety: 13.3.2.1 Height: 13.3.2.2.3 Size and Diameter: 13.3.2.3.5	
13.3.1.22	Antenna and support structure attached to buildings.	Historic Residential Heretaunga Settlement and Riddlers Crescent Heritage Precincts	Restricted Discretionary	Health and Safety: 13.3.2.1 Height: 13.3.2.2.3 Size and Diameter: 13.3.2.3.5	13.3.4 (d), 13.3.4 (e), 13.3.4 (f), 13.3.4 (g)
13.3.1.23	Masts , with or without associated antennas that do not meet permitted activity standards.	Commercial (All), Business (All), General Rural, Community Health, Community Iwi	Restricted Discretionary	Health and Safety: 13.3.2.1	13.3.4 (a), 13.3.4 (b), 13.3.4 (c), 13.3.4 (d), 13.3.4 (f), 13.3.4 (g), 13.3.4 (h), 13.3.4 (i), 13.3.4 (j), 13.3.4 (k), 13.3.4 (l), 13.3.4 (m), 13.3.4 (n), 13.3.4 (o), 13.3.4 (r), 13.3.4(u), 13.3.4(v)

13.3.1.24	Antenna attached to buildings that do not meet permitted activity standards.	All, except for Historic Residential <u>Heretaunga Settlement and Riddlers Crescent Heritage Precincts</u>	Restricted Discretionary	Health and Safety: 13.3.2.1	13.3.4 (a), 13.3.4 (b), 13.3.4 (d), 13.3.4 (e), 13.3.4 (f), 13.3.4 (g), 13.3.4 (h), 13.3.4 (i), 13.3.4 (j), 13.3.4 (k), 13.3.4 (l), 13.3.4 (m), 13.3.4 (p), 13.3.4 (r), 13.3.4(u), 13.3.4(v)
13.3.1.25	Antenna attached to buildings that do not meet restricted discretionary activity standards.	Historic-Residential Heretaunga Settlement and Riddlers Crescent Heritage Precincts	Discretionary	Health and Safety: 13.3.2.1	
13.3.1.26	New and additional above ground lines, including support structures, excluding electricity transmission lines above 110kV.	Rural (All)	Permitted	Health and Safety: 13.3.2.1 Height: 13.3.2.2.1 Separation/Setback: 13.3.2.4 Earthworks: 13.3.2.5 Vegetation: 13.3.2.6	
13.3.1.26A	New and additional above ground lines, including support structures. excluding electricity transmission lines above 110kV that do not meet permitted activity standards.	Rural (All)	Restricted Discretionary	Health and Safety: 13.3.2.1	13.3.4 (a), 13.3.4 (b), 13.3.4 (e), 13.3.4 (f), 13.3.4 (g), 13.3.4 (h), 13.3.4 (i), 13.3.4 (j), 13.3.4 (k), 13.3.4 (l), 13.3.4 (m), 13.3.4 (n), 13.3.4 (r), 13.3.4 (s), 13.3.4 (t), 13.3.4(u), 13.3.4(v)
13.3.1.27	New and additional above ground lines, including support structures, not otherwise provided for.	All, except Rural	Discretionary	Health and Safety: 13.3.2.1	
13.3.1.27A	New and additional above ground electricity transmission lines above 110kV, including support structures.	All	Discretionary	Health and Safety: 13.3.2.1	
13.3.1.28	Minor above ground lines.	All	Permitted	Health and Safety: 13.3.2.1 Height: 13.3.2.2.1 Separation/Setback: 13.3.2.4 Earthworks: 13.3.2.5	

13.3.1.29	Temporary above ground lines.	All	Permitted	Health and Safety: 13.3.2.1 Height: 13.3.2.2.1 Separation/Setback: 13.3.2.4 Earthworks: 13.3.2.5 Temporary above ground lines: 13.3.2.8	
13.3.1.30	New transformers, substations and switching stations distributing electricity and ancillary buildings, except for those encased within a cabinet or located on a line that is otherwise a permitted activity.	All	Discretionary	Health and Safety: 13.3.2.1	
Gas Distribution and Transmission					
13.3.1.31	Underground gas distribution and transmission pipelines at a pressure not exceeding 2000 kilopascals , including aerial crossings of bridges, structures or streams, and ancillary equipment, including regulator stations but not compressor stations.	All	Permitted	Health and Safety: 13.3.2.1 Earthworks: 13.3.2.5 Vegetation: 13.3.2.6 Noise: 13.3.2.7	
13.3.1.32	Underground gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals , including aerial crossings of bridges, structures or streams, and ancillary equipment, including compressor compounds with compressor houses.	All	Restricted Discretionary	Health and Safety: 13.3.2.1	13.3.4 (b), 13.3.4 (f), 13.3.4 (h), 13.3.4 (i), 13.3.4 (j), 13.3.4 (n), 13.3.4 (s), 13.3.4 (t), 13.3.4(u), 13.3.4(v)
Water, Wastewater and Stormwater					
13.3.1.33	Water reservoirs.	All	Restricted Discretionary		13.3.4 (a), 13.3.4 (b), 13.3.4 (e), 13.3.4 (f), 13.3.4 (g), 13.3.4 (h), 13.3.4 (i), 13.3.4 (j), 13.3.4 (k), 13.3.4 (n), 13.3.4 (q), 13.3.4 (r), 13.3.4 (s), 13.3.4 (t), 13.3.4(u), 13.3.4(v)
13.3.1.34	Water and wastewater treatment plants.	All	Discretionary		
Meteorological Activities					

13.3.1.35	Meteorological enclosures and buildings; automatic weather stations and anemometer masts , voluntary observer sites and associated microwave links.	All	Permitted	Health and Safety: 13.3.2.1 Height: 13.3.2.2, 13.3.2.2.6 Size & Diameter: 13.3.2.3.8 Separation/Setback: 13.3.2.4 Earthworks: 13.3.2.5 Vegetation: 13.3.2.6 Noise: 13.3.2.7	
13.3.1.36	Meteorological enclosures and buildings; automatic weather stations and anemometer masts , voluntary observer sites and associated microwave links that are not permitted activities.	All	Restricted Discretionary	Health and Safety: 13.3.2.1	13.3.4 (a), 13.3.4 (b), 13.3.4 (c), 13.3.4 (e), 13.3.4 (f), 13.3.4 (g), 13.3.4 (h), 13.3.4 (i), 13.3.4 (j), 13.3.4 (k), 13.3.4 (l), 13.3.4 (r), 13.3.4(u), 13.3.4(v)

Roading and Traffic and Transport Structures

13.3.1.37	Traffic control signals and devices , light and decorative poles and associated structures and fittings, post boxes , landscaped gardens, artworks and sculptures, bus stops and shelters, phone boxes , public toilets and road furniture located within the road reserve and the rail corridor.	All	Permitted	Earthworks: 13.3.2.5	
13.3.1.38	The construction, alteration or diversions of roads , excluding any such construction works which is part of a subdivision.	All	Discretionary		
13.3.1.39	Any: - grade separated facility where a structure is used to separate roadways, railways, footways, cycleways or bodies of water - viaduct or tunnel - bridges for roads, tramways, railways and underpasses.	All, except for the Coastal Environment identified as SNR 9, shown in Map Appendices 2A, 2B and 2C	Controlled		13.3.3 (c), 13.3.3 (d), 13.3.3 (i); 13.3.4(u), 13.3.4(v)
13.3.1.40	Any: - grade separated facility where a structure is used to separate roadways, railways, footways, cycleways or bodies of water - viaduct or tunnel - bridges for roads, tramways, railways and underpasses	The Coastal Environment identified as SNR 9, shown in Map Appendices 2A, 2B and 2C	Non-complying		

Extreme Adverse Weather and Tsunami Warning Devices

13.3.1.41	Extreme adverse weather and tsunami warning devices .	All	Permitted	Height: 13.3.2.2.7 Size and Diameter: 13.3.2.3.9 Earthworks: 13.3.2.5 Vegetation: 13.3.2.6	
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Notes:

Resource Management Regulations – National Environmental Standards

The operation, maintenance, upgrading, relocation or removal of an electricity transmission line and ancillary structures that existed prior to 14 January 2010 is largely controlled by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009, separate to this District Plan.

The installation and operation of telecommunications facilities (antennas attached to existing structures and cabinets in the road reserve) is largely controlled by the Resource Management (National Environmental Standards for Telecommunications Facilities) Regulations 2008, separate to this District Plan. It also controls all radio- frequency emissions from telecommunication facilities through specific exposure standards.

Hutt City Council is responsible for enforcing these standards. For clarification, where there is conflict or perceived conflict between the provisions of this Plan and the requirements of the NES's identified above, the provisions of the NES shall apply.

The National Environmental Standards are available for viewing at www.mfe.govt.nz and at Hutt City Council offices.

Other Relevant Regulations

Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 is mandatory for buildings, earthworks and mobile plants within close proximity to all electricity lines.

Compliance with the Electricity (Hazards from Trees) Regulations 2003 is mandatory for tree trimming and planting in proximity to electricity transmission and distribution lines.

To discuss works, including tree planting, near electrical lines especially within 20m of those lines, contact the line operator.

Hutt City Council is not responsible for enforcing these standards.

13.3.2 Standards and Terms

13.3.2.1 Health and Safety

Where specified as relevant, network utilities shall comply with the following standards:

- a) The maximum exposure levels shall not exceed the levels specified in NZS 2772:1999 'Radiofrequency Fields– Maximum exposure levels – 3kHz to 300 GHz'.
- b) Network utilities that emit electric and magnetic fields shall comply with the International

Commission on Non-ionising Radiation Protection Guidelines for limiting exposure to time-varying electric and magnetic fields (1 Hz – 100 Hz), Health Physics 99(6):818-836; 2010, and the recommendations from the World Health Organisation monograph Environmental Health Criteria (No 238, 2007).

Note: The Resource Management (National Environmental Standards for Telecommunications Facilities) Regulations 2008, separate to this District Plan controls all radio-frequency emissions from telecommunication facilities through specific exposure standards.

13.3.2.2 Height

AMENDMENT 377 - Amend section 13.3.2.2 – Height

The maximum height of any utility structure listed in the table below shall include any antenna and support structures and exclude any lightning rod.

The maximum height of any utility structure listed in the table below shall include any antenna and support structures and exclude any lightning rod.

Standard	Utility	Commercial		Business		Community	Residential		Rural		Recreation
		Central Petone	Suburban Suburban Mixed Use Special	General Special Extraction	Avalon	Health Iwi	General-Special Hill Medium Density	Historic- Heretanga and Riddlers Crescent Heritage Precincts Landscape Protection	General	Residential	General Special River Passive
13.3.2.2.1	Masts, antennas, lines and single-pole support structures.	20m	15m	25m	Area 1 = 20m Area 2 = 15m	20m	12m	10m	15m	12m	12m
13.3.2.2.2	Masts and antennas (involving two or more providers).	25m	18m	30m	Area 1 = 20m Area 2 = 15m	20m	12m	10m	20m	12m	12m
13.3.2.2.3	Maximum height of an antenna and support structure, measured from the highest point of the building to which it is attached.	5m					3.5m	2m	3.5m		
13.3.2.2.4	Cabinets and other network utility structures within the road reserve (not otherwise provided for).	2m					1.8m		2m		

Standard	Utility	Commercial		Business		Community	Residential		Rural		Recreation
		Central Petone	Suburban Mixed Use Special	General Special Extraction	Avalon	Health Iwi	General Special Hill Medium Density	Historic Landscape Protection	General	Residential	General Special River Passive
13.3.2.2.5	Cabinets and network utility structures that are not otherwise provided for and that are not located within the road reserve.	3.5m									
13.3.2.2.6	Anemometer masts.	15m		30m		15m	12m		15m		12m
13.3.2.2.7	Maximum height of an extreme adverse weather and tsunami warning device, measured from the point of attachment.	4m									

13.3.2.3 Size and Diameter

AMENDMENT 378 - Amend section 13.3.2.3 – Size and Diameter

Standard	Utility	Residential	Commercial			Business	Recreation	Rural		Community
		General Special Historic Hill Landsc. Prot. Medium Density, High Density	Central Petone	Suburban Suburban Mixed Use	Special	General Special Avalon Extraction	General Special River Passive	Residential	General	Health Iwi
13.3.2.3.1	Masts.	Diameter of mast <600mm from 6m in height				Diameter of mast 1.5m	Diameter of mast <600mm from 6m in height			
13.3.2.3.2	Masts (involving two or more providers).	Diameter of mast <600mm from 6m in height				Diameter of mast 1.5m	Diameter of mast <600mm from 6m in height			
13.3.2.3.3	Antenna attached to masts.	Antenna located within a horizontal circle of 750mm				Antenna located with a horizontal circle of 5m	Antenna located within a horizontal circle of 750mm	Antenna located within a horizontal circle of 5m	Antenna located within a horizontal circle of 750mm	
13.3.2.3.4	Antenna attached to masts (involving two or more providers).	Antenna located within a horizontal circle of 750mm				Antenna located with a horizontal circle of 5m	Antenna located within a horizontal circle of 750mm	Antenna located within a horizontal circle of 1.2m	Antenna located within a horizontal circle of 5m	Antenna located within a horizontal circle of 750mm
Standard	Utility	Residential	Commercial			Business	Recreation	Rural		Community

		General Special Historic Hill Landsc. Prot. Medium Density	Central Petone	Suburban Suburban Mixed Use	Special	General Special Avalon Extraction	General Special River Passive	Residential	General	Health Iwi
13.3.2.3.5	Antenna attached to other buildings.	Antenna diameter of 1m or area of 0.8m ²	Antenna diameter of 2m or area of 1.8m ²	Antenna diameter of 1.3m or area of 1.2m ²	Antenna diameter of 2m or area of 1.8m ²	Antenna diameter of 1.3m or area of 1.2m ²				Antenna diameter of 2m or area of 1.8m ²
13.3.2.3.6	Cabinets and other network utility structures located within the road reserve (not otherwise provided for).	1.4m ²	2m ²							
13.3.2.3.7	Cabinets and other network utility structures not otherwise provided for that are not located within the road reserve.	15m ²								
13.3.2.3.7A	Cabinets located within the road reserve containing an electricity distribution substation.	5m ²								
13.3.2.3.8	Meteorological enclosures and buildings.	30m ²								
13.3.2.3.9	Extreme adverse weather and tsunami warning devices.	No greater in dimension than 2.5m x 1.5m								

13.3.2.4 Separation Distance and Setbacks

AMENDMENT 379 - Amend section 13.3.2.4 – Separation Distance and Setbacks

With the exception of standard 13.3.2.4.1, which applies to all network utility structures, including lines, the following table applies to masts and antenna attached to masts and any cabinet or other network utility structure that is over 5m² in area with a height of more than 1.2 metres and **not located in the road reserve or rail corridor.**

	Residential	Commercial	Business	Recreation	Rural	Community
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Standard	General-Special-Historic Hill Landsc. Prot. Medium Density High Density	Central Petone Suburban-Special Suburban Mixed Use	General Special Avalon Extraction	General Special River Passive	Residential General	Health Iwi
13.3.2.4.1 Riparian setback	A minimum 20m riparian setback shall be maintained.					
13.3.2.4.2 Separation distance or setback for masts and antenna attached to masts	No less than 10m from a boundary in the Residential and Rural Activity Areas.	No less than 10m from a boundary in the Residential Activity Areas.	No less than 10m from any boundary in the Residential or Rural Activity Areas.	No less than 10m from any property boundary. Under 15m in height – no less than 20m from the closest wall of a dwelling (excluding balconies and decks). Over 15m in height – no less than 50m from the closest wall of a dwelling (excluding balconies and decks).	No less than 10m from a boundary in the Residential Activity Areas.	

<p>13.3.2.4.3 Separation distance or setback for cabinets and other network utility structures</p>	<p>No less than 2 metres to all boundaries.</p>	<p>No less than 2 metres to any boundary in a Rural, Residential and Recreation Activity Area and to a road or service lane boundary.</p>	<p>No less than 2 metres to all boundaries.</p>	<p>No less than 2 metres to any boundary in a Rural, Residential and Recreation Activity Area and to a road or service lane boundary.</p>
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13.3.2.5 Earthworks

13.3.2.5.1 Sediment and Erosion Control

Erosion and sediment control measures shall be installed and maintained for all network utility activities, in accordance with the “Erosion and Sediment Control Guidelines for the Wellington Region – September 2002” – reprinted 2006.

13.3.2.5.2 Slope, Height, Depth and Area of Earthworks

The following shall apply to all network utility activities, except to earthworks within 2.0 metres of the exterior walls of any network utility structure or the outer edge of a network utility structure without walls measured in plain view, trenching in the road reserve or rail corridor, and to piling associated with the installation of a network utility.

- (i) Slope - No earthworks shall be carried out on a slope greater than 45 degrees.
- (ii) Height, Depth - Earthworks shall not exceed 1.5 metres in height or depth.
- (iii) Recession Plane - Any earthworks that involve the raising of the height of land above existing ground level shall not exceed a height recession plane measured at an angle of 45 degrees from any neighbouring

boundary.

(iv) Area:

- Riparian Areas - 25m²
- All Recreation and Residential Activity Areas
- 100m² All Rural Activity Areas - 1000m²
- All Other Activity Areas - 500m²
- Rail corridor and state highway - 1,000m²

13.3.2.6 Native Vegetation Clearance - Rural Residential and General Rural Activity Areas

Within the **Rural Residential and General Rural Activity Areas** there shall be no destruction of any native vegetation where:

- a) the area of native vegetation in one site exceeds 1 hectare with an average height of 3 metres or more, or
- b) the area of native vegetation is part of an area in one or more sites, which exceeds 1 hectare with an average height of 3 metres or more.

The word “area” in (a) and (b) above refers to the existing area covered by native vegetation, (i.e. it is the sum of the area of native vegetation which is proposed to be disturbed or removed, plus the balance area of native vegetation).

Tree removal and trimming undertaken solely for maintenance activities under the Electricity (Hazard and Trees) Regulations 2003 are exempt from this standard.

13.3.2.7 Noise

Noise associated with the activity shall not exceed the permitted activity noise standard(s) within the zone in which the activity is located.

13.3.2.8 Temporary Above Ground Lines

The line(s) shall be in place for no longer than six calendar months from the date of erection until its removal.

13.3.3 Matters in which Council Seeks to Control

Matters over which control is reserved are:

- a) Site design, frontage and area.
- b) Legal and physical access to the lots.
- c) Risks to public health and safety.
- d) Design and external appearance.
- e) Earthworks and sediment and erosion control.
- f) Landscaping and screening.

- g) *Deleted.*
- h) Noise.
- i) The route of the road.
- j) The imposition of financial contributions in accordance with Chapter 12 of this Plan.
- k) The design and construction of the road, including safety, traffic engineering, landscaping and noise mitigation measures.

13.3.4 Matters in which Council has Restricted its Discretion

Matters that the Council has restricted the exercise of discretion over are as follows:

- a) The degree, extent and effects of the non-compliance with the Permitted Activity Conditions.
- b) Risks to public health and safety.
- c) The maximum height of the mast and area or diameter of any antenna.
- d) The maximum height, area or diameter of any antenna.
- e) Design and external appearance.
- f) Any effect on heritage and cultural values.
- g) Visual effects including impacts on:
 - (i) The residential and recreational use of land in the vicinity of the proposed utility;
 - (ii) The existing character, landscape, streetscape and amenity values of the locality;
 - (iii) Key public places, public viewing points, the coast, and significant recreational areas.
- h) Amenity effects, including noise, vibration, odour, dust, earthworks and lighting.
- i) Cumulative effects.
- j) Any potential interference with public use and enjoyment of the land and the operation of land uses in the vicinity.
- k) Measures to mitigate the bulk and scale of the utility, including screening, colour and finish treatment, earth mounding and / or planting, viewing distances, the location of support structures.
- l) Whether the size and scale of the proposal is generally compatible with other development in the area.
- m) Any adverse effects on traffic and pedestrian safety including sight lines and the visibility of traffic signage.
- n) The extent to which alternative locations, routes or other options have been appropriately considered.
- o) The extent to which it is technically, economically and practically reasonable for the masts or antennas can be co-sited with similar structures or other buildings.
- p) Where antennas are proposed to be sited on the top of a building, the extent to which they can be designed or screened so that they form an integral part of the total building design.
- q) Rehabilitation of the site following any construction or future maintenance period.
- r) The extent to which the affected persons / community has been consulted with.
- s) Earthworks and erosion and sediment control.
- t) Any adverse effects on an area of native vegetation.
- u) Any positive effects to be derived from the activity.

- v) Any constraints arising from technical and operational requirements of the network which may limit measures to avoid, remedy or mitigate environmental effects.

13.3.5 Assessment Criteria for Discretionary Activities

In considering an application for a discretionary activity, the Council's discretion is unrestricted. The Council shall consider any relevant matter with particular regard to the objectives and policies of the Plan. In addition, the Council shall have particular regard to the relevant matters outlined in 13.3.4 – Matters of Discretion for Restricted Discretionary Activities.

13.4 Rules - National Grid

13.4.1 Permitted Activities

In all activity areas, buildings and structures less than 2.5m in height and less than 10m² in area located within the National Grid Yard, that meet all the permitted activity conditions of that activity area, provided that they are not being used for a Sensitive Activity.

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.

13.4.2 Non-Complying Activities

- a) The establishment of sensitive land use activity, including the change of the use of an existing building or structure.
- b) The construction of a new, or addition to an existing, building or structure that does not meet permitted activity rule 13.4.1.

13.5 Anticipated Environmental Results

The following environmental outcomes are anticipated in respect of network utilities:

- a) Network utilities are able to operate, upgrade and expand as required to provide safe, effective and efficient services to the City.
- b) The Lower Hutt City community is able to provide for its social, economic, cultural and environmental wellbeing and for its health and safety.
- c) Potential conflicts between regionally significant network utilities and incompatible development, use and subdivision are avoided.
- d) Adverse effects from network utilities on amenity and the environment are appropriately avoided, remedied or mitigated.

14C **Noise**

Introduction

Noise has generally been accepted as unwanted sound. Noise can have both psychological as well as physiological effects on people. At the least, noise may be annoying, at worst excessive noise may cause damage to hearing and permanent changes in health. Across all activity areas noise can adversely affect amenity values.

Ambient noise surveys have been carried out throughout the City. The data obtained from these surveys has been utilised to establish rules. The concept of "noise areas" has been the basis of these rules in all residential activity areas. In other activity areas surveys and rules have been based on the individual locations.

14C 1 Issue, Objective and Policies

14C 1.1 Maintaining or Enhancing Health and Amenity Values

Issue

Noise can adversely affect health and amenity values in all activity areas. It is necessary to determine and establish noise levels that maintain or enhance health and amenity values.

Objective

To maintain or enhance the amenity value of all activity areas by ensuring that the adverse effects of excessive noise on the environment are avoided or mitigated.

Policy

- (a) To recognise that background noise levels are markedly different throughout the City.
- (b) To recognise that acceptable noise levels will vary according to the nature of the principal activities occurring within activity areas.
- (c) To ensure that residential activity areas are protected by establishing appropriate noise levels at the interface between residential activity areas and non residential activity areas.

- (d) That maximum noise levels are established within each activity area to ensure that amenity values are protected.
- (e) To make provision for those situations where there has already been considerable history to the establishment of specified noise conditions.
- (f) To recognise that noise levels may be different through a construction phase.
- (g) To recognise that Noise Management Plans may be appropriate to manage matters beyond those addressed in this District Plan.

Explanation and Reasons

Excessive noise is the most commonly experienced nuisance.

There is an explicit responsibility in the Act that noise not exceed a reasonable level (Section 16). The duty to avoid unreasonable noise falls on every individual and is regardless of any requirements placed through District Plans or resource consents. That there is such an explicit responsibility reflects the extent to which the creation of unreasonable noise is seen as an adverse effect on the environment. In addition the Act sets out very specific procedures for situations involving excessive noise.

The approach adopted in the Plan balances the desirability of having certainty for both developers and neighbours while also taking into account the background noise levels. Four "noise areas" have been identified and are the basis of rules in the residential activity areas. Specific conditions have been developed for other activity areas.

Noise associated with construction is of a temporary nature and often out of character with the noise levels which would normally be expected of the locality. NZS 6803P:1984 The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work relates specifically to construction noise and is a well accepted means of monitoring and managing noise specifically from construction.

There are a number of sources of excessive noise which the Act identifies as being outside the scope of its application. Alternative means of managing these are available outside this document. These noise sources specifically are - aircraft being operated during, immediately before or after, flight; vehicles being driven on a road (within the meaning of section 2(1) of the Transport Act 1962); a train, other than when at a railway station or in railway yards.

A Noise Management Plan is one method available to address matters of protocol and procedure between neighbours, interest groups and non-residential activity managers. Such a Plan would be a document independent from the District Plan but could be included within other formal documents for site management such as Standing Orders, Standard Operational Procedures, Operational or Business Plans, Best Practical Options, or other similar documents. A Noise Management Plan may work in conjunction with relevant provisions within this District Plan.

14C 2 Rules

14C 2.1 Permitted Activity - Conditions

In All Activity Areas

- (a) These rules are without prejudice to the powers of Council pursuant to the Act.
- (b) These rules are without prejudice to the powers of any Medical Officer of Health pursuant to the Health Act 1956.
- (c) The noise levels shall be measured in accordance with NZS 6801:1991 "Measurement of Sound", and assessed in accordance with NZS 6802:1991 "Assessment of Environmental Sound". The noise level is the L10 descriptor, as defined in NZS 6801:1991.
- (d) The lower levels shall apply between the commencement of the lower level on a Saturday evening and Monday morning, and Public Holidays, unless otherwise specified.

- (e) The maximum sound level shall not exceed $L_{max}75dBA$ during the hours 10.00pm - 7.00am, measured anywhere within a residential activity area.
- (f) All construction, demolition, and maintenance work shall comply with NZS 6803P "Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work".
- (g) Sirens being used in response to an emergency (and routine testing and maintenance) are exempt from the Permitted Activity Condition standards.

14C 2.1.1 All Residential Activity Areas

(a) Emergency Facilities

- (i) All emergency facilities (not otherwise provided for in these rules) must not exceed the conditions specified, measured anywhere within a residential activity area other than the site on which the activity takes place:

Maximum 55dBA	Monday to Sunday	7.00am – 10.00pm
Maximum 45dBA	Monday to Sunday	10.00pm – 7.00am

with the exception of Lot 2 DP 82046 (155 – 157 Waterloo Road, Lower Hutt - Central Fire Station).

- (ii) Sirens being used in response to an emergency (and routine testing and maintenance) are exempt from the Permitted Activity Condition standards.
- (b) All other non-residential activities must not exceed the conditions as specified, measured anywhere within a residential activity area other than the site on which the activity takes place.

All properties within Residential Activity Areas are in Noise Area 3 with the exception of properties identified within Appendix Noise 1 which are in the Noise Area specified in the Appendix.

Noise Area 1	Maximum 60dBA	7.00am - 10.00pm (Sun
	Maximum 45dBA	9.00am - 4.00pm) 10.00pm - 7.00am
Noise Area 2	Maximum 55dBA	7.00am - 10.00pm
	Maximum 45dBA	10.00pm - 7.00am
Noise Area 3	Maximum 50dBA	7.00am - 10.00pm
	Maximum 40dBA	10.00pm - 7.00am
Noise Area 4	Maximum 45dBA	7.00am - 8.00pm
	Maximum 40dBA	8.00pm - 7.00am

except for the following locations where activities must not exceed the standards specified.

14C 2.1.1.1 Bellevue Hotel, 140 Woburn Road, Pt Lot 2 DP 5877 and Pt Lot 1 DP 6028

- (a) The noise level shall not exceed the following levels when measured on adjoining land within a residential activity area, (other than on the site from which the noise is

emanating)

Day 6.30am - 10.00pm L10 55dBA
Night 10.00pm - 6.30am L10 45dBA

Noise measurements shall be made in accordance with NZS 6801:1991 "Measurement of Sound" and assessed in accordance with NZS 6802:1991 "Assessment of Noise in the Environment". If the measured noise has special audible characteristics the performance levels shall be adjusted in accordance with paragraph 4.4 of NZS 6802:1991. Noise measurement shall be taken on or within the boundaries of the residential site. Night time levels shall also apply on Sundays, Christmas Day and Good Friday.

- (b) The noise from any form of electronically produced or amplified music shall be such that the noise level measured in any octave band between 31.5Hz and 8KHz, as measured inside any habitable room (other than on the site from which the noise is emanating) with windows open in their normal fashion, shall not exceed the background level measured in that octave band by more than 5dB, or the following values, whichever is the greater:

Octave Band (Hz)	31.5	63	125	250	500	1k	2k	4k8k
Level (dB)	58	43	35	28	21	15	10	8

The background levels shall be determined by the statistical analysis as the L95 of the ambient noise in the absence of amplified music. The background levels shall be measured within 1 hour of the measurement of the music noise levels.

The music noise levels shall be measured as the equivalent continuous level, Leq. The sound level meter operator shall ensure that the measured level is due solely to the music noise. The music noise levels shall be measured over 15 cumulative minutes of music audible at the measurement location.

This condition shall apply during the hours 7.00pm to 6.30am and at all times on Sundays, Christmas Day and Good Friday.

The sound meter used for measurements of music noise shall comply with IEC Publication 651 for type 1 instruments. Octave band filters shall comply with IEC Publication 255. The time weighting characteristic "F" shall be used.

- (c) The sound meter used for measurements of noise shall comply with IEC Publication 651 (1970) "Sound Level Meters: Type 1".

- (d) The noise from any form of electronically produced or amplified music shall be such that the noise level measured in any octave band between 31.5Hz and 8KHz, as measured inside any habitable room (other than on the site from which the noise is emanating) with windows open in their normal fashion, shall not exceed the background level measured in that octave band by more than 5dB, or the following values, whichever is the greater:

Octave Band (Hz)	31.5	63	125	250	500	1k	2k	4k8k
Level (dB)	58	43	35	28	21	15	10	8 8

The background levels shall be determined by the statistical analysis as the L95 of the ambient noise in the absence of amplified music. The background levels shall be measured within 1 hour of the measurement of the music noise levels.

The music noise levels shall be measured as the equivalent continuous level, Leq. The sound level meter operator shall ensure that the measured level is due solely to the music noise. The music noise levels shall be measured over 15 cumulative minutes of music audible at the measurement location.

This condition shall apply during the hours 7.00pm to 6.30am and at all times on Sundays, Christmas Day and Good Friday.

The sound meter used for measurements of music noise shall comply with IEC Publication 651 for type 1 instruments. Octave band filters shall comply with IEC Publication 255. The time weighting characteristic "F" shall be used.

- (e) The sound meter used for measurements of noise shall comply with IEC Publication 651 (1970) "Sound Level Meters: Type 1".

14C 2.1.1.2 Oxford Terrace/Waterloo Road (Ambulance Station), Section 1 SO 36751

- (a) All activities must not exceed, the conditions as specified measured anywhere within a residential activity area other than the site on which the activity takes place -

Maximum 50dBA 7.00am -
 8.00pm Maximum 45dBA
 8.00pm -
 7.00am

- (b) No siren may be used when in the vicinity of the site between the hours of 8.00pm and 7.00am.

14C 2.1.1.3 Stokes Valley Bus Depot, cnr Stokes Valley Road and Kamahi Streets, Lot 1 DP 55258

All activities must not exceed the conditions as specified measured anywhere within a residential activity area other than the site on which the activity takes place -

Maximum 60dBA 5.30am - 10.00pm Monday - Thursday

5.30am - Midnight Friday & Saturday

5.30am - 9.00pm Sunday

Maximum 45dBA Any time outside those times specified above.

14C 2.1.1.4 Wainuiomata Bus Depot, Main Road/Burden Avenue, Lot 3 DP 55256

All activities must not exceed the conditions as specified measured anywhere within a residential activity area other than the site on which the activity takes place -

Maximum 60dBA 5.30am - 10.00pm Monday - Thursday

5.30am - Midnight Friday &

Saturday 5.30am - 9.00pm

Sunday

Maximum 45dBA Any time outside those times specified above.

14C 2.1.2 Central Commercial Activity Area & Petone Commercial Activity Areas 1 & 2

(a) All activities must not exceed the conditions as specified measured anywhere within a residential activity area

-

Maximum 60dBA 7.00am - 10.00pm (Sun 9am - 4pm)

Maximum 45dBA 10.00pm - 7.00am

(b) All activities must not exceed the conditions as specified measured at the boundary of the site on which the activity takes place -

Maximum 65dBA 7.00am -

10.00pm Maximum 60dBA

10.00pm -

7.00am

AMENDMENT 380 - Amend Permitted Activity Condition 14C 2.1.3

14C 2.1.3 ~~Suburban Commercial Activity Area and Suburban Mixed Use Activity Area (except Station Village and Boulcott Village)~~

All activities must not exceed the conditions as specified measured anywhere within a residential activity area

Maximum 60dBA	7.00am 10.00pm (Sun 9am 4pm)
Maximum 45dBA	10.00pm 7.00am

AMENDMENT 381 - Amend Permitted Activity Condition 14C 2.1.4

14C 2.1.4 ~~Special Commercial Activity Area Suburban Mixed Use Activity Area (Station Village and Boulcott Village).~~

(a) All activities in the Station Village and Boulcott Village commercial areas (identified in Appendix Noise 3) must not exceed the conditions as specified measured anywhere within a residential activity area

Area 1 Station Village

Maximum 65dBA	6.30am 9.00pm
Maximum 57dBA	9.00pm 6.30am

Area 2 Boulcott Village

Maximum 63dBA	6.30am 10.00pm
Maximum 45dBA	10.00pm 6.30am

14C 2.1.5 General Business Activity Area

- (a) Within the General Business Activity Area, all activities must not exceed 65dBA, measured at the boundary of the site on which the activity takes place.
- (b) All activities must not exceed the conditions as specified measured anywhere within a recreation or residential activity area. Appendix Noise 2 identifies the locations -

Location Reference	Location Description	Performance Standards	
1	George Street	Maximum 56dBA Maximum 43dBA	6.30am - 10.00pm 10.00pm - 6.30am
2	Eastern Hutt Road	Maximum 60dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am
3	Taita	Maximum 58dBA Maximum 45dBA	6.30am - 10.00pm 10.00pm - 6.30am
4	Wingate	Maximum 57dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am
5	Hebden Crescent	Maximum 55dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am
6	Rata St/Norrie Gr	Maximum 51dBA Maximum 44dBA	7.00am - 10.00pm 10.00pm - 7.00am
7	Naenae	Maximum 65dBA Maximum 46dBA	7.00am - 10.00pm 10.00pm - 7.00am
8	Connolly Street	Maximum 50dBA Maximum 40dBA	7.00am - 10.00pm 10.00pm - 7.00am
9	Pharazyn Street	Maximum 65dBA Maximum 49dBA	6.30am - 10.00pm 10.00pm - 6.30am
10	Railway	Ave/Marsden St	

Ma		m 58dBA	7.00am -
xi		10.00pm Maximum 45dBA	
mu			10.00pm -
		7.00am	

11	Wakefield St/Hutt Rd	Maximum 63dBA Maximum 45dBA	6.30am - 10.00pm 10.00pm - 6.30am
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12	Victoria St/Cuba St	Maximum 58dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am
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13	Bouverie Street	Maximum 55dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am
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14 Hutt Road (Nevis Street to Udy Street)

Maximum 55dBA 7.00am - 10.00pm Maximum 45dBA 10.00pm -

7.00am Petone West (Victoria Street to Scholes Lane) Maximum

60dBA 6.00am - 10.00pm

Maximum 45dBA 10.00pm - 6.00am

16 Cornish Street Maximum 55dBA 6.00am -
Maximum 45dBA 10.00pm -
6.00am

17 Esplanade West Maximum 55dBA 6.00am -
Maximum 45dBA 10.00pm -
6.00am

18 Petone South Maximum 55dBA 6.00am -
Maximum 45dBA 10.00pm -
6.00am

19 Cuba Street Maximum 55dBA 7.00am -
Maximum 45dBA 10.00pm -
7.00am

20 Petone East Maximum 65dBA 6.00am -
(Waione Street/Marine
Parade) 10.00pm Maximum 50dBA
10.00pm -
6.00am

21 Hawkins Street Maximum 58dBA 6.30am -
Maximum 45dBA 10.00pm -
6.30am

22 Randwick Road Maximum 53dBA 6.30am -

Maximum 41dBA 10.00pm
10.00pm -
6.30am

23 Seaview Road/Port Road/Randwick Road
Maximum 62dBA 7.00am -
10.00pm Maximum 45dBA
10.00pm -
7.00am

24 Bell Road/Gracefield Road/Wainui Road
Maximum 59dBA 7.00am -
10.00pm Maximum 45dBA
10.00pm -
7.00am

25 Gracefield Road/Tunnel Grove
Maximum 59dBA 7.00am -
10.00pm Maximum 45dBA
10.00pm -
7.00am

26	Parkway	Maximum 65dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am
27	Fraser St/Simmons Gr Main Road (Rear of Gibbs Crescent)	Maximum 60dBA Maximum 45dBA Maximum 50dBA Maximum 40dBA	7.00am - 10.00pm 10.00pm - 7.00am 7.00am - 10.00pm 10.00pm - 7.00am
29	Burden Avenue	Maximum 60dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am
30	Moore's Valley Road	Maximum 60dBA Maximum 45dBA	7.00am - 10.00pm 10.00pm - 7.00am
31	Point Howard	Maximum 60dBA Maximum 45dBA	7.00am - 11.00pm 11.00pm - 7.00am

Noise resulting from activities below mean high water springs, including from ships berthed at Seaview Wharf, is controlled within the Wellington Regional Coastal Plan.

14C 2.1.6 Special Business Activity Area

- (a) All activities must not exceed the conditions as specified, measured anywhere within a residential activity area. Appendix Noise 2 identifies the location -

	Location	Description	Performance Standards
34	Port Rd/Seaview Rd		Maximum 62dBA 7.00am - 10.00pm Maximum 45dBA 10.00pm - 7.00am

- (b) Within the Special Business Activity Area, all activities must not exceed 65dBA, measured at the boundary of the site on which the activity takes place.

14C 2.1.7 Avalon Business Activity Area

All activities must not exceed the conditions as specified, measured anywhere within a residential activity area. Appendix Noise 2 identifies the locations -

Location Reference	Location Description	Performance Standards
35	Percy Cameron St	Maximum 60dBA Maximum 45dBA 7.00am - 10.00pm 10.00pm - 7.00am
36	Fairway Drive	Maximum 60dBA Maximum 45dBA 6.00am - 10.00pm 10.00pm - 6.00am

14C 2.1.8 Extraction Activity Area

All activities must not exceed the conditions as specified, measured anywhere within a residential or rural activity area. Appendix Noise 2 identifies the locations -

Location Reference	Location Description	Performance Standards
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37	SH No.58	Maximum 70dBA Maximum 45dBA	6.00am - 10.00pm 10.00pm - 6.00am
38	SH No.2	Maximum 70dBA Maximum 45dBA	6.00am -10.00pm 10.00pm - 6.00am

14C 2.1.9 Rural Residential Activity Area

All non-residential activities must not exceed the conditions as specified, measured anywhere beyond the site of the activity takes place -

Maximum 45dBA 7.00am -
8.00pm Maximum 40dBA
8.00pm -
7.00am

14C 2.1.10 General Rural Activity Area

All non-residential activities must not exceed the conditions as specified, measured anywhere beyond the site on which the activity takes place -

Maximum 50dBA 7.00am -
10.00pm Maximum 40dBA
10.00pm -
7.00am

14C 2.1.11 Community Health Activity Area

All activities must not exceed the conditions as specified measured anywhere within a

residential activity area - Maximum 50dBA 7.00am - 10.00pm
Maximum 40dBA 10.00pm -
7.00am

14C 2.1.12 Community Iwi Activity Area 1 - Marae

The standards are those for the Residential Noise Zone in which each Marae is located in, except for the Puke Ariki Marae (Te Tatau O Te Po, Hutt Road) where the standard is -

Maximum 63dBA
6.30am - 9.00pm

Maximum 45dBA
9.00pm - 6.30am

14C 2.1.13 Community Iwi Activity Area 3 - Kokiri Centres

All activities must not exceed the conditions as specified for each location measured anywhere within a residential activity area

Ngau-matau Kokiri (Seaview)

Maximum 62dBA 7.00am - 9.00pm
Maximum 45dBA 9.00pm - 7.00am

Pukeatua Kokiri (Wainuiomata)

Maximum 60dBA 7.00am - 8.00pm
Maximum 45dBA 8.00pm - 7.00am

14C 2.2 Discretionary Activities

- (a) Any activity not complying with the Permitted Activity - Conditions.

14C 2.2.1 Assessment Matters for Discretionary Activities

- (a) The matters contained in sections 104 and 105, and in Part II of the Act shall apply.
- (b) The degree of compliance or non-compliance with any relevant Permitted Activity Condition.

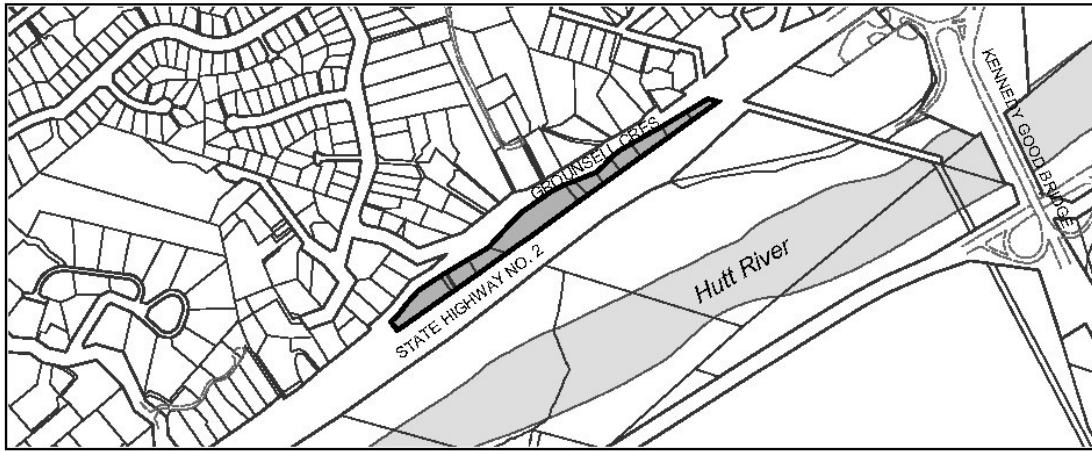
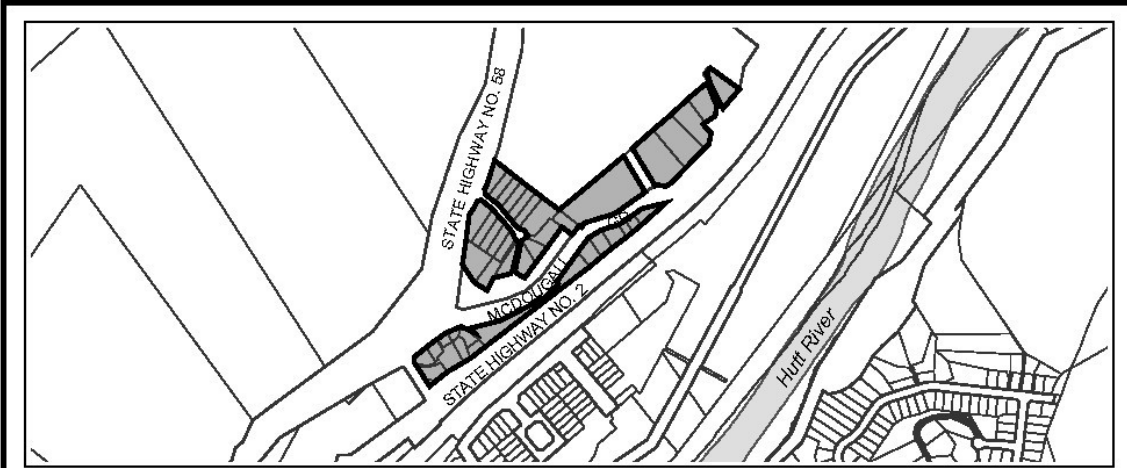
14C 3 Anticipated Environmental Results

- (a) Specific management conditions for sites and activity areas to ensure that the adverse effects of excessive noise are avoided or mitigated.
- (b) Maintenance and enhancement of the amenity values of activity areas.

14C Appendices

Appendix Noise 1 - Residential Activity Areas

Noise Area 1

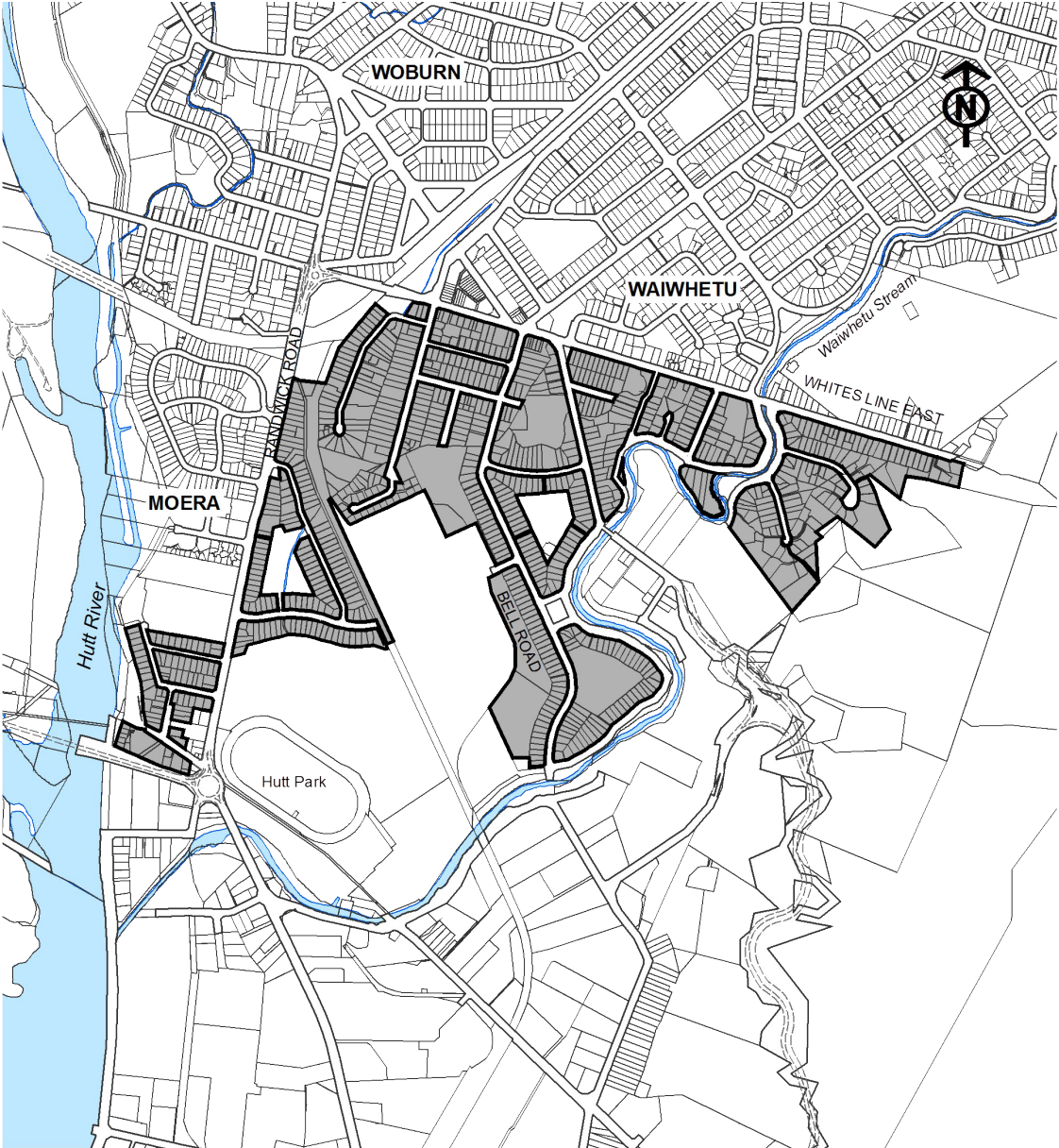


Noise Area 1



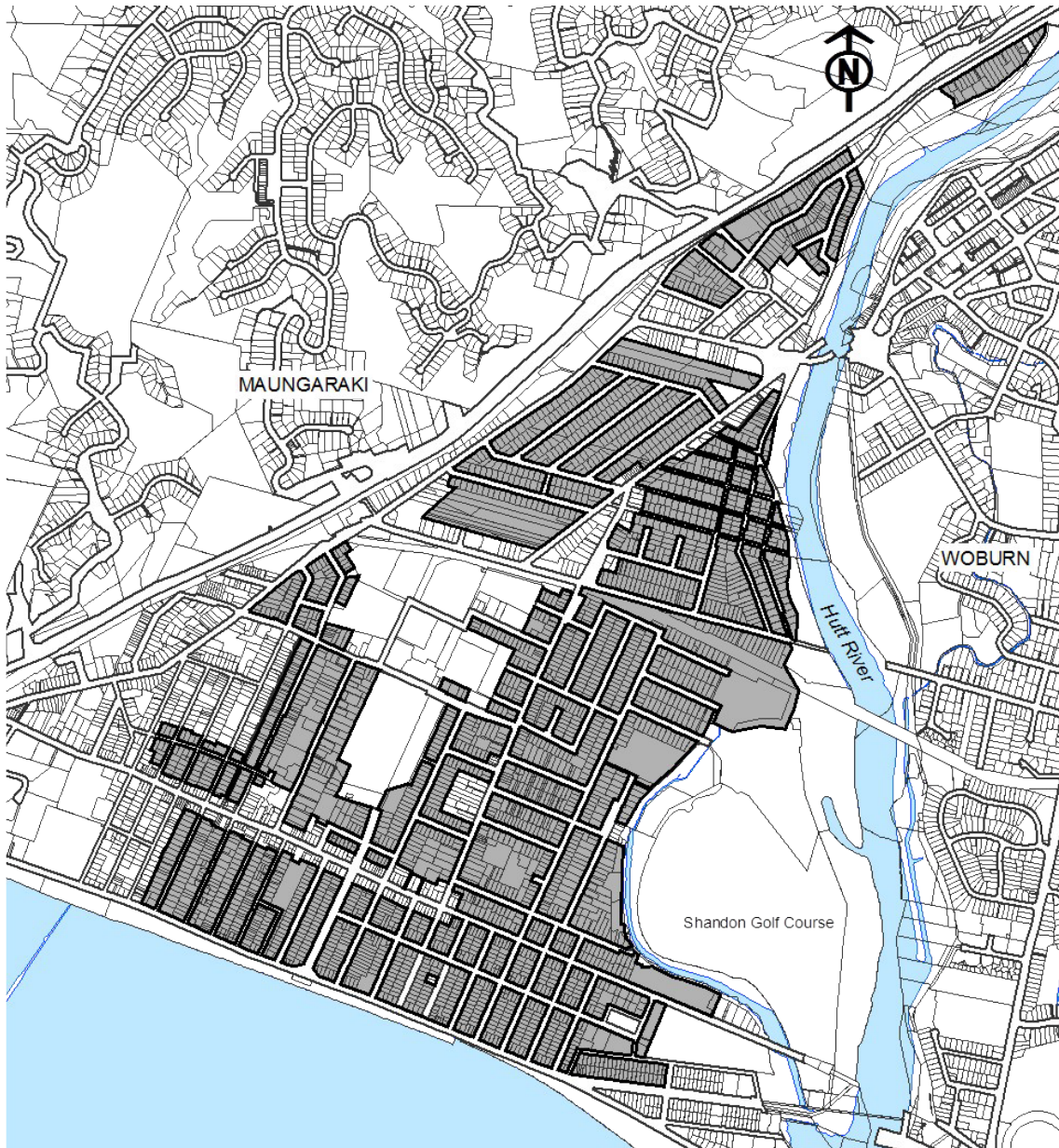
Noise Area 1

Noise Area 2 - Moera/Waiwhetu



Noise Area 2 - Moera/Waiwhetu

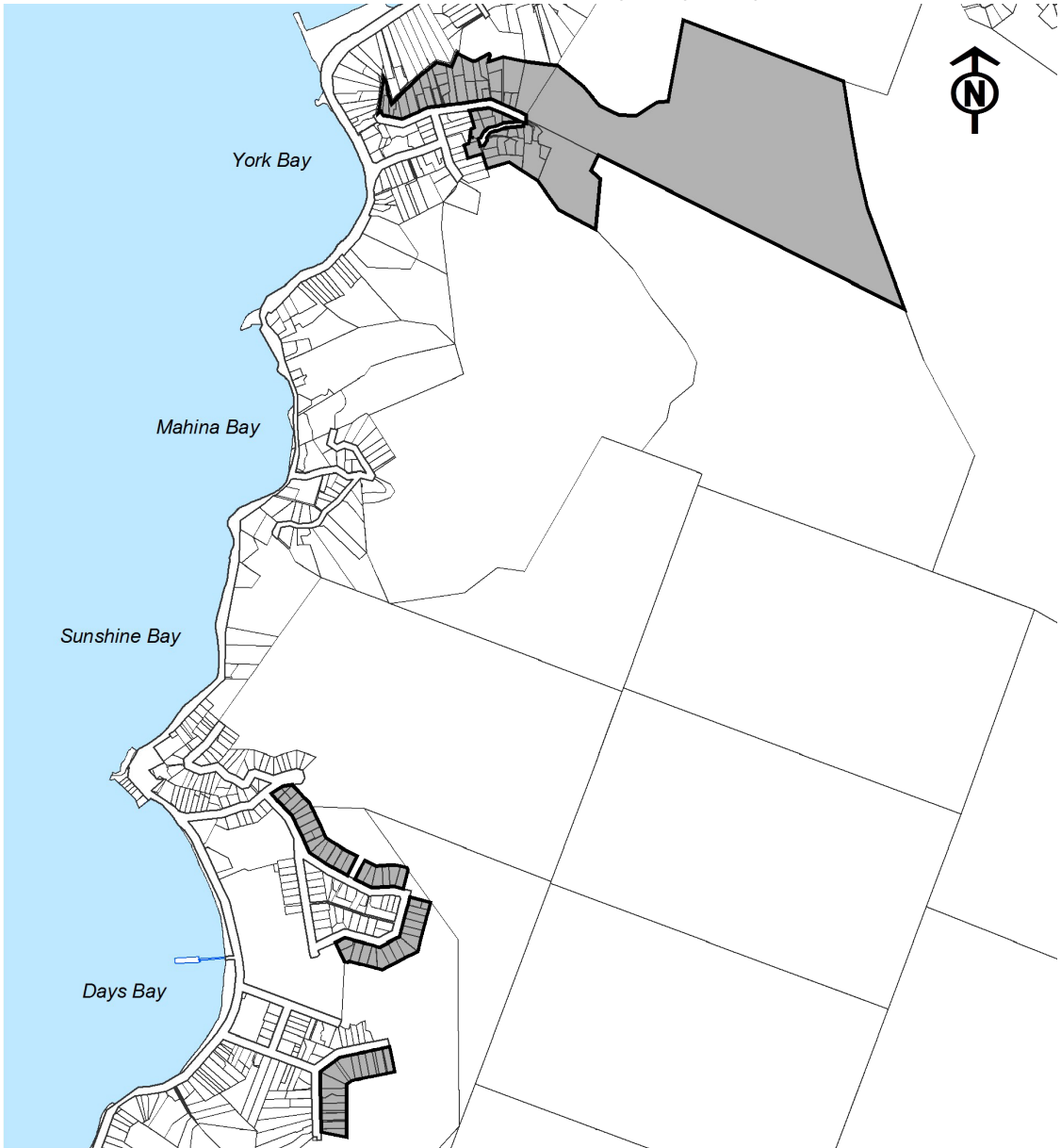
Noise Area 2 - Petone



Noise Area - Petone

(all residential properties in the area bounded by Hutt Road, Parliament Street, Pharayn Street, the Hutt River and The Esplanade)

Noise Area 4 - York Bay/ Days Bay



Noise Area 4 - York Bay /Days Bay

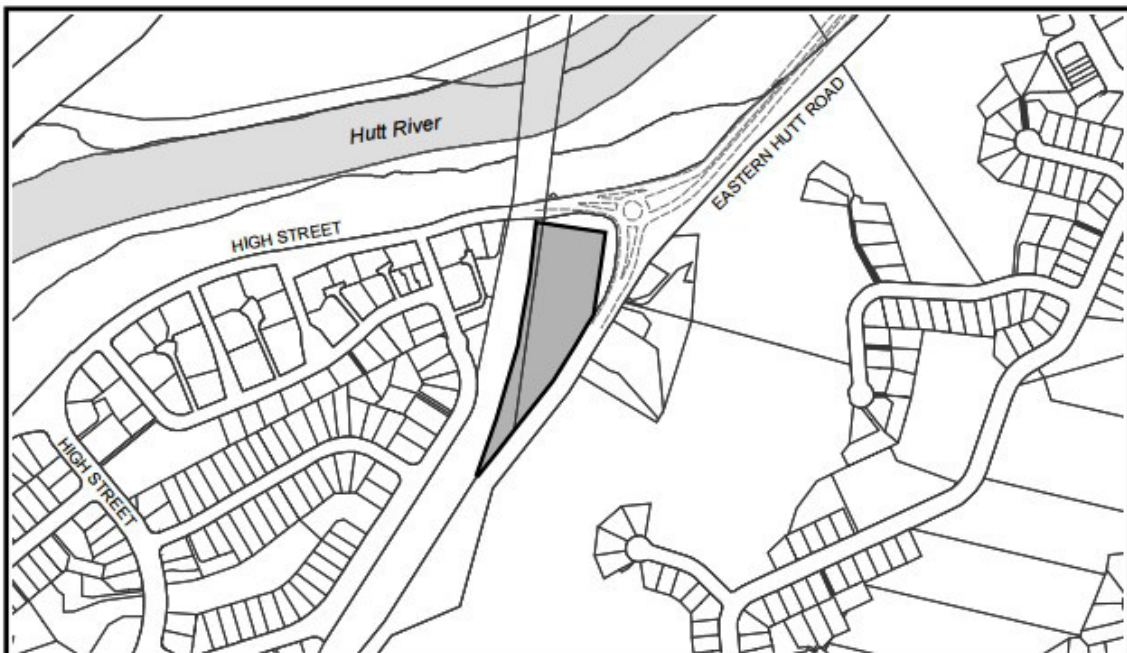
Appendix Noise 2

Appendix Noise 2 - General Business Activity Area

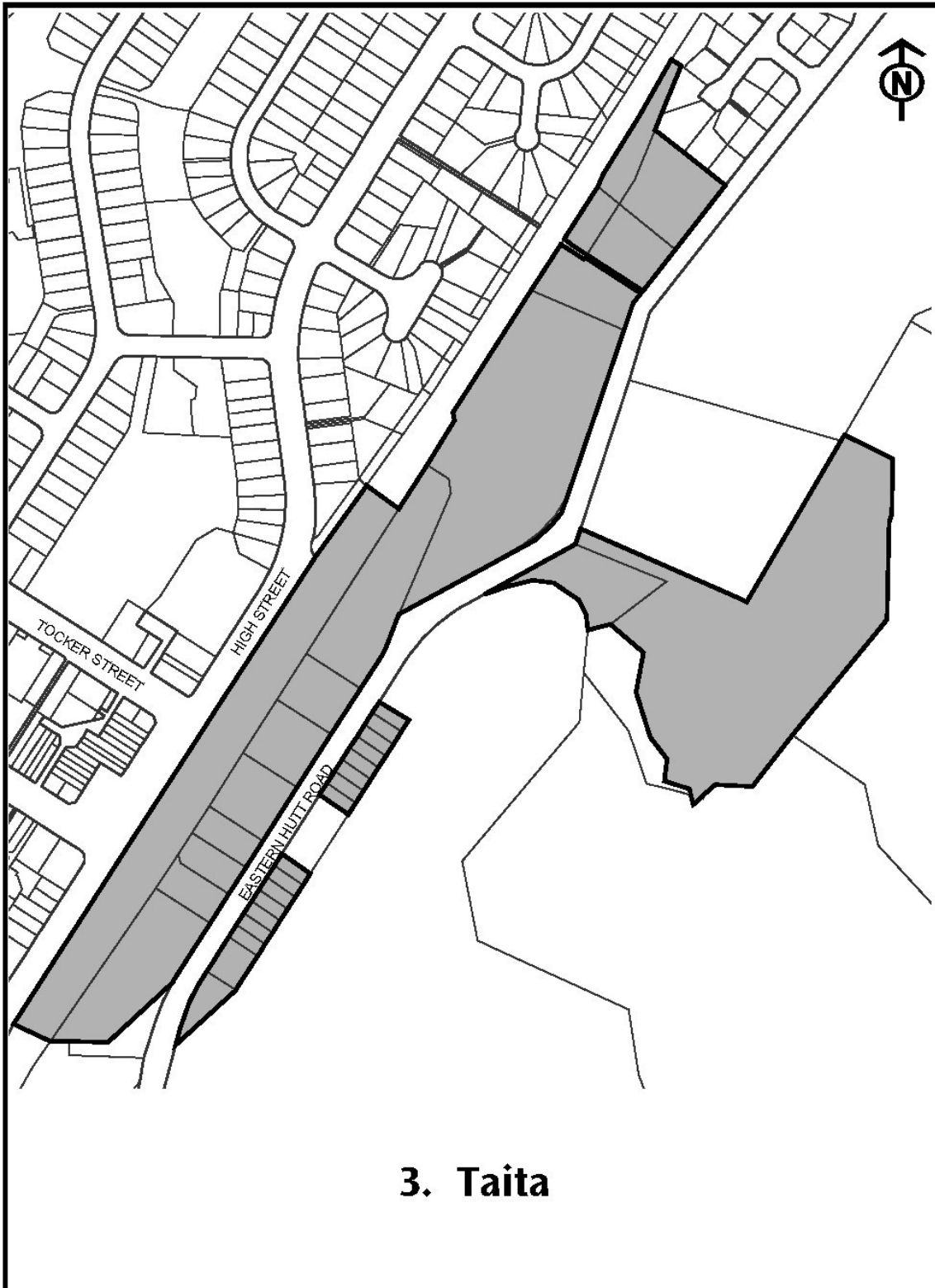
1. George Street



2. Eastern Hutt Road



3. Taita



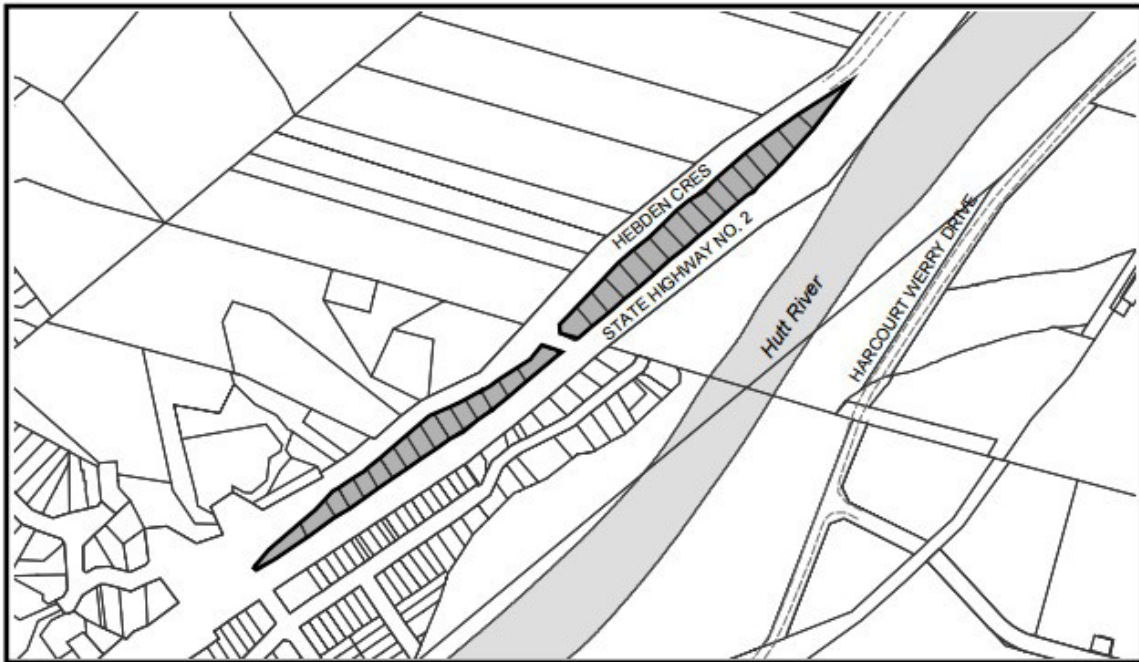
3. Taita

4. Wingate

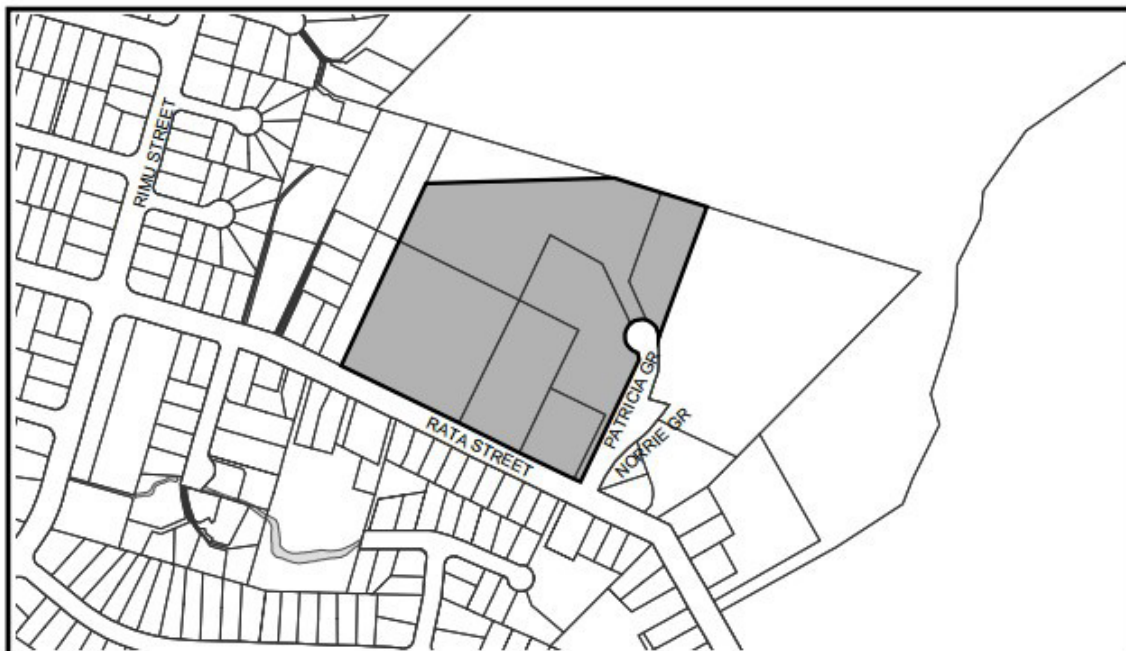


4. Wingate

5. Hebden Crescent



6. Rata Street/Norrie Grove



7. Naenae



8. Park Avenue



9. Connolly Street



10. Pharazyn Street



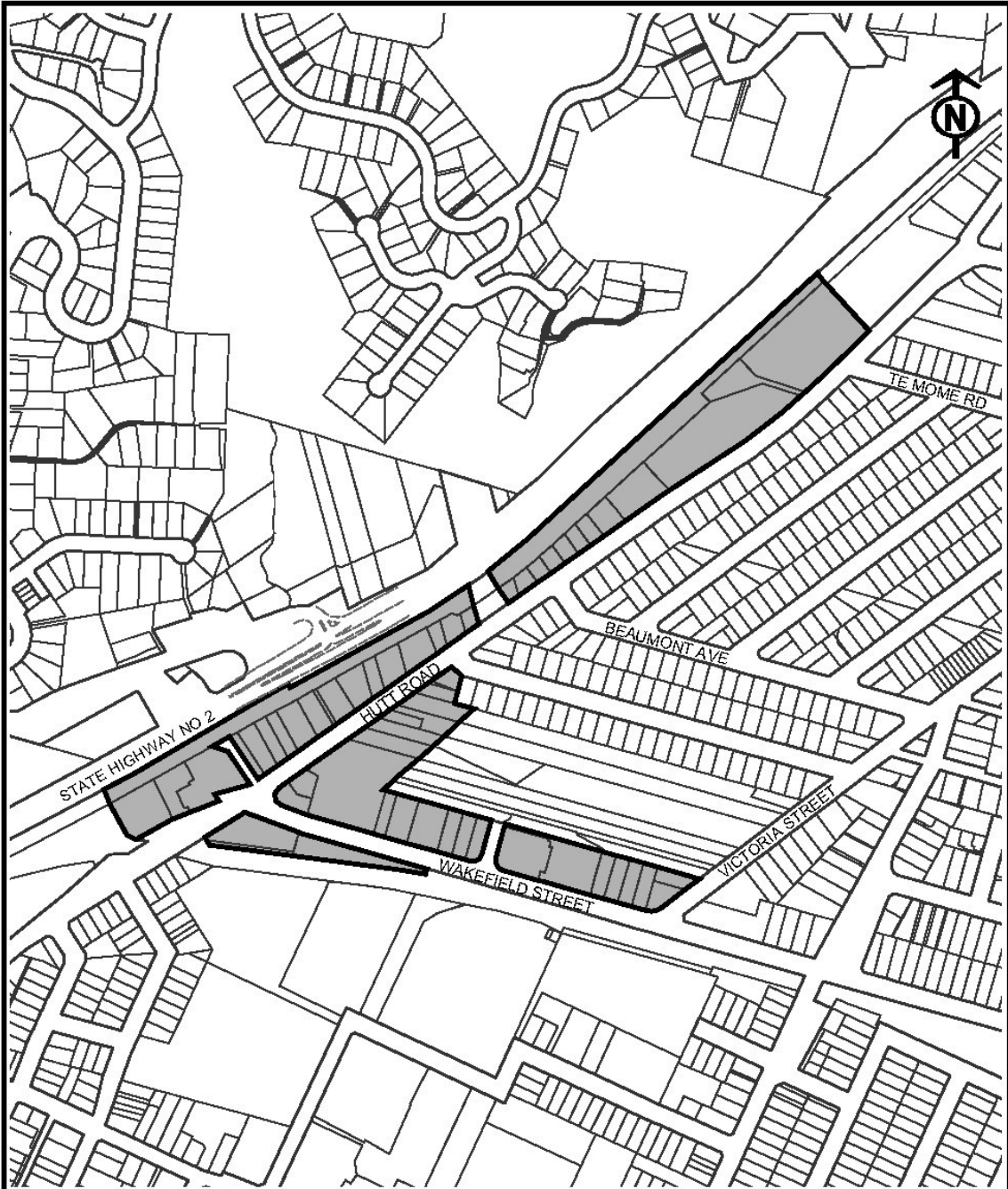
11. Birch Street/Knights Road



12. Railway Avenue/Marsden Street

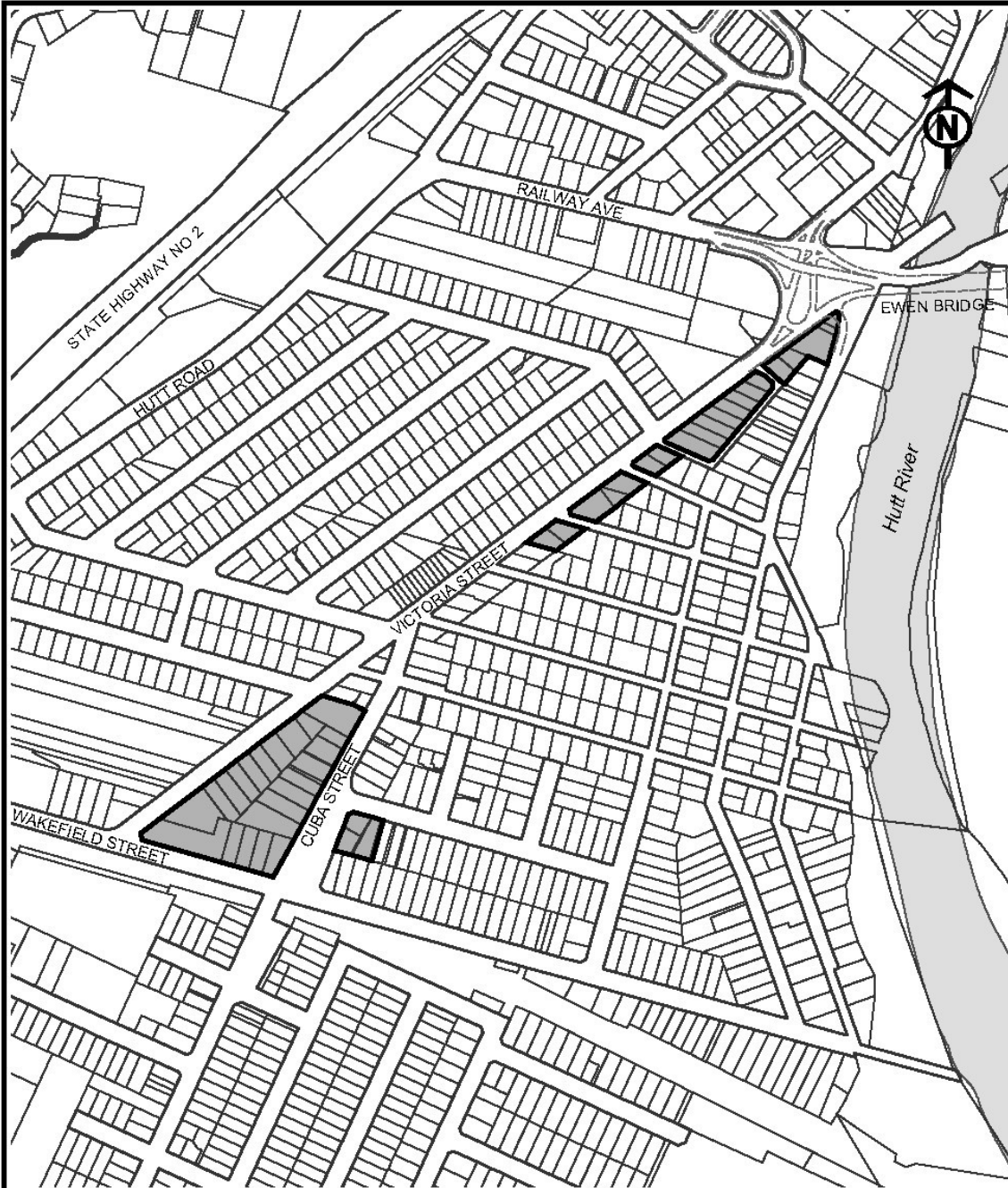


13. Wakefield Street/Hutt Road



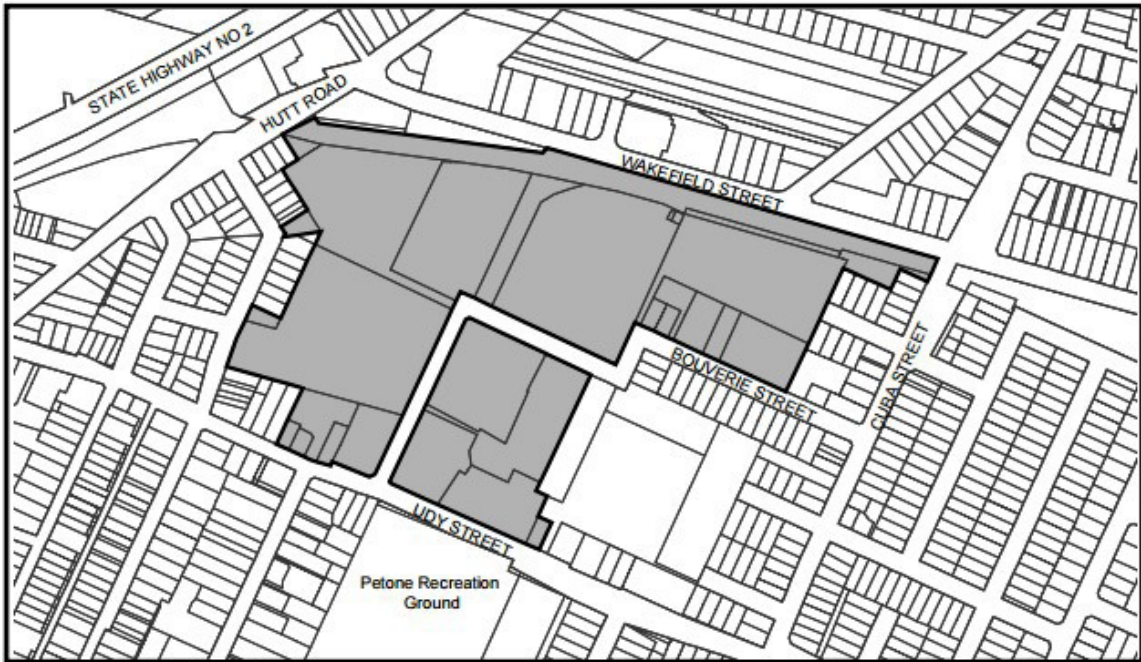
13. Wakefield Street/Hutt Road

14. Victoria Street/Cuba Street



14. Victoria Street/Cuba Street

15. Bouverie Street



16. Hutt Road



17. Petone West



18. Cornish Street



19. Esplanade West



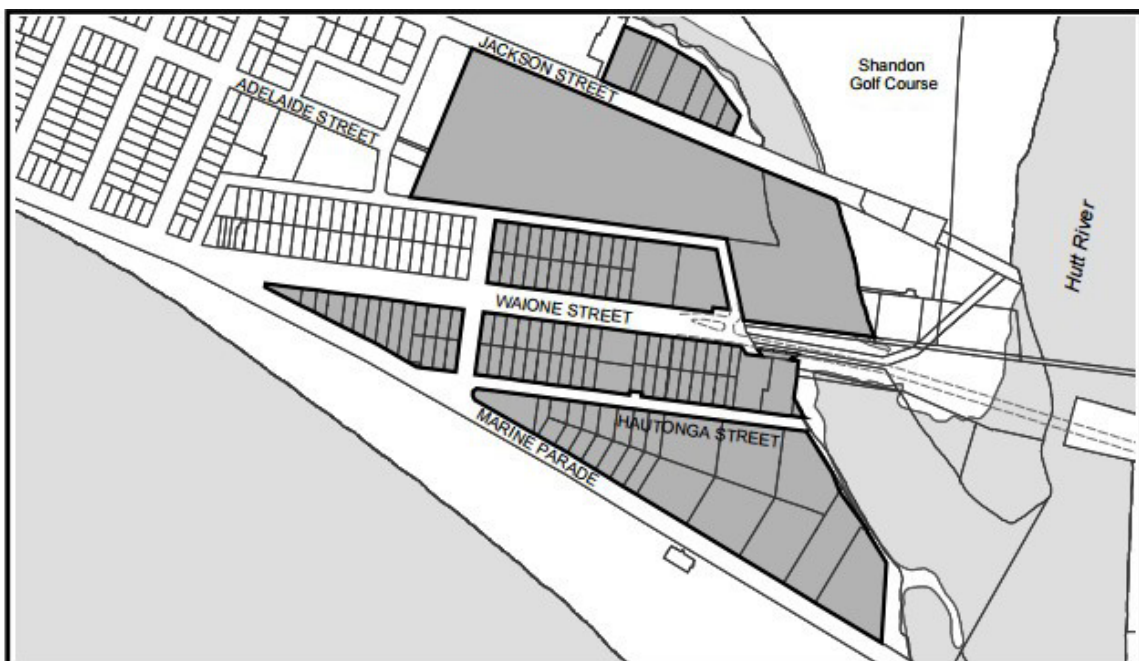
20. Petone South



21. Cuba Street



22. Petone East



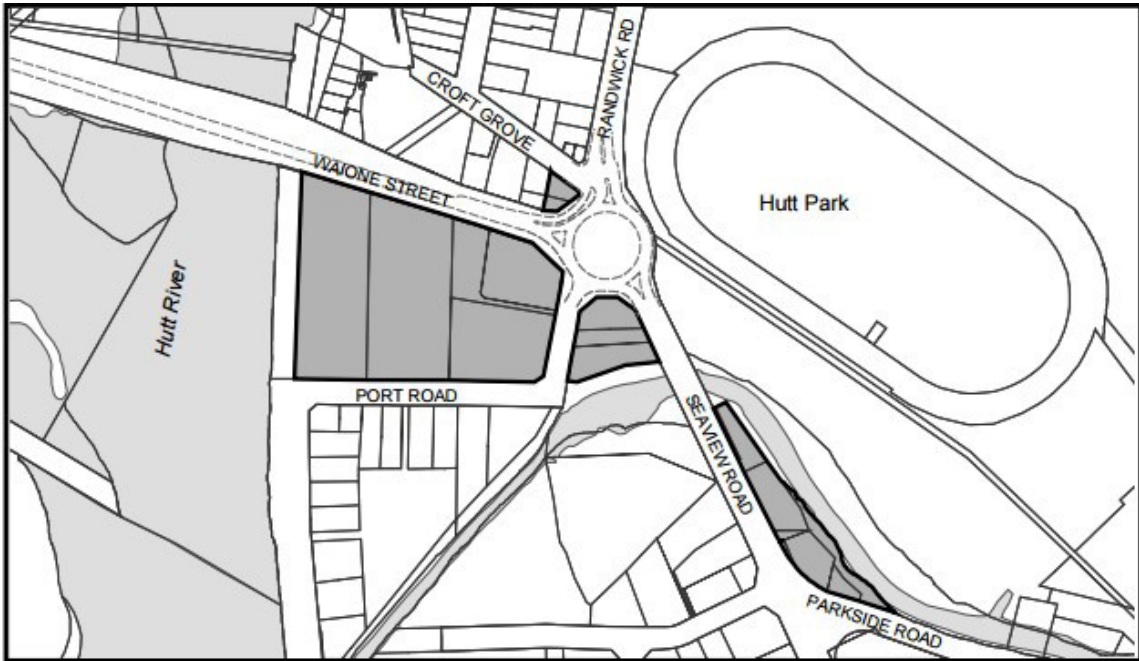
23. Hawkins Street



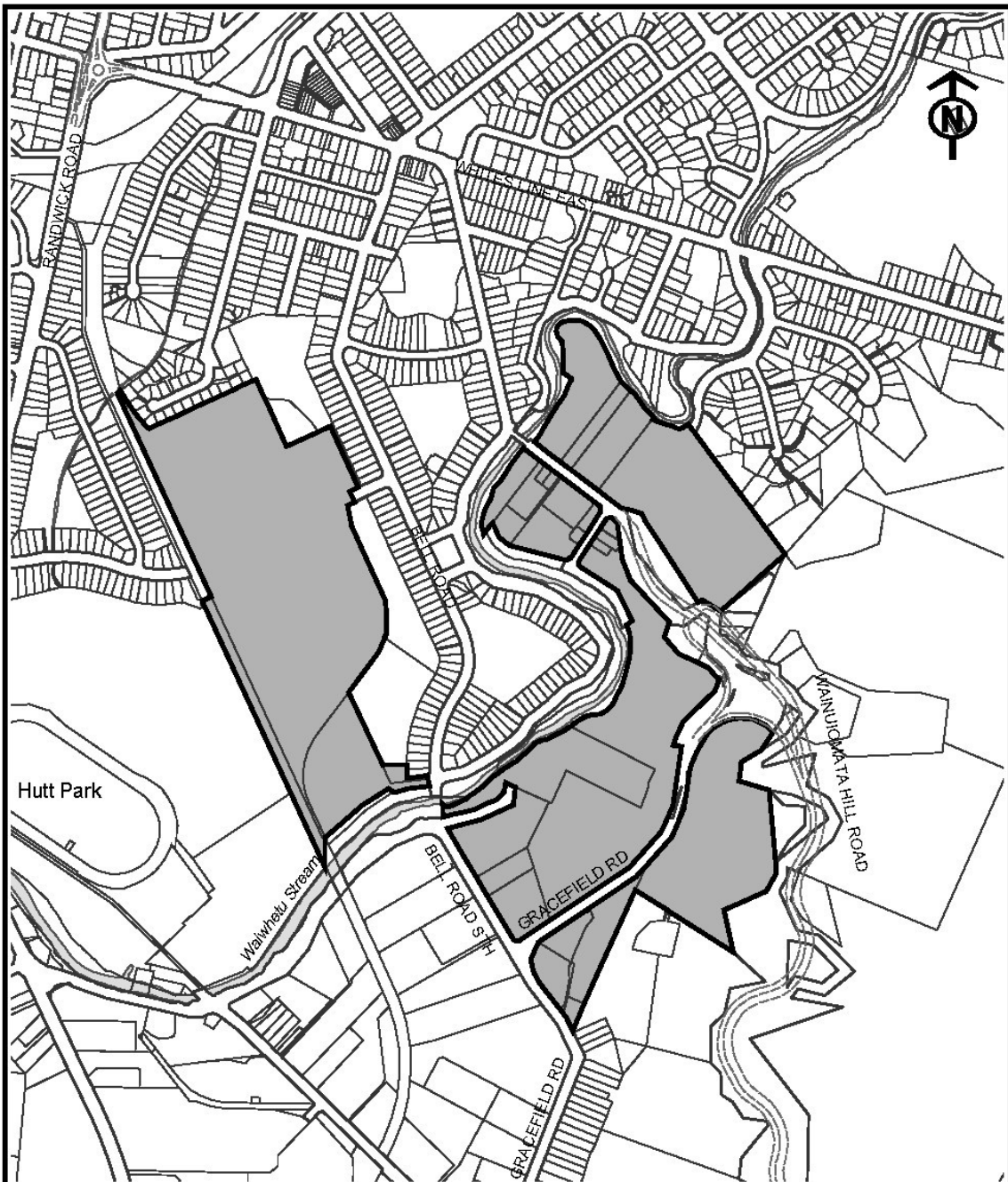
24. Randwick Road



25. Seaview Road/Port Road/Randwick Road

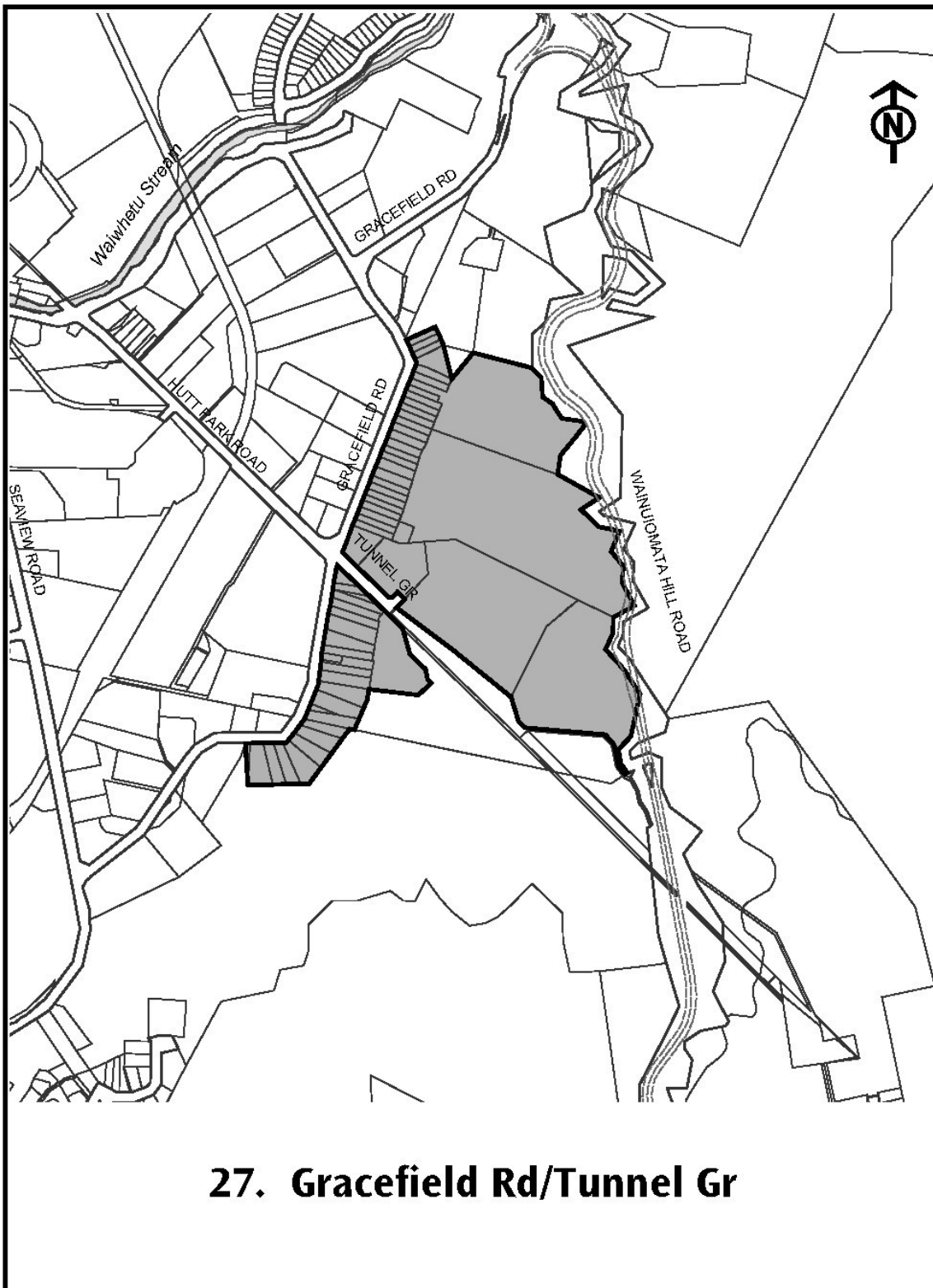


26. Bell Road/Gracefield Road/Wainui Road



26. Bell Rd/Gracefield Rd/Wainui Rd

27. Gracefield Road/Tunnel Grove



27. Gracefield Rd/Tunnel Gr

28. Parkway



29. Fraser Street/Simmons Grove



30. Main Road



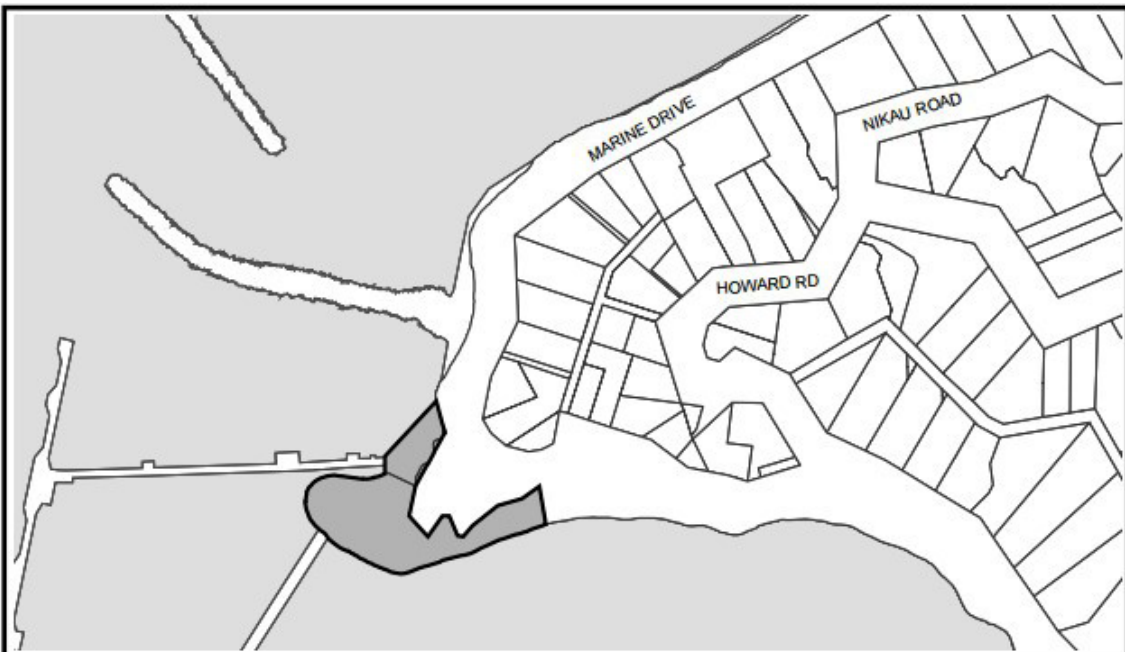
31. Burden Avenue



32. Moores Valley Road

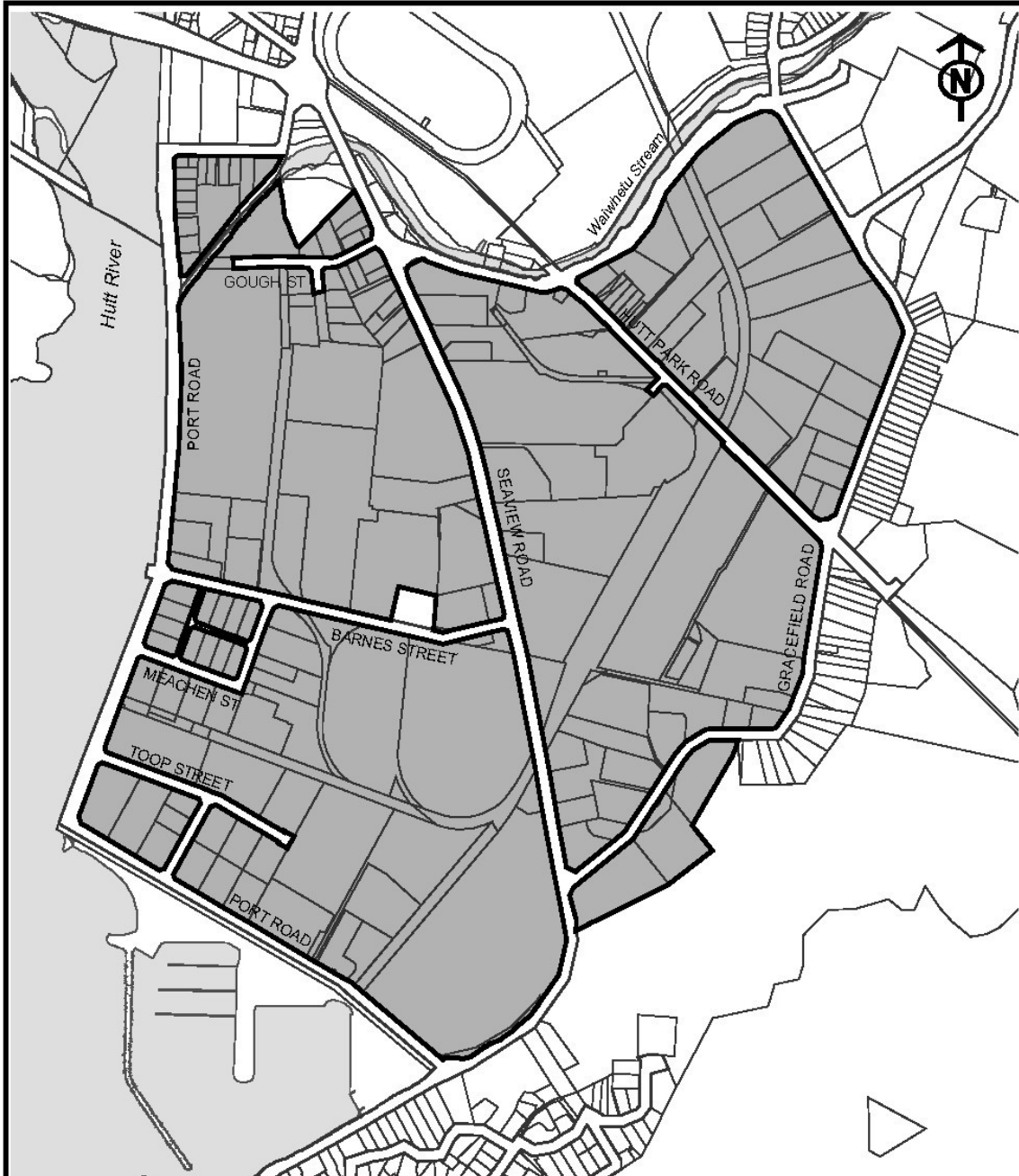


33. Point Howard



Appendix Noise 2 - Special Business Activity Area

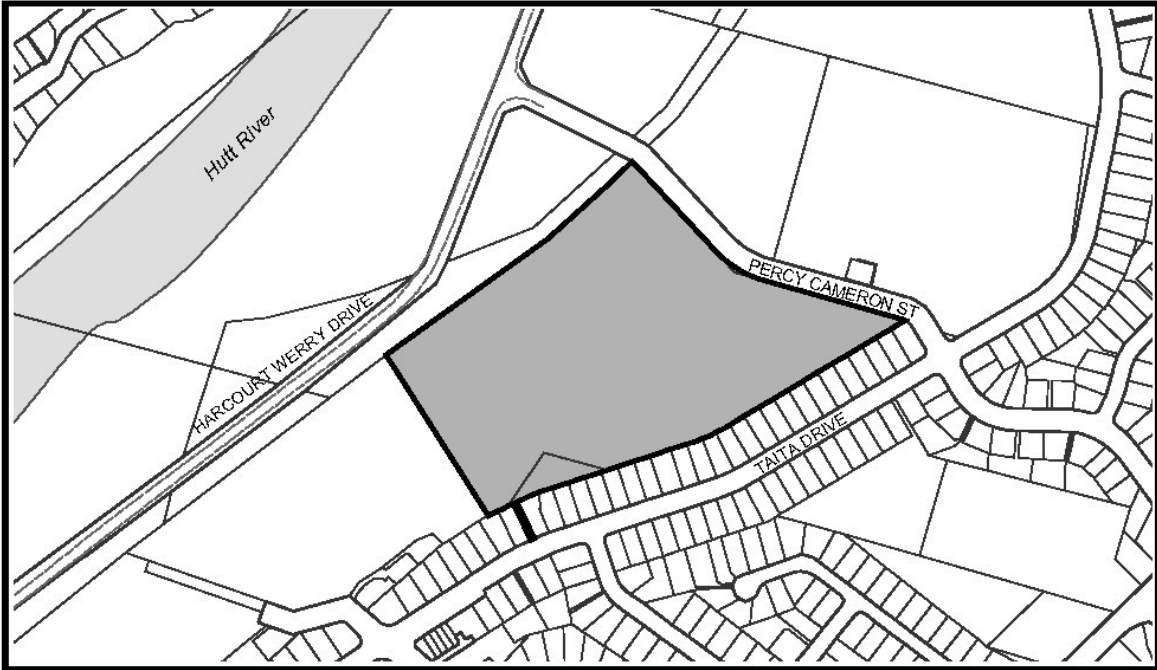
34. Port Road/Seaview Road



34. Port Road/Seaview Road

Appendix Noise 2 - Avalon Business Activity Area

35. Percy Cameron Street

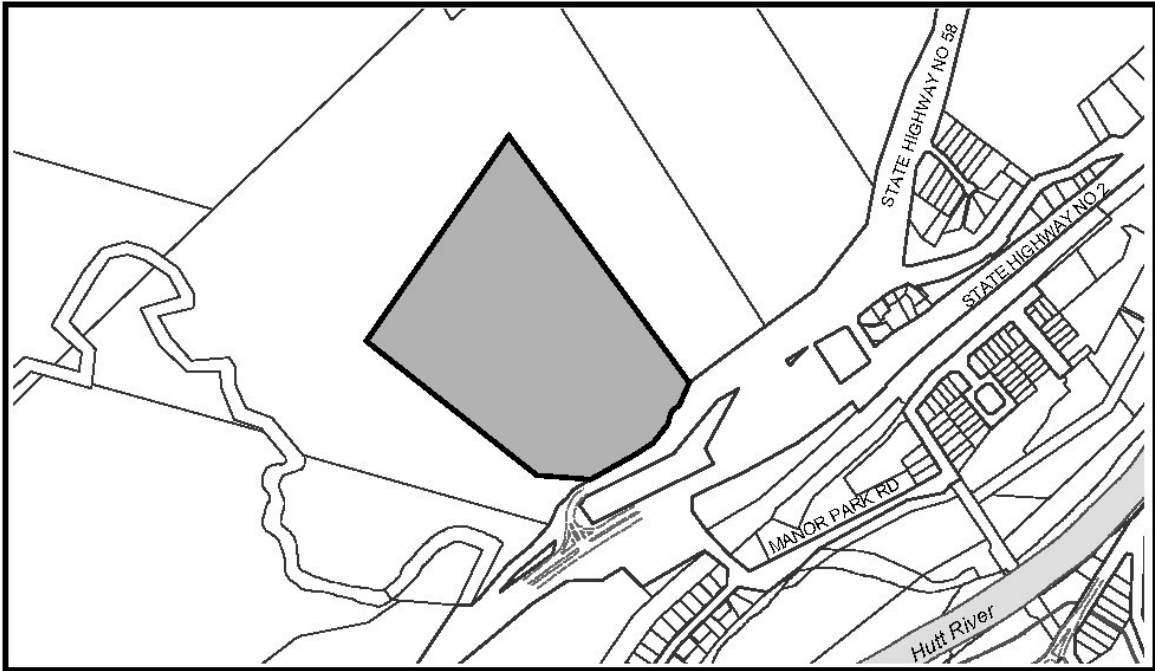


36. Fairway Drive



Appendix Noise 2 - Extraction Activity Area

37. State Highway No. 58



38. State Highway No.2



14D Hazardous Facilities

Introduction

Facilities or activities involving hazardous substances may cause adverse effects on human health and the environment through accidental discharges or poor management practices. The risk associated with the use, storage, transportation and disposal of hazardous substances needs to be managed to avoid, remedy or mitigate any adverse effects on the local community and the receiving environment.

This management involves measures which address both the location and operation of hazardous facilities and activities. For example, the risk associated with a hazardous facility may be unacceptable to the community where the site is in close proximity to sensitive ecological areas or residential activity areas.

The safety and health of workers in hazardous facilities is subject to regulations under the Health and Safety in Employment Act 1992, which control conditions on the site. However, any off-site effects that may impact on the wider environment and the community are addressed by Plan measures. These measures include the use of screening tools, site performance criteria and risk assessment procedures.

14D 1 Issue, Objective and Policies

14D 1.1 Local Area Issue

14D 1.1.1 Risk Associated With Hazardous Substances

Issue

There is a risk of harm to people and damage to the receiving environment from hazardous substances. Risks are associated with the way in which hazardous substances are used, stored, transported and disposed of and are related to characteristics of the substances such as their explosiveness, flammability, corrosiveness, toxicity and ecotoxicity.

Hazardous substances should be managed in a safe manner to avoid, remedy or mitigate any adverse effects on human health and the environment caused by an accidental or deliberate release of hazardous substances. Measures should also be taken to reduce the risk to the local community and environment, from the location of hazardous facilities.

Objective

To protect the community and the receiving environment from the risk associated with the location and operation of hazardous facilities.

Policy

- (a) That the location of hazardous facilities be managed to avoid or mitigate an unacceptable level of risk to the community and the receiving environment.
- (b) That those hazardous facilities which have a low probability of a hazardous incident, but have a high potential impact, be managed by the provisions of the Special Business Activity Area in Seaview/Gracefield.
- (c) That effects likely to be generated by hazardous facilities are managed to avoid adverse effects from creating an unacceptable level of risk to the community and/or causing irreversible damage to the receiving environment.
- (d) That appropriate safety measures be adopted by activities using, handling and storing hazardous substances and hazardous wastes to avoid or mitigate any adverse effects on human health and the receiving environment.
- (e) That appropriate measures be taken during transportation of hazardous substances and wastes to ensure the safety of the general public and the environment.
- (f) That the disposal of hazardous wastes be undertaken in an environmentally safe manner and where codisposal is necessary, in compliance with the requirements of the Silverstream landfill to protect human health and the receiving environment.

AMENDMENT 383 - Amend Policy 14D 1.1.1(g)

- (g) That hazardous facilities within the Wellington Fault Overlay Special Study Area be managed to avoid adverse effects from creating an unacceptable level of risk to the community and/or causing irreversible damage to the receiving environment.

AMENDMENT 384 - Amend Explanation and Reasons of section 14F 1.1.1 Risk associated with Hazardous Substances

Explanation and Reasons

(a) **Adverse Effects:**

All activities involving the use, storage, transportation and disposal of hazardous substances have the potential to cause adverse effects on the environment and human health. For example, hazardous substances could be toxic, corrosive, flammable, highly reactive, or infectious. The aim of the objective and policies is to protect human health and the receiving environment from the risk associated with these hazardous substances.

(b) **Hazardous Facilities:**

The policies focus on the location and operation of hazardous facilities and activities which have the potential to cause harm to people or damage the receiving environment. The location of hazardous facilities requires careful management to safeguard environmentally sensitive areas, such as the aquifer, waterways, coastal waters and wetlands where the release of hazardous substances can cause contamination. The safety and health of the local community are also taken into account when determining the appropriate location for hazardous facilities.

The location and operation of hazardous facilities and activities will be controlled through the use of the Dow Hazard Index in Seaview/Gracefield, the Hazardous Facilities Screening Procedure for other activity areas, and waste management controls at the Silverstream landfill. These controls are complementary to the New Zealand Standards, Regulations and Legislation for processes involving dangerous, toxic and explosive substances.

(c) **Hazardous Facilities Screening Procedure:**

(i) The Screening Technique:

The Hazardous Facilities Screening Procedure (HFSP) provides a mechanism to ensure that hazardous facilities or activities are not only safely located, designed and built, but also that they continue to operate safely throughout their life. The HFSP is a screening tool which focuses on the potential effects caused by a hazardous substances release or accident. It involves the assessment of effects in the following three groups:

- effects caused by fire and/or explosion;
- effects on human health; and
- environmental effects.

Potential adverse effects of hazardous substances can be predicted by assessing the hazards presented by the substance and the anticipated consequences of their release to the environment.

Any proposed hazardous facility will be assessed using the HFSP to determine the consent status of the activity in the particular activity area. If the proposed hazardous facility requires a resource consent, a more detailed assessment of risks may become necessary. This risk assessment needs to take account of both the probability and potential effects of hazardous substances accidents, and the proposed measures to mitigate and manage risks. The granting of the resource consent will then be considered on the basis that the off-site risks presented by a hazardous facility are adequately contained and managed.

The HFSP is used as a screening technique for new activities. Existing facilities will not be subjected to the HFSP unless there is a significant alteration in terms of character, intensity or scale.

The procedure involves the identification of:

- Base Threshold (B), which is defined as the amount (mass in tonnes or volume in cubic metres for compressed gases) of a substance that has been assessed as generating no or minor off- site effects when released, before taking into account site and substance specific considerations.
- An Adjustment Factor (F), which is defined as the product of the individual factors for each Effects Group (FF for Fire/Explosion Effects Group, FH for Human Health Effects group and FE for Environmental Effects Group) that increase or decrease the likelihood and consequences of release.
- An Adjusted Threshold (T), which is calculated for each Effects Group by multiplying the Base Threshold (B) with the relevant Adjustment Factor (F), as follows:

$T = B \times FF$ provides the Adjusted Threshold for a substance in the Fire/Explosion Effects Group.

$T = B \times FH$ provides the Adjusted Threshold for a substance in the

Human Health Effects Group.

$T = B \times FE$ provides the Adjusted Threshold for a substance in the Environmental Effects Group.

- The final step involves the calculation of the Effects Ratio, which represents the proposed quantity of the substance to be stored or used, in relation to the Adjusted Threshold (T). Where multiple substances are used or stored, the Effects Ratios for each Effects Group are added to calculate the cumulative effects of the proposed facility or activity. It is the highest of these Effects Ratios which is used to determine the consent status of the facility. A full description of the HFSP is in Appendix Hazardous Facilities 1.

(ii) The Consent Status Matrix:

The Consent Status Matrix identifies whether a hazardous facility is Permitted, Restricted Discretionary, or Discretionary in the relevant activity area. The Matrix lists Effects Ratio trigger levels against which the Effects Ratios calculated for the HFSP are compared to determine the consent status of a hazardous facility in a particular activity area.

The Consent Status Matrix provides a signal to hazardous facilities operators as to which activity areas are best suited for a proposed development, what controls will apply, and the likely outcome of a consent application. In addition, communities will be given some certainty over where hazardous facilities are likely to be located.

(iii) Exceptions:

The definition for hazardous facilities does not apply to:

- Storage or use of hazardous consumer products for private domestic purposes.
- Retail outlets for the domestic scale usage of hazardous substances (i.e. supermarkets, hardware shops, pharmacies, home garden centres). This does not include wholesale outlets or outlets for the supply of trade.
- Developments that are potentially hazardous but do not involve hazardous substances (i.e. high voltage transmission lines, radio masts, etc.).
- Facilities using genetically modified or new organisms.
- Trade waste sewer and waste treatment or disposal facilities (This exception does not apply to the storage of hazardous substances or wastes associated with these facilities, which will be subjected to the HFSP as normal).
- Gas and oil pipelines.
- Fuel in motor vehicles, boats and small engines.
- The occasional loading and unloading of hazardous substances on a site where this forms only a minor part of the site operations.
- Oil filled transformers containing less than 1000 litres of oil.

(iv) Exemptions:

Hazardous facilities for which industry specific standards and/or codes of practice have been developed which specifically focus on enhancing safety and minimising the risk of releases, or loss of control, of hazardous substances, may be exempt from the HFSP. This is applicable on the basis that these standards or codes of practices are employed in the design and construction of the facility, and that the Conditions for Permitted Activities are adhered to. These activities are then considered to have satisfactorily avoided, remedied, or mitigated potential environmental risks. However, each activity will need to be evaluated in accordance with general activity area

provisions.

On the above basis, the following activities are exempt from the HFSP:

- The retail sale of petrol (up to a storage of 100,000 litres in underground tanks) and diesel (up to 50,000 litres in underground storage tanks), provided that it can be demonstrated that the Code of Practice for 'Design, Installation and Operation of Underground Petroleum Systems', published by the Department of Labour, OSH, is adhered to.
 - The retail sale of LPG (up to 6 tonnes, above ground and 20 tonnes underground, single vessel storage), provided that it can be demonstrated that the "Australian Standard (AS1596 - 1989) for LP Gas Storage and Handling - Siting of LP Gas Automotive Retail Outlets" or other relevant revisions and amendments are adhered to.
 - Any hazardous facility within Seaview/Gracefield. Hazardous facilities shall comply with the requirements of the Dow Hazard Index.
 - The use including the manufacture for use, storage and carriage of explosives (UN Class 1.1) in the Extraction Activity Area provided that the provisions of the Health and Safety in Employment Act 1992 and the Explosives Act 1957 (or any substituted legislation) and all relevant regulations and Codes of Practice are complied with.
- (v) The Wellington Fault Special Study Area Overlay:
The Wellington Fault Special Study Area Overlay has been identified as an area prone to risk from an earthquake rupture event. Hazardous facilities in this area should be managed more conservatively, using a lower trigger level throughout the Wellington Fault Special Study Area Overlay.
- (vi) The Wellington Fault Special Study Area:
The Wellington Fault ~~Special Study Area~~ Overlay has been identified as an area prone to risk from an earthquake rupture event. Hazardous facilities in this area should be managed more conservatively, using a lower trigger level throughout the Wellington ~~Special Fault Study Area~~ Overlay.

(d) Seaview/Gracefield:

Those hazardous facilities which have a low probability of a hazardous incident, but have a high potential impact are accommodated in the Special Business Activity Area in Seaview/Gracefield; subject to their compliance with the conditions. These conditions seek to protect human health and the receiving environment from the risk of fire, explosion, toxic gas release and hazardous substance spillage. The level of risk is managed through a screening technique, using the Dow Fire and Explosion Hazard Index.

In addition to this, a trigger level has been set for the environmental effects group of the Hazardous Facilities Screening Procedure (HFSP) to account for the risk of environmental effects from hazardous facilities in the Special Business Activity Area. Hazardous Facilities exceeding this trigger level will become Discretionary Activities.

(e) Use and Storage of Hazardous Substances:

The use and storage of hazardous substances will be managed to avoid or mitigate any adverse effects on the community and the receiving environment. This involves on site storage requirements and the statutory requirements of the Toxic Substances Act 1979 and Dangerous Goods Act 1974 and subsequent amendments, such as the proposed Hazardous Substances and New Organisms law reform. There are also New Zealand

Standards, Codes of Practice and Regulations for the storage of hazardous substances.

There is a wide range of conditions for the design and construction of bunding and storage facilities, depending on the type of hazardous substances. For example, there are Dangerous Goods Regulations for the storage of explosives, gases and flammable materials; and Health Regulations for toxic and infectious substances. The Regional Council will also be involved where an activity is likely to generate discharges to the land, air or water.

(f) Transportation of Hazardous Substances:

Transportation of hazardous substances creates a potential danger to human health and the receiving environment. The prevention and mitigation of any adverse effects from the transportation of hazardous substances is achieved through the administration of safe procedures according to the Dangerous Goods Act 1974, Council Bylaws and the Transport Act 1962. These procedures are administered by Land Transport Safety Authority.

The New Zealand Standards also specify that the route taken should avoid areas of high population density. Section 9.1.3.1. of NZS 5433:1988 states that it is the carriers responsibility to indicate to the driver the safest route that should be taken. The safe transportation of hazardous substances is monitored and enforced by the Ministry of Transport.

(g) Hazardous Waste Management:

Hazardous wastes may be described as hazardous substances which are unwanted and economically unusable. The types of hazardous wastes common in Lower Hutt are mainly generated by industrial activity. They include solvent based paints, and electroplating, pharmaceutical, and some medical wastes. If these hazardous wastes are not disposed of safely, there is a risk of leakage or spillage into the soil, sewer and stormwater drains, aquifer, waterways and rivers. Accidents and negligence frequently cause the contamination of waterways. There have also been instances of dumping into drains.

The issue of hazardous waste management involves adopting the most appropriate means of disposal to prevent any environmental damage and providing for an integrated approach which coordinates the various functions of central government, regional and territorial authorities, and developers. There is also an obligation to recognise international requirements, such as the Agenda 21 recommendations for hazardous waste minimisation and improved management measures.

Other methods for the safe management of hazardous wastes include the Trade Waste Bylaws; promotion of Cleaner Production Methods; adopt take back schemes; incineration of medical and quarantine wastes at Shelly Bay; export of PCB's, e.g. to France; provision of information, e.g. Pollution Solutions; and the promotion of waste minimisation at source, reuse and recycling.

(h) Disposal of Hazardous Wastes at Silverstream Landfill:

The disposal of hazardous wastes by codisposal is accommodated by the Silverstream landfill. Guidelines for disposal are provided by a Hazwaste Manifest which aims to protect the health of the transporter, landfill operators, the community and the receiving environment from potentially hazardous wastes. The Hazwaste Manifest is an application and approval form for the disposal of hazardous wastes at Silverstream Landfill.

All hazardous wastes are assessed for disposal at the Silverstream Landfill. The volume and type of hazardous wastes accepted depend on a range of factors concerning rate of codisposal, volume and concentration of previous loads, and the concentration level of the leachate. There may be a time delay until the leachate concentrations are satisfactory; or the hazardous wastes may require pre-treatment first.

Therefore, not all hazardous wastes are accepted and advice may be given on pre-treatment requirements or alternative methods of disposal for non acceptable wastes. The registration system would also assist monitoring and tracking of wastes.

Codisposal of hazardous wastes involves a mixing of hazardous and other wastes. The hazardous wastes are then broken down by physical, chemical and biological degradation. Those hazardous wastes which do not break down through degradation processes cannot be accepted. For example, PCBs (Poly Chlorinated Biphenyls), long life herbicides, organochlorides and radioactive wastes. The waste generators themselves should handle such hazardous wastes. Their options include pre-treatment; incineration of the wastes; storage prior to destruction; exportation; or return them to the original chemical manufacturer.

(i) **Contaminated Sites:**

Contaminated sites result from the incorrect storage, use and disposal of hazardous substances. These sites need to be correctly managed to avoid adverse effects on the environment and human health. The common pathways for the transfer of contaminants include leaching into groundwater; surface runoff into waterways; aerial dispersion such as wind blown dust; and uptake and accumulation by plants, animals and humans.

There are site requirements to avoid spillage of hazardous substances which could cause soil or water contamination. If Council records refer to the site, two categories appear in Land Information Memorandums (LIM's) with regard to contaminated sites:

- Previous or existing landuse identified (eg. former service station site, gasworks site etc.). Also included are details regarding licences held such as dangerous goods or trade waste licences.
- The Regional Council holds a register of contaminated or potentially contaminated sites. Where a previous land use may have contaminated the site it is recommended that the applicant check with the Regional Council to find out if the property is on the ANZECC Site Use Database.

The assessment and remediation will be achieved through liaison with the site owner/occupier and compliance with the requirements of the "Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites". The assessment and management of contaminated sites may involve the Regional Council where there is a risk of discharges to air or water, which would require a discharge permit.

(j) **Adverse Effects:**

All activities involving the use, storage, transportation and disposal of hazardous substances have the potential to cause adverse effects on the environment and human health. For example, hazardous substances could be toxic, corrosive, flammable, highly reactive, or infectious. The aim of the objective and policies is to protect human health and the receiving environment from the risk associated with these hazardous substances.

(k) Hazardous Facilities:

The policies focus on the location and operation of hazardous facilities and activities which have the potential to cause harm to people or damage the receiving environment. The location of hazardous facilities requires careful management to safeguard environmentally sensitive areas, such as the aquifer, waterways, coastal waters and wetlands where the release of hazardous substances can cause contamination. The safety and health of the local community are also taken into account when determining the appropriate location for hazardous facilities.

The location and operation of hazardous facilities and activities will be controlled through the use of the Dow Hazard Index in Seaview/Gracefield, the Hazardous Facilities Screening Procedure for other activity areas, and waste management controls at the Silverstream landfill. These controls are complementary to the New Zealand Standards, Regulations and Legislation for processes involving dangerous, toxic and explosive substances.

(l) Hazardous Facilities Screening Procedure:

(i) The Screening Technique:

The Hazardous Facilities Screening Procedure (HFSP) provides a mechanism to ensure that hazardous facilities or activities are not only safely located, designed and built, but also that they continue to operate safely throughout their life. The HFSP is a screening tool which focuses on the potential effects caused by a hazardous substances release or accident. It involves the assessment of effects in the following three groups:

- effects caused by fire and/or explosion;
- effects on human health; and
- environmental effects.

Potential adverse effects of hazardous substances can be predicted by assessing the hazards presented by the substance and the anticipated consequences of their release to the environment.

Any proposed hazardous facility will be assessed using the HFSP to determine the consent status of the activity in the particular activity area. If the proposed hazardous facility requires a resource consent, a more detailed assessment of risks may become necessary. This risk assessment needs to take account of both the probability and potential effects of hazardous substances accidents, and the proposed measures to mitigate and manage risks. The granting of the resource consent will then be considered on the basis that the off-site risks presented by a hazardous facility are adequately contained and managed.

The HFSP is used as a screening technique for new activities. Existing facilities will not be subjected to the HFSP unless there is a significant alteration in terms of character, intensity or scale.

The procedure involves the identification of:

- Base Threshold (B), which is defined as the amount (mass in tonnes or volume in cubic metres for compressed gases) of a substance that has been assessed as generating no or minor off-site effects when released, before taking into account site and substance specific considerations.
- An Adjustment Factor (F), which is defined as the product of the individual factors for each Effects Group (FF for Fire/Explosion Effects Group, FH for Human Health Effects group and FE for Environmental Effects Group) that increase or decrease the likelihood and consequences of release.
- An Adjusted Threshold (T), which is calculated for each Effects Group by multiplying the Base Threshold (B) with the relevant Adjustment Factor (F), as follows:

$T = B \times FF$ provides the Adjusted Threshold for a substance in the Fire/Explosion Effects Group.

$T = B \times FH$ provides the Adjusted Threshold for a substance in the Human Health Effects Group.

$T = B \times FE$ provides the Adjusted Threshold for a substance in the Environmental Effects Group.

- The final step involves the calculation of the Effects Ratio, which represents the proposed quantity of the substance to be stored or used, in relation to the Adjusted Threshold (T). Where multiple substances are used or stored, the Effects Ratios for each Effects Group are added to calculate the cumulative effects of the proposed facility or activity. It is the highest of these Effects Ratios which is used to determine the consent status of the facility. A full description of the HFSP is in Appendix Hazardous Facilities 1.

(ii) The Consent Status Matrix:

The Consent Status Matrix identifies whether a hazardous facility is Permitted, Restricted Discretionary, or Discretionary in the relevant activity area. The Matrix lists Effects Ratio trigger levels against which the Effects Ratios calculated for the HFSP are compared to determine the consent status of a hazardous facility in a particular activity area.

The Consent Status Matrix provides a signal to hazardous facilities operators as to which activity areas are best suited for a proposed development, what controls will apply, and the likely outcome of a consent application. In addition, communities will be given some certainty over where hazardous facilities are likely to be located.

(iii) Exceptions:

The definition for hazardous facilities does not apply to:

- Storage or use of hazardous consumer products for private domestic purposes.
- Retail outlets for the domestic scale usage of hazardous substances (i.e. supermarkets, hardware shops, pharmacies, home garden centres). This does not include wholesale outlets or outlets for the supply of trade.
- Developments that are potentially hazardous but do not involve hazardous substances (i.e. high voltage transmission lines, radio masts, etc.).
- Facilities using genetically modified or new organisms.
- Trade waste sewer and waste treatment or disposal facilities (This exception does not apply to the storage of hazardous substances or wastes associated

- with these facilities, which will be subjected to the HFSP as normal).
- Gas and oil pipelines.
- Fuel in motor vehicles, boats and small engines.
- The occasional loading and unloading of hazardous substances on a site where this forms only a minor part of the site operations.
- Oil filled transformers containing less than 1000 litres of oil.

(iv) Exemptions:

Hazardous facilities for which industry specific standards and/or codes of practice have been developed which specifically focus on enhancing safety and minimising the risk of releases, or loss of control, of hazardous substances, may be exempt from the HFSP. This is applicable on the basis that these standards or codes of practices are employed in the design and construction of the facility, and that the Conditions for Permitted Activities are adhered to. These activities are then considered to have satisfactorily avoided, remedied, or mitigated potential environmental risks. However, each activity will need to be evaluated in accordance with general activity area provisions.

On the above basis, the following activities are exempt from the HFSP:

- The retail sale of petrol (up to a storage of 100,000 litres in underground tanks) and diesel (up to 50,000 litres in underground storage tanks), provided that it can be demonstrated that the Code of Practice for 'Design, Installation and Operation of Underground Petroleum Systems';, published by the Department of Labour, OSH, is adhered to.
- The retail sale of LPG (up to 6 tonnes, above ground and 20 tonnes underground, single vessel storage), provided that it can be demonstrated that the "Australian Standard (AS1596 - 1989) for LP Gas Storage and Handling - Siting of LP Gas Automotive Retail Outlets" or other relevant revisions and amendments are adhered to.
- Any hazardous facility within Seaview/Gracefield. Hazardous facilities shall comply with the requirements of the Dow Hazard Index.
- The use including the manufacture for use, storage and carriage of explosives (UN Class 1.1) in the Extraction Activity Area provided that the provisions of the Health and Safety in Employment Act 1992 and the Explosives Act 1957 (or any substituted legislation) and all relevant regulations and Codes of Practice are complied with.

(v) The Wellington Fault Special Study Area:

The Wellington Fault Special Study Area has been identified as an area prone to risk from an earthquake rupture event. Hazardous facilities in this area should be managed more conservatively, using a lower trigger level throughout the Wellington Special Fault Study Area.

(m) **Seaview/Gracefield:**

Those hazardous facilities which have a low probability of a hazardous incident, but have a high potential impact are accommodated in the Special Business Activity Area in Seaview/Gracefield; subject to their compliance with the conditions. These conditions seek to protect human health and the receiving environment from the risk of fire, explosion, toxic gas release and hazardous substance spillage. The level of risk is managed through a screening technique, using the Dow Fire and Explosion Hazard

Index.

In addition to this, a trigger level has been set for the environmental effects group of the Hazardous Facilities Screening Procedure (HFSP) to account for the risk of environmental effects from hazardous facilities in the Special Business Activity Area. Hazardous Facilities exceeding this trigger level will become Discretionary Activities.

(n) **Use and Storage of Hazardous Substances:**

The use and storage of hazardous substances will be managed to avoid or mitigate any adverse effects on the community and the receiving environment. This involves on site storage requirements and the statutory requirements of the Toxic Substances Act 1979 and Dangerous Goods Act 1974 and subsequent amendments, such as the proposed Hazardous Substances and New Organisms law reform. There are also New Zealand Standards, Codes of Practice and Regulations for the storage of hazardous substances.

There is a wide range of conditions for the design and construction of bunding and storage facilities, depending on the type of hazardous substances. For example, there are Dangerous Goods Regulations for the storage of explosives, gases and flammable materials; and Health Regulations for toxic and infectious substances. The Regional Council will also be involved where an activity is likely to generate discharges to the land, air or water.

(o) **Transportation of Hazardous Substances:**

Transportation of hazardous substances creates a potential danger to human health and the receiving environment. The prevention and mitigation of any adverse effects from the transportation of hazardous substances is achieved through the administration of safe procedures according to the Dangerous Goods Act 1974, Council Bylaws and the Transport Act 1962. These procedures are administered by Land Transport Safety Authority.

The New Zealand Standards also specify that the route taken should avoid areas of high population density. Section 9.1.3.1. of NZS 5433:1988 states that it is the carriers responsibility to indicate to the driver the safest route that should be taken. The safe transportation of hazardous substances is monitored and enforced by the Ministry of Transport.

(p) **Hazardous Waste Management:**

Hazardous wastes may be described as hazardous substances which are unwanted and economically unusable. The types of hazardous wastes common in Lower Hutt are mainly generated by industrial activity. They include solvent based paints, and electroplating, pharmaceutical, and some medical wastes. If these hazardous wastes are not disposed of safely, there is a risk of leakage or spillage into the soil, sewer and stormwater drains, aquifer, waterways and rivers. Accidents and negligence frequently cause the contamination of waterways. There have also been instances of dumping into drains.

The issue of hazardous waste management involves adopting the most appropriate means of disposal to prevent any environmental damage and providing for an integrated approach which coordinates the various functions of central government, regional and territorial authorities, and developers. There is also an obligation to recognise international requirements, such as the Agenda 21 recommendations for hazardous

waste minimisation and improved management measures.

Other methods for the safe management of hazardous wastes include the Trade Waste Bylaws; promotion of Cleaner Production Methods; adopt take back schemes; incineration of medical and quarantine wastes at Shelly Bay; export of PCB's, e.g. to France; provision of information, e.g. Pollution Solutions; and the promotion of waste minimisation at source, reuse and recycling.

(q) **Disposal of Hazardous Wastes at Silverstream Landfill:**

The disposal of hazardous wastes by codisposal is accommodated by the Silverstream landfill. Guidelines for disposal are provided by a Hazwaste Manifest which aims to protect the health of the transporter, landfill operators, the community and the receiving environment from potentially hazardous wastes. The Hazwaste Manifest is an application and approval form for the disposal of hazardous wastes at Silverstream Landfill.

All hazardous wastes are assessed for disposal at the Silverstream Landfill. The volume and type of hazardous wastes accepted depend on a range of factors concerning rate of codisposal, volume and concentration of previous loads, and the concentration level of the leachate. There may be a time delay until the leachate concentrations are satisfactory; or the hazardous wastes may require pre-treatment first.

Therefore, not all hazardous wastes are accepted and advice may be given on pre-treatment requirements or alternative methods of disposal for non acceptable wastes. The registration system would also assist monitoring and tracking of wastes.

Codisposal of hazardous wastes involves a mixing of hazardous and other wastes. The hazardous wastes are then broken down by physical, chemical and biological degradation. Those hazardous wastes which do not break down through degradation processes cannot be accepted. For example, PCBs (Poly Chlorinated Biphenyls), long life herbicides, organochlorides and radioactive wastes. The waste generators themselves should handle such hazardous wastes. Their options include pre-treatment; incineration of the wastes; storage prior to destruction; exportation; or return them to the original chemical manufacturer.

(r) **Contaminated Sites:**

Contaminated sites result from the incorrect storage, use and disposal of hazardous substances. These sites need to be correctly managed to avoid adverse effects on the environment and human health. The common pathways for the transfer of contaminants include leaching into groundwater; surface runoff into waterways; aerial dispersion such as wind blown dust; and uptake and accumulation by plants, animals and humans.

There are site requirements to avoid spillage of hazardous substances which could cause soil or water contamination. If Council records refer to the site, two categories appear in Land Information Memorandums (LIM's) with regard to contaminated sites:

- Previous or existing landuse identified (eg. former service station site, gasworks site etc.). Also included are details regarding licences held such as dangerous goods or trade waste licences.
- The Regional Council holds a register of contaminated or potentially contaminated sites. Where a previous land use may have contaminated the site it is recommended that the applicant check with the Regional Council to find out if the property is on the ANZECC Site Use Database.

The assessment and remediation will be achieved through liaison with the site owner/occupier and compliance with the requirements of the "Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites". The assessment and management of contaminated sites may involve the Regional Council where there is a risk of discharges to air or water, which would require a discharge permit.

14D 2 Rules

14D 2.1 Permitted Activities - Conditions

Permitted Activities Conditions (a) - (c) only do not apply to -

- The retail sale of petrol (up to a storage of 100,000 litres in underground tanks) and diesel (up to 50,000 litres in underground storage tanks), provided that it can be demonstrated that the Code of Practice for "Design, Installation and Operation of Underground Petroleum Systems", published by the Department of Labour, OSH, is adhered to.

- The retail sale of LPG (up to 6 tonnes aboveground and 20 tonnes underground, single vessel storage), provided that it can be demonstrated that the “Australian Standard (AS1596-1989) for LP Gas Storage and Handling - Siting of LP Gas Automotive Retail Outlets” or other relevant revisions and amendments is adhered to.
- Any hazardous facility within Seaview/Gracefield. Hazardous Facilities shall comply with the requirements of the DOW Hazard Index. Such facilities must however comply with the Consents Status Matrix (Table 1) and the Interface Provisions (Tables 2 and 3) with respect to the Environmental Effects Group of the Hazardous Facilities Screening Procedures.
- The use including the manufacture for use, storage and carriage of explosives (UN Class 1.1) in the Extraction Activity Area provided that the provisions of the Health and Safety in Employment Act 1992 and the Explosives Act 1957 (or any substituted legislation) and all relevant regulations and Codes of Practice are complied with.

Otherwise, all Permitted Activity Conditions apply to these activities.

(a) Consent Status Matrix:

All hazardous facilities shall have an Effects Ratio below or equal to the Effects Ratio specified for the activity area in which it proposes to locate, as indicated in the Consent Status Matrix in Table 1.

AMENDMENT 385 - Amend Table 1 of Rule 14D 2.1(a)

Table 1 Consent Status Matrix

Activity Area	Effects Ratio Trigger Level for Permitted Activities	Effects Ratio Trigger Level for Restricted Discretionary Activities	Effects Ratio Trigger Level for Discretionary Activities
Extraction	< 2	2 - 4	> 4
Special Business	< 1	NA	> 1
General Business General Rural	< 0.5	0.5 - 1	> 1
Avalon Business General Recreation Suburban Commercial Suburban Mixed Use Central Commercial Petone Commercial 2 Rural Residential Community Health	< 0.2	0.2 - 0.4	> 0.4
Special Commercial 1 & 2 Suburban Mixed Use - Station Village and Boulcott Village (see Appendix Hazardous Facilities 2 Station Village and Boulcott Village)	< 0.1	0.1 - 0.2	> 0.2

Petone Commercial 1 Special Recreation 1 & 2 Passive Recreation			
River Recreation	< 0.05	0.05 - 1	> 1
All Residential All Community Iwi	< 0.02	-	> 0.02

For the Special Business Activity Area these trigger levels apply only to the environmental effects group. The trigger level for utilities will be based on the respective activity area where the utilities are located.

(b) **Interface Provisions:**

Where an activity area with a high trigger level is adjacent to an activity area with a lower trigger level, a more conservative trigger level will apply within a buffer strip on the inside of the more hazardous activity area. The width of the buffer strip is shown in Table 2.

AMENDMENT 386 - Amend Table 2 of Rule 14D 2.1(b)

Table 2 - Width of Buffer Strip for more Hazardous Activity Area

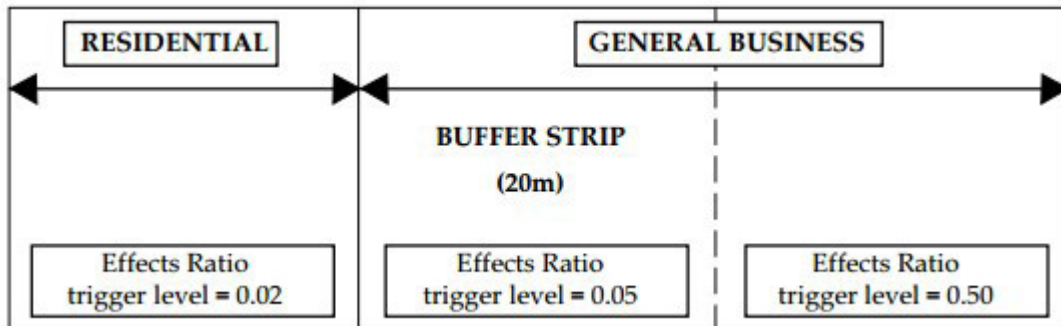
Activity Area	Width of buffer strip applied on the inside of the activity area if adjacent to a more sensitive activity area
Extraction	30 metres
Special Business General Business General Rural	20 metres

Avalon Business Suburban- Commercial Suburban Mixed Use Central Commercial Petone Commercial 2 Community Health General Recreation Rural Residential	10 metres
Special Commercial 1 & 2 Suburban Mixed Use - Station Village and Boulcott Village (see Appendix Hazardous Facilities 2 – Station Village and Boulcott Village for location) Petone Commercial 1 Special Recreation 1 & 2 Passive Recreation River Recreation	5 metres

The Effects Ratio trigger levels to be applied within the buffer strips of the more hazardous activity areas if adjacent to a more sensitive activity area are shown in Table 3. For example, where the General Business Activity Area is adjacent to a Residential Activity Area, the Effects Ratio trigger level within a buffer area of 20 metres will be 0.05, as identified in Tables 2 and 3. See Figure 1.

For the Special Business Activity Area these trigger levels apply only to the environmental effects group.

Figure 1 - Example of Buffer Strip Concept



AMENDMENT 387 - Amend Table 3 of Rule 2.1(b)

Table 3 Effects Ratio Trigger Level for more Hazardous Activity Areas

More Hazardous Activity Area, as identified in the Consent Status Matrix	Adjacent Sensitive Activity Area	Effects Ratio trigger level applied in the buffer strip of the more hazardous activity area
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Extraction	All Community Iwi	0.05
Special Business	All Residential	
General Business	River Recreation	0.1
General Rural	Special Recreation 1 & 2	0.2
Avalon Business	Passive Recreation	
General Recreation	Petone Commercial 1	
Rural Residential	Special Commercial 1 & 2	
Suburban Commercial	Suburban Mixed Use - Station	
Suburban Mixed Use	Village and Boulcott Village	0.5
Central Commercial	(see Appendix Hazardous	
Petone Commercial 2	Facilities 2)	
Community Health	Community Health	
Special Commercial 1 & 2	Petone Commercial 2	
Suburban Mixed Use - Station Village and Boulcott Village (see Appendix Hazardous Facilities 2)	Central Commercial	1.0
Petone Commercial 1	Suburban Commercial	
Passive Recreation	Suburban Mixed Use	
Special Recreation 1 & 2	Rural Residential	
River Recreation	General Recreation	
	Avalon Business	
	General Rural	
	General Business	

AMENDMENT 388 - Amend Rule 2.1(c)

(c) **Wellington Fault ~~Special Study Area Overlay~~:**

Hazardous facilities in the Wellington Fault ~~Special Study Area Overlay~~ shall have an Effects Ratio below or equal to the Effects Ratio specified in Table 4. The buffer strips for the more hazardous activity area, where adjacent to a sensitive activity area, shall not apply to sites within the Wellington Fault ~~Special Study Area Overlay~~.

For the Special Business Activity Area these trigger levels apply only to the environmental effects group.

Table 4 Effects Ratio Trigger Level to be Applied in the Wellington Fault ~~Special Study Area Overlay~~:

Activity Area	Effects Ratio trigger level applied in the Wellington Fault Special Study Area Overlay
Extraction	0.2
General Business	
General Rural	
General Recreation	0.1
Rural Residential	
Suburban Commercial	
Suburban Mixed Use	
Petone Commercial 2	
Special Commercial 1 & 2	0.05
Suburban Mixed Use - Station Village and Boulcott Village (see Appendix Hazardous Facilities 2)	
Petone Commercial 1	
Passive Recreation	
Special Recreation 1 & 2	
River Recreation	0.02

All Residential All Community Iwi	0.01
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(d) Site Design for Hazardous Facilities:

- (i) Any part of a hazardous facility installation immediately involved in the use, handling or storage of hazardous substances, shall be designed, constructed and managed in a manner that prevents:
 - Any adverse effects of the intended use from occurring outside the intended target area;
 - The entry or discharge of the hazardous substance into the stormwater drainage system; and
 - The entry or discharge of the hazardous substance into the sewerage system unless permitted by the sewerage utility operator.
- (ii) Any part of a hazardous facility site where hazardous substances are used, stored, manufactured, mixed, packaged, loaded, unloaded or otherwise handled shall be designed, constructed and managed in a manner that prevents:
 - The contamination of any land and/or water (including groundwater and potable water supplies) in the event of a spill or other unintentional release of hazardous substances;
 - The entry or discharge of the hazardous substance into the stormwater drainage system in the event of a spill or other unintentional release; and
 - The entry or discharge of the hazardous substance into the sewerage system in the event of a spill or other unintentional release.
- (iii) The hazardous facility site shall be designed, constructed and managed in a manner that any stormwater originating on or collected on the site that has become contaminated:
 - Does not contaminate any land and/or water (including groundwater and potable water supplies) by acting as a transport medium for hazardous substances unless permitted by a regional resource consent or a regional rule;
 - Does not enter or discharge into the stormwater drainage system; and
 - Does not enter or discharge into the sewerage system unless permitted by the sewerage utility operator.

(e) Spill Containment System for Hazardous Facilities:

The parts of the hazardous facility site described in parts (d)(ii) and (d)(iii) above except for the intentional use of explosives for blasting in a quarry shall be serviced by a spill containment system that is:

- (i) Constructed from impervious materials resistant to the hazardous substances used, stored, manufactured, mixed, packaged, loaded, unloaded or otherwise handled on site;
- (ii) Able to contain the maximum volume of the largest tank used, or where drums or other containers are used, able to contain half of the maximum volume of substances stored; and

(iii) Able to prevent any spill or other unintentional release of hazardous substances, and any stormwater and/or fire water that has become contaminated, from discharging into or onto land and/or water (including groundwater and potable water supplies) unless permitted by a regional resource consent or a regional rule.

(f) Stormwater Drainage for Hazardous Facilities:

All stormwater grates on the site shall be clearly labelled "Stormwater Only".

(g) Washdown Areas for Hazardous Facilities:

Any part of the hazardous facility site where vehicles, equipment or containers that are or may have become contaminated with hazardous substances are washed shall be designed, constructed and managed to prevent the effluent from the washdown area from:

- (i) Entry or discharge into the stormwater drainage system;
- (ii) Entry or discharge into the sewerage system unless permitted by the sewerage utility operator; and
- (iii) Discharge into or onto land and/or water (including groundwater and potable water supplies) unless permitted by a regional resource consent or a regional rule.

(h) Underground Storage Tanks:

Underground tanks for the storage of petroleum products shall be designed, constructed and managed to prevent leakage and spills.

Adherence to the Code of Practices for "Warning Signs for Premises Storing Hazardous Substances" of the New Zealand Chemical Installation and Operation of Underground Petroleum Systems" (Department of Labour - Occupational Safety and Health) is deemed to be one method of complying with this condition.

(i) Signage:

Any hazardous facility shall be adequately signposted to indicate the nature of the substances stored, used or otherwise handled.

Adherence to the Code of Practice for "Warning Signs for Premises Storing Hazardous Substances" of the New Zealand Chemical Industry Council, or any other Code of Practice approved by the New Zealand Fire Service is deemed to be one method of complying with this condition.

(j) Waste Management:

- (i) Any process waste or waste containing hazardous substances shall be managed to prevent:
 - The waste entering or discharging into the stormwater drainage system;
 - The waste entering or discharging into the sewerage system unless permitted by the sewerage utility operator; and
 - The waste discharging into or onto land and/or water (including groundwater and potable water supplies) unless permitted by a resource consent.
- (ii) The storage of any process waste or waste containing hazardous substances shall at all times comply with Conditions (d), (e), (f) and (g) for site design and management of hazardous facilities.
- (iii) The storage of any waste containing hazardous substances shall be in a manner that prevents:
 - The exposure to ignition sources;
 - The corrosion or other alteration of the conditions used for the storage of the waste; and
 - The unintentional release of the waste.

- (iv) Any hazardous facility generating waste containing hazardous substances shall dispose of these wastes to appropriately permitted facilities or be serviced by a reputable waste disposal contractor.

Where codisposal is to be used, disposal of hazardous wastes shall comply with the Hazwaste Manifest requirements of the Silverstream Landfill.

14D 2.2 Restricted Discretionary Activities

- (a) Any hazardous facility with an Effects Ratio within the Effects Ratio range specified as Restricted Discretionary for the activity area in which it proposes to locate, as indicated in the Consent Status Matrix in Table 1.
- (b) Any hazardous facility with an Effects Ratio above the Effects Ratio specified in the buffer strip, for the activity area in which it proposes to locate, as indicated in Table 3.

14D 2.2.1 Matters in which Council has Restricted its Discretion and Standards and Terms

- (a) Site design and maintenance.
- (b) Transportation of hazardous substances.
- (c) The level of risk to the community and the receiving environment.
- (d) Potential cumulative hazards presented in conjunction with neighbouring facilities.
- (e) Contingency measures for fire safety and fire water management, spill contingency and emergency planning.
- (f) Monitoring and maintenance schedules.

All Restricted Discretionary Activities shall show how the following matters will be addressed to avoid or reduce risk to the community and the receiving environment:

- (i) The proposed operation and site lay-out.
- (ii) Site drainage and off-site infrastructure (i.e. stormwater, sewer type and capacity).
- (iii) Transport of hazardous substances on and off the site.
- (iv) The surrounding natural, human, and physical environment.
- (v) Separation distances from neighbouring activities, and the type of environment/number of people potentially at risk from the proposed facility.
- (vi) Potential hazards and exposure pathways arising from the proposed facility.
- (vii) Potential cumulative hazards presented in conjunction with neighbouring facilities.
- (viii) Proposed fire safety and fire water management.
- (ix) Proposed spill contingency and emergency planning.
- (x) Proposed monitoring and maintenance schedules.

14D 2.2.2 Other Matters

All Restricted Discretionary Activities must comply with other relevant Permitted Activity Conditions.

14D 2.3 Discretionary Activities

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- (a) Any hazardous facility with an Effects Ratio above the Effects Ratio specified as Restricted Discretionary for the activity area in which it proposes to locate, as indicated in the Consent Status Matrix in Table 1.
- (b) Any hazardous facility with an Effects Ratio above the Effects Ratio specified in the Wellington Fault ~~Special Study Area~~ Overlay, for the activity area in which it proposes to locate, as indicated in Table 4.

14D 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) In addition to the above the following matters will be taken

into account: Hazardous Facilities:

Where a hazardous facility has an Effects Ratio which exceeds the Effects Ratio for Restricted Discretionary Activities, an assessment of environmental effects shall be provided to address the following matters:

- An evaluation of alternatives shall be included to determine whether there are any reasonable alternatives to the proposal, particularly where it is likely that the activity is likely to result in significant environmental effects.
- Site design and off-site infrastructure (i.e. stormwater, sewer type and capacity).
- A risk assessment will be required to address the following matters:
 - Separation distances to people sensitive areas (residential activity areas and facilities such as schools, rest homes, hospitals, or shopping centres).
 - Location in relation to the nearest aquifer and/or surface water body. Nature of soils and subsoils.
 - Location in relation to environmentally sensitive areas.
 - The systematic identification of hazards and potential exposure pathways, and assessment of associated risks.
 - Potential cumulative risks arising in conjunction with neighbouring activities or from cumulative effects in the receiving environment.
 - Transportation of hazardous substances.
- Details on risk management shall be provided to address the following matters:
 - Implementation of an Environmental Management System. Guidelines on management systems are available from the NZCIC (New Zealand Chemical Industry Council) Responsible Care Programme; the BS (British System) 7750 system; the ISO (International Standard Organisation) 9000 and 14000 systems; the ISRS (International Safety Rating System) ; or any other recognised and accepted system which achieves the same objectives or intent.
 - Fire safety and fire water management.
 - Monitoring and maintenance schedules and plans.
 - Contingency plans for spills and other accidental releases of hazardous substances. Precautionary measures, emergency procedures and plans.
 - Site management systems for waste disposal and transportation of hazardous substances.
- The assessment of environmental effects shall consider any risks associated with the transportation of hazardous goods on the local road network. Vehicles shall use the safest route possible and minimise the use of local and residential roads. Conditions may be imposed which specify transport routes.

14D 3 Anticipated Environmental Results

- (a) Protection of the life supporting capacity of air, water, soil and ecosystems from an unacceptable level of risk from the location and operation of hazardous facilities and activities. This includes the use, storage, transportation and disposal of hazardous substances and hazardous wastes.
- (b) Protection of human health from potential adverse effects associated with the use, storage, transportation and disposal of hazardous substances and hazardous wastes.

14D Appendices

Appendix Hazardous Facilities 1

1.0 Introduction

The Hazardous Facility Screening Procedure (HFSP) has been designed as a screening tool to assist Council in making decisions on whether a proposed hazardous facility is Permitted, or whether it is a Restricted Discretionary or Discretionary Activity requiring additional assessment of risks.

The HFSP will be applied to any proposed facility using or storing hazardous substances. Its purpose is to determine whether the facility will be permitted subject to compliance with specified conditions, or will require a resource consent.

Hazardous facilities range from home occupations using hazardous or environmentally damaging substances to large chemical factories. Common examples of hazardous substances are acids, solvents, paints, fuels, and pesticides. Environmentally damaging substances include seemingly harmless substances such as foodstuffs, which kill aquatic life when released into water ways in large quantities, for example, due to depletion of oxygen.

2.0 Overview and Terminology

The HFSP is based on the assessment of hazardous substances in terms of three major Effects Groups: Fire/Explosion, Human Health, and the Environment. Each substance is assigned a Base Threshold (B) - expressed as a weight or volume - for each of the three defined Effects Groups. The Base Threshold is dependent only on the intrinsic hazardous properties of a substance.

Depending on the physical state of the substance(s), the type of storage and activity, site separation distances and the environmental sensitivity of the location, Adjustment Factors (F) are applied to the Base Thresholds. Base Thresholds and Adjustment Factors are then multiplied to generate an Adjusted Threshold (T) for each of the Effects Groups.

The next step is the calculation of the Effects Ratio (R), which represents the proposed quantity of a substance (Q) to be used/stored in relation to the Adjusted Threshold. The Effects Ratio forms the basis to determine the consent status of a particular facility, and to evaluate the cumulative effects presented by the multiple substances.

3.0 Effects Groups and Hazard Levels

For the purposes of the HFSP, the effects of any particular substances are categorised into three Effects Groups:

- (a) Fire/Explosion Effects (FE): This Effects Group is concerned with damage to property, the built environment, and people.
- (b) Human Health Effects (HE): This Effects Group is concerned with the wellbeing, health, and safety of people.
- (c) Environmental Effects (EE): This Effects Group is concerned with damage to ecosystems and natural resources.

Each Effects Group is divided into four hazard levels:

- extreme
- high
- medium
- low

The division into low, medium, high and extreme hazard levels in each of the Effects Groups is predominantly based on the UN (United Nations) classification system for the transport of hazardous substances (UNRTDG, 8th Edition, 1993), and the classification for ecotoxic substances proposed by the Organisation for Economic Cooperation and Development (OECD), 1993.

For the purposes of the HFSP, the above classification systems have been further refined by assigning extreme hazard levels to certain hazardous substances, particularly toxic substances (Class 6.1), toxic gases (Class 2.3), and environmentally toxic substances (Ecotoxic Class). In addition, environmentally damaging substances have been placed into the Ecotoxic Class. Environmentally damaging substances have been defined as those substances which affect receiving waters through the addition of organic material, resulting in oxygen depletion.

Classification systems for hazardous substances such as the UNRTDG (1993) often only list a primary hazard, and sometimes a subsidiary hazard of a substance. However, in many cases hazardous substances may exhibit more than two types of hazards, and may fit into more than one Effects Group. For example, a substance may exhibit a medium fire hazard, an extreme human health effect, and a medium environmental effect. Hence, the HFSP allows for the fact that many substances present multiple hazards. This is similar to the approach taken in proposed Hazardous Substances and New Organisms legislation.

The hazardous substances classification system adopted for the HFSP is outlined in greater detail in Attachment A - Classification of Hazardous Substances.

4.0 Effects Groups and Hazard Levels

The Base Threshold (B) is a pre-calibrated hazardous substances quantity (in tonnes or m³ for compressed gas) which differs for each Effects Group and hazard level. It takes into account the intrinsic hazard of a hazardous substance, and represents the quantity of a substance which has been assessed as generating no significant off site effects in a heavy industrial area, before substance and site specific conditions have been taken into account.

5.0 Adjustment Factors

Pre-calibrated Adjustment Factors (F) are applied to the Base Thresholds to take account of substance and site specific conditions which will affect the potential severity of an effect.

Adjustment Factors differ for each of the effects group, and take into account the following considerations:

- the physical state of a substance;
- storage temperatures;
- the type of storage;
- the type of activity or use;
- separation distances to the site boundary; and
- the environmental sensitivity of the location.

6.0 Adjusted Threshold

The Adjusted Threshold (T) is the quantity of a hazardous substance (in tonnes or m³ for compressed gas), which, after application of Adjustment Factors, has been assessed as having no potentially significant off site environmental effects in a heavy industrial area. Adjusted Thresholds are determined separately for each Effects Group.

7.0 Effects Ratio

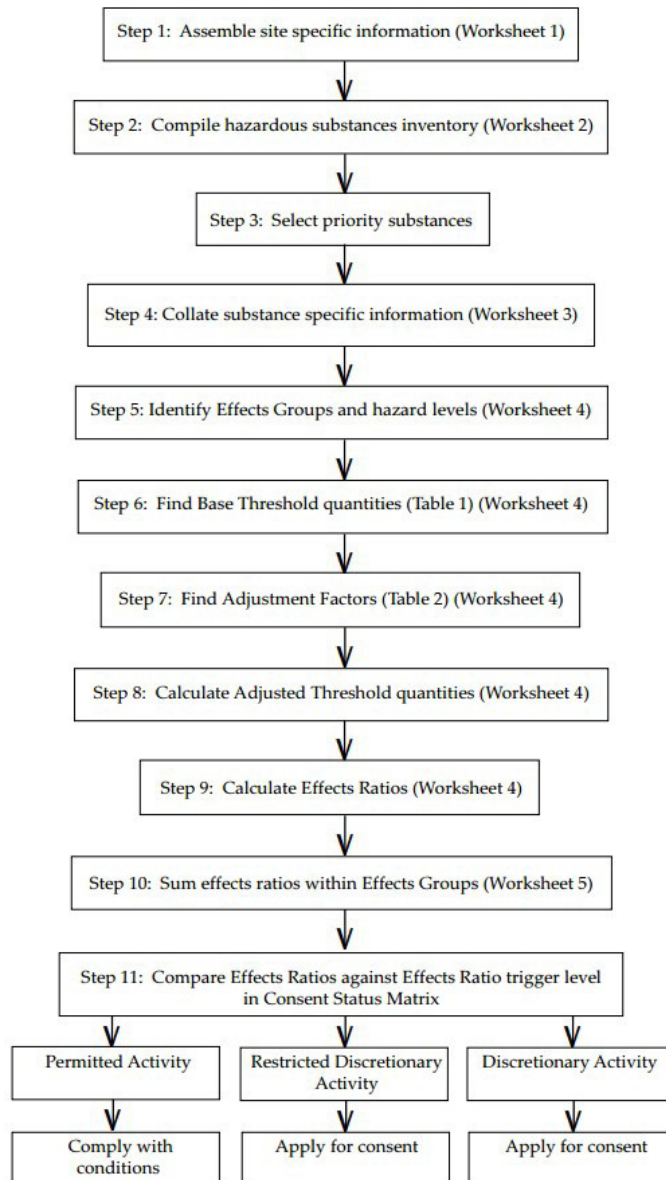
The Effects Ratio (R) is a dimensionless number. It is obtained by dividing the quantity of a substance (Q) that is proposed to be used or stored at a site, by the Adjusted Threshold. The Effects Ratio fulfills two important purposes:

- (a) By using a dimensionless ratio of the proposed quantity of a hazardous substance over the Adjusted Threshold, it is possible to aggregate the effects presented by multiple substances held on the same site. Hence, it becomes possible to assess cumulative potential environmental effects which may be created by several substances on the same site, and which have similar hazardous properties.
- (b) The Effects Ratio forms the basis to determine the trigger levels in the Consent Status Matrix, which are used to determine the consent status of a particular facility. Whether or not a proposed facility requires a resource consent is determined by the highest Effects Ratio in any of the three Effects Groups.

8.0 Using the HFSP - A Step by Step Guide

This section works through a step by step guide on how to use the HFSP, following the steps shown in Figure 1, and using a series of five worksheets, shown in Attachment B. These illustrate the HFSP's individual steps and required long-hand calculations.

Figure 1: A Step-by-Step Guide to the Hazardous Facility Screening Procedure



Step 1 - Assemble Site Specific Information

Site specific information is an essential component of the HFSP. This is related in particular to site layout, and the presence of any sensitive land uses or environmental features. An example of a site information sheet is shown in Attachment B, Worksheet 1.

Step 2 - Compile Hazardous Substances Inventory

To use the HFSP, it is necessary to create a full inventory of hazardous substances held on a site, including substances that are only stored or used temporarily. The inventory should contain:

- (a) The names of hazardous substances (chemical or proprietary, including names of suppliers).
- (b) Quantities in weight (tonnes) or volume (m³ for compressed gases).
- (c) UN classifications of all the hazardous substances on the site.
- (d) Whether the substance is used or stored.

A form to assist with this task is provided in Attachment B, Worksheet 2. It is noted that the

HFSP uses the standard units of tonnes (for solids, liquids and liquefied gases) and m³ (for compressed gases). It is therefore sometimes necessary to convert substance quantities to these units. In the case of liquids, it is necessary to apply the specific

gravity (or density) to convert litres to kilograms, or m³ to tonnes. The specific gravity is the specific weight of a liquid in relation to that of water. Therefore, a liquid with a specific gravity of greater than 1.0 sinks, while a liquid with a specific gravity of less than 1.0 will float on water. For example, 1000 litres of petrol weigh approximately 800kg or 0.8 tonnes.

Conversions of quantities are also necessary where a substance is diluted, or mixed with another substance. In this instance, only the percentage of the pure substance in dilution or mixture is accounted for. For example, if it is proposed to store 10 tonnes of a substance that has a concentration of 30%, the proposed quantity on Worksheet 2 should be 3 tonnes.

An exception to this are corrosives (UN Class 8) and oxidising substances (UN Class 5), where the UN Class is sometimes directly applied to specific commercially available concentrations. In these instances, conversions are only applied to when these commercially supplied concentrations are further diluted for specific purposes. Pesticides are also substances which are commonly available as diluted commercial products. The UNRTDG (1993) lists a range of pesticides and their dilutions, and their related Packaging Groups in Class 6.1 in terms of a human poison rating.

If a substance is in a mixed form, proposed quantities for the percentage of pure substance in the mixture should be listed. In cases where synergistic effects result in a mixture that is more hazardous than its components, the mixture may need to be subjected to appropriate testing procedures to obtain the necessary information, unless relevant information is readily available.

It is also important to note that small packages are generally treated the same as bulk quantities. While small packages or containers reduce the risk of a major spill, they may still react like bulk quantities in some emergencies. For this reason, a conservative approach has been taken, especially as the HFSP generally does not apply to retail outlets.

In some cases, it may be difficult to decide whether a substance is in use or storage. Generally, the HFSP considers a substance in use when the full amount of the substance is used at any one time, for example an acid bath. A substance that is taken from a container and used in small amounts while its bulk continues to be stored would be rated as being stored.

Step 3 - Select Priority Substances

Often, numerous hazardous substances are held on a site, and it is time consuming to prepare a full classification of all of them. It is neither practical nor necessary to submit every substance to the HFSP; therefore the following “common sense” guidelines apply for sites where multiple hazardous substances are held, to assist in defining those which have “priority status”:

- (a) If there are ten or fewer substances on site, the HFSP is carried out on all substances unless it is evident that one single substance is likely to exceed the relevant trigger levels in the Consent Status Matrix (in which case the proposal will require a resource consent application);
- (b) If there are more than ten substances on site, the HFSP is carried out on those substances which:
 - are highly or extremely dangerous; and/or
 - are held in quantities exceeding 10% of the total stock of hazardous substances

listed in the inventory (Attachment B, Worksheet 2).

Step 4 - Collate Substance Specific Information

It is an essential component of the HFSP to assign a hazard level for each Effects Group to the hazardous substances held on site. To do so, it is necessary to collect a range of information about the substances including UN classifications.

The Hazardous Substance Worksheet in Attachment B, Worksheet 3 has been designed to help with the task of recording the information required to classify substances into Effects Groups and hazard levels.

This information can be extracted from the UN Recommendations on the Transport of Dangerous Goods (UNRTDG) 8th Edition, Material Safety Data Sheets, and national and international databases. A summary of such information sources is available upon request from the Council.

Where necessary information to carry out this step is not readily available from public information sources, a precautionary approach should be taken, and the substance should be assigned at least a medium hazard level for the Fire/Explosion and Human Health Effects Groups, and a high hazard level for the Environmental Effects Group.

These hazard levels are deemed appropriate because:

- (a) In general, assessment of hazardous substances focuses on health effects and explosives or flammable properties. If a substance rates highly in these categories, this information is usually readily available. Therefore, it is considered reasonable to assign a medium hazard level in the Fire/Explosion and Human Health Effects Groups for those substances where this information is not readily available;
- (b) In contrast, information on environmental effects is often lacking. The precautionary approach therefore dictates that a high hazard level should be chosen where no information is available.

Step 5 - Identify Effects Groups and Hazard Levels

For the purposes of the HFSP, the effects of substances are categorised into three groups:

- (a) Fire/Explosion Effects (FE): This Effects Group is concerned with damage to property, the built environment, and people.
- (b) Human Health Effects (HE): This Effects Group is concerned with the wellbeing, health, and safety of people.
- (c) Environmental Effects (EE): This Effects Group is concerned with damage to ecosystems and natural resources.

Each Effects Group is divided into four hazard levels:

- extreme
- high
- medium
- low

Once the necessary background information has been collated, the user will proceed to assign Effects Groups and hazard levels to individual hazardous substances, as outlined in Section 3.0 - Effects Groups and Hazard Levels. Hazardous substances (including raw materials, products, and wastes) are classified into Effects Groups and hazard levels for each Effects Group with the help of Attachment A - Classification of Hazardous Substances.

Effects Groups and corresponding hazard levels are then recorded in the column marked "Step 4" on the Summary Sheet for Manual HFSP Calculations in Attachment B, Worksheet 4.

Step 6 - Find Base Threshold Quantities

The Base Threshold (B) is a pre-calibrated quantity, as discussed in Section 4.0 - Base Threshold. A specific Base Threshold is assigned to each Effects Group and hazard level. These are listed in Table 1.

For example, in the Fire/Explosion Effects Group, (Sub-category Flammables), non significant off site effects in a heavy industrial area would be represented by Base Thresholds of:

- (a) 100 tonnes of a combustible liquid, which has a low hazard level in the Fire/Explosion Effects Group.
- (b) 30 tonnes of a Class 3, Packaging Group III substance, which are flammable liquids with a medium hazard level in the Fire/Explosion Effects Group.

The Base Thresholds for each substance used or stored on the site are found in Table 1 and recorded in the column marked "Step 6" on the Summary Sheet for Manual Calculations in Attachment B, Worksheet 4.

Step 7 - Find Adjustment Factors

Adjustment Factors (FF, FH, and FE) are used to multiply the Base Threshold quantities in order to take account of the substance properties and specific circumstances on each site which will influence the severity of any potential effect. This multiplication yields the Adjusted Threshold, as discussed in Section 5.0 - Adjustment Factors.

For each Effects Group, different types of Adjustment Factors are relevant. For example, for the Fire/Explosion

Effects Group, the temperature is relevant, while for the Human Health Effects Group, proximity to a potable water resource is important.

Table 2 - Adjustment Factors, lists the pre-calibrated Adjustment Factors to be used for each Effects Group.

In some instances, more than one Adjustment Factor within each Effects Group will need to be applied to a substance. Where this is the case, the Adjustment Factors are multiplied to generate one combined Adjustment Factor (FF, FH or FE) for each Effects Group, and the Base Threshold is then multiplied by that one Factor.

The Adjustment Factors for each substance are recorded in the column marked "Step 7" on the Summary Sheet for Manual Calculations in Attachment B, Worksheet 4.

Step 8 - Calculate Adjusted Threshold Quantities

The Adjusted Threshold (T) is calculated for each Effects Group by multiplying the Base Threshold (B) by the relevant Adjustment Factor (FF, FH, FE), as follows:

$T = B \times FF$ provides the Adjusted Threshold for a substance in the

Fire/Explosion Effects Group. $T = B \times FH$ provides the Adjusted Threshold for a

substance in the Human Health Effects Group. $T = B \times FE$ provides the

Adjusted Threshold for a substance in the Environmental Effects Group.

The Adjusted Thresholds (T) for each substance should be recorded in the column marked "Step 8" on the Summary Sheet for Manual Calculations in Attachment B, Worksheet 4.

Step 9 - Calculate Effects Ratios

The Effects Ratio (R) is a dimensionless number. It is obtained by dividing the quantity of a substance (Q) that is proposed to be used or stored on a site by the Adjusted Threshold (T):

$$\text{Effects Ratio (R)} = \frac{\text{Proposed quantity of substance (Q)}}{\text{Adjusted Threshold (T)}}$$

The Effects Ratio (R) for each substance needs to be recorded in the column marked "Step 9" on the Summary Sheet for Manual Calculations in Attachment B, Worksheet 4.

Step 10 - Sum the Effects Ratios to Find the Total Effects Ratio

When assessing several hazardous substances on a site, it is necessary to add the Effects Ratios within each Effects Group together. When carrying out a manual calculation, this is done with the use of Attachment B, Worksheet 5.

Step 11 - Determine Consent Status Against Consent Status Matrix

The sum of all Effects Ratios within each Effects Group determines the consent status of a particular site when compared against the Effects Ratio trigger levels in the Consent Status Matrix for that Effects Group. In most cases the same trigger value would cover all Effects Groups; in these situations, only the highest Effects Ratio in any of the three Effects Groups

need to be considered to identify the consent status, for example, whether a hazardous facility or activity is Permitted, Restricted Discretionary, or Discretionary.

Table 1: Base Thresholds for all Effects Groups and Hazard Levels

FIRE/EXPLOSION EFFECTS GROUP					
UN Class	Hazard	Hazard Levels			
		Low	Medium	High	Extreme
Sub-Category: Flammables					
	LPG		LPG		
2	Gases			2.1 (exclude LPG)	
3	Flammable Liquids	Combustible Liquids	3 PGIII	3 PGI 3 PGII	
4	Flammable Solids			4.1	4.2 4.3
5	Oxidisers			5.1	5.2
B(tonnes)		100	30	10	1
B(m ³)*				10,000	
Sub-Category: Explosives					
1	Explosives		1.3	1.2	1.1
B(tonnes)			3	1	0.1

HUMAN HEALTH EFFECTS GROUP					
UN Class	Hazard	Hazard Levels			
		Low	Medium	High	Extreme
2.3	Toxic Gases			2.3 (b)-(d)	2.3 (a)
6	Poisons	6.1 PGIII	6.1 PGII	6.1 PGI (b)	6.1 PGI (a)
	Carcinogen			Carcinogen	
8	Corrosives		8 PGI 8 PGII		
B(tonnes)		30	10	1	0.1
B(m ³)*				500	50

ENVIRONMENTAL EFFECTS GROUP					
UN Class	Hazard	Hazard Levels			
		Low	Medium	High	Extreme
3	Flammable Liquids		Combustible Liquids		
8	Corrosives			8 PGI 8 PGII 8 PGIII	
	Ecotoxic	Group 1(d) Group 2(d)	Group 1(c) Group 2(c)	Group 1(b)	Group 1(a)
	Pesticides				Pesticides
B(tonnes)		100	30	3	0.3

Note:

- Base Threshold in m³ at 101.3 kpa and 20°C for permanent or compressed gases.

Table 2: Adjustment Factors for each Effects Group

ADJUSTMENT FACTORS FOR FIRE/EXPLOSION EFFECTS GROUP		ADJUSTMENT FACTORS FOR HUMAN HEALTH EFFECTS GROUP		ADJUSTMENT FACTORS FOR ENVIRONMENTAL EFFECTS GROUP	
F1: SUBSTANCE FORM		F1: SUBSTANCE FORM		F1: SUBSTANCE FORM	
Solid	= 1	Solid	= 3	Solid	= 3
Liquid, Powder	= 1	Liquid, Powder	= 1	Liquid, Powder	= 1
Gas (at 101.3 kPa and 20°C)	= 0.1	Gas (at 101.3 kPa and 20°C)	= 0.1		
F2: HANDLING/STORAGE CONDITIONS ³		F2: SEPARATION DISTANCE FROM SITE BOUNDARY (Gases only)		F2: ENVIRONMENTAL SENSITIVITY	
Temperature < flash point	= 1	< 30 metres	= 1	Normal	= 1
Temperature > flash point < boiling point	= 0.3	> 30 metres	= 3	Within 20m of a waterbody ¹	= 0.3
Temperature > boiling point	= 0.1				
F3: SEPARATION DISTANCE FROM SITE BOUNDARY		F3: PROXIMITY TO POTABLE WATER RESOURCE		F3: TYPE OF ACTIVITY	
< 30 metres	= 1	Normal	= 1	Use	= 0.3
> 30 metres	= 3	Within 20m or above potable water resource ²	= 0.3	Above ground storage	= 1
F4: TYPE OF ACTIVITY		F4: TYPE OF ACTIVITY		Underground storage ³	
Use	= 0.3	Use	= 0.3		
Above ground storage	= 1	Above ground storage	= 1		
Underground storage ³	= 10	Underground storage ³	= 10		
F1 x F2 x F3 x F4 = FF		F1 x F2 x F3 x F4 = FH		F1 x F2 x F3 = FE	

¹ Waterbody includes streams, springs, lakes, wetlands, sea and estuaries, but does not include aquifers and entry points to the stormwater drainage network.

² Potable water resource as defined by the regional council.

³ Applicable to UN Class 3 substances [Flammable Liquids] and Combustible Liquids only.

Attachment A: Classification of Hazardous Substances

UN Class	Hazard	Division	Description	Effects Group	Hazard Level
1	Explosives	1.1	Articles and substances having a mass explosion hazard.	Fire/Explosion	Extreme
		1.2	Articles and substances having a projection hazard, but not a mass explosion hazard.	Fire/Explosion	High
		1.3	Articles and substances having a fire hazard and either a minor blast hazard or a minor projection hazard or both, but not a mass explosion hazard. This division comprises articles and substances that: <ul style="list-style-type: none"> • give rise to considerable radiant heat, or • burn one after another, producing minor blast and/or projection effects. 	Fire/Explosion	Medium
		1.4, 1.5, 1.6	Not applicable.		

UN Class	Hazard	Division	Description	Effects Group	Hazard Level
2	Gases	LPG	LPG	Fire/Explosion	Medium
		2.1	Flammable gases: gases which at 20°C and a standard pressure of 101.3 kPa: <ul style="list-style-type: none"> • are ignitable when in a mixture of 13% or less by volume with air, or • have a flammable range with air of at least 12% regardless of the lower flammability limit. <p>This class includes aerosols containing flammable propellants.</p>	Fire/Explosion	High
		2.2	Not applicable.		
		2.3	Toxic gases: gases which are known to be toxic or corrosive to humans and pose a hazard to health. This division is divided into the following categories: <ul style="list-style-type: none"> a) Inhalation toxicity vapours LC₅₀: < 200 ppm (= ml/m³) b) Inhalation toxicity vapours LC₅₀: ≥ 200 ppm - 5,000 ppm (=ml/m³) 	Human Health	Extreme
				Human Health	High

UN Class	Hazard	Division	Description	Effects Group	Hazard Level
3	Flammable Liquids		Flammable liquids comprising liquids, mixtures of liquids, or liquids containing solids in suspension which give off a flammable vapour at specific temperatures. This class is divided into three packaging groups (PG).		
		3 PGI	Flash point: < 23°C Initial boiling point: < 35°C	Fire/Explosion	High
		3 PGII	Flash point: < 23°C Initial boiling point: > 35°C	Fire/Explosion	High
		3 PGIII	Flash point: ≥ 23°C; ≤ 60.5°C Initial boiling point: > 35°C	Fire/Explosion	Medium
		Combustible Liquids	Flash point: > 60.5°C	Fire/Explosion Environment	Low Medium

UN Class	Hazard	Division	Description	Effects Group	Hazard Level
4	Flammable Solids	4.1	<ul style="list-style-type: none"> Flammable solids that are readily combustible or may cause fire easily through an ignition source or friction. Self-reacting substances that are thermally unstable and are liable to undergo a strongly exothermic decomposition even without the participation of oxygen. Desensitised explosives: substances which are wetted with water or alcohol or diluted with other substances to suppress their explosive properties. 	Fire/Explosion	High
		4.2	Substances liable to spontaneous combustion: <ul style="list-style-type: none"> pyrophoric substances: liquid or solid substances which, even in small quantities, ignite within 5 minutes of coming in contact with air self-heating substances: solid substances which generate heat when in contact with air without additional energy supply. 	Fire/Explosion	Extreme
		4.3	Substances, which in contact with water, become spontaneously flammable, or emit flammable gases.	Fire/Explosion	Extreme

UN Class	Hazard	Division	Description	Effects Group	Hazard Level
5	Oxidising substances and organic peroxides	5.1	Oxidising substances: substances which, in themselves are not necessarily combustible, but may cause or contribute to the combustion of other materials by yielding oxygen.	Fire/Explosion	High
		5.2	Organic peroxides: organic substances that are thermally unstable and may undergo exothermic, self-accelerating decomposition. They may: <ul style="list-style-type: none"> be liable to explosive decomposition, burn rapidly, be sensitive to impact or friction, react dangerously with other substances cause damage to the eyes. 	Fire/Explosion	Extreme

UN Class	Hazard	Division	Description	Effects Group	Hazard Level
6	Poisonous (toxic) substances	6.1	Poisonous substances: substances which are liable to cause death or injury, or to harm human health if swallowed, inhaled, or contacted by the skin. This division is divided into three packaging groups (PG).		
		6.1 PGI	a) Oral toxicity LD ₅₀ (mg/kg): ≤ 1 Dermal toxicity LD ₅₀ (mg/kg): ≤ 10 Inhalation toxicity dust/mist LC ₅₀ (mg/l): ≤ 0.5	Human Health	Extreme
			b) Oral toxicity LD ₅₀ (mg/kg): > 1 - 5 Dermal toxicity LD ₅₀ (mg/kg): > 10 - 40 Inhalation toxicity dust/mist LC ₅₀ (mg/l): ≤ 0.5	Human Health	High
		6.1 PGII	Oral toxicity LD ₅₀ (mg/kg): > 5 - 50 Dermal toxicity LD ₅₀ (mg/kg): > 40 - 200 Inhalation toxicity dust/mist LC ₅₀ (mg/l): > 0.5 - 2	Human Health	Medium
		6.1 PGIII	Oral toxicity LD ₅₀ (mg/kg): > 50 - 500 (liquids), > 50 - 200 (solids) Dermal toxicity LD ₅₀ (mg/kg): > 200 - 1,000 Inhalation toxicity dust/mist LC ₅₀ (mg/l): > 2 - 10	Human Health	Low
			Carcinogen	Human Health	High
	6.2	Not applicable			

UN Class	Hazard	Division	Description	Effects Group	Hazard Level
8	Corrosives		Substances which, by chemical action, can cause severe damage when in contact with living tissue or, in the case of leakage, will materially damage or destroy other materials. Corrosives are divided into three packaging groups (PG).		
		8 PGI	Very dangerous substances and preparations.	Human Health Environment	Medium High
		8 PGII	Substances and preparations presenting medium hazard.	Human Health Environment	Medium High
		8 PGIII	Substances and preparations presenting minor hazard.	Environment	High

UN Class	Hazard	Division	Description	Effects Group	Hazard Level
	Ecotoxic	Group 1	Ecotoxic substances: any substance exhibiting a toxic effect on the ecosystem, based on the toxicity to aquatic life. This division is divided into four categories.		
			a) 96 hr LC ₅₀ salmonid fish (mg/l): <0.1 48 hr EC ₅₀ daphnia (mg/l): <0.1 72 hr EC ₅₀ algae (mg/l): <0.1	Environment	Extreme
			b) 96 hr LC ₅₀ salmonid fish (mg/l): ≥0.1 - 1.0 48 hr EC ₅₀ daphnia (mg/l): ≥0.1 - 1.0 72 hr EC ₅₀ algae (mg/l): ≥0.1 - 1.0	Environment	High
			c) 96 hr LC ₅₀ salmonid fish (mg/l): ≥1.0 - 10.0 48 hr EC ₅₀ daphnia (mg/l): ≥1.0 - 10.0 72 hr EC ₅₀ algae (mg/l): ≥1.0 - 10.0	Environment	Medium
			d) 96 hr LC ₅₀ salmonid fish (mg/l): ≥10.0 - 100.0 48 hr EC ₅₀ daphnia (mg/l): ≥10.0 - 100.0 72 hr EC ₅₀ algae (mg/l): ≥10.0 - 100.0	Environment	Low
		Group 2	Environmentally damaging or persistent substances: any substance exhibiting a damaging (other than toxic) effect on the ecosystem. This division is divided into two categories.		
			c) BOD ₅ (mg/l): > 10,000 d) BOD ₅ (mg/l): > 1,000	Environment Environment	Medium Low
		Pesticides	Pesticides are deemed to have an extreme hazard level unless data can be provided to demonstrate lesser toxicity.	Environment	Extreme
		Corrosives	All corrosives (Class 8, PG I - III) have a high Environmental Effects hazard level.	Environment	High

Attachment B: Worksheet 1 - Site Information Sheet

Facility name	
Address	
Map reference	
Description of activity	
Nature of adjoining land use	
Within 20m or above a potable water resource ¹	
Within 20 metres of a waterbody ²	

Map of site (show adjoining land uses and location of waterbodies)

¹ Groundwater reservoir/aquifer as identified by the regional council.

² "Waterbody" includes streams, springs, lakes, wetlands, sea and estuaries, but does not include aquifers and entry points to the stormwater drainage network.

¹ Groundwater reservoir/aquifer as identified by the regional council.

² "Waterbody" includes streams, springs, lakes, wetlands, sea and estuaries, but does not include aquifers and entry points to the stormwater drainage network.

1 SUBSTANCE DESCRIPTION						
Substance Name						
Proprietary Name and Supplier						
Substance Form [Gas, liquid, solid, powder]						
2 AVAILABLE INFORMATION [Extract from packaging material, MSDS, UN Recommendation for the Transport of Dangerous Goods (8 th edition)]						
UN Number						
UN Primary Class						
UN Subsidiary Class						
Packaging Group(s)						
3 ADDITIONAL INFORMATION REQUIREMENTS [Extract from data sources listed in Appendix C and Material Safety Data Sheets]					DATA SOURCE	
Physical Parameters	Initial boiling point (°C)					
	Flash point (°C)					
	Specific gravity @ 20°C					
	Molecular weight					
	Vapour pressure (mm Hg at 20°C)					
Toxicity Data ¹	Oral toxicity LD ₅₀ (mg/kg)					
	Dermal Toxicity LD ₅₀ (mg/kg)					
	Inhalation Toxicity LC ₅₀ (ppm)					
	Carcinogen ² [yes/no]					
Ecotoxicity Data ³	LC ₅₀ (Salmonid fish) (mg/l)					
	EC ₅₀ (Daphnia) (mg/l)					
	EC ₅₀ (Algae) (mg/l)					
	BOD ₅ (mg/kg)					
	Pesticide [yes/no]					
Other						
4 ASSESSMENT [Extract from information in categories 2 and 3 above and Appendix A]						
Hazard	UN Class	Division/ Packaging Group	Does hazardous property apply? [yes/no]	Effects Groups and Hazard Level ⁴		
				Fire/Explosion	Human Health	Environmental
Explosive	1.1-1.3					
Flammable Gas	2.1					
Flammable Liquid	3					
Flammable Solid	4.1-4.3					
Oxidiser	5.1-5.2					
Toxic Gas	2.3					
Toxic Material	6.1					
Corrosive	8					
Ecotoxic						

¹ List lowest level available for human or mammalian species, type of species, test duration and data source.

² See Appendix B.

³ For LC₅₀ and EC₅₀ list lowest levels for indicated or other aquatic species, type of species and data source.

⁴ Use E for extreme hazard level, H for high, M for medium, L for low and OSL if hazard is outside specified levels.

Attachment B: Worksheet 4 - Summary Sheet for Manual HSFP Calculations

SUBSTANCE	Step 4		Step 6	Step 7				Step 8	Step 9		
	EFFECTS GROUP	HAZARD LEVEL	BASE THRESHOLD B (t/m ³)	ADJUSTMENT FACTORS				PRODUCT OF ADJUSTMENT FACTORS FF, FH, FE	ADJUSTED THRESHOLD T (t/m ³)	PROPOSED QUANTITY Q (t/m ³)	EFFECTS RATIO R = $\frac{Q}{T}$
				F1	F2	F3	F4				
1	Fire/Explosion										
	Human Health										
	Environment										
2	Fire/Explosion										
	Human Health										
	Environment										
3	Fire/Explosion										
	Human Health										
	Environment										
4	Fire/Explosion										
	Human Health										
	Environment										
5	Fire/Explosion										
	Human Health										
	Environment										
6	Fire/Explosion										
	Human Health										
	Environment										
7	Fire/Explosion										
	Human Health										
	Environment										
8	Fire/Explosion										
	Human Health										
	Environment										
9	Fire/Explosion										
	Human Health										
	Environment										
10	Fire/Explosion										
	Human Health										
	Environment										

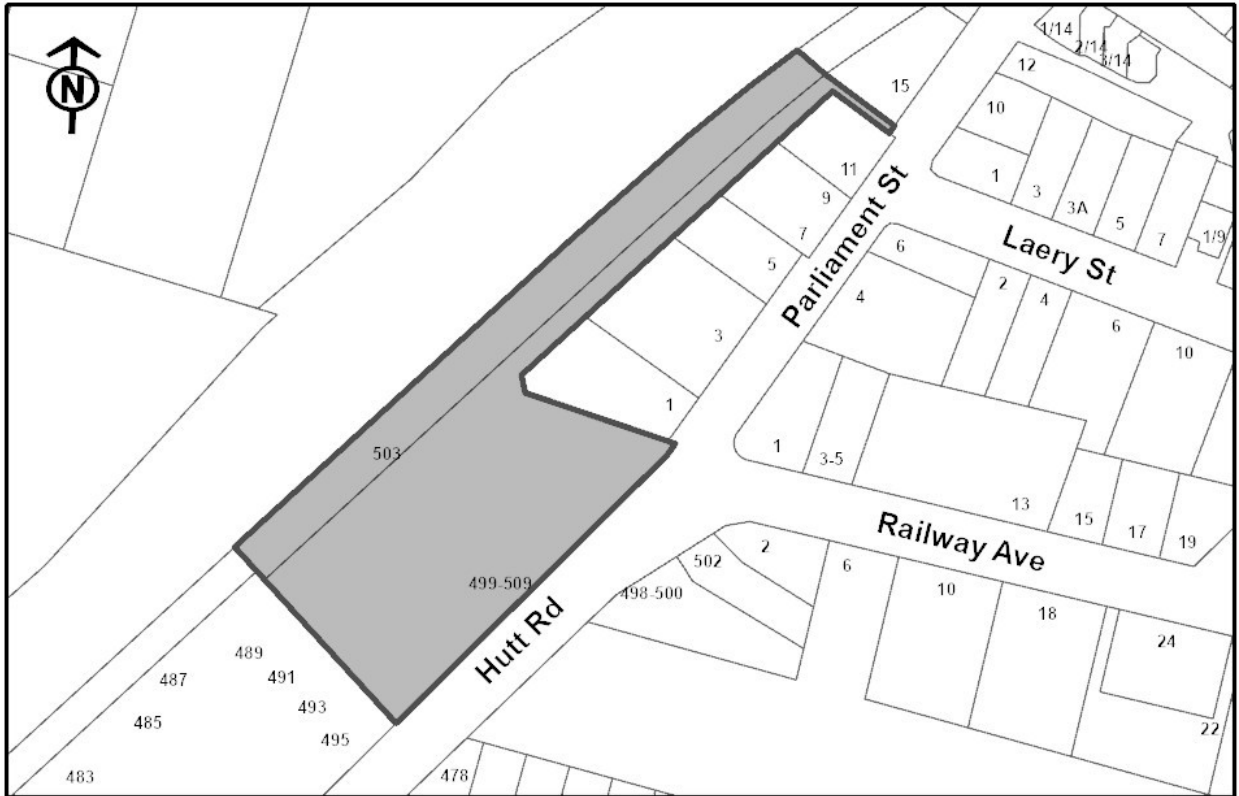
Attachment B: Worksheet 5 - Total Effects Ratios Manual Calculation Sheet

SUBSTANCE	Fire/Explosion Effects Ratio	Human Health Effects Ratio	Environmental Effects Ratio
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
Total Effects Ratios			

Note: Only fill out those sections applicable to the substance being assessed: for example, non-flammables need not be assessed in the Fire/Explosion Effects Group.

AMENDMENT 390 - Add new Appendix Hazardous Facilities 2 – Station Village and Boulcott Village

Appendix Hazardous Facilities 2 - Station Village and Boulcott Village



Station Village



Boulcott Village

14F Heritage Buildings and Structures

AMENDMENT 391 - Amend introduction for Chapter 14F Heritage Buildings and Structures

Introduction

A range of buildings and structures exist throughout the City that make a contribution to the heritage of the City. The contribution they make can relate to the era in which they were constructed, association with a person of importance in the community or the event they commemorate. The buildings and structures may be individually important or significant because of their contribution to a group.

The Act places importance on the retention of heritage in a number of ways. Within Part II, Sections 5, 6, 7, and 8 have aspects referring to heritage. These provisions place heritage within the fundamental purpose and principles of the Act. Part VIII of the Act refers to heritage orders and provides the mechanism for creating and administering both heritage protection authorities and heritage orders. The Act also outlines the procedures for the involvement of Heritage New Zealand Pouhere Taonga in the resource and building consent processes.

Heritage New Zealand Pouhere Taonga has responsibilities with respect to historic places and areas, waahi tapu and waahi tapu areas and archaeological sites. The Heritage New Zealand Pouhere Taonga Act 2014 details the statutory framework and provides a registration process.

Provision has been made in the Plan for those buildings and structures contributing to the heritage of the City ~~in three ways~~

- a. Objectives, policies, rules and design guides have been developed for buildings in Jackson Street, Patrick Street, Adelaide Street, The Esplanade/Adelaide Street and Riddlers Crescent. For Jackson Street these appear in the Petone Commercial Activity Area and those for Patrick Street, Adelaide Street, The Esplanade/Adelaide Street and Riddlers Crescent are in the Heretaunga Settlement and Riddlers Crescent Heritage Precincts in the Historic High Density Residential Activity Area.
- b. There are a number of buildings and structures in the City that are registered by Heritage New Zealand Pouhere Taonga. ~~Heritage New Zealand Pouhere Taonga has also registered the Workers' Dwelling Act houses in Patrick Street as a Historic Area.~~ Those properties registered by Heritage New Zealand Pouhere Taonga are listed in Appendix Heritage 1.
- c. There are a number of other individual buildings and structures that have been identified as making a notable contribution to local heritage. These are listed in Appendix Heritage 2. For those buildings and structures listed in Appendix Heritage 1 and 2, rules have been developed relating to demolition and relocation, to manage work to the exterior facades and to provide the opportunity for a greater range of activities to be considered to assist in the retention of buildings.
- d. Other buildings and structures, when grouped or considered together, can also make a contribution to heritage. These are listed in Appendix Heritage 3.

14F 1 Issues, Objectives and Policies

14F 1.1 Retention of Heritage Values

Issue

To identify and seek to retain those aspects of the City's heritage reflected in individual buildings and structures, and in groups of buildings.

Objective

To ensure that the heritage values of identified heritage buildings and structures are not unnecessarily lost through demolition or relocation, or compromised by any additional work.

Policy

- (a)** To protect the exterior of buildings and structures from inappropriate repairs, alterations or additions that adversely affect heritage values.
- (b)** To ensure that where the demolition or relocation of listed heritage buildings and structures is proposed, a thorough assessment and determination is made of the need for that demolition or relocation and of the alternatives available.

AMENDMENT 392 - Amend Explanation and Reasons of section 14F 1.1 Retention of Heritage Values

Explanation and Reasons

Buildings and structures are an important element in the heritage values of the City. Buildings and structures identified include:

- a. those with a distinct architectural style;
- b. those associated with particular or important people in the city; and
- c. groups of buildings ~~with a particular character~~ with significant heritage values when considered together.

There are significant structures such as monuments, together with community, commercial, industrial and residential buildings. Generally it is the facade of buildings that contributes to the heritage of the City, through the visual impact of their style, architectural detail and cladding materials.

14F 1.2 Widening the Activity Base

Issue

The opportunity to retain heritage buildings may be limited by the range of activities that can take place in the building. It is appropriate to consider a wider range of activities providing the character and amenity values of neighbouring properties are not affected adversely by the new activity.

Objective

To allow a wider range of activities to assist in the retention of heritage buildings.

Policy

- (a) To allow a wider range of activities in identified heritage buildings providing the character and amenity values of neighbouring properties are not affected adversely by the activity.

Explanation and Reasons

There are financial costs associated with retaining and maintaining a heritage building. In many activity areas there are a range of activities that are permitted or can be considered as a resource consent. To further promote the retention and maintenance of heritage buildings it is appropriate to make provision for the consideration of any activity. In doing so, the adverse effects of the activity on the character and amenities of neighbouring properties would have to be evaluated.

14F 2 Rules

AMENDMENT 393 - Amend Rule 14F 2.1(a)

14F 2.1 Permitted Activity

- (a) Identified Heritage Buildings or Structures:

Any alteration, repair or modification of any building listed in Appendix Heritage ~~1 or 2~~ 1, 2 or 3 involving either

- i. Redecoration, repair or alterations which are internal and not visible from the road frontage; or
- ii. Minor repair, alteration or maintenance to the exterior of a building or structure which do not require a building consent.

AMENDMENT 394 - Amend Rule 14F 2.2(a)

14F 2.2 Restricted Discretionary Activities

- (a) Any other alteration, repair or modification of any building or structure listed in Appendix Heritage ~~1 & 2~~ 1, 2 or 3.

14F 2.2.1 Matters in which Council has Restricted its Discretion and Standards and Terms

- (i) The Nature and Extent of the Works and the Necessity of those Works.
- (ii) The Effect of the Works on the Heritage Value of the Building or Structure.

Assessment will be made of the following relevant factors -

- The extent to which the original building will be adversely affected by the work.
- The extent to which the design and external appearance of the building will be adversely affected.
- The scale of the work in proportion to the original building.
- The compatibility of the style, materials and colouring of the new work and its integration with the original building.
- Restoration of heritage features that may have already been removed from the building.
- The extent to which the works comply with the guidelines in Appendix Heritage 3.

14F 2.2.2 Other Matters

All Restricted Discretionary Activities must comply with other relevant Permitted Activity Conditions.

AMENDMENT 395 - Amend Rules 14F 2.3(a) and 14F 2.3(b)

14F 2.3 Discretionary Activities

- (a) Any activity within a building or structure listed in Appendix Heritage 1, ~~and 2 or 3~~, and not within the provisions of the Petone Commercial Activity Area or the ~~Historic Residential Activity Area~~ Heretaunga Settlement and Riddlers Crescent Heritage Precincts of the High Density Residential Activity Area.
- (b) Demolition or relocation of part or all of a building or structure listed in Appendix Heritage 1, ~~or 2 or 3~~.

14F 2.3.1 Assessment Matters for Discretionary Activities

- (a) The matters contained in section 104 and 105, and in Part II of the Act shall apply.

14F 3 Anticipated Environmental Results

- (a) Opportunity for a range of activities to be considered for identified heritage buildings.
- (b) Protection of buildings and structures from inappropriate additions and alterations.
- (c) Increased awareness of heritage values in the City.

14F

Appendices

Appendix Heritage 1

Heritage Buildings and Structures listed by Heritage New Zealand
Pouhere Taonga

MAP NO.	LOCATION	BUILDING/STRUCTURE	NZ HERITAGE LIST	LEGAL DESCRIPTION
D4	51 Boulcott Street	The Glebe	Category 1	Lot 2 DP 91194
R9	8km south of Eastbourne, Pencarrow Head	Pencarrow Lighthouse	Category 1	Sec 3 Blk V Pencarrow SD
F2	73 Eastern Hutt Road	Christ Church, Taita	Category 1	Sec 554, Pt Sec 59 Hutt District
A5	Hutt Road, Petone Railway Station	ANZAC Memorial Flagpole	Category 1	PT Lot DP 10589
B4	499-509 Hutt Road	Western Hutt Railway Station	Category 1	Lot 1 DP 66824
B4	38 Normandale Road	Hutt Minoh Friendship House	Category 1	Lot 1 DP 88473
B5	19 Patrick Street	House	Category 1	Sec 13 Blk II DP 5172
B5	22 Patrick Street	House	Category 1	Sec 10 Blk III DP 5172
A4	36 Riddlers Crescent	Collett House	Category 1	Lot 2 DP 10877
C4	14 St Albans Grove	Nash House	Category 1	Lot 7 DP 8552
B5	The Esplanade	Wellington Provincial Centennial Memorial (Petone Settlers Museum)	Category 1	Lot 2 DP 69217
C4, D4	155-157 Waterloo Road	Lower Hutt Central Fire Station (former)	Category 1	Lot 2 DP 82046
B5	43 Adelaide Street	House	Category 2	Sec 17 Blk II DP 5172
B5	54 Adelaide Street	House	Category 2	Sec 2 Blk VIII DP 5172
B5	4 Britannia Street	St. David's Church	Category 2	Pt Lot 14 Deeds Plan 109
B5	12 Britannia Street	St. Augustine's Church	Category 2	Pt Lot 5 DP 295
E8	24 Coast Road	Old Methodist Church and Cemetery	Category 2	Pt Sec 3 Wainuiomata District

B5	13 Elizabeth Street	Petone Magistrate's Court (former)	Category 2	Pt Lot 143 DP 1232
E4	16B Hamerton Street	Balgownie House	Category 2	Lot 2 DP 89487
E4	16B Hamerton Street	Balgownie Generator Building	Category 2	Lot 2 DP 89487
C4	149-151 High Street	Lower Hutt Post Office	Category 2	Lot 1 DP 90205
D4	705 High Street	Coppelle Cottage	Category 2	Lot 6 DP 8039
D4	132 Kings Crescent	Orr House	Category 2	Lot 1 DP 41913
C4	64 Knights Road	Offices	Category 2	Lot 2 DP 28029
F7, F8	Main Road (Wainuiomata School Grounds)	Wainuiomata Museum Building	Category 2	Pt Sec 2 Wainuiomata District
C8	Marine Drive, Days Bay	Days Bay Wharf	Category 2	-
C8	Marine Drive, Days Bay	Wellesley College	Category 2	Pt Sec 33 Harbour Dist
C8	603A Marine Drive, Days Bay	House	Category 2	Lot 1 DP 307236
C6	Marine Drive, Lowry Bay	Skerrett Boat Shed	Category 2	-
B8	111 Marine Parade	House	Category 2	Pt Lot 56 DP 1256
B8	Marine Parade	Rona Bay Wharf	Category 2	Lot 1 DP 30383
B9	283A Muritai Road	The Glen	Category 2	Lot 6 DP 15621
B9	287 Muritai Road	Glenwood	Category 2	Lot 1 DP 75547
B9	493 - 495 Muritai Road	Eastbourne Borough Council Omnibus Service Garage	Category 2	Lot 1 LT 328393
B5	2 Patrick Street	House - Young New Zealander	Category 2	Sec 22 Blk VIII DP 5172
B5	4 Patrick Street	House - Kia Ora	Category 2	Sec 20 Blk VIII DP 5172
B5	8 Patrick Street	House - Spero	Category 2	Sec 16 Blk VIII DP 5172
B5	10 Patrick Street	House - Domus	Category 2	Sec 14 Blk VIII DP 5172
B5	14 Patrick Street	House - Kia Ora	Category 2	Sec10 Blk VIII DP 5172
B5	16 Patrick Street	House - Design No. 3	Category 2	Sec 8 Blk VIII DP 5172
B5	18 Patrick Street	House - York	Category 2	Sec 6 Blk VIII DP 5172
B5	24 Patrick Street	House - Young New Zealander	Category 2	Sec 8 Blk III DP 5172

C4	60 Penrose Street	House	Category 2	Lot 2 DP 24290
C4, D4	49 Pretoria Street	House (The Crescent)	Category 2	Lot 1 DP 18312
C5, C6	43 Seaview Road	Ford Motor Co. Workshop	Category 2	Lot 1 DP 83488
A5	66 Sydney Street	House (Price's Folly)	Category 2	Lots 7 & 8 DP 412
B5	The Esplanade	Iona Memorial Cross	Category 2	Lot 2 DP 69217
C4	75 Woburn Road	Gatehouse, Vogel House	Category 2	Lot 1 DP 22396
C3, C4	125 Western Hutt Road	Lochaber / Prospect College	Category 2	Sec 1 SO 37208
C3	760 Western Hutt Road	Casa Loma	Category 2	Lot 7 DP 54222

AMENDMENT 396 - Amend Appendix Heritage 1- Heritage Buildings and Structures listed by Heritage New Zealand Pouhere Taonga

~~Heritage Areas listed by Heritage New Zealand Pouhere Taonga~~

~~Patrick Street Workers' Dwellings Precinct, Petone~~

~~Described as those houses on Patrick Street and Adelaide Street constructed under the Workers' Dwelling Act:~~

~~**Patrick Street** Nos. 2, 4, 8, 10, 14, 16, 18, 19, 22, 24;~~

~~**Adelaide Street** Nos. 43, 54.~~

~~Jackson Street Historic Area, Petone~~

~~Described as those buildings located along both sides of Jackson Street, between the intersection with Victoria Street in the west and Cuba Street in the east.~~

~~Lower Hutt Civic Centre Historic Area~~

~~The Lower Hutt Civic Centre Historic Area has road boundaries to the south, west and north. These are clockwise Woburn Road, Queens Drive and Laings Road. To the east, Myrtle Street forms the boundary then continues around the Club grounds, and from there on, separates private property from Council-owned and church-owned land back to Woburn Road.~~

Appendix Heritage 2

Heritage Buildings and Structures

MAP NO.	LOCATION	BUILDING/STRUCTURE	LEGAL DESCRIPTION
B5	49 Adelaide Street	House - Design No. 3	Sec 15 Blk III DP 5172
B5	52 Adelaide Street	House - Domus	Sec 1 Blk VIII DP 5172
A5, B5	34 Bay Street	Bay Lodge Boarding House	Lot 26 & Pt Lot 27 DP 51
B5	52 Beach Street	Petone Labour Hall	Lot 70 DP 51
B5	1 Britannia Street	House	Lot 7 DP 80691
B5	4 Britannia Street	Presbyterian Manse	Pt Lot 14 Deeds Plan 109
B5	6 Britannia Street	Petone Community House	Lot 1 & Pt Lot 2 DP 295
B5	32 Britannia Street	House	Lot 1 DP 29647
B5	33 - 41 Britannia Street	Sacred Heart Church Facade	Lot 3 DP 51283
B5	40A Britannia Street	House	Lot 1 DP 12784
B5	54 Britannia Street	House	Lot 1 DP 50869
B4, B5	57 Britannia Street	House	Lot 6 DP 1363
B9	Burdan's Gate	Wahine Memorial	-
E8	103 Coast Road	August Cottage	Lot 3 DP 25757
E8	202 Coast Road	Cottage	Lot 4 DP 15751
R6	728 Coast Road	Jackson's Farm	Pt Sec 15 Wainuiomata Dist
R6	Fitzroy Bay	Paiaka Wreck	-
D4	722 High Street	Anson House	Lot 4 DP 78049
E3	27 Hillary Court	Naenae Post Office (former)	Pt Lot 1 DP 15073 and Section 1 SO 24113
F8	68 Hine Road	Sinclair House	Pt Lot 2 & Lot 3 DP 20657
A4	83 - 85 Hutt Road	Alfred Coles House	Pt Lots 3 & 4 DP 702
A4	95 Hutt Road	House (not motel units)	Lot 1 DP 12616
B4	105 - 119 Hutt Road	Railway Settlement Houses	Lot 2 DP 67024
B4, A4	162 Hutt Road	Photocraft Studio	Lot 1 DP 552
B4	184 Hutt Road	Bay Villa	Lot 12 DP 2143

B4	186 Hutt Road	Bay Villa	Lot 13 DP 2143
B4	188 Hutt Road	Bay Villa	Lot 14 DP 2143
R3	Korokoro, Belmont Regional Park	Korokoro Dam	Pt Sec 3 Maungaraki Village
C4	Laings Road	Hutt City Council Administration Building	Pt Lots 4 - 9 & 16 DP 89, Lots 17 - 22 DP 89 & Lot 1 DP 12766
C4	Laings Road	Town Hall, Horticultural Hall	Pt Lots 1-3 DP 89, Lots 23 - 25 DP 89, Pt Sec 25 Hutt Dist. & Pt 4 DP 664
C4	Queens Drive	Little Theatre and Library Building	Pt Lots 32 - 38 DP 89, Pt Lot 4 DP 5844, Pt 1 DP 17883, Pt Sec 25 Hutt Dist, Pt Stream
A4	1 Maungaraki Road	House	Lot 2 DP 29729
C4	19 Myrtle Street	House	Lot 1 DP 65068
A5	13 Nelson Street	House	Pt Lot 14 DP 47 & Pt Sec 4 Hutt District
A5	15 Nelson Street	House	Pt Lot 14 DP 47 & Pt Sec 4 Hutt District
A5	19 Nelson Street	House	Pt Lot 12 DP 47 & Pt Sec 4 Hutt District
A5	22 Nelson Street	House	Lot 33 DP 47
A5	25 Nelson Street	House	Lot 1 DP 81017
A5	34 Nelson Street	House	Lot 2 DP 7869
A5	34A Nelson Street	House	Lot 1 DP 7869
A5	36 Nelson Street	House	Pt Lot 26 DP 47
A5	38 Nelson Street	House	Lot 1 DP 61067
A5	40 Nelson Street	House	Lot 25 DP 47
A5	42 Nelson Street	Methodist Church	Lot 24 DP 47 & Pt Lot 7 DP 6395
A5	56 Nelson Street	House	Lot 15 DP 79
A5	70 Nelson Street	House	Lot 15 DP 101
B4	121 Nelson Street	Drill Hall	Sec 1 SO 37671
B4	Normandale Road	Old Rock Horse Trough	Road Reserve
A4	38 Rakeiora Grove	House	Pt Lot 2 DP 25354

G2	81 Stokes Valley Road	Old Stokes Valley School House	Lot 1 DP 19539
A5	49 Sydney Street	House	Pt Lots 24 & 25 DP 321
A5	The Esplanade	Petone Rowing Club	Lot 2 DP 69217
A5	The Esplanade	Petone Wharf	Lot 3 DP 69217
A5	The Esplanade	T.S.Tamatoa	Lot 2 DP 69217
D7	153 Wainuiomata Rd	House	Lot 5 DP 19427
A5	Western Hutt Road/Cornish St corner	Marble wall at the Woollen Mill site	Lots 28 & 29 DP 33346 and Pt Road
D4	313 - 319 Waiwhetu Rd	Epuni School	Sec 115 Epuni Hamlet
C4	61 - 69 Woburn Road	St James Church	Lot 2 DP 17883
C4	75 Woburn Road	Vogel House	Lot 1 DP 22396

AMENDMENT 397 - Add new Appendix Heritage 3 – Heritage Areas

Appendix Heritage 3

Heritage Areas

Heretaunga Settlement Heritage Precinct, Petone

Houses on Patrick Street, Adelaide Street and The Esplanade constructed under the Workers' Dwelling Act. The boundaries are shown on the district plan maps as the Heretaunga Settlement Heritage Precinct, HA-02.

Jackson Street Heritage Precinct, Petone

Buildings located along both sides of Jackson Street, between the intersection with Victoria Street in the west and Tory Street in the east. The boundaries are shown on the district plan maps as the Jackson Street Heritage Precinct, HA-04.

Lower Hutt Civic Centre Heritage Precinct

The Lower Hutt Civic Centre Heritage Precinct has road boundaries to the south, west and north. These are clockwise Woburn Road, Queens Drive and Laings Road. To the east, Myrtle Street forms the boundary then continues around the Club grounds, and from there on, separates private property from Council owned and church owned land back to Woburn Road. The boundaries are shown on the district plan maps as the Lower Hutt Civic Centre Heritage Precinct, HA-05.

AMENDMENT 398 - Renumber existing Appendix Heritage 3 – Design Guidelines Appendix Heritage 3 4

Design Guidelines

Riddlers Crescent, Hutt Road and Patrick Street, Adelaide Street, The Esplanade and Jackson Street

Introduction

The purpose of this appendix is to outline central conservation principles in order to assist owners in the design of alterations and additions to existing buildings in the Historic Area.

Conservation Principles

Conservation should follow the ICOMOS New Zealand Charter for the Conservation of Places of Cultural Heritage Value. Conservation processes include maintenance, stabilisation, repair, restoration, reconstruction, and adaptation. The main principles of the Charter include:

- (i) All work is to be documented.
- (ii) Important information which can be gained from the building materials should not be removed, destroyed or changed.
- (iii) Any conservation work is to be the minimum and reversible where technically possible.
- (iv) Any conservation work shall be identifiable on close inspection (date stamping for example) while visually and physically compatible with original material.
- (v) The aesthetic, historical, and physical integrity of the building must be respected.
- (vi) Conservation advice from appropriately trained and experienced building conservation professionals should be followed.
- (vii) The level of existing heritage values should not be reduced.

Selection of Conservation Processes

Where there is authenticity in original and significant later designs, conservation work should respect these designs through maintenance, repair, stabilisation, restoration, or compatible adaptation.

Where there is authenticity in materials, maintenance is appropriate. Repair and restoration are also acceptable using matching materials which are identified with discretely located date stamps.

Where there is authenticity in workmanship the aim of conservation is retention of significant material through maintenance and repairs using traditional skills or compatible new techniques.

Authenticity in setting requires the retention of the relationship of the setting with the structure.

Central Principles

Restoration

Restoration of missing parts is encouraged where there is a high level of authenticity of architectural design. Restoration of parts can only be carried out where there is conclusive evidence.

Repair

Repair is favoured over replacement, and repair using materials matching the texture, form, profile, strength, and colour is required. This applies to both the finish and substrate.

Repair ensures the retention of the maximum of historic material. The use of inappropriate substitute materials can compromise the architectural design of the house while using materials which are not compatible in strength and other physical characteristics can result in damage to the authentic material.

Additions

There should be a visual distinction between the authentic house and an addition, but be sympathetic in form,

scale, cladding materials, proportions and colour, and should not comprise the majority of the house. In order to retain the authenticity and historic integrity of the listed house, any addition should be distinguishable as being new work. Copying elements and details can lead to confusion between authentic and new work whereas a modern sympathetic addition can enhance the authentic house and make a significant contribution to modern architecture.

New Buildings

There should be a visual distinction between the authentic house and a new dwelling, but the new buildings should be sympathetic in form, scale, cladding materials, proportions and colour.

It is not intended that new buildings should copy the old. Replica buildings create confusion as to what is original, and what is new, debasing both. A new building should make a positive contribution to modern architecture while retaining the essential character of the area.

Style and Character

The main characteristics of the style and character of the house should be retained.

The architectural and aesthetic significance of a house is largely determined by its style, and will guide the design of modifications. The style of the house will be reflected in the design of symmetry (or lack of), materials, openings, roof forms, and details.

Patina

There should be respect for the patina of age of the house.

An old house should not look new. Patina is the natural weathering of the house materials over time, and can contribute significance to the house. Patina is not dirt.

Scale

Any modifications should respect the scale of the original house and significant later additions, and not be visually dominant.

Visual dominance of modifications will depend on the scale of the authentic listed house. For small scale houses even a small modification may radically alter its character.

Setting

The relationship of the house with the setting should be maintained. Following design guidelines for the areas concerned will ensure the setting is maintained.

Street Elevation

The street elevation should be modified least, and if possible not at all. Therefore the preferred elevation to be modified, if necessary, is a rear or secondary elevation. Where the house is located on a corner, two street elevations become significant, and should not generally be changed.

The street elevation is often the most important elevation of the house, where the distinctive character of the house is presented and which it is important to retain. In some instances it may not be appropriate to modify a listed house.

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.

While the probability of a major flood or coastal inundation occurring in any one year may be relatively low, the probability of a flood occurring over the lifetime of a person (or building) increases significantly. It is for this reason that flooding is described throughout the District Plan as an annual probability or annual exceedance probability (AEP).

<u>ARI</u>	<u>AEP</u>	<u>In any 10 year period</u>	<u>In any 30 year period</u>	<u>In any 70 year period</u>
<u>100 years</u>	<u>1%</u>	<u>1 chance in 10 (10%)</u>	<u>1 chance in 4 (26%)</u>	<u>1 chance in 2 (51%)</u>
<u>500 years</u>	<u>0.2%</u>	<u>1 chance in 50 (2%)</u>	<u>1 chance in 17 (6%)</u>	<u>1 chance in 7.7 (13%)</u>

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 Hazard Overlay (within 20m of known fault)</u>	High
<u>Stream Corridor Overlay (4:100-year 1% AEP inundation event + 1m sea level rise)</u>	

Overland Flowpath <u>Overlay (1:100-year 1% AEP inundation event + 1m sea level rise)</u>	<u>Medium</u>
Inundation Area <u>Overlay (1:100-year 1% AEP 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:

<u>Coastal Hazard Overlay</u>	<u>Respective Hazard Ranking</u>
<u>Tsunami Hazard Overlay – 1:100-year scenario 1% AEP inundation extent at existing sea level</u>	<u>High</u>
<u>Existing Coastal Inundation Overlay - Extent with a 1:100 year-1% AEP storm extent at existing sea level</u>	
<u>Tsunami Hazard Overlay – 1:500-year 0.2% AEP + 1.0m sea level rise scenario inundation extent</u>	<u>Medium</u>
<u>Coastal Inundation Overlay Extent – (1.5m Relative Sea Level Rise and 1:100-year 1% AEP storm tide + 1.5m sea level rise and wave setup)</u>	
<u>Tsunami Hazard Overlay - 1:1000-year 0.1% AEP + 1.0m sea level rise 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~~ 0.1% AEP tsunami event including 1m sea level rise)
 - Medium Tsunami Hazard (~~1:500-year~~ 0.2% AEP tsunami event including 1m sea level rise)
 - High Tsunami Hazard (~~1:100-year~~ 1% AEP tsunami event including 1m sea level rise)
- Coastal Inundation Hazard, including the effects of climate change and Vertical Land Movement
 - High Coastal inundation Hazard (1% AEP storm event at existing sea level)
 - Medium Coastal inundation Hazard (1.5m Relative Sea Level Rise, 1% AEP ~~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 ~~or not increase~~ 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 ~~avoid~~, reduce or do not increase the risk to people, property and infrastructure by:

1. Enabling subdivision, use and development that have low occupancy or small scale within low, medium and high hazard areas within Natural Hazard Overlays and Coastal Hazard Overlays;
2. ~~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~~
3. Requiring ~~mitigation for~~ subdivision, use and development to mitigate that addresses the impacts from natural hazards to people, property and infrastructure in the low hazard, and medium hazard ~~and high hazard~~ areas within the Natural Hazard Overlays and Coastal Hazard Overlays; and

4. Avoiding subdivision, use and development within high hazard areas within Natural Hazard Overlays and Coastal Hazard Overlays, unless there is an exceptional reason for the subdivision, use and development to be located in this area and the activity mitigates the impacts from natural hazards to people, property and infrastructure.

AMENDMENT 412 - Add new Policy 14H 1.2

Policy 14H 1.2 Structures and Buildings within the Wellington Fault Rupture Hazard Overlay

Manage/Limit Structures and Buildings, within the Wellington Fault Rupture Hazard 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 Rupture Hazard 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 on the addition to the building 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 to the addition to the building 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 to the addition to the building 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, commercial activities or retail activities 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~~ commercial activities or retail activities 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 mitigation 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.

Policy 14H 1.11A Residential units in the High Coastal Hazard Area

Avoid residential units, excluding a single residential unit on an existing site, within the High Coastal Hazard Areas, unless it can be demonstrated that:

1. The activity and building, excluding additions to existing buildings, has an operational or functional need to locate within the High Coastal Hazard Area and locating outside of these High Coastal Hazard Areas is not a practicable option; and
2. The activity and building incorporates mitigation measures that reduce or do not increase the risk to people, and property from the coastal hazard; and
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 **Rupture Hazard Overlay**

- | |
|--|
| <ol style="list-style-type: none"> 1. <u>Structures and buildings on any site where the whole site or a portion of the site falls within the Wellington Fault Rupture Hazard Overlay are permitted activities where:</u> <ol style="list-style-type: none"> a. <u>The proposed structures or buildings are for the following:</u> |
|--|

<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 Rupture Hazard 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

<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 2.4-2(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 2.4-2(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>
<p>4. <u>Additions to residential buildings that are in the Inundation Area, Overland Flow Path or Stream Corridor Flood Hazard Overlays are non-complying activities where:</u></p> <p>a. <u>Compliance with the requirements of 14H 2.2(1)(c) cannot be achieved.</u></p>

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

1. Additions to Buildings within the Coastal Hazard Overlays are a permitted activity where:
a. The additions are to a building in the Low Coastal Hazard Area; or

<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

<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

<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

<p>1. <u>New residential units in the High 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 one.</u></p>

2. New residential units in the High Coastal Hazard Area are a non complying activity where:
 - a. Compliance with 14H 2.9(1)(a) cannot be achieved

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

1. 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:
 - a. 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
 - b. 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.
2. 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:
 - a. Compliance with 14H 2.10(1) cannot be achieved.

Matters of discretion are restricted to:

 1. The matters in 14H 1.13.

AMENDMENT 435 - Add new section 14H 2.11 Other Matters

14H 2.11 Other Matters

- (a) All Permitted and Restricted Discretionary Activities must comply with other relevant Permitted Activity Conditions.

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.

AMENDMENT 437 - Add new Chapter 14M Wind

14M Wind

AMENDMENT 438 - Add new introduction for Chapter 14M Wind)

Introduction

Buildings alter the patterns and speeds of wind around them, and this can result in uncomfortable or even hazardous conditions for people in public spaces. The windy climate of Lower Hutt means that new buildings need to be designed and managed to reduce the impacts of wind on public space.

It is most effective to consider wind in the design of new buildings early in the process, as issues such as building bulk, shape, and site layout can have an impact. Even relatively low buildings (four storeys) can have notable wind effects if they are significantly different to their surrounding buildings.

The design guides for the Central Commercial and Petone Commercial Activity Areas include some guidelines for managing wind in developments. The Council may also publish design guidance around designing for wind. It is advisable to consider these resources early in the design process.

The rules in this chapter apply to building activity in the following activity areas:

- Central Commercial Activity Area
- Petone Commercial Activity Area
- Suburban Mixed Use Activity Area
- Medium Density Residential Activity Area
- High Density Residential Activity Area
- Community Health Activity Area
- General Business Activity Area (where the height limit is greater than 12 metres)
- Community Iwi Activity Area (where the height limit is greater than 12 metres)

In these areas, an assessment of the likely effects of buildings over a specified height is required to ensure that the comfort and safety of pedestrians in public spaces is effectively managed. These rules apply in conjunction with the rules in activity area chapters and with other general rules.

AMENDMENT 439 - Add new section 14M 1 Issue, Objective and Policies

14M 1 Issue, Objective, and Policies

AMENDMENT 440 - Add new section 14M 1.1 Effects of Wind Generated by Buildings on Safety and Comfort

14M 1.1 Effects of Wind Generated by Buildings on Safety and Comfort

AMENDMENT 441 - Add new Issue to section 14M 1.1

Issue

Buildings can alter the pattern and speed of wind at ground level in public spaces. This can affect the comfort of pedestrians in public spaces and even mean that wind conditions can become hazardous. It is important that buildings are designed and operated to manage these effects.

AMENDMENT 442 - Add new Objective to section 14M 1.1

Objective

Within public places in Commercial Activity Areas, High Density Residential and Medium Density Residential Activity Areas, and other urban non-residential activity areas that enable buildings taller than 12 metres:

- (a) Wind conditions remain safe, and where possible, existing unsafe wind conditions are improved.
- (b) In key commercial centre locations, wind conditions are comfortable for pedestrians, and
- (c) The pedestrian wind environment is protected from gradual degradation over time.

AMENDMENT 443 - Add new Policies to section 14M 1.1

Policy

- (a) Encourage consideration of wind during the early stages of building design to achieve high quality design for wind that minimises the adverse impact on public spaces, with wind mitigation measures contained on site.
- (b) Require that larger buildings, including significant alterations and additions, are designed to manage adverse wind effects, by meeting specified performance standards.
- (c) Ensure that where wind effects have been managed through wind mitigation measures, that those mitigation measures are retained and maintained.

AMENDMENT 444 - Add new section 14M 2 Rules

14M 2 Rules

AMENDMENT 445 - Add new section 14M 2.1 Rules – Restricted Discretionary Activities

14M 2.1 Restricted Discretionary Activities

AMENDMENT 446 - Add new Rules 14M 2.1(a) and 14M 2.1(b)

- (a) The construction, alteration of, and addition to buildings and structures with a height greater than that specified in Table 14M 2.1.1, except for:
 - (i) Alterations that do not change the external building volume, or
 - (ii) Additions that increase the building or structure height by no more than 5 metres.
- (b) Alterations to or removal of existing off-site wind mitigation measures required by a resource consent.

Non-notification/service

In respect of Rule 14M 2.1(a) and Rule 14M 2.1(b), public and limited notification is precluded where the standards in 14C 2.1.3 are met.

AMENDMENT 447 - Add new section 14M 2.1.1 Height thresholds for wind assessment

14M 2.1.1 Height thresholds for wind assessment

<u>Location</u>	<u>Height</u>
<u>Central Commercial Activity Area – buildings and structures fronting on to streets, pedestrian malls, walkways, or other public space identified in Appendix Wind 1 – Central Commercial Additional Wind Protection</u>	<u>12 metres</u>
<u>Central Commercial Activity Area – other</u>	<u>22 metres</u>
<u>Petone Commercial Activity Area 1 – Jackson Street (as shown in Appendix Petone Commercial 5)</u>	<u>12 metres</u>
<u>Petone Commercial Activity Area 2 – Petone Mixed Use (as shown in Appendix Petone Commercial 6)</u>	<u>22 metres</u>
<u>Suburban Mixed Use Activity Area</u> <u>Medium Density Residential Activity Area</u> <u>High Density Residential Activity Area</u> <u>Community Health Activity Area</u> <u>General Business Activity Area (where a height control overlay provides for a height limit greater than 12 metres)</u> <u>Community Iwi Activity Area (where a height control overlay provides for a height limit greater than 12 metres)</u>	<u>12 metres</u>

AMENDMENT 448 - Add new section 14M 2.1.2 Matters of Discretion

14M 2.1.2 Matters in which Council has Restricted its Discretion

- (a) The extent of the effects of wind on public space, including cumulative effects.
- (b) Any adverse effects on existing wind mitigation measures.
- (c) The extent to which the design contributes to an improvement of existing unsafe wind conditions.
- (d) The ongoing protection and operation of wind mitigation measures that are required to meet the performance standards in this chapter.

AMENDMENT 449 - Add new section 14M 2.1.3 Standards

14M 2.1.3 Standards

The buildings and structures shall be designed to comply with the following conditions:

- (a) Safety: The safety criteria shall apply to all public space. The annual maximum 3-second gust speed shall not exceed 20 m/s. If the annual maximum 3-second gust speed exceeds 20 m/s with the proposed development, it must be reduced to 20 m/s or below.
- (b) Deterioration of the wind environment criteria apply to all public space.
 - i. At all locations within public spaces, a proposed building must not increase the number of hours that the mean hourly wind speed equals or exceeds 2.5 m/s by more than 480 hours per year compared to the existing wind environment.
 - ii. The overall impact of a proposed building, considering all locations within public spaces and their associated uses, on the annual change in the number of hours that the mean hourly wind speed equals or exceeds 2.5 m/s must be neutral or beneficial.
- (c) Comfort: The comfort criteria only apply to the public spaces listed in Appendix Wind 1 – Central Commercial Additional Wind Protection. At all locations in public places shown in that appendix, a proposed building must:

- i. Maintain or improve the existing wind conditions if the mean hourly wind speed equals or exceeds 2.5 m/s for more than 1,700 hours each year, or
 - ii. Limit the number of hours that the mean hourly wind speed equals or exceeds 2.5 m/s to 1,700 hours each year if the existing wind conditions have mean hourly wind speeds of 2.5 m/s equalled or exceeded for less than 1,700 hours each year.
- (d) A wind report demonstrating compliance with Standards 14C2.1.3 (a)-(c) must be prepared in accordance with the requirements outlined in Appendix Wind 2 – Wind Reports.

AMENDMENT 450 - Add new Rule 2.2(a)

14M 2.2 Discretionary Activities

- (a) Any activity provided for in this chapter as a restricted discretionary activity that does not comply with the relevant restricted discretionary activity standards.

AMENDMENT 451 - Add new section 14M Appendices

14M Appendices

AMENDMENT 452 - Add new Appendix Wind 1 - Central Commercial Additional Wind Protection

Appendix Wind 1 - Central Commercial Additional Wind Protection



AMENDMENT 453 - Add new Appendix Wind 2 – Wind Reports

Appendix Wind 2 - Wind Reports

Buildings and structures covered by this chapter require a wind assessment report to identify and describe measures for addressing the potential adverse of wind on public space, including streets. The report may be either quantitative or qualitative, as described below.

A quantitative wind assessment should be used:

- for new buildings and structures over 22 metres in height, or
- for alterations and additions to existing buildings and structures that both:
 - increase their height by over 5 metres over their existing height, and

- result in a total height over 22 metres

A qualitative wind assessment should be used for situations that do not meet the thresholds that necessitate a quantitative wind assessment.

A wind report may also be required for the removal or alteration of wind mitigation measures from an existing resource consent. That resource consent should be consulted to determine whether a quantitative or qualitative assessment is required.

Quantitative Wind Assessment

A quantitative assessment is based on the results of wind tunnel testing, or a suitable equivalent (e.g. computational fluid dynamics software calibrated against measured data). It should quantify the extent and magnitude of the effect of the building on the surrounding pedestrian level wind environment by measuring and comparing the wind conditions of the existing site with those of the proposed building.

The assessment should document to what degree the building complies with the performance standards in 14M 2.1.3. It should also cover the topics of a qualitative wind assessment.

Qualitative Wind Assessment

A qualitative assessment is not based on the results of a wind tunnel test or computer modelling, and relies on the professional knowledge of a suitably qualified and experienced person, and any available evidence of local wind conditions.

The assessment should include the following:

- A description of existing wind conditions, including sources and limitations of information used. Results from any previous relevant quantitative assessment should be used when available.
- A description of the interaction of existing buildings with the wind that leads to the existing wind conditions.
- A review of the proposed development and its appropriateness for the wind environment in which it sits.
- Location of the proposed development relative to important nearby public spaces.
- A description of the influence of the proposed development on the surrounding pedestrian level wind environment.
- To what degree existing wind conditions may deteriorate with the proposed development.
- A description of proposed wind mitigation measures.
- The likelihood that the development will meet, or to what degree it will not meet, the performance standards in section 14M 2.1.3.
- The rationale behind the design of the building and any proposed wind mitigation measures that support it being the best practical way to achieve the performance standards in section 14M 2.1.3.


Recommended changes to District Plan maps

Background

In response to matters raised by submitters on Plan Change 56 (PC56), Council reporting officers recommend to the Hearings Panel several changes to the District Plan maps. These recommended changes are set out below.



For completeness, below we document how the District Plan maps viewer works and the proposed amendments to the District Plan maps in the notified version of PC56. Layers that include a proposed change to the plan maps are shown in **blue**.

How to Use the Web Map

Accessing the Web Map	<p>Under the “Read the proposed plan change 56 and zone maps” tab, there is a link called “Proposed zone maps”¹.</p> <p>This link accesses the Web Map which contains all PC56 map information.</p>
Turning layers on and off	<p>The map contains a number of “layer groups” which can be turned on and off.</p> <p>Layer groups can be accessed by clicking on the ‘layer list’ button in the top-right-hand corner of the screen:</p>  <p>This button will expand a layer list which will look like the following:</p>

1

<https://maps.huttcity.govt.nz/portal/apps/webappviewer/index.html?id=50fc3e90f3934809824d0b29f57ac157>

	<div style="text-align: right; margin-bottom: 10px;">   </div> <ul style="list-style-type: none"> <li style="background-color: #e0e0e0; padding: 5px; margin-bottom: 5px;"> ▶ <input checked="" type="checkbox"/> Street Name ⋮ <li style="padding: 5px; margin-bottom: 5px;"> ▼ <input checked="" type="checkbox"/> PC56 Proposed Activity Areas and Overlays ⋮ <ul style="list-style-type: none"> <li style="padding: 5px; margin-bottom: 5px;"><input checked="" type="checkbox"/> Suburb Names ⋮ <li style="padding: 5px; margin-bottom: 5px;">▶ <input type="checkbox"/> Flood Hazard Overlay ⋮ <li style="padding: 5px; margin-bottom: 5px;"><input type="checkbox"/> Wellington Fault Overlay ⋮ <li style="padding: 5px; margin-bottom: 5px;">▶ <input type="checkbox"/> Coastal Hazard Overlay - Tsunami ⋮ <li style="padding: 5px; margin-bottom: 5px;">▶ <input type="checkbox"/> Coastal Hazard Overlay - Inundation ⋮ <li style="padding: 5px; margin-bottom: 5px;"><input type="checkbox"/> Heretaunga Settlement-Riddlers Crescent Heritage Precinct ⋮ <li style="padding: 5px; margin-bottom: 5px;"><input type="checkbox"/> Jackson Street Heritage Precinct ⋮ <li style="padding: 5px; margin-bottom: 5px;"><input type="checkbox"/> Residential Heritage Precinct ⋮ <li style="padding: 5px; margin-bottom: 5px;"><input type="checkbox"/> Lower Hutt Civic Centre Heritage Precinct ⋮ <li style="padding: 5px; margin-bottom: 5px;"><input checked="" type="checkbox"/> Affected Properties ⋮ <li style="padding: 5px; margin-bottom: 5px;"><input type="checkbox"/> Specific Height Control Overlay ⋮ <li style="padding: 5px; margin-bottom: 5px;"><input checked="" type="checkbox"/> Road ⋮ <li style="padding: 5px; margin-bottom: 5px;"><input checked="" type="checkbox"/> Proposed Changes to Activity Areas ⋮ <li style="padding: 5px; margin-bottom: 5px;">▶ <input type="checkbox"/> Current Significant Cultural Resource Site ⋮ <li style="padding: 5px; margin-bottom: 5px;"><input type="checkbox"/> Current Activity Areas ⋮ <p>Each layer group can be turned on and off by selecting the blue check box on the left-hand side.</p> <p>Each layer group can also be expanded by selecting the small grey arrow on the left-hand side. This small arrow will open the layer group to reveal the layers within it (if there is no small arrow, there are not sub-layers). Each layer within the group can also be turned on and off by selecting the blue check box within the layer group.</p> <p>Under the Hazard Overlay layer groups, there is a layer called “Mask”. This mask layer applies a semi-transparent white colour over areas</p>
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which are not the subject of PC56 (e.g. industrial areas in Seaview and Gracefield).

The following is a brief description of each of the layers/layer groups:

Suburb Names: This layer shows labels for the name of each suburb to aid finding places. This layer is included for information only purposes.

Flood Hazard Overlay: This layer group shows the new flood hazard areas proposed to be added to the District Plan in PC56.

Wellington Fault Overlay: This layer shows the proposed amended Wellington Fault Overlay in PC56.

Coastal Hazard Overlay – Tsunami: This layer group shows the new coastal hazard areas (tsunami) proposed to be added to the District Plan in PC56.

Coastal Hazard Overlay – Inundation: This layer group shows the new coastal hazard areas (inundation) proposed to be added to the District Plan in PC56.

Heretaunga Settlement-Riddlers Crescent Heritage Precinct: This layer shows the existing Historic Residential Activity Area which are proposed to become heritage precinct in PC56.

Jackson Street Heritage Precinct: This layer shows the amended Jackson Street heritage area which is proposed to become a heritage precinct in PC56.

Residential Heritage Precinct: This layer shows the new heritage precincts proposed to be added to the District Plan in PC56.


Lower Hutt Civic Centre Heritage Precinct: This layer shows the amended Civic Centre heritage area which is proposed to become a heritage precinct in PC56.

Affected Properties: This layer shows the properties within residential areas which are subject to PC56. This layer is included for information only purposes.

Specific Height Control Overlay: This layer shows where specific height controls apply, including showing the numerical value for the height control, proposed in PC56.

Road: This layer applies a white filler to legal roads to aid viewing of the maps. This layer is included for information only purposes.

Proposed Changes to Activity Areas: This layer shows the new and amended Activity Areas (zones) proposed in PC56.

	<p>Current Significant Cultural Resource Site: This layer group shows the existing Significant Cultural Resource Sites in the Operative District Plan. This layer is included for information only purposes.</p> <p>Current Activity Areas: This layer shows the existing Activity Areas (zones) in the Operative District Plan. This layer is included for information only purposes.</p>
<p>Accessing the map legend</p>	<p>The map legend contains a description of each of the visible symbols contained in the map. The map legend can be accessed by clicking on the 'legend' button in the top-right-hand corner of the screen:</p>  <p>Note: Only the layers turned on in the Layer List display on the Legend.</p>

Reporting Officers' Written Response to Hearing

We recommend making the changes to the district plan maps as proposed as described above, with the modifications described below. These are shown as maps below, and also together in one place in a map viewer at

<https://maps.huttcity.govt.nz/portal/apps/webappviewer/index.html?id=c4fd8f7e7ee547919f8e1fb0ab4297b6>

Summary of Recommended changes to District Plan maps

Activity Areas (Zones)

- Expand the High Density Residential Activity Area to include the properties on the south side of Barber Grove, Moera. Align the expanded Activity Area boundary with the northern boundary of Randwick School.
- Amend all High Density Residential Activity Areas northwest of State Highway 2 (except Rakeiora Grove near Petone station) to Medium Density Residential Activity Area and Hill Residential Activity Area as shown in Kainga Ora's supplementary evidence (map sheet 7 dated 15/05/2023).
- Amend the Specific Height Control Overlay to apply the height limits around the Lower Hutt city centre as shown in Kainga Ora's supplementary evidence (map sheets 7 – 9 dated 15/05/2023).
- Amend the High Density Residential Activity Area to Medium Density Residential Activity Area and apply the Specific Height Control Overlay for Wainuiomata, Stokes Valley and Eastbourne as shown in Kainga Ora's supplementary evidence (map sheets 4, 5 and 12 dated 15/05/2023).
- Amend the Medium Density Residential Activity Area to High Density Residential Activity Area in Naenae on Naenae Road opposite sites currently within the High Density Residential Activity Area.

- Amend the High Density Residential Activity Area to Medium Density Residential Activity Area on McDougall Grove, Manor Park as shown in Kainga Ora’s supplementary evidence (map sheet 13 dated 15/05/2023).
- Rezone 280 Major Drive, 204/205 Liverton Road, and 36/50 Kaitangata Crescent, Kelson from General Residential Activity Area to Medium Density Residential Activity Area.
- Remove the Specific Height Control Overlay from 2 Pito-one Road, Petone.

Overlays

- Add properties on Hutt Road and Mill Road to the Residential Heritage Precinct HA-03.
- Add the properties on Beach Street and Bay Street, Petone to the Residential Heritage Precinct HA-08.
- Add 354, 358 and 362-364 Jackson Street, Petone to the Jackson Street Heritage Precinct.
- Remove 2 and 6 Myrtle Street, Hutt Central from the Lower Hutt Civic Centre Heritage Precinct
- Add 5 Riddlers Crescent to the Riddlers Crescent Heritage Precinct
- Amend the Medium Coastal Inundation Hazard Overlay to be based on scenario 5 (SSP5-8.5H+) in the NIWA report (*Coastal Inundation mapping for Hutt City (MacDonald & Wadhwa, 2022)*).
- Amend the names of the natural hazard overlays to match the names used in Chapter 14H, as shown below:
 - Flood Hazard Overlay – Stream Corridor
 - Flood Hazard Overlay – Overland Flowpath
 - Flood Hazard Overlay – Inundation Area
 - Wellington Fault Rupture Hazard Overlay
 - High Tsunami Hazard Overlay
 - Medium Tsunami Hazard Overlay
 - Low Tsunami Hazard Overlay
 - High Coastal Inundation Hazard Overlay
 - Medium Coastal Inundation Hazard Overlay