AMENDMENT 104 - Add new Chapter 4G High Density Residential Activity Area

4G High Density Residential Activity Area

AMENDMENT 105 - Add new section 4G 1 Introduction / Zone Statement

4G 1 Introduction / Zone Statement

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

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

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

Built development is provided for in the High Density Residential Activity Area through a range of permitted activities and development standards that permit three ~~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.~~ Standards for built development may be modified and/or limited by qualifying matters. Development standards also address:

1. the impacts of built development on adjoining sites and the streetscape,
2. stormwater management, and
3. provision of open space for residents.

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

1. achieve a high quality built environment;
2. manage the effects of development on neighbouring sites;
3. achieve high quality living environments; and
4. achieve attractive and safe streets and public spaces.

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

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

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

AMENDMENT 106 - Add new section 4G 2 Objectives

4G 2 Objectives

AMENDMENT 107 - Add new Objective 4G 2.1

Objective 4G 2.1

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

AMENDMENT 108 - Add new Objective 4G 2.2

Objective 4G 2.2

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

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

AMENDMENT 109 - Add new Objective 4G 2.3

Objective 4G 2.3

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

1. Housing needs and demand, and
2. The neighbourhood’s planned urban built character, including six-storey buildings.

AMENDMENT 110 - Add new Objective 4G 2.4

Objective 4G 2.4

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

1. Any low to medium density form of up to three storeys, or
2. A form of up to six storeys that achieves, for that development, the best practicable amenity outcomes for adjoining sites, or
3. 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:

1. ~~appropriate on-site amenity for residents,~~
2. ~~appropriate residential amenity for adjoining sites, and~~
3. ~~a high level of amenity for the street.~~
4. Healthy, safe, attractive, and accessible living environments, and
5. 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:~~

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

AMENDMENT 115 - Add new section 4G 3 Policies

4G 3 Policies

AMENDMENT 116 - Add new Policy 4G 3.1

Policy 4G 3.1

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

AMENDMENT 117 - Add new Policy 4G 3.2

Policy 4G 3.2

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

AMENDMENT 118 - Add new Policy 4G 3.3

Policy 4G 3.3

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

AMENDMENT 119 - Add new Policy 4G 3.4

Policy 4G 3.4

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

AMENDMENT 120 - Add new Policy 4G 3.5

Policy 4G 3.5

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

AMENDMENT 121 - Add new Policy 4G 3.6

Policy 4G 3.6

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

AMENDMENT 122 - Add new Policy 4G 3.7

Policy 4G 3.7

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

1. landscaped areas that contribute to amenity,
2. adequate outlook areas from habitable rooms, and
3. other means that would adequately mitigate a lack of landscaping or outlook areas.

AMENDMENT 123 - Add new Policy 4G 3.8

Policy 4G 3.8

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

AMENDMENT 124 - Add new Policy 4G 3.9

Policy 4G 3.9

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

AMENDMENT 125 - Add new Policy 4G 3.10

Policy 4G 3.10

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

1. Encouraging buildings on front sites to be located close to the street,
2. 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,
3. 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,
4. Encouraging windows to be designed to minimise overlooking or looking into windows or outdoor living spaces of other close residential units,
5. 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,
6. 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
7. 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

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| (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

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| (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

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| (a) Care Facilities, Residential Facilities, Boarding Houses, Hostels and Visitor Accommodation are permitted activities if:  (i) The maximum number of people accommodated on site including staff and residents does not exceed 10. |
| (b) Care Facilities, Residential Facilities, Boarding Houses Hostels and Visitor Accommodation accommodating more than 10 people on site including staff and residents are restricted discretionary activities.  **Discretion is restricted to:**  (i) The effects on the amenity of the surrounding residential area.  (ii) The effects on the safe and efficient movement of vehicle and pedestrian traffic |
| Links to:  Objective 4G 2.1  Policy 4G 3.1 |

AMENDMENT 137 - Add new Rule 4G 4.1.4 Childcare Facilities

Rule 4G 4.1.4 Childcare Facilities

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

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

Rule 4G 4.1.5 Health Care Services

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| (a) 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. |
| (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

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

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

Rule 4G 4.1.8 Other Non-Residential Activities

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| (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

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| (a) Activities are permitted activities if:  (i) Artificial light does not result in added illuminance in excess of 8 lux measured at the window of any ~~dwelling house~~ 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

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

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| (a) The removal of indigenous vegetation:  (i) That was planted within a domestic garden for amenity purposes and/or the use of amenity or screening,  (ii) Within 5 metres of a lawfully established ~~dwelling~~ residential unit,  (iii) Within 3 metres of a lawfully established accessory building with a gross floor area greater than 10m2,  (iv) To maintain existing open areas, tracks, accessways, fences and onsite services,  (v) To maintain existing network utilities,  (vi) To prevent loss of life, injury or damage to property,  (vii) To remove dead or diseased vegetation, or  (viii) In accordance with Tikanga Māori,  is a **permitted** activity. |
| (b) The removal of exotic vegetation is a permitted activity if:  (i) The area from which vegetation was removed must be stabilised against erosion by vegetation cover or other methods. |
| (c) The removal of trees on an Urban Environment Allotment is a permitted activity. |
| (d) The trimming of vegetation is a permitted activity. |
| (e) The removal of vegetation not otherwise provided for as a permitted activity is a restricted discretionary activity.  **Discretion is restricted to:**  (i) Amenity Values:  The adverse effects upon the visual amenity values of the site and surrounding area caused by the removal of vegetation. Consideration shall be had to the visual prominence of the vegetation, and any replacement planting to be undertaken.  (ii) Site Stability:  The adverse effects upon the stability of the site caused by the removal of vegetation.  (iii) Indigenous Biodiversity and the Intrinsic Values of Ecosystems:  (a) The extent to which the proposal will adversely affect the indigenous biodiversity and intrinsic value of ecosystems on the site and surrounding area.  (b) Applying the criteria in Policy 23 of the Regional Policy Statement for the Wellington Region 2013. |
| (Rules 4G 4.1.11(a) to 4G 4.1.11(e) do not apply to trees identified as Notable Trees in Chapter 14G. The provisions of Chapter 14G apply to Notable Trees) |

AMENDMENT 145 - Add new section 4G 4.2 Development Standards

**4G 4.2** **Development Standards**

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

Rule 4G 4.2.1 Number of ~~Dwellings~~ Residential Units per Site

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| (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:**   1. 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. 2. The matters in Policies 4G 3.5 and 4G 3.12. 3. The matters in Policies 4G 3.10 and 4G 3.11, if the development is four or more storeys. 4. The on-site amenity for future occupants of the development. 5. The capacity of the network infrastructure for water supply, wastewater, stormwater, and land transport to service the proposed development. 6. Any positive effects, including positive effects of increasing housing capacity and variety. 7. The effects on the safety and efficiency of the transport network (including pedestrians, cyclists, and vehicles). 8. The following design elements:   1. Building height  2. Recession planes and setbacks  3. Indoor and outdoor living spaces  4. Open space and boundary treatments  5. Entrances, carparking and garages  6. Onsite stormwater management  7. End / side wall treatment  8. Building materials  9. ~~Bike parking, storage, and service areas~~ Provision for access to active modes including bike and mobility vehicle parking, storage, and service areas  10. Privacy and safety  11. Landscaping  When considering the matters in (viii), the Council will be principally guided by its Medium Density Design Guide.  Public and limited notification is precluded for resource consent applications under Rule 4G 4.2.1(b). |

AMENDMENT 147 - Add new Rule 4G 4.2.2 Building Coverage

Rule 4G 4.2.2 Building Coverage

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| (a) Construction or alteration of a building is a permitted activity if:  (i) The building coverage does not exceed 50%. |
| (b) Construction or alteration of a building that exceeds 50% building coverage is a restricted discretionary activity.  **Discretion is restricted to:**  (i) The planned urban built character for the High Density Residential Activity Area, including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area.  (ii) The effects on the privacy of adjoining sites.  (iii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.  Note: When addressing or assessing potential effects in relation to matters (i) and (ii) above, applicants and the Council can be informed by the relevant outcomes identified in the Medium Density Design Guide.  Public notification is precluded for resource consent applications under Rule 4G 4.2.2(b). |

AMENDMENT 148 - Add new Rule 4G 4.2.3 Building Height

Rule 4G 4.2.3 Building Height

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| (a) Construction or alteration of a building is a permitted activity if:  (i) The building ~~is within a specific height control overlay shown on the District Plan map and does not exceed the maximum height shown for that overlay, or~~  ~~(ii) In any other case, the building~~ does not exceed a maximum height of 22m. |
| (b) Construction or alteration of a building that does not comply with Rule 4G 4.2.3(a) is a restricted discretionary activity.  **Discretion is restricted to:**  (i) The planned urban built character for the High Density Residential Activity Area, including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area.  (ii) The effects on the amenity of the surrounding residential area and adjoining streetscape.  (iii) The effects on the privacy of adjoining sites.  (iv) The effects on shading of adjoining sites including the impacts of shading on their primary internal and external living areas throughout the year.  (v) The impacts of shading and additional building bulk on any public open space or recreational grounds and their ability to provide outdoor amenity to users.  (vi) Any design features or articulation to reduce the bulk of the building when viewed from neighbouring properties.  (vii) The following design elements:  1. Building height  2. End / side wall treatment  3. Building materials  4. Privacy and safety  5. Landscaping  When considering the matters in (vii), the Council will be principally guided by its Medium Density Design Guide.  Public notification is precluded for resource consent applications under Rule 4G 4.2.3(b). |
| Links to: |

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

Rule 4G 4.2.4 Height in Relation to Boundary

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| (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.    Height limit  Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.  This standard does not apply to:  (a) A boundary with a road,  (b) Existing or proposed internal boundaries within a site, and  (c) Site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed. |
| (b) Construction or alteration of a building that does not meet the maximum height in relation to boundary requirements is a restricted discretionary activity.  **Discretion is restricted to:**  (i) The planned urban built character for the High Density Residential Activity Area, including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area.  (ii) The effects on the privacy of adjoining sites.  (iii) The effects on shading of adjoining sites, including the impacts of shading on their primary internal and external living areas.  (iv) The effects on the amenity of the surrounding residential area and adjoining streetscape.  (v) The level of additional building bulk and the impact on the amenity of the adjoining residential properties.  (vi) The following design elements:  1. Building height  2. Recession Planes  3. End / side wall treatment  4. Privacy and safety  Note: When addressing or assessing potential effects in relation to matters (i) and (vi) above, applicants and the Council can be informed by the relevant outcomes identified in the Medium Density Design Guide.  Public notification is precluded for resource consent applications under Rule 4G 4.2.4(b). |

AMENDMENT 150 - Add new Rule 4G 4.2.5 Setbacks

Rule 4G 4.2.5 Setbacks

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| (a) Construction or alteration of a building is a permitted activity if:  (i) Buildings are set back from the relevant boundary by the minimum depth listed below  Front yard: 1.5m  Side yard: 1m  Rear yard: 1m  This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.  Eaves may encroach into any yard by up to 0.6m. |
| (b) Construction or alteration of a building that does not meet the setback requirements is a restricted discretionary activity.  **Discretion is restricted to:**  (i) The planned urban built character for the High Density Residential Activity Area, including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area.  (ii) The effects on the privacy of adjoining sites.  (iii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.  (iv) The effect from any building bulk and its proximity to the main internal and external living areas of adjoining residential properties  (v) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.  (vi) The following design elements:  1. Building height  2. Recession planes  3. End / side wall treatment  4. Privacy and safety  Note: When addressing or assessing potential effects in relation to matters (i) and (vi) above, applicants and the Council can be informed by the relevant outcomes identified in the Medium Density Design Guide.  Public notification is precluded for resource consent applications under Rule 4G 4.2.5(b). |

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

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

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| (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

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| (a) Construction or alteration of a building, or new impermeable surfaces, is a permitted activity, if:  (i) A minimum of 30% of the site area is a permeable surface. |
| (b) Construction or alteration of a building, or new impermeable surfaces, that do not meet the above permitted permeable surface requirements is a restricted discretionary activity.  **Discretion is restricted to:**  (i) The effects on the stormwater system.  (ii) The potential for increased surface ponding and flooding.  (iii) The mitigation of additional stormwater runoff through means such as onsite stormwater retention.  (iv) The following design elements:  1. Onsite stormwater management  2. Landscaping  When considering the matters in (iv), the Council will be principally guided by its Medium Density Design Guide. |

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

Rule 4G 4.2.8 Outdoor Living Space

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| (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

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| (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

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| (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

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| (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 14~~G~~F relating to demolition apply. |

AMENDMENT 157 - Add new Rule 4G 4.2.12 Stormwater Retention

Rule 4G 4.2.12 Stormwater Retention

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| (a) Construction of a roofed building, excluding accessory buildings or additions to an existing building, is a permitted activity if:  (i) A rainwater tank is provided for the building that collects all rainwater from the roof of the building. The rainwater tank must have the following volumes:  Roof area of 100m2 or less 2,000 litre capacity.  Roof area of 100m2 to 200m2 3,000 litre capacity.  Roof area of more than 200m2 5,000 litre capacity.  The tank must meet the specifications and be installed in accordance with Acceptable Solution #1 from the Wellington Water guide *Managing Stormwater Runoff, The use of raintanks for hydraulic neutrality, Acceptable solution #1* dated June 2019. |
| (b) Construction of a roofed building, excluding accessory buildings or additions to an existing building, that does not meet the rainwater tank requirements is a restricted discretionary activity.  **Discretion is restricted to:**  (i) The effects on the stormwater system.  (ii) The potential for increased surface ponding and flooding.  (iii) The mitigation of additional stormwater runoff through other means. |

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

Rule 4G 4.2.13 Outlook space (per unit)

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| (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:  Outdoor space (per unit)  (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

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| (a) Construction or alteration of a building is a permitted activity if:  (i) ~~Dwellings~~ Residential units facing the street have a minimum of 20% of the street-facing façade in glazing. This can be in the form of windows or doors. |
| (b) Construction or alteration of a building that does not comply with the above standard is a restricted discretionary activity.  **Discretion is restricted to:**  (i) The planned urban built character for the High Density Residential Activity Area, including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area.  (ii) The matters in Policy 4G 3.12.  (iii) The following design elements:  1. Open space and boundary treatments.  2. Entrances, carparking and garages.  3. End / side wall treatment.  4. Privacy and safety.  5. Landscaping.  When considering the matters in (ii) and (iii), the Council will be principally guided by its Medium Density Design Guide.  Public notification is precluded for resource consent applications under Rule 4G 4.2.14(b). |

AMENDMENT 160 - Add new Rule 4G 4.2.15 Landscaped Area

Rule 4G 4.2.15 Landscaped Area

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| (a) Construction or alteration of a building is a permitted activity if the following landscaped area standards are met:  (i) A minimum of 20% of a developed site is landscaped with grass or plants. The landscaped area can include the canopy of trees regardless of the ground treatment below them.  (ii) The landscaped area may be located on any part of the development site and does not need to be associated with each residential unit. |
| (b) Construction or alteration of a building that does not comply with either of the standards listed above is a restricted discretionary activity.  **Discretion is restricted to:**  (i) The planned urban built character for the High Density Residential Activity Area, including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area.  (ii) The matters in Policy 4G 3.7.  (iii) The accommodation of any visually prominent or established vegetation on the site into the landscaping design and the visual effect from the loss of any existing visually prominent or established vegetation of the local streetscape and visual amenity values of the local area.  (iv) The proposed measures and ownership of the landscaping to ensure on-going maintenance.  (v) The timing of the implementation of the landscaping relative to the proposed development  (vi) The appropriateness of the proposed species for the local area and their ability to service the local climate.  (vii) The appropriateness of the species to be planted for the spaces that have been allowed, and.  (viii) The following design elements:  1. Building height  2. Recession planes and setbacks  3. Indoor and outdoor living spaces  4. Open space and boundary treatments  5. Entrances, carparking and garages  6. On-site stormwater management  7. End / side wall treatment  8. Building materials  9. Bike parking, storage and service areas  10. Privacy and safety  11. Landscaping  When considering the matters in (ii) and (viii), the Council will be principally guided by its Medium Density Design Guide.  Public notification is precluded for resource consent applications under Rule 4G 4.2.15(b). |

AMENDMENT 161 - Add new Note 4G 4.3 General Rules

Note 4G 4.3 General Rules

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| (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

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| (a) Principal Tertiary Education Activities are permitted activities. |
| (b) Ancillary Tertiary Education Activities are restricted discretionary activities.  **Discretion is restricted to:**  (i) Amenity values  The extent to which the proposal will affect adversely the amenity values of the surrounding residential area.  (ii) Noise  The proposal should comply with the maximum noise levels specified in Chapter 14C Noise. |
| Links to:  Policies 4G 5.1.1.1 |

AMENDMENT 168 - Add new Rule 4G 5.1.2.2 Building Frontages

Rule 4G 5.1.2.2 Building Frontages

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| (a) Construction or alteration of a building for tertiary education purposes is a permitted activity if:  (i) The ground level road frontage of the building is no further than 5.5m of the road boundary and provides at least one pedestrian entrance to the road.  (ii) The building does not create a featureless façade or blank wall wider than 3m at the ground level road frontage. A featureless façade or blank wall is a flat or curved wall surface without any openings or glazing. |
| (b) Construction or alteration of a building for tertiary education purposes that does not meet the above permitted activity standards is a restricted discretionary activity.  **Discretion is restricted to:**  (i) Streetscape Effects  The extent to which the proposal would adversely impact on the streetscape of the area. |
| Links to:  Policies 4G 5.1.1.1 |

AMENDMENT 169 - Add new Rule 4G 5.1.2.3 Corner Sites

Rule 4G 5.1.2.3 Corner Sites

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| (a) Construction or alteration of a building for tertiary education purposes is a permitted activity if:  (i) On any corner site, the main entrance to any building is to a primary street or at the corner.  *Note: For the purpose of this rule ‘main entrance’ shall be the doorway intended for the highest rates of access and egress of people into any building, and ‘primary street’ shall be the road which is classified highest in the Roading Hierarchy Classification Schedule in Appendix Transport 1.* |
| (b) Construction or alteration of a building for tertiary education purposes that does not meet the above permitted activity standards is a restricted discretionary activity.  **Discretion is restricted to:**  (i) Streetscape Effects  The extent to which the proposal would adversely impact on the streetscape of the area. |
| Links to:  Policies 4G 5.1.1.1 |

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

Rule 4G 5.1.2.4 Landscaping and Screening

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| (a) Construction or alteration of a building for tertiary education purposes 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. 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.  (ii) 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.  (iii) 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. |
| (b) Construction or alteration of a building for tertiary education purposes that does not meet the above permitted activity standards is a restricted discretionary activity.  **Discretion is restricted to:**  (i) The location, nature and degree of proposed landscaping  (ii) 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. |
| Links to:  Policies 4G 5.1.1.1 |

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

4G 5.2 Residential Heritage Precinct

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

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

The areas are:

**~~In the Medium Density Residential Activity Area~~**

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

**In the High Density Residential Activity Area**

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

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

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

AMENDMENT 172 - Add new section 4G 5.2.1 Objectives

4G 5.2.1 Objectives

AMENDMENT 173 - Add new Objective 4G 5.2.1.1

Objective 4G 5.2.1.1

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

AMENDMENT 174 - Add new section 4G 5.2.2 Policies

4G 5.2.2 Policies

AMENDMENT 175 - Add new Policy 4G 5.2.2.1

Policy 5.2.2.1

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

AMENDMENT 176 - Add new section 4G 5.2.3 Rules

4G 5.2.3 Rules

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

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

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

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| (a) Construction or alteration of a building is a permitted activity in the Residential Heritage Precinct if:  (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 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 exiting 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

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| (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 furthermost 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

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| (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

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| (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

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| (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

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| (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

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| (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

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| (a) Educational activities directly associated with the existing school within the residential building existing as at 24 June 2002 are discretionary activities. |

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:

1. 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;
2. 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;
3. 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:

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

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| (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.