4F Medium Density Residential Activity Area

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

4F 1 Introduction / Zone Statement

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

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

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

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

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

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

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

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

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

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

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 onsite living environments; and
4. 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:

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

AMENDMENT 57 - Add new Objective 4F 2.3A

Objective 4F 2.3A

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

AMENDMENT 58 - Amend Objective 4F 2.5

Objective 4F 2.5

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

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.

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:

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 66 - Amend Policy 4F 3.3

Policy 4F 3.3

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

AMENDMENT 67 - Delete Policy 4F 3.4

Policy 4F 3.4

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

AMENDMENT 68 - Delete Policy 4F 3.5

Policy 4F 3.5

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

Policy 4F 3.6

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

AMENDMENT 69 - Delete Policy 4F 3.7

Policy 4F 3.7

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

AMENDMENT 70 - Amend Policy 4F 3.8

Policy 4F 3.8

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

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

Policy 4F 3.9

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

AMENDMENT 71 - Amend Policy 4F 3.10

Policy 4F 3.10

Encourage medium density residential development to be stormwater neutral.

Require development to be stormwater neutral.

AMENDMENT 72 - Delete Policy 4F 3.11

Policy 4F 3.11

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

AMENDMENT 73 - Delete Policy 4F 3.12

Policy 4F 3.12

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

AMENDMENT 74 - Add new Policy 4F 3.13

Policy 4F 3.13

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

4F 4 Rules

4F 4.1 Activities

**Rule 4F 4.1.1 Residential Activities**

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| (a) Residential Activities are **permitted** activities. |
| Links to:  Objective 4F 2.1  Policy 4F 3.1 |

Rule 4F 4.1.2 Home Occupation

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| 1. Home Occupations are **permitted** activities if:    1. At least one person engaged in the home occupation is permanently living on site.    2. No more than four people in total may work in the home occupation at any one time.    3. 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.    4. The home occupation does not include the repair, alteration, restoration or maintenance of motor vehicles.    5. The home occupation does not involve the use of trucks or other heavy vehicles.    6. 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.    7. Daily vehicle trips to and from the site generated by the home occupation do not exceed 20.    8. 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. |
| 1. Home Occupations that do not meet the above permitted activity standards are **restricted discretionary**   activities.  **Discretion is restricted to**:   * 1. The effects on the amenity of the surrounding residential area.   2. The effects of non­compliance 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

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| 1. Care Facilities, Residential Facilities, Boarding Houses, Hostels and Visitor Accommodation are **permitted**   activities if:   * 1. The maximum number of people accommodated on site including staff and residents does not exceed 10. |
| 1. 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**:   * 1. The effects on the amenity of the surrounding residential area.   2. 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

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| 1. Childcare and Kohanga Reo Facilities are **permitted** activities if:    1. The maximum number of children to be cared for at any one time does not exceed five. |
| 1. 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**:   * 1. The effects on the amenity of the surrounding residential area.   2. The effects on pedestrian safety and the safe and efficient movement of vehicles   3. The extent to which the site layout and any proposed landscaping helps to avoid or minimise the impacts on surrounding residential areas, the streetscape and adjoining public space. |
| (c) Childcare and Kohanga Reo Facilities are **discretionary** activities if the number of children to be cared for at any one time exceeds 30. |
| Links to:  Objective 4F 2.1  Policy 4F 3.1 |

Rule 4F 4.1.5 Health Care Services

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| 1. Health Care Services with a maximum number of four practitioners (whether fulltime or part time) are **restricted discretionary** activities.   **Discretion is restricted to:**   * 1. The effects on the amenity of the surrounding residential area.   2. 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 4F 2.1  Policy 4F 3.1 |

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

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| 1. Community Facilities, Marae, Education Facilities, Places of Assembly and Emergency Facilities except for Childcare Centres are **restricted discretionary** activities.   **Discretion is restricted to:**   * 1. The effects on the amenity of the surrounding residential area.   2. 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

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| (a) Retirement Villages are **restricted discretionary** activities.  **Discretion is restricted to:**   1. The effects on the amenity of the surrounding residential area. 2. 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. 3. Whether the site is subject to any hazards, including being within any natural hazard overlay area. 4. 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 Non­Residential Activities**

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| (a) Non­residential activities not specifically provided for as permitted, restricted discretionary or discretionary activities are **non­complying** activities. |
| Links to:  Objective 4F 2.1  Policy 4F 3.1 |

**Rule 4F 4.1.9 Light Spill**

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| 1. Activities are **permitted** activities if:    1. Artificial light does not result in added illuminance in excess of 8 lux measured at the window of any dwelling house.    2. Light spill is avoided beyond the boundary of the site. |
| 1. Activities that do not meet the above permitted activity development standards are **restricted discretionary** activities.   **Discretion is restricted to**:   * 1. The effects on the amenity of the surrounding area. |
| Links to:  Objective 4F 2.1  Policy 4F 3.1 |

**Rule 4F 4.1.10 Vibration**

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| 1. Activities that would cause vibration are **permitted** activities if:    1. The activity is managed and controlled in such a way that no vibration from the activity is discernible beyond the boundary of the site. |
| 1. Activities that do not meet the above permitted activity development standard are **restricted discretionary** activities.   **Discretion is restricted to**:   * 1. The effects on the amenity of the surrounding residential area. |
| Links to:  Objective 4F 2.1  Policy 4F 3.1 |

AMENDMENT 76 - Amend Rule 4F 4.1.11 Vegetation Removal

Rule 4F 4.1.11 Vegetation Removal

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

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| (a) Up to three residential units per site are a **permitted activity**. |
| (b) Four or more residential units per site are a **restricted discretionary activity**.  **Discretion is restricted to:**   1. The planned urban built character for the Medium Density Residential Activity Area. 2. The matters in Policies 4F 3.2B and 4F 3.8. 3. The on-site amenity for future occupants of the development. 4. The capacity of the network infrastructure for water supply, wastewater, stormwater and land transport to service the proposed development. 5. Any positive effects, including positive effects of increasing housing capacity and variety. 6. The effects on the safety and efficiency of the transport network (including pedestrians, cyclists, and vehicles). 7. 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 (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

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| (a) Construction or alteration of a building is a **permitted** activity if:  (i) The ~~site coverage~~ building coverage does not exceed ~~60%~~ 50%. |
| (b) Construction or alteration of a building that exceeds ~~60% site coverage~~ 50% building coverage is a **restricted discretionary** activity.  **Discretion is restricted to:**  (iaa) The planned urban built character for the Medium Density Residential Activity Area.  (i) The effects on the privacy of adjoining sites.  (ii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.  Note: When addressing or assessing potential effects in relation to matters (i) and (ii) above, applicants and the Council can be informed by the relevant outcomes identified in the *Medium Density Design Guide*.  Public notification is precluded for resource consent applications under Rule 4F 4.2.1(b). |
| Links to:  Objectives ~~4F 2.2,~~ 4F 2.3, 4F 2.4, 4F 2.5  Policies 4F 3.2, 4F 3.2A, 4F 3.2B, 4F 3.3, ~~4F 3.4, 4F 3.5,~~ 4F 3.6, 4F 3.8 |

AMENDMENT 79 - Amend Rule 4F 4.2.2 Building Height

Rule 4F 4.2.2 Building Height

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| (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.  Building height |
| ~~(b) Construction or alteration of a building that exceeds the maximum~~[~~height~~](http://eplan.huttcity.govt.nz/Pages/Plan/Book.aspx?exhibit=HCC_ePLAN_uvhKbBnLwRBWYsLvOrpg)~~of 10m is a~~**~~restricted discretionary activity~~**~~.~~  (b) Construction or alteration of a building that does not comply with Rule 4F 4.2.2(a) is a **restricted discretionary activity**.  **Discretion is restricted to:**  (iaa) The planned urban built character for the Medium Density Residential Activity Area.  (i) The effects on the privacy of adjoining sites.  (ii) The effects on shading of adjoining sites including the impacts of shading on their primary internal and external living areas throughout the year.  (iii) The effects on the amenity of the surrounding residential area and adjoining streetscape.  (iiia) The effects of shading and additional building bulk on any public open space or recreational grounds and their ability to provide outdoor amenity to users.  (iiib) Any design features or articulation to reduce the bulk of the building when viewed from neighbouring properties.  (iv) The following ~~mixed use and medium density residential development~~ design elements:  1. Building height  2. Recession planes and setbacks  3. Indoor and outdoor living spaces  4. Open space and boundary treatments  ~~5. Entrances, carparking and garages~~  ~~6. Onsite stormwater management~~  7. End / side wall treatment  8. Building materials  ~~9. Bike parking, storage and service areas~~  10. Privacy and safety  11. Landscaping  When considering the matters in (iv), the Council will be principally guided by its Medium Density Design Guide.  Public notification is precluded for resource consent applications under Rule 4F 4.2.2(b). |
| Links to:  Objectives ~~4F 2.2,~~ 4F 2.3, 4F 2.4, 4F 2.5  Policies 4F 3.2, 4F 3.2A, 4F 3.2B, 4F 3.3, ~~4F 3.4, 4F 3.5,~~ 4F 3.6, 4F 3.8 |

AMENDMENT 80 - Amend Rule 4F 4.2.3 Recession Planes

Rule 4F 4.2.3 ~~Recession Planes~~ Height in Relation to Boundary

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| (a) Construction or alteration of a building is a **permitted activity** if the following ~~recession plane~~ height in relation to boundary requirements are being met:  (i) ~~3.5m +45°~~ 4m +60° from all side and rear boundaries.  ~~(ii) For sites adjoining other Residential Activity Areas the recession plane requirements of the adjoining Residential Activity Area shall be complied with at the shared boundary.~~  Diagram  Description automatically generated  ~~No recession planes are required from side or rear boundaries within the Medium Density Residential Activity Area where there is an existing or proposed common wall between two buildings.~~  ~~No recession planes are required from road boundaries and existing or proposed internal boundaries within a site.~~  Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.  This standard does not apply to:  (a) A boundary with a road,  (b) Existing or proposed internal boundaries within a site, and  (c) Site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed. |
| (b) Construction or alteration of a building that does not meet the ~~recession plane~~ height in relation to boundary requirements is a **restricted discretionary activity**.  **Discretion is restricted to:**  (iaa) The planned urban built character for the Medium Density Residential Activity Area.  (i) The effects on the privacy of adjoining sites.  (ii) The effects on shading of adjoining sites, including the impacts of shading on their primary internal and external living areas.  (iii) The effects on the amenity of the surrounding residential area and adjoining streetscape.  (iv) The impacts of shading and additional building bulk on any public open space or recreational grounds and their ability to provide outdoor amenity to users.  (v) The following design elements:  1. Building height  2. Recession Planes  3. End / side wall treatment  4. Privacy and safety  Note: When addressing or assessing potential effects in relation to matters ~~(i), (ii) and (iii)~~ (i) to (v) above, applicants and the Council can be informed by the relevant outcomes identified in the Medium Density Design Guide.  Public notification is precluded for resource consent applications under Rule 4F 4.2.3(b). |
| Links to:  Objectives ~~4F 2.2,~~ 4F 2.3, 4F 2.4, 4F 2.5  Policies 4F 3.2, 4F 3.3, ~~4F 3.4, 4F 3.5,~~ 4F 3.6, 4F 3.8 |

AMENDMENT 81 - Amend 4F 4.2.4 Yards

Rule 4F 4.2.4 ~~Yards~~ Setbacks

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| (a) Construction or alteration of a building is a **permitted activity** if:  ~~(i) The building is not located within the following yard setbacks:~~  ~~Front yards: 2m~~  ~~Side yards: 1m~~  ~~Rear yards: 1m~~  ~~(ii) One accessory building may be located in a side and/or rear yard, provided that the building does not extend more than 6m along the length of any boundary and is not located in a yard that is directly adjoining the rail corridor.~~  ~~No yard requirements apply along side or rear boundaries where there is an existing or proposed common wall between two buildings.~~  ~~No yard requirements apply along existing or proposed internal boundaries within a site.~~  ~~Eaves may encroach into any yard by up to 0.6m.~~  (i) Buildings are set back from the relevant boundary by the minimum depth listed below  Front yard: 1.5m  Side yard: 1m  Rear yard: 1m  This standard does not apply to site boundaries where there is an existing common wall between 2 buildings on adjacent sites or where a common wall is proposed.  Eaves may encroach into any yard by up to 0.6m. |
| (b) Construction or alteration of a building that does not meet the ~~yard~~ setback requirements is a **restricted discretionary** **activity**.  **Discretion is restricted to:**  (iaa) The planned urban built character for the Medium Density Residential Activity Area.  (i) The effects on the privacy of adjoining sites.  (ii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.  (iii) The effect from any building bulk and its proximity to the main internal and external living areas of adjoining residential properties.  (iv) The following design elements:  1. Building height  2. Recession Planes  3. End / side wall treatment  4. Privacy and safety  Note: When addressing or assessing potential effects in relation to matters ~~(i) and (ii)~~ (iaa) to (iv) above, applicants and the Council can be informed by the relevant outcomes identified in the *Medium Density Design Guide*.  Public notification is precluded for resource consent applications under Rule 4F 4.2.4(b). |
| Links to:  Objectives ~~4F 2.2,~~ 4F 2.3, 4F 2.4, 4F 2.5  Policies 4F 3.2, 4F 3.3, ~~4F 3.4, 4F 3.5,~~ 4F 3.6, 4F 3.8 |

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

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

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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 setback requirements are met for any boundary shared with the marae:  (i) A maximum height in relation to boundary of 2.5m +45°.  (ii) A minimum boundary setback of 1m.  (iii) One accessory building may be located in a side and/or rear yard, provided that the building does not extend more than 6m along the length of any boundary and is not located in a yard that is directly adjoining the rail corridor.  Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the farthest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.  Eaves may encroach into any boundary setback by up to 0.6m.  This rule is in addition to *Rule 4F 4.2.3 Height in Relation to Boundary* and *Rule 4F 4.2.4 Setbacks*. |
| (b) Construction or alteration of a building that does not meet the height in relation to boundary and setback requirements of Rule 4F 4.2.4A(a) is a **restricted discretionary activity**.  **Discretion is restricted to:**  (i) Privacy, visual dominance, and noise impacts on the tikanga and cultural safety of activities that occur at the marae.  (ii) Whether there are alternative methods, locations or designs that would avoid or reduce impacts on tikanga and cultural safety.  (iii) The outcomes of any engagement undertaken with tangata whenua responsible for the marae, relevant to the effects of the standard not met.  Public notification is precluded for resource consent applications under Rule 4F 4.2.4A(b). |
| Links to:  Objective 4F 2.7  Policy 4F 3.13 |

AMENDMENT 83 - Amend Rule 4F 4.2.5 Permeable Surface

Rule 4F 4.2.5 Permeable Surface

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| (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*. |
| 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

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| (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 20m~~~~2~~~~.~~  ~~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 10m~~~~2~~ ~~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

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| (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

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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 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

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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 14F relating to demolition apply. |

AMENDMENT 87 - Amend Rule 4F 4.2.10 Stormwater Retention

Rule 4F 4.2.10 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.  ~~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)

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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)  (ii) The minimum dimensions for a required outlook space are:  (a) A principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and  (b) All other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.  (iii) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.  (iv) Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.  (v) Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.  (vi) Outlook spaces may be under or over a balcony.  (vii) Outlook spaces required from different rooms within the same building may overlap.  (viii) Outlook spaces must:  (a) Be clear and unobstructed by buildings; and  (b) Not extend over an outlook space or outdoor living space required by another dwelling. |
| (b) Construction or alteration of a building that does not comply with one or more of the standards listed above is a restricted discretionary activity.  **Discretion is restricted to:**  (i) The planned urban built character for the Medium Density Residential Activity Area.  (ii) The matters in Policy 4F 3.2D.  (iii) The effects on internal privacy of future occupants resulting from a reduced outlook.  (iv) The effects on the level of sunlight to internal living areas from a reduced outlook.  (v) Any mitigation factors such as view or landscaping that compensates for a reduced outlook.  When considering the matters in (ii), the Council will be principally guided by its Medium Density Design Guide.  Public and limited notification is precluded for resource consent applications under Rule 4F 4.2.11(b). |

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

Rule 4F 4.2.12 Windows to Street

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| (a) Construction or alteration of a building is a permitted activity if:  (i) Residential units facing the street have a minimum of 20% of the street-facing façade in glazing. This can be in the form of windows or doors. |
| (b) Construction or alteration of a building that does not comply with the above standard is a restricted discretionary activity.  **Discretion is restricted to:**  (i) The planned urban built character for the Medium Density Residential Activity Area.  (ii) The matters in Policy 4F 3.8.  (iii) The following design elements:  1. Open space and boundary treatments.  2. Entrances, carparking and garages.  3. End / side wall treatment.  4. Privacy and safety.  5. Landscaping.  When considering the matters in (iii), the Council will be principally guided by its Medium Density Design Guide.  Public notification is precluded for resource consent applications under Rule 4F 4.2.12(b). |

AMENDMENT 90 - Add new Rule 4F 4.2.13 Landscaped Area

Rule 4F 4.2.13 Landscaped Area

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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 residential unit at ground floor level has a landscaped area of a minimum of 20% of a developed site with grass or plants, and can include the canopy of trees regardless of the ground treatment below them.  (ii) The landscaped area may be located on any part of the development site and does not need to be associated with each residential unit. |
| (b) Construction or alteration of a building that does not comply with either of the standards listed above is a **restricted discretionary activity**.  **Discretion is restricted to:**  (i) The planned urban built character for the Medium Density Residential Activity Area.  (ii) The matters in Policy 4F 3.2D.  (iii) The accommodation of any visually prominent or established vegetation on the site into the landscaping design and the visual effects from the loss of any existing visually prominent or established vegetation on the local streetscape and visual amenity values of the local area.  (iv) The amenity provided by the proposed landscaping to future occupants of the site.  (v) The proposed measures and ownership of the landscaping to ensure on-going maintenance.  (vi) The timing of the implementation of the landscaping relative to the proposed development  (vii) The appropriateness of the proposed species for the local area and their ability to service the local climate.  (viii) The appropriateness of the species to be planted for the spaces that have been allowed, and.  (ix) The following design elements:  1. Building height  2. Recession planes and setbacks  3. Indoor and outdoor living spaces  4. Open space and boundary treatments  5. Entrances, carparking and garages  6. On-site stormwater management  7. End / side wall treatment  8. Building materials  9. Bike parking, storage and service areas  10. Privacy and safety  11. Landscaping  When considering the matters in (ix), the Council will be principally guided by its Medium Density Design Guide.  Public notification is precluded for resource consent applications under Rule 4F 4.2.13(b). |

Note 4F 4.3 General Rules

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

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

4F 5 Precincts and Scheduled Sites

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

4F 5.1 Residential Heritage Precinct

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

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

The areas are:

**In the Medium Density Residential Activity Area**

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

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

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

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

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

AMENDMENT 93 - Add new section 4F 5.1.1 Objectives

4F 5.1.1 Objectives

AMENDMENT 94 - Add new Objective 4F 5.1.1.1

Objective 4F 5.1.1.1

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

AMENDMENT 95 - Add new section 4F 5.1.2 Policies

4F 5.1.2 Policies

AMENDMENT 96 - Add new Policy 4F 5.1.2.1

Policy 4F 5.1.2.1

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

AMENDMENT 97 - Add new section 4F 5.1.3 Rules

4F 5.1.3 Rules

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

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

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

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| (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 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

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| (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 theestablishment 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

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| (a) Visitor Accommodation, Conference Facilities and Places of Assembly at 320 Eastern Hutt Road are permitted activities if:  (i) The buildings associated with the activity comply with the development standards under Rule 4F 4.2. |
| (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.  **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 vehicles and pedestrian safety;  (iii) The extent to which the site layout and any proposed landscaping helps to avoid or minimise the impacts on surrounding residential areas, the streetscape and adjoining public space. |

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

4F 6 Anticipated Environmental Results

(a) Retention of indigenous vegetation.