

Proposed District Plan Change 56

**Enabling Intensification in Residential and
Commercial Areas**

**VOLUME 1 of 2
Proposed Amendments and New Chapters**

Publicly Notified:

18 August 2022

Submissions Close:

20 September 2022



CONTENT

Introduction	3
Public Notice	4
Notes on proposed amendments	6
Chapter 1 Introduction and scope of the plan	7
Chapter 3 Definitions	18
Chapter 4 Residential	21
Chapter 4A General Residential Activity Area	23
Chapter 4B Special Residential Activity Area	24
Chapter 4C Historic Residential Activity Area	25
Chapter 4F Medium Density Residential Activity Area	26
Chapter 4G High Density Residential Activity Area	51
Chapter 5 Commercial	90
Chapter 5A Central Commercial Activity Area	92
Appendix Central Commercial 8 – Central Commercial Design Guide	103
Chapter 5B Petone Commercial Activity Area	112
Appendix Petone Commercial 2 – Petone Mixed Use Activity Area Design Guide	127
Chapter 5C Suburban Commercial Activity Area	134
Chapter 5D Special Commercial Activity Area	135
Chapter 5E Suburban Mixed Use Activity Area	136
Chapter 6A General Business Activity Area	141
Chapter 9A Community Health Activity Area	143
Chapter 10A Community Iwi Activity Area	147
Chapter 11 Subdivision	148
Chapter 12 Financial Contributions	160
Chapter 13 Network Utilities, including the National Grid	168
Chapter 14C Noise	173
Chapter 14D Hazardous Facilities	175
Chapter 14F Heritage Buildings and Structures	180
Chapter 14H Natural Hazards	184
Chapter 14M Wind	196

Introduction

In December 2021, Parliament passed the *Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021* (the Housing Supply Act). The Housing Supply Act seeks to accelerate the supply of housing in urban areas where demand for housing is high, including the Wellington urban area, by amending the *Resource Management Act 1991* (RMA) and *National Policy Statement on Urban Development 2020* (NPS-UD).

As a result of these amendments, territorial authorities are now required to:

- Prepare an Intensification Planning Instrument (IPI) - a specific district plan change to enable greater building heights and density, primarily in residential and commercial areas; and
- Process the IPI through an Intensification Streamlined Planning Process - a new plan change process that is more streamlined and condensed than the standard plan change process.

Proposed District Plan Change 56 is Hutt City Council's IPI.

This document (Volume 1 of Proposed District Plan Change 56) presents the proposed amendments to the text of the District Plan.

The proposed amendments to the maps of the District Plan are available at:

hutt.city/pc56maps

Volume 2 of Proposed District Plan Change 56 gives the background and context for the proposed plan change as well as an evaluation of the proposed plan change in accordance with section 32 of the RMA.

Process for the proposed plan change

The proposed plan change must be processed through the Intensification Streamlined Planning Process (ISPP), as described in Schedule 1, Part 6, of the RMA. A guide to the ISPP is available on the Ministry for the Environment website at:

<https://environment.govt.nz/publications/intensification-streamlined-planning-process>

The key steps of the ISPP are as follows:

- The proposed plan change will be publicly notified for submissions on 18 August 2022.
- The submission period will close on 20 September 2022.
- Following the submission period, Council will summarise the decisions requested by submitters. This summary will be publicly notified, and people will be able to make a further submission on the decisions requested.
- Following the close of the further submission period, Council will hold a public hearing with an Independent Hearings Panel (IHP), where submitters and further submitters can speak in support of their submission/further submission.
- Following the hearing, the IHP will make recommendations on the proposed plan change to Council.
- Council will make decisions on these recommendations from the IHP.
- Any recommendations of the IHP that are not adopted by Council will be referred to the Minister for the Environment. The Minister can decide to accept the IHP's recommendation or make alternative decisions.

There is no right of appeal to the Environment Court on the decisions from the Council or Minister for the Environment.

Details on how to make a submission are included in the public notice for the proposed plan change (below).

Public Notice

Hutt City Council has prepared District Plan Change 56, a change proposed to the City of Lower Hutt District Plan. The purpose of the proposed plan change is to meet the Council's obligations under the Resource Management Act 1991 to implement Policies 3 and 4 of the National Policy Statement on Urban Development and to incorporate the Medium Density Residential Standards.

The plan change also updates provisions relating to financial contributions and makes several other supporting and consequential changes, including to area wide strategic objectives and policies, definitions, subdivision standards, natural hazards, historic heritage sites and buildings, wind, and other chapters.

The plan change also proposes significant changes to the district plan maps, including the pattern of activity areas, and new and updated natural hazard and heritage overlays.

The plan change may be viewed:

- On Council's website: **hutt.city/pc56**
- At any Hutt City Council Library, or
- At the Customer Services Counter, Council Administration Building, 30 Laings Road, Lower Hutt
- Copies can also be requested by contacting Hutt City Council on **04-570-6666** or **district.plan@huttcity.govt.nz**.

Any person may make a submission on Proposed Plan Change 56. However, if the person could gain an advantage in trade competition through the submission, then the person may do so only if the person is directly affected by an effect of the proposal that:

- adversely affects the environment, and
- does not relate to trade competition or the effects of trade competition.

Submissions may be lodged in any of the following ways:

- By email (preferably): **district.plan@huttcity.govt.nz**
- Post: Policy Planning Team, Hutt City Council, Private Bag 31912, Lower Hutt 5040.
- In person: Council Administration Building, 30 Laings Road, Lower Hutt.

Submissions must be written on or in accordance with Form 5 of the Resource Management (Forms, Fees, and Procedure) Regulations 2003 and must state whether you wish to be heard on your submission. Copies of Form 5 are available:

- On Council's website: **hutt.city/pc56**
- At any Hutt City Council Library
- At the Customer Services Counter, Council Administration Building, 30 Laings Road, Lower Hutt.
- By contacting Hutt City Council on **district.plan@huttcity.govt.nz** or **04-570-6666**.

If you have any questions about the proposed plan change, please contact the Policy Planning Team on **district.plan@huttcity.govt.nz** or phone **04-570-7426**.

Submissions close Tuesday 20 September 2022.

Plan Change 56 will be considered under the Intensification Streamlined Planning Process (Schedule 1, Part 6 of the RMA). The process for public participation in the consideration of this proposal is as follows:

- After the closing date for submissions, Hutt City Council will publish a summary of the decisions requested by submitters.
- Once public notice of this summary is given, the following may make a further submission in support of, or opposition to, a submission already made:

- Any person representing a relevant aspect of the public interest
- Any person who has an interest in the proposal greater than the general public has, and
- Hutt City Council itself.
- The Council must establish an independent hearings panel (“IHP”) of independent commissioners. This panel will conduct a hearing open to any submitter who wishes to be heard.
- The IHP will make recommendations to Council on the alterations to the plan change, which must be on matters raised in a submission or by the panel or any other person at the hearing.
- Hutt City Council must make its decision on each of those recommendations within one year of notifying this plan change, publicly notifying those decisions, and advise every person who made a submission.
- Recommendations that are accepted by Hutt City Council will become operative immediately. Recommendations that are rejected will be sent to the Minister for the Environment for a final determination.

Under the Resource Management Act 1991, this process has no right of appeal.



Jo Miller

Chief Executive, on behalf of Hutt City Council

Notes on proposed amendments

Notes on chapters amended through the proposed plan change

The proposed plan change would add a new *Chapter 4G: High Density Residential Activity Area* to the District Plan. This document presents the new Chapter 4G in full.

For other chapters that would be affected by the proposed plan change, this document presents the specific sections that would be amended, rather than showing the chapters in full. These chapters can be viewed in full in the operative District Plan at eplan.huttcity.govt.nz.

In addition, the following chapters would be deleted by the proposed plan change:

- Chapter 4A: General Residential Activity Area,
- Chapter 4B: Special Residential Activity Area,
- Chapter 4C: Historic Residential Activity Area,
- Chapter 5C: Suburban Commercial Activity Area, and
- Chapter 5D: Special Commercial Activity Area.

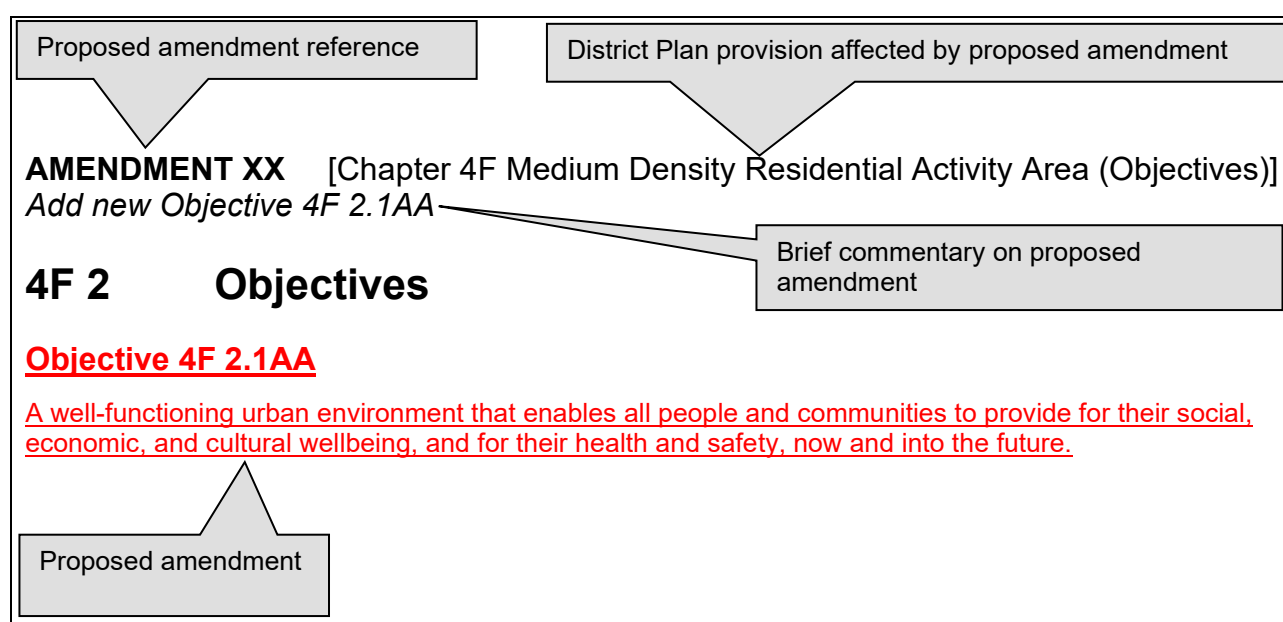
The specific objectives and provisions of these chapters that would be deleted by the proposed plan change are not shown in this document. These can be viewed in the operative District Plan at eplan.huttcity.govt.nz.

The current *Chapter 14H: Natural Hazards* of the operative District Plan would also be deleted by the proposed plan change, to be replaced by an entirely new version of the chapter. Again, the specific objectives and policies of this chapter that would be deleted are not shown in this document, although the new objectives and provisions that are proposed are shown in full.

The proposed plan change also amends the maps of the District Plan. The proposed amendments to these maps can be viewed at hutt.city/pc56maps.

Explanation of how amendments are shown

Proposed amendments to existing Chapters 3 Definitions and 11 Subdivision are shown as underlined for new text and ~~struck through~~ for deleted text.



Chapter 1 Introduction and scope of the plan

AMENDMENT 1 [Chapter 1 (1.10.1A Urban Environment)]

Add new section 1.10.1A Urban Environment

1.10.1A Urban Environment

AMENDMENT 2 [Chapter 1 (1.10.1A Urban Environment)]

Add new Issue

Issue

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

AMENDMENT 3 [Chapter 1 (1.10.1A Urban Environment)]

*Add new Objective – **Incorporates Objective 1 of the MDRS***

Objective

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

AMENDMENT 4 [Chapter 1 (1.10.1A Urban Environment)]

Add new Policy 1

Policy 1

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

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

AMENDMENT 5 [Chapter 1 (1.10.1A Urban Environment)]

Add new Policy 2

Policy 2

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

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

AMENDMENT 6 [Chapter 1 (1.10.1A Urban Environment)]

Add new Policy 3 – Incorporates Policy 3 of the MDRS

Policy 3

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

AMENDMENT 7 [Chapter 1 (1.10.1A Urban Environment)]

Add new Policy 4 – Incorporates Policy 4 of the MDRS

Policy 4

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

AMENDMENT 8 [Chapter 1 (1.10.1A Urban Environment)]

Add new Explanations and Reasons

Explanations and Reasons

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

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

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

the building height and density controls are exceeded. These provisions are generally located in Chapter 14 – General Rules, including:

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

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

AMENDMENT 9 [Chapter 1 (1.10.2 Amenity Values)]
Add new Objective 1

1.10.2 Amenity Values

...

Objective 1

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

AMENDMENT 10 [Chapter 1 (1.10.2 Amenity Values)]
Amend and number Objective 2

Objective 2

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

AMENDMENT 11 [Chapter 1 (1.10.2 Amenity Values)]
Amend Policy

Policy

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

AMENDMENT 12 [Chapter 1 (1.10.2 Amenity Values)]
Delete Explanation and Reasons – General Residential Activity Areas

Explanation and Reasons

General Residential Activity Area:

~~This Activity Area accounts for much of the residential development in the City. It is dominated by single dwellings on fee simple subdivisions, but also contains a variety of other housing styles including cross lease developments, semi detached housing, and a limited number of multi unit developments. Semi detached and multi unit developments are more common in some locations than others. Generally sites within the Activity Area have a flat topography, this being a natural feature or being a result of earthworks during the development stages. Sites in most locations have been well developed with maturing domestic scale landscaping and planting. While small scale businesses, which can be classed as home occupations, are common there are few larger commercial or industrial activities.~~

AMENDMENT 13 [Chapter 1 (1.10.2 Amenity Values)]
Amend Explanation and Reasons – Medium Density Residential Activity Area

Medium Density Residential Activity Area

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

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

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

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

AMENDMENT 14 [Chapter 1 (1.10.2 Amenity Values)]
Delete Explanation and Reasons – Special Residential Activity Area

Special Residential Activity Area:

~~Three locations, Woburn, the Military Road area, and Lowry Bay, have been identified where sites are characterised by lower density development on larger sites often with mature landscaping and planting.~~

AMENDMENT 15 [Chapter 1 (1.10.2 Amenity Values)]
Delete Explanation and Reasons – Historic Residential Activity Area

Historic Residential Activity Area:

~~Patrick Street, Petone: This historic area was largely developed at the time of the 1905 Workers Dwellings Act when the first state housing schemes were built. A variety of designs were used, comprising both single and two storey dwellings. Appendix Historic Residential 1 details the specific elements that contribute to the character and amenity values of this historic area.~~

~~Riddlers Crescent: This historic area was largely developed between 1906 and 1910 and consists of both villa designs and semi-detached workers' dwellings. Appendix Historic Residential 1 details the specific elements that contribute to the character and amenity values of this historic area.~~

AMENDMENT 16 [Chapter 1 (1.10.2 Amenity Values)]
Add new Explanation and Reasons – High Density Residential Activity Area

High Density Residential Activity Area

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

~~Currently, development in neighbourhoods in the High Density Residential Activity Area is predominantly standalone housing with some multi-unit developments. However, the District Plan~~

anticipates that the scale and form of residential development will change in this area in response to demand for housing in close proximity to employment, public transport, and other key services. As a result, low to high density development, including a mix of standalone houses, detached dwellings, terraced housing and low rise apartments of at least six storeys are provided for.

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

AMENDMENT 17 [Chapter 1 (1.10.2 Amenity Values)]
Delete Explanation and Reasons – Suburban Commercial Activity Area

Suburban Commercial Activity Area:

~~The character and amenity values of this activity area do vary with the specific locations. The factors influencing this generally include small allotment sizes, small scale buildings with residential development at second storey level, close proximity to residential activity areas which are usually abutting, busy short term parking areas, and a mix of retail and service areas.~~

AMENDMENT 18 [Chapter 1 (1.10.2 Amenity Values)]
Delete Explanation and Reasons – Special Commercial Activity Area

Special Commercial Activity Area:

~~Area 1—Station Village: The influence of the historical character of the buildings that make up this activity area, including the Railway Station Building, contributes strongly to the character and amenity values. The proximity to the busy intersection of Hutt Road and Railway Avenue is also an important influence. The focus on leisure activities has created an identity which is different from other retail areas.~~

~~Area 2—Boulcott Village: This small activity area is abutted by a residential activity area and this strongly influences the character and amenity values. The buildings are of a residential rather than commercial scale and character and the land uses are compatible with residential neighbours.~~

AMENDMENT 19 [Chapter 1 (1.10.2 Amenity Values)]
Amend Explanation and Reasons – Suburban Mixed Use Activity Area

Suburban Mixed Use Activity Area

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

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

AMENDMENT 20 [Chapter 1 (1.10.3 Residential Activity)]
Delete policy of section 1.10.3

1.10.3 Residential Activity

...

Policy

~~(a) To provide opportunities for gradual intensification of residential densities by:~~

- ~~(i) Enabling higher densities in targeted areas around suburban centres and close to public transport hubs,~~
- ~~(ii) Providing for infill development throughout the established residential areas to appropriate minimum standards, and~~
- ~~(iii) Managing the rate at which land at the periphery of the urban area is developed for residential purposes.~~

AMENDMENT 21 [Chapter 1 (1.10.3 Residential Activity)]

Add new Policy 1 – Residential Activity – **Incorporates Policy 2 of the MDRS**

Policy 1

Except in circumstances where a qualifying matter is relevant:

- (a) Apply the Medium Density Residential Standards across the Medium Density Residential and High Density Residential Activity Area.
- (b) For the areas of Eastbourne, Stokes Valley and Wainuiomata in the High Density Residential Activity Area, enable buildings of at least four storeys.
- (c) In all other areas in the High Density Residential Activity Area, enable buildings of at least six storeys.

AMENDMENT 22 [Chapter 1 (1.10.3 Residential Activity)]

Add new Policy 2 – Residential Activity

Policy 2

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

AMENDMENT 23 [Chapter 1 (1.10.3 Residential Activity)]

Amend Explanation and Reasons

Explanation and Reasons

A policy of generally consolidating existing residential development while allowing some limited greenfield development to occur is adopted in the Plan. This is achieved by:

- (a) Preventing rural areas from being urbanised (see also 1.10.7),
- (b) Limiting the amount of land at the periphery that can be developed for urban residential purposes, and
- ~~(c) Encouraging infill housing in areas where amenity values are not likely to be affected adversely, and increasing permitted densities in areas adjoining transport nodes such as the railway corridor, district distributor roads and commercial areas.~~
- (d) Implementing the intensification provisions of the National Policy Statement on Urban Development, including the Medium Density Residential Standards set out in the Act.

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

By adopting this strategy savings in physical, social and transport infrastructure can be achieved. Substantial savings are achievable through residential consolidation in areas where services, such as stormwater, waste water and water reticulation systems, are in place already and there is spare

capacity. There are also savings as better use can be made of existing social and recreational facilities such as schools, churches, community facilities, commercial centres and reserves.

With regard to transport it is considered that reduced travel time due to shorter journeys to social facilities, recreational facilities, commercial centres and employment areas will result in a more efficient use of non-renewable energy. It is also considered that urban consolidation can help to increase or support the viability of the public transport system.

Some greenfield residential development is permitted to provide housing choice ~~and to ensure that existing residential areas are not developed at a level where amenity values will be adversely affected~~. The approach adopted in the Plan is that greenfield or new residential areas are located close to or adjacent to existing urban development. This is to ensure that urban growth is not dispersed or detached. Such an urban form of development will ensure that the benefits of urban consolidation can still be achieved.

AMENDMENT 24 [Chapter 1 (1.10.3A – Housing Bottom Lines)]
Delete paragraph – Explanation and Reasons

1.10.3A Housing Bottom Lines

...

Explanation and Reasons

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

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

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

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

AMENDMENT 25 [Chapter 1 (1.10.4 Commercial Activity)]
Amend Policy (c)

1.10.4 Commercial Activity

...

Policy

- (a) Identify the existing commercial centres and recognise the different roles and functions each centre has in the hierarchy.
- (b) Recognise the Central Area and Petone Area commercial centres as the primary areas in the hierarchy, being of a large scale with a great diversity of activities servicing the whole city and wider region.

- (c) Recognise the Suburban Mixed Use, ~~Suburban commercial and Special commercial~~ centres as the secondary areas in the hierarchy, being small scale with a limited number of activities servicing local area needs.
- (d) Manage the nature and scale of activities in the commercial centres based on the integrated and hierarchical approach.
- (e) Manage and restrict commercial and other activities located outside the identified commercial centres that have the potential to undermine or detract from the vitality and vibrancy of the commercial centres.

AMENDMENT 26 [Chapter 1 (1.10.4 Commercial Activity)]

Amend Explanation and Reasons

Explanation and Reasons

Lower Hutt City has a number of established commercial centres which service the needs of local residents and visitors. Each of the commercial centres has a different role and function in meeting these needs, and it is important the Plan recognises these roles and functions.

The existing commercial centres have an established hierarchy which is recognised in the Plan. The hierarchy reflects the location, size, history, role and function of the commercial centres, with the Central Area and Petone Area as the two primary centres, and with suburban centres ~~and special areas~~ as secondary centres.

It is important the Plan recognises and provides for the respective roles and functions of each centre in the hierarchy, to ensure these roles and functions are complementary and do not conflict. Therefore, activities within the commercial areas will be managed based on the hierarchy to ensure the continued vitality and vibrancy of the existing areas. In addition, certain commercial activities located outside the identified commercial centres may undermine the role and function of an integrated approach to commercial centres. Therefore, it is important the management framework for other Activity Areas recognise and manage these types of activities and development to protect the vitality and vibrancy of the Commercial Activity Areas. It is also important that the urban design and amenity goals for the commercial centres and the Central Area are consistent with the goal of encouraging economic activity in those areas.

AMENDMENT 27 [Chapter 1 (1.10.10 Heritage)]

Add Policy (c)

1.10.10 Heritage

...

Policy

- (a) To protect the heritage values of the City through ensuring that any alterations, repairs or modifications to the exterior of heritage buildings are managed.
- (b) To allow a wider range of activities to operate in identified heritage buildings, provided that the character and amenity values of neighbouring properties are not affected adversely by the activity.
- (c) To limit building heights and densities in areas where intensification is required by the National Policy Statement on Urban Development, but are identified as having significant historic heritage value, in order to discourage incompatible development.

AMENDMENT 28 [Chapter 1 (1.10.11 Lessening Natural Hazards)]

Amend Objective

1.10.11 Lessening Natural Hazards

...

Objective

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

AMENDMENT 29 [Chapter 1 (1.10.11 Lessening Natural Hazards)]

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

Policy

~~(a) To manage the siting of buildings and structures within the Wellington Fault Special Study Area.~~

(aa) To manage subdivision, use and development that results in buildings 20m either side of the Wellington Fault.

(b) To limit the scale and intensity of development in areas susceptible to the landslide hazard.

~~(c) To limit the scale and density of development in areas where the risk of flooding is medium to high.~~

(ca) To avoid subdivision, development and use in high flood hazard areas

(cb) To manage subdivision, development and use in medium flood hazard areas

(cc) To require mitigation for new development in low flood hazard areas.

~~(d) To manage areas susceptible to coastal hazards such as coastal erosion and sea level rise.~~

(da) To manage subdivision, development and use in medium and high coastal hazard areas.

(db) To limit the density of development in medium and high coastal hazard areas.

AMENDMENT 30 [Chapter 1 (1.10.11 Lessening Natural Hazards)]

Amend Explanation and Reasons – Seismic Induced Hazards

Explanation and Reasons

...

Seismic Induced Hazards

The Wellington Region is located on the boundary of two crustal plates and is cut by four major active faults. Consequently the Region is frequently shaken by moderate to large earthquakes. Ground deformation along active faults, liquefaction, landslides and tsunamis are other effects caused by earthquakes. Within the boundaries of the City, the Wellington Fault runs along the western side of the Hutt Valley from Petone to the Taita Gorge. In this area it is expected that there would be permanent ground deformation following the next Wellington Fault rupture event. During such an event, accompanied by a very large earthquake, the ground on the west side of the Wellington Fault is predicted to move horizontally up to 4m relative to the east side, and there will be up to 0.5m vertical movement. This movement would be concentrated at discrete breaks at the ground surface, such as along the mapped fault traces, but will also be distributed across the immediate vicinity. Further fault rupture has a moderate to high probability of taking place within the next 100 years. The fault trace This area has been identified as the Wellington Fault Special Study Area through the Wellington Fault Overlay and there are special controls on the siting of buildings and structures with respect to the location of the Wellington Fault. With regard to

liquefaction and ground shaking there are adequate performance standards in the Building Act 1991.

AMENDMENT 31 [Chapter 1 (1.10.11 Lessening Natural Hazards)]
Amend Explanation and Reasons – Flood Hazard

Flood Hazard

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

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

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

~~In areas where the risk of flooding is medium to high the scale of density and development is limited, being set aside as rural and open space.~~

AMENDMENT 32 [Chapter 1 (1.10.11 Lessening Natural Hazards)]
Amend Explanation and Reasons – Coastal Hazard

Coastal Hazard

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

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

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

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

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

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

Coastal erosion is a natural part of beach behaviour and becomes a problem where development has occurred within the zone of natural beach movements.

Not all hazards are present in the City and it is unrealistic and not practicable for the Plan to provide protection from all of them. The type of protection afforded to seismic induced hazards, landslide hazards, flood hazards and coastal hazards can be partially achieved through controlling subdivision and development in identified hazard prone areas. The level of control used is based on the type or nature of the natural hazard, the degree of risk in terms of the severity of the impact, the risk to people, the frequency of occurrence, the likely economic impacts on property owners and the effectiveness of mitigation measures.

Chapter 3 Definitions

AMENDMENT 33 [Chapter 3 Definitions]

Add new definition – Building Coverage

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

AMENDMENT 34 [Chapter 3 Definitions]

Add new definition – Building Footprint

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

AMENDMENT 35 [Chapter 3 Definitions]

Add new definition – Construction

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

AMENDMENT 36 [Chapter 3 Definitions]

Add new definition – Height in relation to boundary

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

(a) a site; or

(b) another specified reference point.

AMENDMENT 37 [Chapter 3 Definitions]

Amend definition – Net site area

Net site area

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

(a) any part of the site that provides legal access to another site;

(b) any part of a rear site that provides legal access to that site;

(c) any part of the site subject to a designation that may be taken or acquired under the Public Works Act 1981.

For all other zones, means the total area of a site for the exclusive use of a single dwelling unit, including any area provided for parking or manoeuvring space and building, but does not include land held in common ownership, communal open space, communal parking and rights-of-way, and access legs to a rear site.

AMENDMENT 38 [Chapter 3 Definitions]

Add new definition – Outdoor living space

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

AMENDMENT 39 [Chapter 3 Definitions]

Add new definition – Qualifying matter

Qualifying matter Has the meaning in the National Policy Statement on Urban Development.

AMENDMENT 40 [Chapter 3 Definitions]

Add new definition – Rapid Transit Stop

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

AMENDMENT 41 [Chapter 3 Definitions]

Add new definition – Residential unit

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

AMENDMENT 42 [Chapter 3 Definitions]

Amend definition – Site

Site

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

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

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

1. an area of land comprised in:
 - (a) a single computer freehold register; or
 - (b) a single allotment for which a separate computer freehold register could be issued without further involvement of, or prior consent from, the Council;whichever is the smaller.
2. an area of land comprised in two or more contiguous allotments:
 - (a) that are subject to a certificate issued under Section 75(2) of the Building Act 2004, Section 37(2) of the

Building Act 1991, Section 643(2) of the Local Government Act 1974, or any equivalent legislation; or

- (b) that cannot be transferred or leased independently of each other without the Council's prior consent.
3. an area of land:
- (a) comprised in two or more computer freehold registers; and
 - (b) for which two or more separate computer freehold registers could be issued without further involvement of, or prior consent from, the Council;
- where the land will be amalgamated into a single computer freehold register as part of the resource consent process.
4. in the case of land that is subject to a unit title, cross-lease, or company lease development, the area of land comprising the original parcel that was subdivided, leased or licenced (as the case may be) to create the unit title, cross-lease or company lease development.

AMENDMENT 43 [Chapter 3 Definitions]

Add new definition – Tikanga

Tikanga Means Māori customary values and practices.

Chapter 4 Residential

AMENDMENT 44 [Chapter 4 Residential]

Amend opening paragraphs

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

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

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

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

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

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

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

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

The ~~six~~ four activity areas are:

AMENDMENT 45 [Chapter 4 Residential]

Delete paragraphs on General Residential Activity Area

~~(a) — **General Residential Activity Area**~~

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

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

AMENDMENT 46 [Chapter 4 Residential]
Delete paragraph on Historic Residential Activity Area

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

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

AMENDMENT 47 [Chapter 4 Residential]
Delete paragraph on Special Residential Activity Area

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

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

AMENDMENT 48 [Chapter 4 Residential]
Amend paragraphs on Medium Density Residential Activity Area

(f) Medium Density Residential Activity Area

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

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

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

AMENDMENT 49 [Chapter 4 Residential]
Add new paragraphs on High Density Residential Activity Area

(g) High Density Residential Activity Area

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

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

Chapter 4A General Residential Activity Area

AMENDMENT 50 [Chapter 4A General Residential Activity Area]

Delete current Chapter 4A General Residential Activity Area.

Chapter 4A (General Residential Activity Area) includes objectives, policies and density standards that are inconsistent with those of the MDRS. Deleting this chapter is part of the proposed plan changes approach to incorporating the objectives, policies and density standards of the MDRS.

Chapter 4B Special Residential Activity Area

AMENDMENT 51 [Chapter 4B Special Residential Activity Area]

Delete current Chapter 4B Special Residential Activity Area.

Chapter 4B (Special Residential Activity Area) includes objectives, policies and density standards that are inconsistent with those of the MDRS. Deleting this chapter is part of the proposed plan changes approach to incorporating the objectives, policies and density standards of the MDRS.

Chapter 4C Historic Residential Activity Area

AMENDMENT 52 [Chapter 4C Historic Residential Activity Area]

Delete current Chapter 4C Historic Residential Activity Area.

Chapter 4C (Historic Residential Activity Area) includes objectives, policies and density standards that are inconsistent with those of the MDRS. Deleting this chapter is part of the proposed plan changes approach to incorporating the objectives, policies and density standards of the MDRS.

Chapter 4F Medium Density Residential Activity Area

AMENDMENT 53 [Chapter 4F Medium Density Residential Activity Area]
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. Development standards also address:~~

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

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

- ~~i. achieve a high quality built environment;~~

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

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.

AMENDMENT 54 [Chapter 4F Medium Density Residential Activity Area (Objectives)]
*Add new Objective 4F 2.1AA – **Incorporates Objective 1 of the MDRS***

4F 2 Objectives

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.

AMENDMENT 55 [Chapter 4F Medium Density Residential Activity Area (Objectives)]
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 [Chapter 4F Medium Density Residential Activity Area (Objectives)]
*Amend Objective 4F 2.3 – **Incorporates Objective 2 of the MDRS***

Objective 4F 2.3

~~Housing capacity and variety are increased.~~

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

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

AMENDMENT 57 [Chapter 4F Medium Density Residential Activity Area (Objectives)]
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 [Chapter 4F Medium Density Residential Activity Area (Objectives)]
Amend Objective 4F 2.5

Objective 4F 2.5

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

- i. appropriate on-site amenity for residents.
- ii. appropriate residential amenity for adjoining sites, and
- iii. a high level of amenity for the street.

AMENDMENT 59 [Chapter 4F Medium Density Residential Activity Area (Objectives)]
~~Delete Objective 4F 2.7~~

Objective 4F 2.7

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

AMENDMENT 60 [Chapter 4F Medium Density Residential Activity Area(Objectives)]
 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.

AMENDMENT 61 [Chapter 4F Medium Density Residential Activity Area (Policies)]
 Amend Policy 4F 3.2 – ***Incorporates Policy 1 of the MDRS***

4F 3 Policies

...

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 [Chapter 4F Medium Density Residential Activity Area (Policies)]
 Add new Policy 4F 3.2A – ***Incorporates Policy 5 of the MDRS***

Policy 4F 3.2A

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

AMENDMENT 63 [Chapter 4F Medium Density Residential Activity Area (Policies)]
 Add new Policy 4F 3.2B – ***Incorporates Policy 4 of the MDRS***

Policy 4F 3.2B

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

AMENDMENT 64 [Chapter 4F Medium Density Residential Activity Area (Policies)]
 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 [Chapter 4F Medium Density Residential Activity Area (Policies)]
Add new Policy 4F 3.2D

Policy 4F 3.2D

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

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

AMENDMENT 66 [Chapter 4F Medium Density Residential Activity Area (Policies)]
Amend Policy 4F 3.3

Policy 4F 3.3

Manage the effects of built development on adjoining sites and the street by controlling height, bulk and form of built development ~~and requiring sufficient setbacks.~~

AMENDMENT 67 [Chapter 4F Medium Density Residential Activity Area (Policies)]
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 [Chapter 4F Medium Density Residential Activity Area (Policies)]
Delete Policy 4F 3.5 – Deleted as part of incorporating Policy 5 of the MDRS

~~Policy 4F 3.5~~

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

AMENDMENT 69 [Chapter 4F Medium Density Residential Activity Area (Policies)]
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 [Chapter 4F Medium Density Residential Activity Area (Policies)]
Amend Policy 4F 3.8 – Incorporates Policy 3 of the MDRS

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.

AMENDMENT 71 [Chapter 4F Medium Density Residential Activity Area (Policies)]
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 [Chapter 4F Medium Density Residential Activity Area (Policies)]
Delete Policy 4F 3.11

~~**Policy 4F 3.11**~~

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

AMENDMENT 73 [Chapter 4F Medium Density Residential Activity Area (Policies)]
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 [Chapter 4F Medium Density Residential Activity Area (Policies)]
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.

AMENDMENT 75 [Chapter 4F Medium Density Residential Activity Area (Rules)]
Amend Rule 4F 4.1.7 Retirement Villages

4F 4 Rules

4F 4.1 Activities

...

Rule 4F 4.1.7 Retirement Villages

- | |
|--|
| <p>(a) Retirement Villages are restricted discretionary activities.</p> <p>Discretion is restricted to:</p> <ul style="list-style-type: none">(i) The effects on the amenity of the surrounding residential area.(ii) The extent to which the site layout and any proposed landscaping helps to avoid or minimise the impacts on surrounding residential areas, the streetscape and adjoining public space.(iii) Whether the site is subject to any hazards, including being within any natural hazard overlay area.(iv) The capacity of the network infrastructure for water supply, wastewater, stormwater and land transport to service the proposed development.(v) The following mixed use and medium density residential development design elements: |
|--|

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

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

Links to:

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

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

AMENDMENT 76 [Chapter 4F Medium Density Residential Activity Area (Rules)]
Amend Rule 4F 4.1.11 Vegetation Removal

Rule 4F 4.1.11 Vegetation Removal

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

(a) The removal of indigenous vegetation:

- (i) That was planted within a domestic garden for amenity purposes and/or the use of amenity or screening,
 - (ii) Within 5 metres of a lawfully established dwelling,
 - (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)

AMENDMENT 77 [Chapter 4F Medium Density Residential Activity Area (Rules)]
*Add new Rule 4F 4.2.1AA Number of Residential Units per Site – **Incorporates a density standard of the MDRS***

4F 4.2 Development Standards

Rule 4F 4.2.1AA Number of Residential Units per Site

(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:

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

(ii) The matters in Policies 4F 3.2B and 4F 3.8.

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

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

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

(vi) 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 (vi), 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 [Chapter 4F Medium Density Residential Activity Area (Rules)]
 Amend Rule 4F 4.2 1 Site Coverage – *Incorporates a density standard of the MDRS*

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

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

Links to:

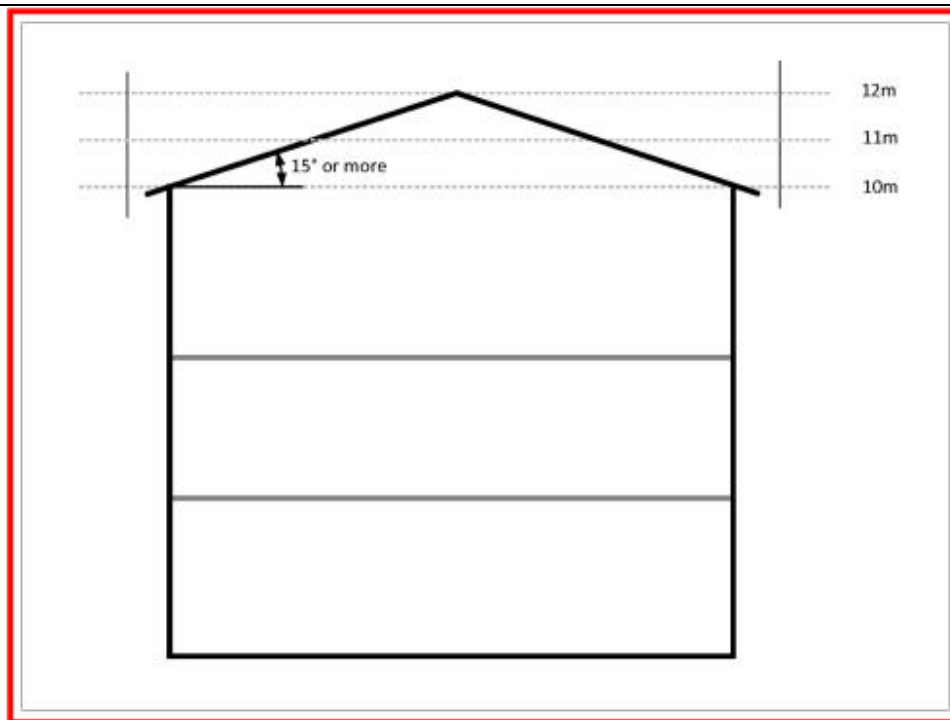
Objectives ~~4F 2.2~~, 4F 2.3, 4F 2.4, 4F 2.5

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

AMENDMENT 79 [Chapter 4F Medium Density Residential Activity Area (Rules)]
 Amend Rule 4F 4.2.2 Building Height – *Incorporates a density standard of the MDRS*

Rule 4F 4.2.2 **Building Height**

- (a) Construction or alteration of a building is a **permitted activity** if:
- (i) The building does not exceed a maximum height of ~~40m~~ 11m except that 50% of a building's roof in elevation, measured vertically from the junction between wall and roof, may exceed this height by 1m where the entire roof slopes 15 degrees or more.



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

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

Discretion is restricted to:

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

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

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

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

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

1. Building height
2. Recession planes and setbacks
3. Indoor and outdoor living spaces
4. Open space and boundary treatments
- ~~5. Entrances, carparking and garages~~
- ~~6. Onsite stormwater management~~
7. End / side wall treatment
8. Building materials

~~9. — Bike parking, storage and service areas~~

10. Privacy and safety
11. Landscaping

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

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

Links to:

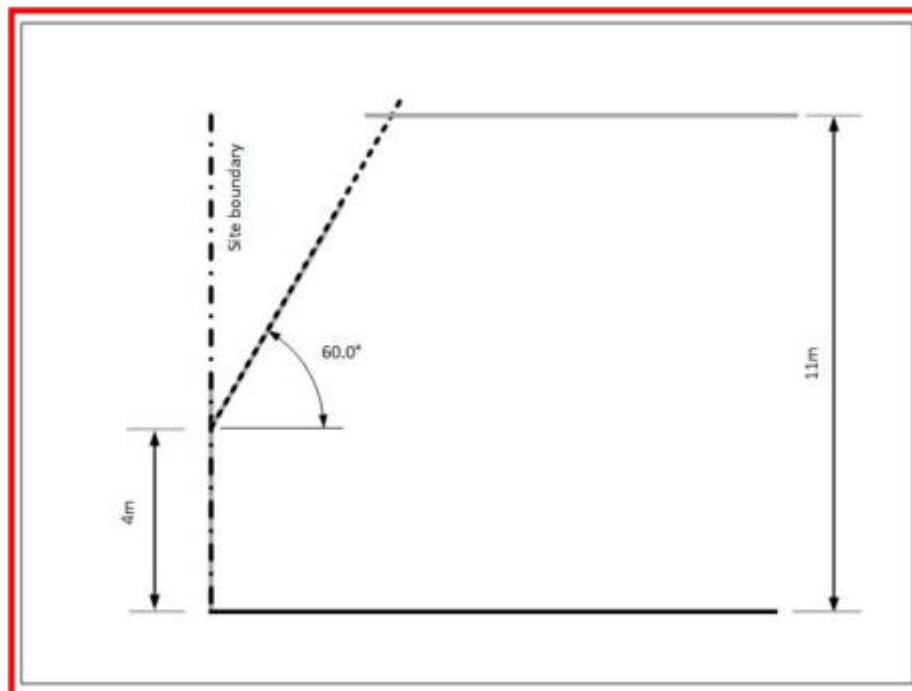
Objectives ~~4F 2.2~~, 4F 2.3, 4F 2.4, 4F 2.5

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

AMENDMENT 80 [Chapter 4F Medium Density Residential Activity Area (Rules)]
Amend Rule 4F 4.2.3 Recession Planes – Incorporates a density standard of the MDRS

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

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



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

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

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

This standard does not apply to:

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

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

Discretion is restricted to:

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

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

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

(v) The following design elements:

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

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

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

Links to:

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

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

AMENDMENT 81 [Chapter 4F Medium Density Residential Activity Area (Rules)] *Amend 4F 4.2.4 Yards – **Incorporates a density standard of the MDRS***

Rule 4F 4.2.4 **Yards Setbacks**

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

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

~~Front yards: 2m~~

~~Side yards: 1m~~

~~Rear yards: 1m~~

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

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

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

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

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

~~Front yard: 1.5m~~

~~Side yard: 1m~~

~~Rear yard: 1m~~

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

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

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

Discretion is restricted to:

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

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

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

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

(iv) The following design elements:

1. Building height

2. Recession Planes

3. End / side wall treatment

4. Privacy and safety

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

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

Links to:

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

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

AMENDMENT 82 [Chapter 4F Medium Density Residential Activity Area (Rules)]
Add new Rule 4F 4.2.4 A Height in Relation to Boundary and Setback Requirements for Sites Abutting Marae in the Community Iwi Activity Area

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

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

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

(ii) A minimum boundary setback of 1m.

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

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

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

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

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

Discretion is restricted to:

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

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

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

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

Links to:

Objective 4F 2.7

Policy 4F 3.13

AMENDMENT 83 [Chapter 4F Medium Density Residential Activity Area (Rules)]
Amend Rule 4F 4.2.5 Permeable Surface

Rule 4F 4.2.5 Permeable Surface

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

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

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

Discretion is restricted to:

- (i) The effects on the stormwater system.
- (ii) The potential for increased surface ponding and flooding.
- (iii) The mitigation of additional stormwater runoff through means such as onsite stormwater retention.
- (iv) The following ~~mixed use and medium density residential development~~ design elements:

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

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

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 [Chapter 4F Medium Density Residential Activity Area (Rules)]
*Amend Rule 4F 4.2.6 Outdoor Living Space – **Incorporates a density standard of the MDRS***

Rule 4F 4.2.6 Outdoor Living Space

- (a) Construction or alteration of a building is a **permitted activity** if:
- ~~(i) Each dwelling has an outdoor living space that:~~
 - ~~1. Has a minimum area of 20m².~~
 - ~~2. Has a minimum dimension of 3m.~~
 - ~~3. Has direct access from and is adjoining to the dwelling to which it relates.~~
 - ~~4. Is not occupied by any buildings, parking areas, or accessways.~~
 - ~~(ii) For a dwelling located entirely above ground floor the outdoor living space requirement can be satisfied by providing a balcony or roof terrace with a minimum area of 10m² with a minimum dimension of 2m.~~

- (iii) Each residential unit at ground floor level has an outdoor living space that is at least 20m² and comprises ground floor, balcony, patio, or roof terrace space that:
1. Where located at ground level, has no dimension less than 3m;
 2. Where provided in the form of a balcony, patio, or roof terrace, is at least 8m² and has a minimum dimension of 1.8m;
 3. Is accessible from the residential unit; and
 4. May be:
 - i. Grouped cumulatively by area in one communally accessible location,
or
 - ii. Located directly adjacent to the unit; and
 5. Is free of buildings, parking spaces, and servicing and manoeuvring areas.
- (iv) Each residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:
1. Is at least 8m and has a minimum dimension of 1.8m; and
 2. Is accessible from the residential unit; and
 3. May be:
 - i. Grouped cumulatively by area in one communally accessible location,
in which case it may be located at ground level; or
 - ii. Located directly adjacent to the unit.

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

Discretion is restricted to:

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

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

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

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

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

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

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

- ~~1. Building height~~
- ~~2. Recession planes and setbacks~~
3. Indoor and outdoor living spaces
4. Open space and boundary treatments
5. Entrances, carparking and garages

~~6. On-site stormwater management~~

~~7. End / side wall treatment~~

~~8. Building materials~~

9. Bike parking, storage and service areas

10. Privacy and safety

11. Landscaping

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

Public 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 [Chapter 4F Medium Density Residential Activity Area (Rules)]
Amend Rule 4F 4.2.7 Accessory Building – Incorporates density standards of the MDRS

Rule 4F 4.2.7 Accessory Building

- (a) Construction or alteration of an accessory building is a **permitted activity** if:
- (i) Development Standards 4F 4.2.1 (~~Site Coverage Building Coverage~~), 4F 4.2.2 (Building Height), 4F 4.2.3 (~~Recession Planes Height in Relation to Boundary~~), 4F 4.2.4 (~~Yards Setbacks~~) and 4F 4.2.5 (Permeable Surface) are complied with.

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

Discretion is restricted to:

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

Links to:

Objectives 4F 2.4, 4F 2.5

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

AMENDMENT 86 [Chapter 4F Medium Density Residential Activity Area (Rules)]
Amend Rule 4F 4.2.8 Screening and Storage

Rule 4F 4.2.8 Screening and Storage

- (a) Construction or alteration of a building is a **permitted activity** if:
- (i) All outdoor storage and servicing areas are screened so that they are not visible from a road or public space.

- (b) Construction or alteration of a building that does not meet the screening and storage requirements is a **restricted discretionary activity**.

Discretion is restricted to:

- (i) The effects on the amenity of adjoining sites.
- (ii) The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.
- (iii) The following ~~mixed use and medium density residential development~~ design elements:
 - ~~1. Building height~~
 - ~~2. Recession planes and setbacks~~
 - 3. Indoor and outdoor living spaces
 - 4. Open space and boundary treatments
 - 5. Entrances, carparking and garages
 - ~~6. On-site stormwater management~~
 - ~~7. End / side wall treatment~~
 - 8. Building materials
 - 9. Bike parking, storage and service areas
 - ~~10. Privacy and safety~~
 - 11. Landscaping

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

Links to:

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

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

AMENDMENT 87 [Chapter 4F Medium Density Residential Activity Area (Rules)] *Amend Rule 4F 4.2.10 Stormwater Retention*

Rule 4F 4.2.10 Stormwater Retention

- (a) Construction of a roofed building, excluding accessory buildings or additions to an existing building, is a permitted activity if:
 - (i) A rainwater tank is provided for the building that collects all rainwater from the roof of the building. The rainwater tank must have the following volumes:
 - Roof area of 100m² or less 2,000 litre capacity.
 - Roof area of 100m² to 200m² 3,000 litre capacity.
 - Roof area of more than 200m² 5,000 litre capacity.

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

~~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

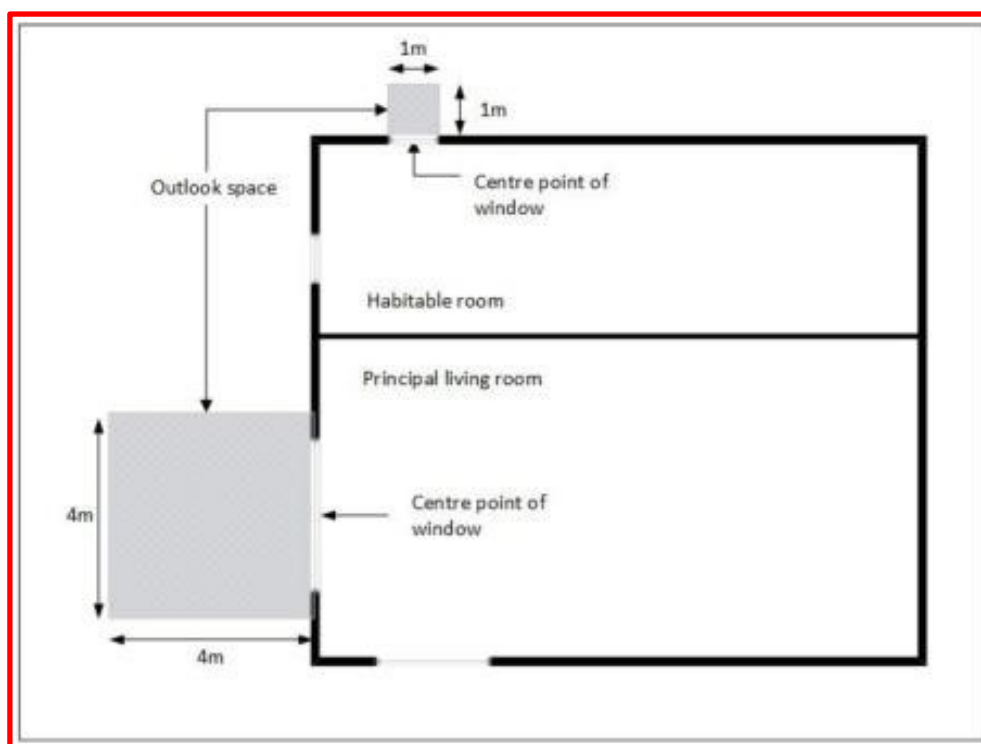
Policy 4F 3.9

AMENDMENT 88 [Chapter 4F Medium Density Residential Activity Area (Rules)]
 Add new Rule 4F 4.2.11 Outlook Space (per unit) – *Incorporates a density standard of the MDRS*

Rule 4F 4.2.11 Outlook Space (per unit)

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

- (i) Outlook space is provided for each residential unit as specified in this rule.
- (ii) Outlook space is provided from habitable room windows as shown in the diagram below:



- (ii) The minimum dimensions for a required outlook space are:
 - (a) A principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and
 - (b) All other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.
- (iii) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
- (iv) Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.
- (v) Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.

- (vi) Outlook spaces may be under or over a balcony.
- (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 notification is precluded for resource consent applications under Rule 4F 4.2.11(b).

AMENDMENT 89 [Chapter 4F Medium Density Residential Activity Area (Rules)]
*Add new Rule 4F 4.2.12 Windows to Street – **Incorporates a density standard of the MDRS***

Rule 4F 4.2.12 Windows to Street

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

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

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

Discretion is restricted to:

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

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

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

AMENDMENT 90 [Chapter 4F Medium Density Residential Activity Area (Rules)]
*Add new Rule 4F 4.2.13 Landscaped Area – **Incorporates a density standard of the MDRS***

Rule 4F 4.2.13 Landscaped Area

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

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

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

Discretion is restricted to:

- (i) The planned urban built character for the Medium Density Residential Activity Area.
- (ii) The matters in Policy 4F 3.2D.
- (iii) The accommodation of any visually prominent or established vegetation on the site into the landscaping design and the visual effects from the loss of any existing visually prominent or established vegetation on the local streetscape and visual amenity values of the local area.
- (iv) The amenity provided by the proposed landscaping to future occupants of the site.
- (v) The proposed measures and ownership of the landscaping to ensure on-going maintenance.
- (vi) The timing of the implementation of the landscaping relative to the proposed development
- (vii) The appropriateness of the proposed species for the local area and their ability to service the local climate.
- (viii) The appropriateness of the species to be planted for the spaces that have been allowed, and.
- (ix) The following design elements:
 - 1. Building height
 - 2. Recession planes and setbacks
 - 3. Indoor and outdoor living spaces
 - 4. Open space and boundary treatments
 - 5. Entrances, carparking and garages
 - 6. On-site stormwater management
 - 7. End / side wall treatment

8. Building materials

9. Bike parking, storage and service areas

10. Privacy and safety

11. Landscaping

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

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

AMENDMENT 91 [Chapter 4F Medium Density Residential Activity Area (Precincts and Scheduled Sites)]

Add new section 4F 5 Precincts and Scheduled Sites

4F 5 Precincts and Scheduled Sites

AMENDMENT 92 [Chapter 4F Medium Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4F Medium Density Residential Activity Area (Precincts and Scheduled Sites)]

Add new section 4F 5.1.1 Objectives

4F 5.1.1 Objectives

AMENDMENT 94 [Chapter 4F Medium Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4F Medium Density Residential Activity Area (Precincts and Scheduled Sites)]

Add new section 4F 5.1.2 Policies

4F 5.1.2 Policies

AMENDMENT 96 [Chapter 4F Medium Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4F Medium Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4F Medium Density Residential Activity Area (Precincts and Scheduled Sites)]

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

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

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

AMENDMENT 99 [Chapter 4F Medium Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4F Medium Density Residential Activity Area (Precincts and Scheduled Sites)]

Add new Rule 4F 5.2.1.1 Activities

4F 5.2.1 Rules

Rule 4F 5.2.1.1 Activities

- | |
|--|
| <p>(a) <u>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.</u></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none">(i) <u>Temporary Construction Effects</u> |
|--|

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

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

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

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

(iii) Natural Hazards

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

(iv) Geotechnical matters

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

(v) Amenity values

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

- The effect of buildings and structures on neighbouring and surrounding residential sites and, in particular the location, design and appearance of the buildings;
- Whether the proposal would cause significant loss of sunlight, daylight or privacy on adjoining residential properties;
- The effect on the amenity values of adjoining residential and recreational land caused by the removal of trees from the site; and
- The mitigation measures necessary, including landscape planting, to mitigate the adverse effects of loss of trees from the site and to assist the integration of the proposed development within the site and neighbourhood.

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

Links to:

Objectives 4F 2.1

AMENDMENT 101 [Chapter 4F Medium Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4F Medium Density Residential Activity Area (Precincts and Scheduled Sites)]

Add new Rule 4F 5.3.1.1 Activities

4F 5.3.1 Rules

Rule 5.3.1.1 Activities

(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 [Chapter 4F Medium Density Residential Activity Area (Anticipated Environmental Results)]

Add new Anticipated Environmental Result 4F 6(a)

4F 6 Anticipated Environmental Results

(a) Retention of indigenous vegetation.

Chapter 4G High Density Residential Activity Area

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

4G High Density Residential Activity Area

AMENDMENT 105 [Chapter 4G High Density Residential Activity Area]
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, 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 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. Development standards also address:

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

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

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

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 [Chapter 4G High Density Residential Activity Area (Objectives)]
Add new section 4G 2 Objectives

4G 2 Objectives

AMENDMENT 107 [Chapter 4G High Density Residential Activity Area (Objectives)]
Add new Objective 4G 2.1 – Incorporates Objective 1 of the MDRS

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 [Chapter 4G High Density Residential Activity Area (Objectives)]
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 [Chapter 4G High Density Residential Activity Area (Objectives)]
Add new Objective 4G 2.3 – Incorporates Objective 2 of the MDRS

Objective 4G 2.3

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

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

AMENDMENT 110 [Chapter 4G High Density Residential Activity Area (Objectives)]
Add new Objective 4G 2.4

Objective 4G 2.4

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

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

AMENDMENT 111 [Chapter 4G High Density Residential Activity Area (Objectives)]
Add new Objective 4G 2.5

Objective 4G 2.5

Built development is of high quality and provides:

- i. appropriate on-site amenity for residents,
- ii. appropriate residential amenity for adjoining sites, and
- iii. a high level of amenity for the street.

AMENDMENT 112 [Chapter 4G High Density Residential Activity Area (Objectives)]
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 [Chapter 4G High Density Residential Activity Area (Objectives)]
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 [Chapter 4G High Density Residential Activity Area (Objectives)]
Add new Objective 4G 2.8

Objective 4G 2.8

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

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

AMENDMENT 115 [Chapter 4G High Density Residential Activity Area (Policies)]
Add new section 4G 3 Policies

4G 3 Policies

AMENDMENT 116 [Chapter 4G High Density Residential Activity Area (Policies)]
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 [Chapter 4G High Density Residential Activity Area (Policies)]
*Add new Policy 4G 3.2– **Incorporates Policy 1 of the MDRS***

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 [Chapter 4G High Density Residential Activity Area (Policies)]
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 [Chapter 4G High Density Residential Activity Area (Policies)]
*Add new Policy 4G 3.4 – **Incorporates Policy 5 of the MDRS***

Policy 4G 3.4

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

AMENDMENT 120 [Chapter 4G High Density Residential Activity Area (Policies)]
*Add new Policy 4G 3.5 – **Incorporates Policy 4 of the MDRS***

Policy 4G 3.5

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

AMENDMENT 121 [Chapter 4G High Density Residential Activity Area (Policies)]
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 [Chapter 4G High Density Residential Activity Area (Policies)]
Add new Policy 4G 3.7

Policy 4G 3.7

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

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

AMENDMENT 123 [Chapter 4G High Density Residential Activity Area (Policies)]
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, bulk and form of built development.

AMENDMENT 124 [Chapter 4G High Density Residential Activity Area (Policies)]
Add new Policy 4G 3.9

Policy 4G 3.9

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

AMENDMENT 125 [Chapter 4G High Density Residential Activity Area (Policies)]
Add new Policy 4G 3.10

Policy 4G 3.10

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

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

AMENDMENT 126 [Chapter 4G High Density Residential Activity Area (Policies)]
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 [Chapter 4G High Density Residential Activity Area (Policies)]
Add new Policy 4G 3.12 – *Incorporates Policy 1 of the MDRS*

Policy 4G 3.12

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

AMENDMENT 128 [Chapter 4G High Density Residential Activity Area (Policies)]
Add new Policy 4G 3.13

Policy 4G 3.13

Require rainwater tanks and a minimum area of permeable surface in order to assist with the management of stormwater runoff created by development.

AMENDMENT 129 [Chapter 4G High Density Residential Activity Area (Policies)]
Add new Policy 4G 3.14

Policy 4G 3.14

Require development to be stormwater neutral.

AMENDMENT 130 [Chapter 4G High Density Residential Activity Area (Policies)]
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 [Chapter 4G High Density Residential Activity Area (Policies)]
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 [Chapter 4G High Density Residential Activity Area (Rules)]
Add new section 4G 4 Rules

4G 4 Rules

AMENDMENT 133 [Chapter 4G High Density Residential Activity Area (Rules)]
Add new section 4G 4.1 Activities

4G 4.1 Activities

AMENDMENT 134 [Chapter 4G High Density Residential Activity Area (Rules)]
Add new Rule 4G 4.1.1 Residential Activities

Rule 4G 4.1.1 Residential Activities

(a) Residential Activities are permitted activities.

Links to:

Objective 4G 2.1

Policy 4G 3.1

AMENDMENT 135 [Chapter 4G High Density Residential Activity Area (Rules)]
Add new Rule 4G 4.1.2 Home Occupation

Rule 4G 4.1.2 Home Occupation

(a) Home Occupations are permitted activities if:

(i) At least one person engaged in the home occupation is permanently living on site.

(ii) No more than four people in total may work in the home occupation at any one time.

<p><u>(iii) Retail activities are limited to:</u></p> <ol style="list-style-type: none"> <u>1. Goods produced on the site; or</u> <u>2. Goods retailed online and not resulting in customer visits to the site; or</u> <u>3. Goods ancillary and related to a service provided by the home occupation.</u> <p><u>(iv) The home occupation does not include the repair, alteration, restoration or maintenance of motor vehicles.</u></p> <p><u>(v) The home occupation does not involve the use of trucks or other heavy vehicles.</u></p> <p><u>(vi) The operational hours for visitors, customers, clients and deliveries to the home occupation is only between:</u></p> <ol style="list-style-type: none"> <u>1. 8:00am to 7:00pm Monday to Friday; and</u> <u>2. 9:00am to 6:00pm Saturday, Sunday and public holidays.</u> <p><u>(vi) Daily vehicle trips to and from the site generated by the home occupation do not exceed 20.</u></p> <p><u>(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.</u></p>
<p><u>(b) Home Occupations that do not meet the above permitted activity standards are restricted discretionary activities.</u></p> <p><u>Discretion is restricted to:</u></p> <ol style="list-style-type: none"> <u>(i) The effects on the amenity of the surrounding residential area.</u> <u>(ii) The effects of noncompliance with the permitted activity standard that is not being met.</u>
<p><u>Links to:</u></p> <p><u>Objective 4G 2.1</u></p> <p><u>Policy 4G 3.1</u></p>

AMENDMENT 136 [Chapter 4G High Density Residential Activity Area (Rules)]
Add new Rule 4G 4.1.3 Care Facilities, Residential Facilities, Boarding Houses, Hostels, Visitor Accommodation

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

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

[Objective 4G 2.1](#)

[Policy 4G 3.1](#)

AMENDMENT 137 [Chapter 4G High Density Residential Activity Area (Rules)]
Add new Rule 4G 4.1.4 Childcare Facilities

Rule 4G 4.1.4 Childcare Facilities

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

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

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

Discretion is restricted to:

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

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

(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 [Chapter 4G High Density Residential Activity Area (Rules)]
Add new Rule 4G 4.1.5 Health Care Services

Rule 4G 4.1.5 Health Care Services

(a) Health Care Services with a maximum number of four practitioners (whether fulltime or part time) are restricted discretionary activities.

Discretion is restricted to:

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

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

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

Links to:

[Objective 4G 2.1](#)

[Policy 4G 3.1](#)

AMENDMENT 139 [Chapter 4G High Density Residential Activity Area (Rules)]
Add new Rule 4G 4.1.6 Community Facilities, Marae, Education Facilities, Places of Assembly and Emergency Facilities

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

(a) Community Facilities, Marae, Education Facilities, Places of Assembly and Emergency Facilities except for Childcare Centres are restricted discretionary activities.

Discretion is restricted to:

- (i) The effects on the amenity of the surrounding residential area.
- (ii) The extent to which the site layout and any proposed landscaping helps to avoid or minimise the impacts on surrounding residential areas, the streetscape and adjoining public space.

Links to:

Objective 4G 2.1

Policy 4G 3.1

AMENDMENT 140 [Chapter 4G High Density Residential Activity Area (Rules)]
Add new Rule 4G 4.1.7 Retirement Villages

Rule 4G 4.1.7 Retirement Villages

(a) Retirement Villages are restricted discretionary activities.

Discretion is restricted to:

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

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

AMENDMENT 141 [Chapter 4G High Density Residential Activity Area (Rules)]
Add new Rule 4G 4.1.8 Other Non-Residential Activities

Rule 4G 4.1.8 Other Non-Residential Activities

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

Links to:

Objective 4G 2.1

Policy 4G 3.1

AMENDMENT 142 [Chapter 4G High Density Residential Activity Area (Rules)]
Add new Rule 4G 4.1.9 Light Spill

Rule 4G 4.1.9 Light Spill

(a) Activities are permitted activities if:

(i) Artificial light does not result in added illuminance in excess of 8 lux measured at the window of any dwelling house.

(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 [Chapter 4G High Density Residential Activity Area (Rules)]
Add new Rule 4G 4.1.10 Vibration

Rule 4G 4.1.10 Vibration

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

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

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

Discretion is restricted to:

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

Links to:

Objective 4G 2.1

Policy 4G 3.1

AMENDMENT 144 [Chapter 4G High Density Residential Activity Area (Rules)]
Add new Rule 4G 4.1.11 Vegetation Removal

Rule 4G 4.1.11 Vegetation Removal

<p><u>(a) The removal of indigenous vegetation:</u></p> <ul style="list-style-type: none"><u>(i) That was planted within a domestic garden for amenity purposes and/or the use of amenity or screening.</u><u>(ii) Within 5 metres of a lawfully established dwelling.</u><u>(iii) Within 3 metres of a lawfully established accessory building with a gross floor area greater than 10m².</u><u>(iv) To maintain existing open areas, tracks, accessways, fences and onsite services.</u><u>(v) To maintain existing network utilities.</u><u>(vi) To prevent loss of life, injury or damage to property.</u><u>(vii) To remove dead or diseased vegetation, or</u><u>(viii) In accordance with Tikanga Māori.</u> <p><u>is a permitted activity.</u></p>
<p><u>(b) The removal of exotic vegetation is a permitted activity if:</u></p> <ul style="list-style-type: none"><u>(i) The area from which vegetation was removed must be stabilised against erosion by vegetation cover or other methods.</u>
<p><u>(c) The removal of trees on an Urban Environment Allotment is a permitted activity.</u></p>
<p><u>(d) The trimming of vegetation is a permitted activity.</u></p>
<p><u>(e) The removal of vegetation not otherwise provided for as a permitted activity is a restricted discretionary activity.</u></p> <p><u>Discretion is restricted to:</u></p> <ul style="list-style-type: none"><u>(i) Amenity Values:</u> <u>The adverse effects upon the visual amenity values of the site and surrounding area caused by the removal of vegetation. Consideration shall be had to the visual prominence of the vegetation, and any replacement planting to be undertaken.</u><u>(ii) Site Stability:</u> <u>The adverse effects upon the stability of the site caused by the removal of vegetation.</u><u>(iii) Indigenous Biodiversity and the Intrinsic Values of Ecosystems:</u><ul style="list-style-type: none"><u>(a) The extent to which the proposal will adversely affect the indigenous biodiversity and intrinsic value of ecosystems on the site and surrounding area.</u><u>(b) Applying the criteria in Policy 23 of the Regional Policy Statement for the Wellington Region 2013.</u>
<p><u>(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)</u></p>

AMENDMENT 145 [Chapter 4G High Density Residential Activity Area (Rules)]
Add new section 4G 4.2 Development Standards

4G 4.2 Development Standards

AMENDMENT 146 [Chapter 4G High Density Residential Activity Area (Rules)]
*Add new Rule 4G 4.2.1 Number of Dwellings per Site – **Incorporates a density standard of the MDRS***

Rule 4G 4.2.1 Number of Dwellings per Site

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

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

Discretion is restricted to:

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

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

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

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

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

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

(vii) The 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 (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 4.2.1(b).

AMENDMENT 147 [Chapter 4G High Density Residential Activity Area (Rules)]
Add new Rule 4G 4.2.2 Building Coverage – Incorporates a density standard of the MDRS

Rule 4G 4.2.2 Building Coverage

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

AMENDMENT 148 [Chapter 4G High Density Residential Activity Area (Rules)]
Add new Rule 4G 4.2.3 Building Height – Incorporates a density standard of the MDRS

Rule 4G 4.2.3 Building Height

- (a) Construction or alteration of a building is a permitted activity if:
- (i) The building is within a specific height control overlay shown on the District Plan map and does not exceed the maximum height shown for that overlay, or
 - (ii) In any other case, the building does not exceed a maximum height of 22m.
- (b) Construction or alteration of a building that does not comply with Rule 4G 4.2.3(a) is a restricted discretionary activity.
- Discretion is restricted to:**
- (i) The planned urban built character for the High Density Residential Activity Area, including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area.
 - (ii) The effects on the amenity of the surrounding residential area and adjoining streetscape.
 - (iii) The effects on the privacy of adjoining sites.
 - (iv) The effects on shading of adjoining sites including the impacts of shading on their primary internal and external living areas throughout the year.
 - (v) The impacts of shading and additional building bulk on any public open space or recreational grounds and their ability to provide outdoor amenity to users.
 - (vi) Any design features or articulation to reduce the bulk of the building when viewed from neighbouring properties.
 - (vii) The following design elements:

1. Building height
2. End / side wall treatment
3. Building materials
4. Privacy and safety
5. Landscaping

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

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

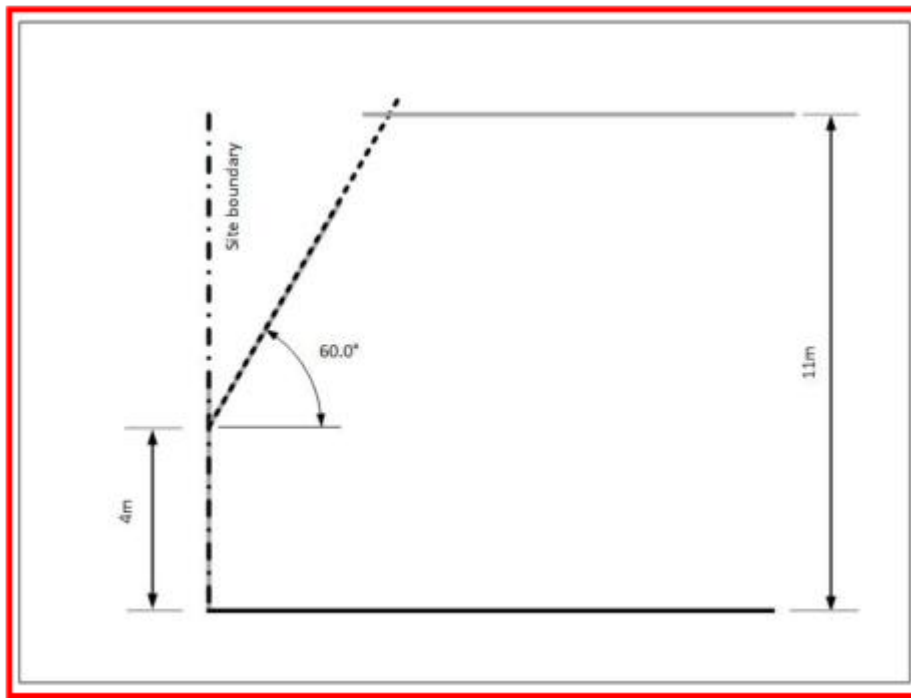
Links to:

AMENDMENT 149 [Chapter 4G High Density Residential Activity Area (Rules)]
Add new Rule 4G 4.2.4 Height in Relation to Boundary – *Incorporates a density standard of the MDRS*

Rule 4G 4.2.4 Height in Relation to Boundary

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

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



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

This standard does not apply to:

- (a) A boundary with a road,
- (b) Existing or proposed internal boundaries within a site, and

<p><u>(c) Site boundaries where there is an existing common wall between two buildings on adjacent sites or where a common wall is proposed.</u></p>
<p><u>(b) Construction or alteration of a building that does not meet the maximum height in relation to boundary requirements is a restricted discretionary activity.</u></p> <p><u>Discretion is restricted to:</u></p> <p><u>(i) The planned urban built character for the High Density Residential Activity Area, including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area.</u></p> <p><u>(ii) The effects on the privacy of adjoining sites.</u></p> <p><u>(iii) The effects on shading of adjoining sites, including the impacts of shading on their primary internal and external living areas.</u></p> <p><u>(iv) The effects on the amenity of the surrounding residential area and adjoining streetscape.</u></p> <p><u>(v) The level of additional building bulk and the impact on the amenity of the adjoining residential properties.</u></p> <p><u>(vi) The following design elements:</u></p> <ol style="list-style-type: none"> <u>1. Building height</u> <u>2. Recession Planes</u> <u>3. End / side wall treatment</u> <u>4. Privacy and safety</u> <p><u>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.</u></p> <p><u>Public notification is precluded for resource consent applications under Rule 4G 4.2.4(b).</u></p>

AMENDMENT 150 [Chapter 4G High Density Residential Activity Area (Rules)]
Add new Rule 4G 4.2.5 Setbacks – *Incorporates a density standard of the MDRS*

Rule 4G 4.2.5 Setbacks

<p><u>(a) Construction or alteration of a building is a permitted activity if:</u></p> <p><u>(i) Buildings are set back from the relevant boundary by the minimum depth listed below</u></p> <p style="padding-left: 40px;"><u>Front yard: 1.5m</u></p> <p style="padding-left: 40px;"><u>Side yard: 1m</u></p> <p style="padding-left: 40px;"><u>Rear yard: 1m</u></p> <p><u>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.</u></p> <p><u>Eaves may encroach into any yard by up to 0.6m.</u></p>
<p><u>(b) Construction or alteration of a building that does not meet the setback requirements is a restricted discretionary activity.</u></p> <p><u>Discretion is restricted to:</u></p>

- (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 [Chapter 4G High Density Residential Activity Area (Rules)]
Add new Rule 4G 4.2.6 Heights in Relation to Boundary and Yards for Sites Abutting Marae in the Community Iwi Activity Area.

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

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

- (i) A maximum height in relation to boundary of 2.5m + 45°.
- (ii) A minimum boundary setback of 1m.
- (iii) One accessory building may be located in a side and/or rear yard, provided that the building does not extend more than 6m along the length of any boundary.

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

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

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

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

Discretion is restricted to:

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

- (ii) Whether there are alternative methods, locations or designs that would avoid or reduce impacts on tikanga and cultural safety.
- (iii) The outcomes of any engagement undertaken with tangata whenua responsible for the marae, relevant to the effects of the standard not met.

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

Links to:

Objective 4G 2.7

Policy 4G 3.15

AMENDMENT 152 [Chapter 4G High Density Residential Activity Area (Rules)]
Add new Rule 4G 4.2.7 Permeable Surface

Rule 4G 4.2.7 Permeable Surface

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

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

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

Discretion is restricted to:

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

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

AMENDMENT 153 [Chapter 4G High Density Residential Activity Area (Rules)]
*Add new Rule 4G 4.2.8 Outdoor Living Space – **Incorporates a density standard of the MDRS***

Rule 4G 4.2.8 Outdoor Living Space

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

- (i) Each residential unit at ground floor level has an outdoor living space that is at least 20m² and comprises ground floor, balcony, patio, or roof terrace space that:
 1. Where located at ground level, has no dimension less than 3m;
 2. Where provided in the form of a balcony, patio, or roof terrace, is at least 8m² and has a minimum dimension of 1.8m;
 3. Is accessible from the residential unit; and
 4. May be:

- i. Grouped cumulatively by area in one communally accessible location, or
 - ii. Located directly adjacent to the unit; and
 - 5. Is free of buildings, parking spaces, and servicing and manoeuvring areas.
- (ii) Each residential unit located above ground floor level must have an outdoor living space in the form of a balcony, patio, or roof terrace that:
 - 1. Is at least 8m and has a minimum dimension of 1.8m; and
 - 2. Is accessible from the residential unit; and
 - 3. May be:
 - i. Grouped cumulatively by area in one communally accessible location, in which case it may be located at ground level; or
 - ii. Located directly adjacent to the unit.

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

Discretion is restricted to:

- (i) The planned urban built character for the High Density Residential Activity Area, including the requirements to enable buildings of at least six storeys within the High Density Residential Activity Area.
- (ii) The design, layout, access for residents, functionality, and on-going maintenance (including legal instruments) of any communal space provided on site to provide outdoor living.
- (iii) Any positive effects that not meeting the standard has on the retention of vegetation or other site features that add to the amenity of the site and surrounding residential area.
- (iv) The effects on the amenity for residents of the site, including access to sunlight and open space and accessibility of the outdoor living space proposed.
- (v) The usability and functionality of the proposed outdoor living area for future occupants.
- (vi) The proximity of the site to communal or public open space that has the potential to offset any lack of private outdoor living space.
- (vii) The following design elements:
 - 1. Indoor and outdoor living spaces
 - 2. Open space and boundary treatments
 - 3. Entrances, carparking and garages
 - 4. Bike parking, storage and service areas
 - 5. Privacy and safety
 - 6. Landscaping

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

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

AMENDMENT 154 [Chapter 4G High Density Residential Activity Area (Rules)]
Add new Rule 4G 4.2.9 Accessory Building – *Incorporates density standards of the MDRS*

Rule 4G 4.2.9 Accessory Building

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|---|
| <p>(a) <u>Construction or alteration of an accessory building is a permitted activity if:</u></p> <p>(i) <u>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.</u></p> |
| <p>(b) <u>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.</u></p> <p><u>Discretion is restricted to:</u></p> <p>(i) <u>The effects on the amenity of adjoining sites.</u></p> <p>(ii) <u>The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.</u></p> |

AMENDMENT 155 [Chapter 4G High Density Residential Activity Area (Rules)]
Add new Rule 4G 4.2.10 Screening Storage

Rule 4G 4.2.10 Screening and Storage

- | |
|---|
| <p>(a) <u>Construction or alteration of a building is a permitted activity if:</u></p> <p>(i) <u>All outdoor storage and servicing areas are screened so that they are not visible from a road or public space.</u></p> |
| <p>(b) <u>Construction or alteration of a building that does not meet the screening and storage requirements is a restricted discretionary activity.</u></p> <p><u>Discretion is restricted to:</u></p> <p>(i) <u>The effects on the amenity of adjoining sites.</u></p> <p>(ii) <u>The materials or items to be stored within the storage and servicing areas.</u></p> <p>(iii) <u>The accessibility of the storage and servicing areas for future occupants.</u></p> <p>(iv) <u>The effects on the amenity of the surrounding residential area, the streetscape and adjoining public space.</u></p> <p>(v) <u>The following mixed use and medium density residential development design elements:</u></p> <ol style="list-style-type: none"><u>1. Indoor and outdoor living spaces</u><u>2. Open space and boundary treatments</u><u>3. Entrances, carparking and garages</u><u>4. Building materials</u><u>5. Bike parking, storage and service areas</u><u>6. Landscaping</u> <p><u>When considering the matters in (v), the Council will be principally guided by its Medium Density Design Guide.</u></p> |

AMENDMENT 156 [Chapter 4G High Density Residential Activity Area (Rules)]

Add new Rule 4G 4.2.11 Demolition

Rule 4G 4.2.11 Demolition

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

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

AMENDMENT 157 [Chapter 4G High Density Residential Activity Area (Rules)]

Add new Rule 4G 4.2.12 Stormwater Retention

Rule 4G 4.2.12 Stormwater Retention

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

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

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

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

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

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

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

Discretion is restricted to:

(i) The effects on the stormwater system.

(ii) The potential for increased surface ponding and flooding.

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

AMENDMENT 158 [Chapter 4G High Density Residential Activity Area (Rules)]

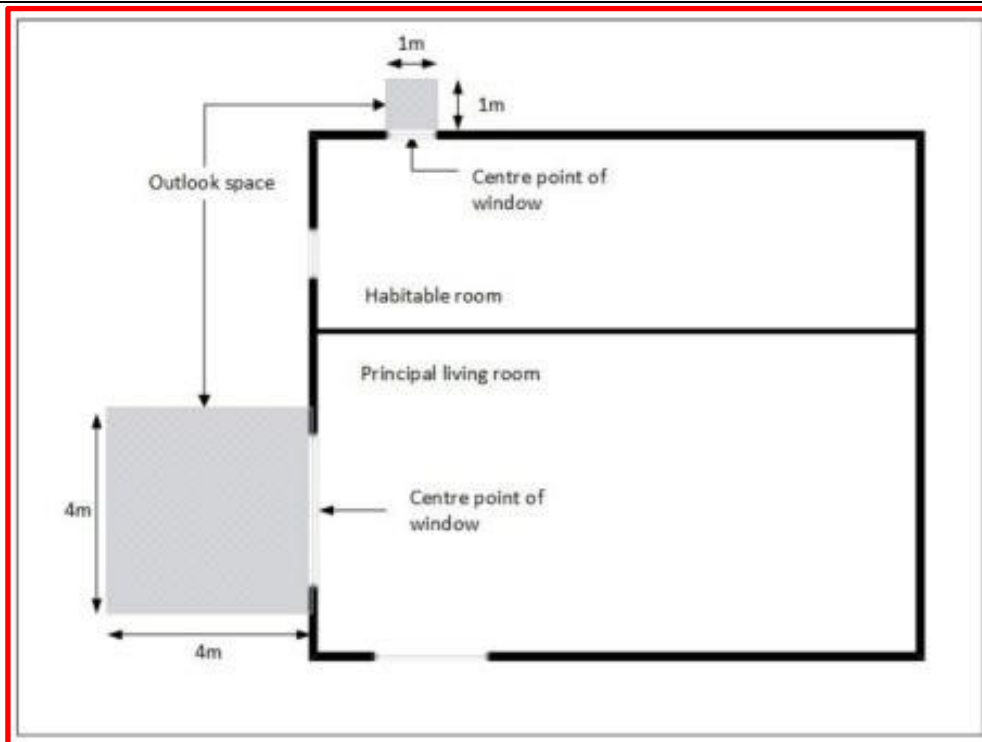
Add new Rule 4G 4.2.13 Outlook space (per Unit) – ***Incorporates a density standard of the MDRS***

Rule 4G 4.2.13 Outlook space (per unit)

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

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

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



- (iii) The minimum dimensions for a required outlook space are:
- (a) A principal living room must have an outlook space with a minimum dimension of 4 metres in depth and 4 metres in width; and
 - (b) All other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.
- (iv) The width of the outlook space is measured from the centre point of the largest window on the building face to which it applies.
- (v) Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.
- (vi) Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.
- (vii) Outlook spaces may be under or over a balcony.
- (viii) Outlook spaces required from different rooms within the same building may overlap.
- (ix) Outlook spaces must:
- (a) Be clear and unobstructed by buildings; and
 - (b) Not extend over an outlook space or outdoor living space required by another dwelling.

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

Discretion is restricted to:

- (i) The planned urban built character for the High Density Residential Activity Area.
- (ii) The matters in Policy 4G 3.7.
- (iii) The effects on internal privacy of future occupants resulting from a reduced outlook.

(iv) Any mitigation factors such as view or landscaping that compensates for a reduced outlook.

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

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

AMENDMENT 159 [Chapter 4G High Density Residential Activity Area (Rules)]
*Add new Rule 4G 4.2.14 Windows to Street – **Incorporates a density standard of the MDRS***

Rule 4G 4.2.14 Windows to Street

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

(i) Dwellings 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 [Chapter 4G High Density Residential Activity Area (Rules)]
*Add new Rule 4G 4.2.15 Landscaped Area – **Incorporates a density standard of the MDRS***

Rule 4G 4.2.15 Landscaped Area

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

(i) A minimum of 20% of a developed site is landscaped with grass or plants. The landscaped area can include the canopy of trees regardless of the ground treatment below them.

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

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

Discretion is restricted to:

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

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

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

AMENDMENT 161 [Chapter 4G High Density Residential Activity Area (Rules)]

Add new Note 4G 4.3 General Rules

Note 4G 4.3 General Rules

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

AMENDMENT 162 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

Add new section 4G 5 Precincts and Scheduled Sites

4G 5 Precincts and Scheduled Sites

AMENDMENT 163 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

Add new section 4G 5.1.1 Policies

4G 5.1.1 Policies

AMENDMENT 165 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

Add new Rule 4G 5.1.2.1 Activities

Rule 4G 5.1.2.1 Activities

(a) Principal Tertiary Education Activities are permitted activities.

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

Discretion is restricted to:

(i) Amenity values

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

(ii) Noise

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

Links to:

Policies 4G 5.1.1.1

AMENDMENT 168 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

Add new Rule 4G 5.1.2.2 Building Frontages

Rule 4G 5.1.2.2 Building Frontages

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

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

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

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

Discretion is restricted to:

(i) Streetscape Effects

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

Links to:

Policies 4G 5.1.1.1

AMENDMENT 169 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

Add new Rule 4G 5.1.2.3 Corner Sites

Rule 4G 5.1.2.3 Corner Sites

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

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

Note: For the purpose of this rule 'main entrance' shall be the doorway intended for the highest rates of access and egress of people into any building, and 'primary street' shall be the road which is classified highest in the Roding 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 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

Add new Rule 4G 5.1.2.4 Landscaping and Screening

Rule 4G 5.1.2.4 Landscaping and Screening

(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 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

Add new section 4G 5.2.1 Objectives

4G 5.2.1 Objectives

AMENDMENT 173 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

Add new section 4G 5.2.2 Policies

4G 5.2.2 Policies

AMENDMENT 175 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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

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

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

AMENDMENT 178 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

Add new section 4G 5.3.1 Objectives

4G 5.3.1 Objectives

AMENDMENT 180 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

Add new section 4G 5.3.2 Policies

4G 5.3.2 Policies

AMENDMENT 183 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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

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

(a) New buildings, or external alterations, external repair or external modification of an existing building or structure in the Heretaunga Settlement Heritage Precinct and Riddlers Crescent Heritage Precinct is a restricted discretionary activity where the following standards are met:

(i) Minimum Net Site Area per Permitted Activity (excluding home occupations and accessory buildings):

(1) Patrick Street, Adelaide Street, The Esplanade, Jackson Street 370m².

(2) Riddlers Crescent and Hutt Road 300m².

(ii) Minimum Yard Requirements:

(1) Patrick Street, The Esplanade, Adelaide Street, Jackson Street

Front Yard 6.0m

South Side 1.0m

North Side 2.0m

Rear Yard 3.0m

(2) Riddlers Crescent, Hutt Road

Front Yard 3.0m

Side Yard 1.5m

Rear Yard 3.0m

Provided that:

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

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

(iii) Maximum Height in Relation to Boundary:

From all site boundaries: 2.75m+ 37°.

Where the net site area boundary is immediately adjacent to an access leg to a rear net site area then the maximum height in relation to boundary shall be calculated from the furthest 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 listed 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 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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

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

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

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

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

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

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

Discretion is restricted to:

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

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

AMENDMENT 193 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

Add new section 4G 5.4.1 Rules

4G 5.4.1 Rules

AMENDMENT 195 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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

Rule 4G 5.4.1.1 Sale of Liquor at Bellevue Hotel

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

AMENDMENT 196 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

Add new Rule 4G 5.4.1.2 Visitor Accommodation at Bellevue Hotel

Rule 4G 5.4.1.2 Visitor Accommodation at Bellevue Hotel

(a) Visitor accommodation is a permitted activity.

AMENDMENT 197 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

Add new Rule 4G 5.4.1.3 Restaurant at Bellevue Hotel

Rule 4G 5.4.1.3 Restaurant at Bellevue Hotel

(a) A restaurant is a permitted activity where:

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

AMENDMENT 198 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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

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

(a) A place of assembly and entertainment is a permitted activity where:

(i) The activity is ancillary to the sale of liquor, visitor accommodation or restaurant permitted by Rules 4G 5.3.1.1, 4G 5.3.1.2 and 4G 5.3.1.3.

AMENDMENT 199 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

Add new Rule 4G 5.5.1.1 Educational Activities

4G 5.5.1 Rules

Rule 4G 5.5.1.1 Educational Activities

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

AMENDMENT 201 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

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 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

Add new section 4G 5.6.1 Policies

4G 5.6.1 Policies

AMENDMENT 203 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

Add new Policy 4G 5.6.1.1

Policy 4G 5.6.1.1

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

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

AMENDMENT 204 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

Add new Policy 4G 5.6.1.2

Policy 4G 5.6.1.2

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

- i. All aspects of Policy 4G 5.6.1.1 above;
- ii. An appropriate urban design response to the wider context so that the coherence of the adjoining neighbour;
- iii. Appropriate visual permeability across the site;
- iv. An attractive and well-designed edge treatment when viewed from the new stopbank and avoids buildings that have inappropriate length or mass.

AMENDMENT 205 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

Add new Rule 4G 5.6.2.1 Activities

4G 5.6.2 Rules

Rule 4G 5.6.2.1 Activities

- | |
|--|
| <p>(a) <u>Housing for the Elderly including the construction or alteration of buildings is a restricted discretionary activity if:</u></p> |
|--|

(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 [Chapter 4G High Density Residential Activity Area (Precincts and Scheduled Sites)]

Add new section 4G 6 Anticipated Environmental Results

4G 6 Anticipated Environmental Results

(a) Retention of indigenous vegetation.

Chapter 5 Commercial

AMENDMENT 207 [Chapter 5 Commercial]

Amend Introduction

Introduction

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

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

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

AMENDMENT 208 [Chapter 5 Commercial]

Delete paragraphs on Suburban Commercial Activity Area

~~(c) Suburban Commercial Activity Area~~

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

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

AMENDMENT 209 [Chapter 5 Commercial]

Delete paragraphs on Special Commercial Activity Area

~~(d) Special Commercial Activity Area~~

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

~~(i) Area 1 – Station Village~~

~~Area 1 comprises the Station Village complex at the western end of Railway Avenue. Station Village was originally established as a tourist and entertainment centre, and consequently encourages activities of a similar nature. The total floor area provided for retailing activities in this Activity Area is purposely limited, to encourage the establishment of leisure, entertainment and craft facilities. In addition to these facilities, Station Village encompasses a recognised historic building, and additional buildings designed in keeping with the historic theme. While it is important to maintain a leisure, entertainment and craft centre for the City, activities and~~

~~buildings will not compromise the historic significance of the Station Building and its complementary surroundings~~

~~(ii) — **Area 2 – Boulcott Village**~~

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

AMENDMENT 210 [Chapter 5 Commercial]

Amend paragraphs on Suburban Mixed Use Activity Area

(e) Suburban Mixed Use Activity Area

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

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

Chapter 5A Central Commercial Activity Area

AMENDMENT 211 [Chapter 5A Central Commercial Activity Area (Issues, Objectives and Policies)]

Amend policies of section 5A 1.1.1 Capacity of the Central Commercial Activity Area

Policy

- (a) Identify the extent of the Central Commercial Activity Area which is generally bounded by High Street to the south, Cornwall Street to the east, Daly and Rutherford Streets to the west and Melling Road and Brunswick Street to the north, including the Market Grove area.
- ~~(b) Recognise that the Central Commercial Activity Area has five precincts, being: Core, Commercial, Riverfront (Core), Riverfront (Commercial) and Residential Transition, which have different issues and values, with different management approaches (see Map in Appendix Central Commercial 1 – Precincts).~~
- (c) Provide for development capacity through providing for the redevelopment of existing property in the Central Commercial Activity Area, and making more efficient use of the land resource by providing for a wide range of activities.
- ~~(d) Provide for taller buildings in the Central Commercial Activity Area to accommodate a wide range of activities, while ensuring taller buildings do not detract from the character, qualities and amenity values of the central area and adjoining residential and recreational areas.~~

Enable a built form that:

 - (i) Maximises development potential
 - (ii) Accommodates a wide range of activities, and
 - (iii) Supports a quality urban environment.
- (e) Restrict commercial activities and development in areas outside the Central Commercial Activity Area that have the potential to undermine or detract from the vitality and vibrancy of the Central Community Commercial Activity Area, except as provided for in the other Commercial Activity Areas.

AMENDMENT 212 [Chapter 5A Central Commercial Activity Area (Issues, Objectives and Policies)]

Amend Explanation and Reasons of section 5A 1.1.1 Capacity of the Central Commercial Activity Area

Explanation and Reasons

The Central Commercial Activity Area needs to ~~be of a~~ provide for sufficient development capacity to meet the needs of current and future generations ~~and to have~~ be a well-functioning urban environment. The existing footprint of the central area is well-established with boundaries defined based on existing land uses. ~~Within the overall central area, there are five sub-areas or precincts which have specific issues and values. These precincts are entitled Core, Commercial, Riverfront (Core), Riverfront (Commercial) and Residential Transition, and have different management frameworks and requirements applying to the respective precincts.~~

Based on recent development trends, there is surplus capacity within this existing footprint to meet the anticipated needs of current and future generations for the central area through the more efficient use of land. This more efficient use is through the redevelopment of existing sites, and through additions and alterations to existing buildings. In addition, providing for a greater mix of activities in the central area provides for the adaptive re-use of existing buildings which may be currently under-utilised.

Furthermore, taller buildings provide the ability to more efficiently use the existing central area land resource. However, by providing for taller buildings, care is required to ensure these taller buildings do not detract from the amenity values of the central area and adjoining areas support a quality urban environment.

Commercial activities located outside the Central Commercial Activity Area may undermine the role and function of the central area. Therefore, it is important the management framework for other Activity Areas recognise and manage these types of activities and development to protect the vitality and vibrancy of the Commercial Activity Areas.

The Central Commercial Design Guide identifies five sub-areas or precincts which have specific issues and values. These precincts are entitled Core, Commercial, Riverfront (Core), Riverfront (Commercial) and Residential Transition, and have different design principles and assessment guidelines applying to the respective precincts.

AMENDMENT 213 [Chapter 5A Central Commercial Activity Area (Issues, Objectives and Policies)]

Delete section 5A.1.1.3 Nature and Scale of Activities

5A 1.1.3 — Nature and Scale of Activities

Issue

~~The nature and widely different scale of activities can degrade the quality and sustainability of the existing Central Commercial Activity Area.~~

Objective

~~To encourage a central public focused core and to recognise and provide for a mix of activities in some parts of the Central Commercial Activity Area.~~

Policy

- ~~(a) — Provide for retail activities throughout the Central Commercial Activity Area based on precincts.~~
- ~~(b) — Manage the scale and location of activities based on precincts to ensure that they sustain the vitality and vibrancy of the Central Commercial Activity Area, while recognising the commercial and practical constraints that affect the viability of new activities.~~
- ~~(c) — Ensure activities and developments contribute to an attractive and public focused core, and are compatible with the qualities and amenity values of the Central Commercial Activity Area, while remaining viable propositions for commercial investment.~~

Explanation and Reasons

~~Activities are continually changing in response to market pressures. As the central focus and main concentration of existing activity in Lower Hutt City, the Central Commercial Activity Area needs to be adaptive to these changes, while ensuring these changes do not degrade or undermine the vitality and vibrancy of this area and its amenities.~~

~~The retail activities in the central area are a mix of larger format/anchor, speciality and comparative shops. They vary in size throughout the central area, with a general pattern of small scale speciality shops at the southern end and larger scale shops at the northern end. A precinct based approach recognises this difference in the location and scale of shops, which is an important characteristic in maintaining the vitality and vibrancy of the central area~~

AMENDMENT 214 [Chapter 5A Central Commercial Activity Area (Issues, Objectives and Policies)]

Amend Explanation and Reasons of section 5A.1.1.4 Incompatibility between Different Activities

Explanation and Reasons

It is anticipated the Central Commercial Activity Area will experience some significant residential development, ~~with a particular focus on apartments in the central core and overlooking the river corridor and terraced townhouses along the periphery with the residential areas.~~ to meet expected demand. Residential activities can positively contribute to the vitality and vibrancy of the central area, as these residents have convenient access to retail, commercial, community and civic amenities. In addition, with changing demographics of an aging population and smaller household units, providing for and encouraging residential activities within the Central Commercial Activity Area provides another option for meeting the requirements of future residents in the city. Residential activities would also support other activities in the Central Commercial Activity Area, such as commercial and community activities, which would result in a more lively and active area contributing to the economic and social wellbeing of the city.

However, residential activities may be incompatible with some other activities in the Central Commercial Activity Area, in particular, they may be sensitive to noise from other activities. Rather than overly restricting other activities, it is appropriate that the residential activities mitigate this sensitivity by providing for external noise insulation.

AMENDMENT 215 [Chapter 5A Central Commercial Activity Area (Issues, Objectives and Policies)]

Amend policies of section 5A 1.2.1 Quality of Buildings and Open Spaces

Policy

- (a) Provide for alterations and minor additions to existing buildings, subject to minimum standards, and encourage high quality urban and built form design for these building modifications.
- (b) Manage new buildings and developments and larger additions to existing buildings, to be well designed and to contribute to the creation or maintenance of an integrated, safe and attractive Central Commercial Activity Area with a high standard of streetscape and pedestrian amenity.
- (c) Manage new buildings and developments and larger additions to existing buildings, to achieve a high quality urban and built form design, to integrate with the surrounding streetscape and buildings and to contribute to the anticipated character for ~~the precincts within~~ the Central Commercial Activity Area.
- (d) ~~Manage building height based on precincts which reflect the form and context of their location, with taller buildings in the Core, Riverfront (Core) and Riverfront (Commercial) Precincts and lower buildings in the Commercial and Residential Transition Precincts.~~
- (e) Manage prominent sites to promote identity, visual reference and orientation, and act as gateways by managing the design and appearance of new buildings and developments, including additions and alterations.
- (f) Encourage all new buildings to provide appropriate levels of natural light to occupied spaces within the building.
- (g) Encourage the quality and amenity of residential buildings by guiding their design to ensure current and future occupants have adequate private outdoor space, ongoing access to daylight, and an external aspect.

- (h) Ensure that commercial and practical considerations are taken into account in assessment of the above policies, together with the objectives of achieving vital and vibrant centres with mixed activities.

AMENDMENT 216 [Chapter 5A Central Commercial Activity Area (Issues, Objectives and Policies)]

Amend Explanation and Reasons of section 5A 1.2.1 Quality of Buildings and Open Spaces

Explanation and Reasons

The function and attractiveness of the central area is contributed to by the design of buildings and developments. Alterations and small additions to existing buildings within the Central Commercial Activity Area are provided for to facilitate the upgrading, modification or conversion of the existing building stock in the central area. For these small modifications to existing buildings, Council will encourage high quality building design to make a positive contribution to the built character and quality of the central area.

New buildings and developments and larger additions to existing buildings within the Central Commercial Activity Area will be specifically managed to ensure they relate well to the public environment and support the overall role of the central area as the focal point of commercial, community and civic functions.

It is recognised there are a variety of existing building forms and styles which are of a mixed quality. The District Plan seeks to manage the design of buildings and developments to ensure they positively contribute to the central area environment by adopting best practice urban design outcomes. Through the development and implementation of design guidance, the Council will guide and assess the appropriateness of the urban design outcomes resulting from development in the central area.

~~The general built form of Lower Hutt City is based on a conceptual urban transect of taller buildings and higher density in the central area through to lower buildings and density in the surrounding areas. In the Central Commercial Activity Area, the tallest buildings are located in the centre, being the Core, Riverfront (Core) and Riverfront (Commercial) Precincts, with lower buildings in the Commercial and Residential Transition Precincts reflecting the gradation towards the predominantly residential areas. Height standards are applied to manage new buildings which reflect this built form.~~

Taller buildings on prominent sites will be specifically managed due to their greater visual exposure and their role in creating landmark features. Particular sites in the Central Commercial Activity Area have been identified as prominent sites, with supporting design guidance provided to manage the building design.

Provision has been made for intensive residential development in the Central Commercial Activity Area. It is important buildings to be occupied for residential living purposes are designed to provide suitable amenity for the future occupants (e.g. natural light and sunlight access, and an external aspect). Encouraging provision for natural light to all habitable and high use areas of new buildings will assist in creating an attractive internal environment and help to reduce the on-going energy requirements of new buildings. Design guidance is provided to encourage quality residential buildings to be developed which provide for these qualities as the Central Commercial Activity Area develops further.

AMENDMENT 217 [Chapter 5A Central Commercial Activity Area (Issues, Objectives and Policies)]

Amend objective of section 5A.1.2.3 Adjoining Residential Areas

Objective

~~To recognise and protect the amenity values of the nearby residential areas from use and development in the Central Commercial Activity Area.~~

Built development is consistent with the amenity values expected in the planned urban environment of adjoining residential areas.

AMENDMENT 218 [Chapter 5A Central Commercial Activity Area (Issues, Objectives and Policies)]

Amend policies of section 5A 1.2.3 Adjoining Residential Areas

Policy

- (a) Manage the effects of buildings and development in the Central Commercial Activity Area ~~to ensure any adverse effects~~ on the amenity values of the nearby residential areas ~~are avoided, remedied or mitigated.~~
- (b) ~~Restrict the height of buildings near the adjoining residential areas to minimise effects on the amenity values, including shading, over dominance and privacy.~~

AMENDMENT 219 [Chapter 5A Central Commercial Activity Area (Issues, Objectives and Policies)]

Amend Explanation and Reasons of section 5A 1.2.3 Explanation and Reasons

Explanation and Reasons

The Central Commercial Activity Area shares an extensive interface with adjacent Residential Activity Areas. This interface is a particularly sensitive one as the effects associated with commercial activities and the scale of development have the ability to adversely impact on the use and enjoyment of neighbouring residential areas.

Given the extent of this interface, ~~and~~ the relatively unrestricted range of activities permitted within the Central Commercial Activity Area, and the planned built form of the area, the District Plan seeks to ensure that adequate safeguards are put in place to protect residential amenity. These safeguards include measures to control the effects of new buildings and development and larger additions to existing buildings, on adjacent residential areas, such as building height and location in relation to the boundary, and location, building bulk, appearance, character, landscaping and screening, access, servicing, signage and lighting.

AMENDMENT 220 Chapter 5A Central Commercial Activity Area (Issues, Objectives and Policies)]

Amend policies of section 5A.1.2.4 Hutt River Corridor

Policy

- (a) Encourage the development of a river side promenade by managing buildings and development along the river frontage, in conjunction with flood protection works.
- (b) Manage new buildings and larger additions to existing buildings ~~in the Riverfront (Core) and Riverfront (Commercial) Precinct along the river frontage~~ to ensure they are designed to provide for adaptation in the future to respond to the upgraded flood protection works.
- (c) Ensure that buildings and development along the riverbank do not adversely affect the stability of the flood protection works, limit public access to the river or impact on the amenity, natural and recreational values of the area.

- (d) Facilitate improved public access between the river and the remainder of the Central Area, and along the riverbank between Ewen Bridge and Melling Bridge to incorporate the river's intrinsic amenity values into the central area and enhance the visual and access linkages between the river and the central area.

AMENDMENT 221 [Chapter 5A Central Commercial Activity Area (Issues, Objectives and policies)]

Amend explanation and reasons of section 5A.1.2.4 Hutt River Corridor

Explanation and Reasons

Buildings located within the Central Commercial Activity Area which are adjacent to the Hutt River corridor present some opportunities and constraints for maintaining and enhancing the attractiveness and vitality of the central area. The development of a river side promenade could occur in conjunction with an upgrade to the flood protection works adjacent to the central area. Buildings and development adjacent to this promenade will play a key role in activating this area, to create a vibrant and attractive area. New buildings and larger additions to existing buildings ~~in the Riverfront (Core) and Riverfront (Commercial) Precinct along the river frontage~~ need to be designed to provide for future adaptation to facilitate the long term vision for the riverfront, such as providing for a future active edge on the first floor facing Daly Street. Furthermore, in managing new buildings and development and larger additions to existing buildings, a key characteristic will be facilitating improved public access along the river corridor and connections with the core area of the Central Commercial Activity Area.

The river corridor itself is identified and managed in the District Plan for flood protection purposes. In addition, the Hutt River Flood Plain Management Plan is a non-statutory document setting out a 40-year blueprint for the management of the river corridor. Greater Wellington Regional Council is responsible for managing the river, flood protection and flood warning systems, while Hutt City Council is responsible for land use activities in and adjacent to the river corridor, including the development of a river side promenade.

For the physical flood protection works built and maintained by Greater Wellington Regional Council, including future upgrade works, it is important that activities and development within the Central Commercial Activity Area are managed to protect these works from damage. It is imperative the two Councils work in partnership in managing the river corridor.

AMENDMENT 222 [Chapter 5A Central Commercial Activity Area (Issues, Objectives and Policies)]

Amend policies of section 5A 1.2.5 Carparking

Policy

- (a) Ensure that the design, location and scale of on-site carparking, servicing, manoeuvring and access have regard to the nature of the development and the existing or proposed use of the site (including commercial and practical constraints that affect the development).
- (b) Manage on-site carparking ~~based on the Central Commercial Activity Area precincts,~~ to maintain and enhance the streetscape and character ~~in of the different precincts Central Commercial area.~~
- (c) ~~Manage ground level carparking areas and carparking within structures in the Core, Riverfront (Core), Riverfront (Commercial) and Residential Transition Precincts to maintain and enhance the streetscape and character in these precincts.~~
- (d) ~~Manage the location, scale and nature of on-site ground level carparking areas in the Commercial Precinct to maintain and enhance the streetscape and character in this precinct.~~

- (e) Manage carparking structures and buildings and other areas providing large numbers of carparks to avoid or mitigate the adverse effects on the traffic network and character and amenity values in the Central Commercial Activity Area.

AMENDMENT 223 [Chapter 5A Central Commercial Activity Area (Rules)]
Delete Permitted Activity Condition 5A 2.1.1(a) Maximum Height of Buildings and Structures

~~(a) — Maximum Height of Buildings and Structures:~~

~~The maximum height of buildings and structures shall be as identified in Appendix Central Commercial 2 — Maximum Height.~~

AMENDMENT 224 [Chapter 5A Central Commercial Activity Area (Rules)]
Delete Permitted Activity Condition 5A 2.1.1(b) Minimum Yard Requirements

~~(b) — Minimum Yard Requirements:~~

~~Within the Residential Transition Precinct identified in Appendix Central Commercial 1 — Precincts, all buildings shall meet the following requirements:~~

- ~~(i) — Front yard: 3 metres, except for buildings (or part of a building) for housing a vehicle (e.g. garage or carport) which has vehicular access directly from the street shall be 5 metres.~~
- ~~(ii) — All other yards: 1.5 metres.~~

AMENDMENT 225 [Chapter 5A Central Commercial Activity Area (Rules)]
Amend Permitted Activity Condition 5A 2.1.1(g) Sites Abutting Residential Activity Area

(g) Sites Abutting Residential Activity Areas:

Where a site abuts a Residential Activity Area, the following conditions shall apply:

- (i) Buildings and structures shall comply with the recession plane requirements of the abutting Residential Activity Area.
- (ii) Side and rear yards - minimum of ~~7 metres~~ 1 metre from the side and rear boundaries of any site in the Residential Activity Area.
- (iii) All outdoor storage, carparking, and servicing areas must be screened so they are not visible from abutting sites in the Residential Activity Area.
- (iv) Servicing of activities shall not occur between the hours of 10.00pm and 7.00am.
- (v) No mechanical repair and servicing of motor vehicles, trailers or motor fuelled domestic equipment shall be undertaken on the site.

AMENDMENT 226 [Chapter 5A Central Commercial Activity Area (Rules)]
Amend Permitted Activity Condition 5A 2.1.1(h) Sites Abutting Recreation Activity Area

(h) Sites Abutting Recreation Activity Areas:

Where a site abuts a Recreation Activity Area, the following conditions shall apply:

- ~~(i) — Buildings and structures shall comply with the recession plane requirements of the abutting Recreation Activity Area.~~
- ~~(ii) — Side and rear yards - minimum of 7 metres from the side and rear boundaries of any site in the Recreation Activity Area.~~
- (iii) All outdoor storage, carparking, and servicing areas must be screened so they are not visible from abutting sites in the Recreation Activity Area.

AMENDMENT 227 [Chapter 5A Central Commercial Activity Area (Rules)]
Amend Permitted Activity Condition 5A 2.1.1(k) Parking

(k) Parking

Any activity shall comply with the following requirements:

- (i) For front road boundaries not identified in Appendix Central Commercial 3 – Verandahs, Building Frontages and Display Windows ~~and in the Commercial Precinct identified in Appendix Central Commercial 1 – Precincts~~, any surface or ground level parking area shall not exceed a maximum width of 18m along the site frontage or 40% of the site frontage whichever is the lesser.
- ~~(ii) In the Residential Transition Precinct identified in Appendix Central Commercial 1 – Precincts, no surface or ground level parking area shall be visible from a public space.~~

AMENDMENT 228 [Chapter 5A Central Commercial Activity Area (Rules)]
Delete Restricted Discretionary Activity Rule 5A 2.2(b)

- ~~(b) The construction, alteration of, and addition to buildings and structures over 12 metres in height (except for those works permitted under Rules 5A 2.1(b) and (c)) and where any part of the building or structure fronts a street, pedestrian mall, pedestrian walkway, or other public space identified in Appendix Central Commercial 5 Wind Protection.~~

AMENDMENT 229 [Chapter 5A Central Commercial Activity Area (Rules)]
Delete Matter of Discretion 5A 2.2.1(b)

- ~~(b) The construction, alteration of, and addition to buildings and structures over 12 metres in height (except for those works permitted under Rules 5A 2.1(b) and (c)) and where any part of the building or structure fronts a street, pedestrian mall, pedestrian walkway, or other public space identified in Appendix Central Commercial 5 – Wind Protection.~~
- ~~(i) The effects of wind on public space and adjoining areas.~~

AMENDMENT 230 [Chapter 5A Central Commercial Activity Area (Rules)]
Delete Discretionary Activity Rule 5A 2.3(b)

- ~~(b) The construction, alteration of, and addition to buildings and structures over 12 metres in height that do not comply with the standards in Rule 5A 2.2.2(c).~~

AMENDMENT 231 [Chapter 5A Central Commercial Activity Area (Rules)]
Amend Discretionary Activity Rule 5A 2.3(c)

- (c) Residential activities on the ground floor ~~in the Core, Riverfront (Core), Riverfront (Commercial) and Commercial Precincts identified on sites with a frontage shown~~ in Appendix ~~Central Commercial 1 – Precincts~~ 3 – Verandahs, Building Frontages, and Display Windows.

AMENDMENT 232 [Chapter 5A Central Commercial Activity Area (Rules)]
Amend Discretionary Activity Rule 5A 2.3(e)

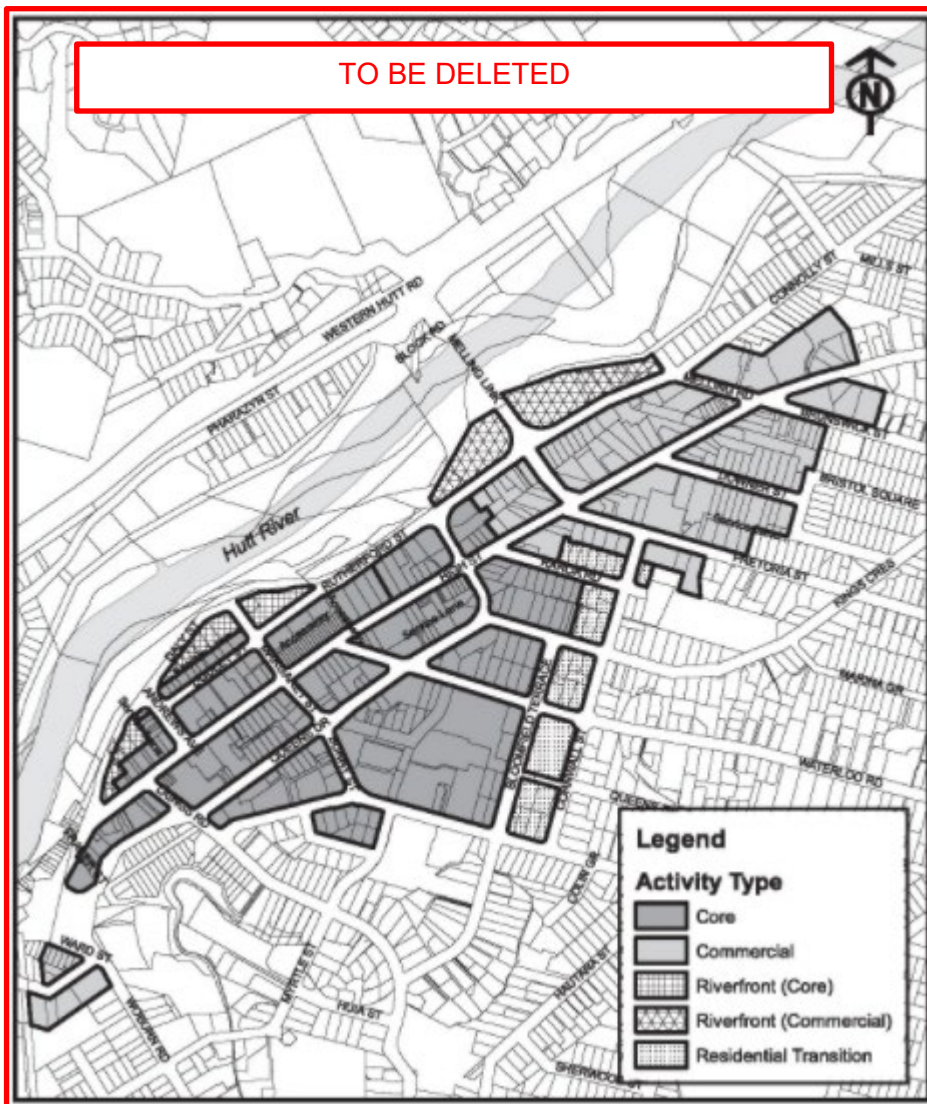
- (e) Car Sales Yards ~~in the Core, Riverfront (Core), Riverfront (Commercial) and Residential Transition Precincts identified on sites with a frontage shown~~ in Appendix ~~Central Commercial 1 – Precincts~~ 3 – Verandahs, Building Frontages, and Display Windows.

AMENDMENT 233 [Chapter 5A Central Commercial Activity Area (Rules)]
Amend Discretionary Activity Rule 5A 2.3(j)

- (j) Brothels and commercial sexual services in on the Core Precinct-identified ground floor on a site with a frontage shown in Appendix ~~Central Commercial 1 – Precincts 3 – Verandahs, Building Frontages, and Display Windows.~~

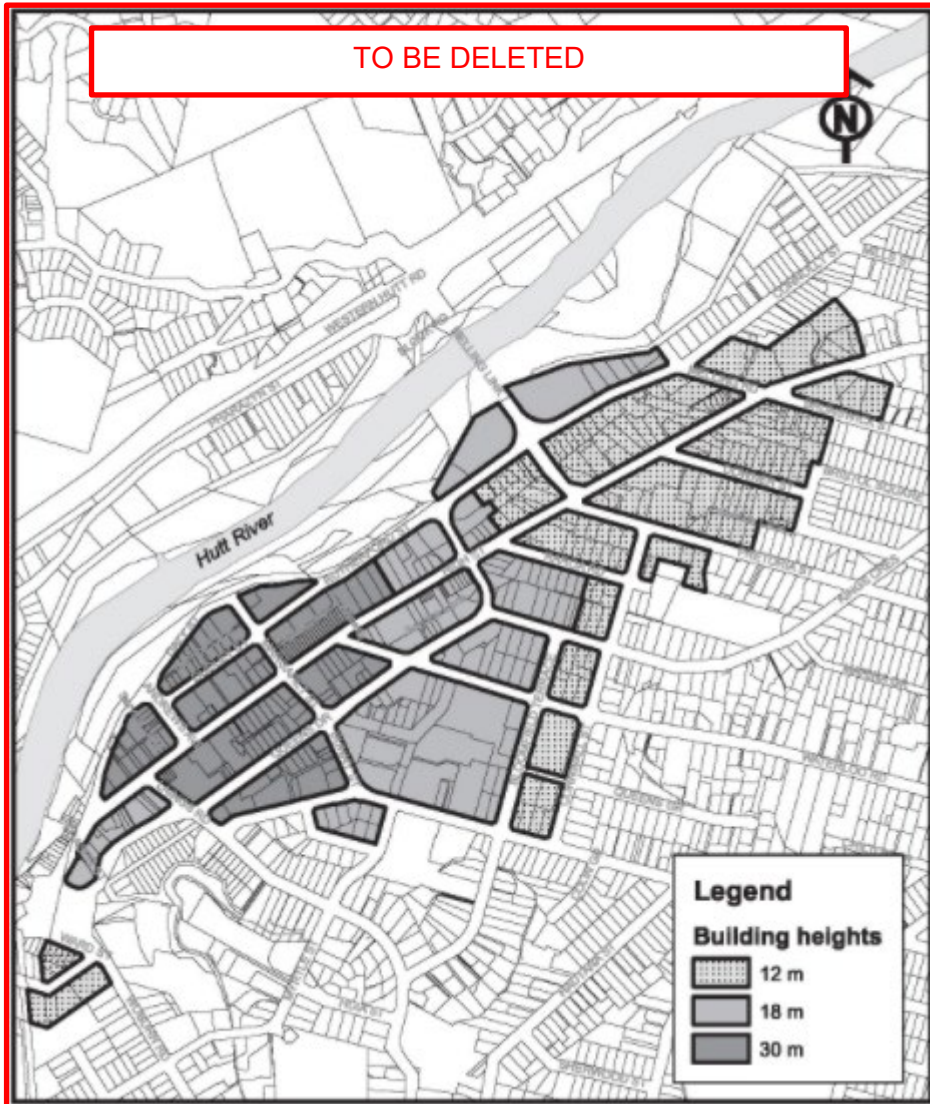
AMENDMENT 234 [Chapter 5A Central Commercial Activity Area (Appendices)]
Delete Appendix Central Commercial 1 - Precincts

~~Appendix Central Commercial 1 – Precincts~~



AMENDMENT 235 [Chapter 5A Central Commercial Activity Area (Appendices)]
Delete Appendix Central Commercial 2 - Maximum Height

~~Appendix Central Commercial 2 - Maximum Height~~



Appendix Central Commercial 8 – Central Commercial Design Guide

AMENDMENT 238 [Chapter 5A Central Commercial Activity Area (Appendix 8 Design Guide)]

Amend Central Commercial Design Guide – Section 1.7 Character and Context

Description – Core Precinct – Future Character

Future Character

The vision for the Core Precinct is to reduce the reliance on retail activities and increase the diversity of activities including office uses and those that attract skilled workers. City centres that are attractive places to spend time are diverse in terms of activities and uses and particularly in the core tend to have a tight pattern of streets and buildings where there is a high ratio of floor area to land - this means that the more activities in a particular area the more vibrant and active it will be.

The mix of activities in the Central Area is important as the mix will influence the level of vibrancy in terms of day and night time 'life' and the economic resilience.

The future character for the Core Precinct sought for is that it should not just be treated as a commercial or business district (i.e. CBD), but a place that additionally supports local culture, civic function, entertainment, residential living, socialising and to become a vibrant place. The mix of uses will help the local population to be less dependent on private motor vehicle transport as the facilities and amenities are within walking distance to the residents. It is anticipated it would encourage people to use other modes of transport such as walking, cycling and enable public transport.

To achieve the future character, the Core Precinct needs a more consistent quality of physical environment. A range of activity types is sought. This demands a range of site and floor area sizes within the city centre.

The aim is to promote any new activity at street level to be of a **small to medium size fine grained scale at ground level** to encourage a good quality urban environment of continuous street edges (mainly in the form of retail, commercial and community/civic activities). Upper floors are reserved for residential and commercial uses (such as office spaces) where the same type of uses within the building can occupy wider extensions of the street façade as long as the façade treatment (materials, projecting and recessive elements, openings) is designed at shorter intervals. Residential uses are to be **maximised encouraged** within the Core Precinct to help to create a safer and active day and night urban environment.

AMENDMENT 239 [Chapter 5A Central Commercial Activity Area (Appendix 8 Design Guide)]

Amend Central Commercial Design Guide – Section 1.7 Character and Context

Description – Core Precinct – Table

CORE PRECINCT

ATTRIBUTES	EXISTING CHARACTER	FUTURE CHARACTER
Uses	A mix of retail and commercial	A mix of retail, commercial, residential, civic and community activities. Maximise the opportunities for residential above ground level. Residential activities are not to be located on ground floor.
Densities	Medium to low	High
Heights	2 to 6 storeys and few buildings up to 10 storeys	5 to 10 storeys and a few taller buildings Any height, taller buildings are encouraged

Buildings façades	A range of façades varying from 5m to greater than 150m. A range of façade treatment from active street frontages, good signage sizes and sheltered paths to blank walls, large signage and inactive street frontages	A more consistent character - small to medium frontage lengths. Façade treatment modulated at small intervals to add variety and interest to the streetscape, active street frontages and sheltered paths across the entire precinct and less signage
Built form	From smaller scale buildings on small lots (6m x 30m) and medium lots (12m x 35m) to larger buildings on large lots (35m x 75m) and the mall (200m x 270m). Gaps on the "continuity" of the street front activities	<u>Buildings fine-grained at ground level.</u> A small to medium scale building approach. If buildings are located on larger sites, the ground floor activity (uses) is to be modulated at smaller intervals and façade treatment of above ground level floors is to be modulated at smaller intervals. No gaps to the "continuity" of the street front activities.
Pedestrian and cycling connectivity	Good connectivity where blocks are less than 150m. Connectivity is greatly compromised where blocks are greater than 150m. The level of connectivity to the river reserve is low	Promote better connectivity where blocks are greater than 100m by introducing pedestrian rights of way through blocks. Connectivity to the river reserve to be improved
Car parking	Some surface car parking fronting the streets (up to 60m in length) and the shopping centre parking structure which negatively impacts and dominates parts of Queens Drive	Surface car parking not to be visible from public spaces - to be located behind the buildings. Car parking design within building structures is to pay special attention to the interface and visibility from public spaces

AMENDMENT 240 [Chapter 5A Central Commercial Activity Area (Appendix 8 Design Guide)]

Amend Central Commercial Design Guide – Section 1.7 Character and Context Description – Riverfront (Core) and Riverfront (Commercial) Precincts – Table

RIVERFRONT (CORE) AND RIVERFRONT (COMMERCIAL) PRECINCTS

ATTRIBUTES	EXISTING CHARACTER	FUTURE CHARACTER
Uses	Commercial and retail	Mixed use - retail and community uses fronting the river reserve to be built at the same level as the height of the future stopbank top. Residential uses to be maximized above retail. Commercial above retail can also occur.
Densities	Medium to low	Medium to high <u>High</u>
Heights	2 to 3 storeys with few buildings up to 6 storeys	5 to 10 storeys with a few taller buildings. <u>Any height, taller buildings are encouraged</u>

Buildings façades	Blanked out walls, low levels of transparency and rear façades facing the river. Front and back façade widths vary. On the southern area façades are up to 30m long and on the northern area they are up to 120m long	Active street and river frontages continuity, transparency, "eyes on the reserve and streets". Front and rear façades are to be small to medium in size (up to 30m long). Façade treatment modulated at small intervals to add variety and interest, sheltered paths (verandahs) and less signage
Built form	Riverfront (Core) - from smaller scale buildings on small lots (12m x 20m) to medium lots (20m x 40m) Riverfront (Commercial) - from medium scale buildings on medium lots (20 x 40) to large lots (70 to 120m x 60m)	<u>Buildings fine-grained at ground level. Small to medium scale buildings.</u> If buildings are located on larger sites, the first floor activity (uses) are modulated at smaller intervals and façade treatment of above first floor is modulated at smaller intervals. No gaps to the "continuity" of the reserve front activities. Buildings create a "new" ground floor which is of the height of the new stopbank top on the Daly St frontage.
Pedestrian and cycling connectivity	Relatively low connectivity. There is a footpath on the top of the stopbank providing north to south connectivity. There are some few steps/ramps along the stopbank that connect the riverfront reserve to the Core Precinct. Blocks and buildings serve as barriers between the Core Precinct and the river.	A river stopbank promenade is created. Visual and physical links at High St., Andrews Ave, Margaret St. and Queens Dr. are provided. Through-block pedestrian lanes are created in the long blocks.
Car parking	Few surface car parking fronting the streets	Riverfront (Core) - If surface car parking is provided, it is located behind buildings and not visible from public spaces. Car parking is generally within building structures. Facades of car parking structures are treated as to minimize unattractive frontages. A transitional period until stopbanks are changed allows parking on the Daly St. frontage on ground floor. Riverfront (Commercial) – If Surface car parking is provided, it is located behind buildings and not visible from the riverfront reserve. Limitation to the maximum length of surface parking fronting Rutherford St. parking structures within buildings. Facades of parking structures within buildings. Facades of parking structures are treated to minimize unattractive and inactive frontages.

		Landscape "greening" of surface parking
Interface between the buildings within the Riverfront (Core) and Riverfront (Commercial) Precincts and the riverfront reserve	The vertical separation of the stopbank prevents a good relationship of the buildings with the reserve	Continuous retail and community activities are at the same level as the height of the future stopbank top
Riverfront Reserve	A place for "cars and convenience" (large surface parking dominates the activities of the riverfront reserve)	A place for "people and enjoyment" (improve pedestrian and cycle lanes, public lighting, public furniture, public art, attractive landscaping, playground, space for community events)

AMENDMENT 241 [Chapter 5A Central Commercial Activity Area (Appendix 8 Design Guide)]

Amend Central Commercial Design Guide – Section 1.7 Character and Context Description – Commercial Precinct – Table

COMMERCIAL PRECINCT

ATTRIBUTES	EXISTING CHARACTER	FUTURE CHARACTER
Uses	Predominantly retail and commercial	Predominantly retail and commercial
Heights	2 to 3 storeys	2 to 4 storeys Any height
Buildings façades	Generally large plain walls, large signage, inactive street frontages at ground level (solid walls and reflective or blanked-out windows)	Modulated façades - projecting and recessive elements and different materials and patterns; transparent windows facing streets on ground floor and above; well located, designed and sized signage
Built form	Predominantly large, bulky buildings ("big boxes") with a few smaller scale buildings	Medium to large format retail and commercial buildings. Design elements such as transitional volumes (vertical or horizontal massing), modulated façades and changes in materials and patterns are to be incorporated to minimize bulky appearance
Pedestrian and cycling connectivity	Relatively low connectivity due to the length of the blocks (more than 280m long)	Through-block pedestrian lanes in appropriate places
Car parking	Large surfaces of car parking fronting the streets	Limitation to the maximum length of surface parking fronting the street. Parking structures within buildings. Façades of parking structures are treated to minimise unattractive and inactive frontages. Landscape "greening" of surface parking

AMENDMENT 242 [Chapter 5A Central Commercial Activity Area (Appendix 8 Design Guide)]

Amend Central Commercial Design Guide – Section 1.7 Character and Context Description – Residential Transition Precinct – Existing Character

Existing Character

The residential areas that are located close to the Central Area are susceptible to the effects from the way in which the Central Area has been developed and will develop in the future.

The current activities within the Residential Transition Precinct are predominantly commercial. Lots and buildings are generally medium to large in size, with frontages generally varying from 20 metres to greater than 60 metres. Densities are low and building heights are mostly 2 storeys with some ~~few~~ 3 to 4 storey buildings. The pedestrian connectivity to the Core Precinct is mostly good with the exception of the east-west linkage barrier caused by the shopping centre.

Adverse effects from Central Area development on nearby residential amenities include:

- Dominance from horizontal scale differences between the two types of uses - ~~smaller-narrower~~ residential buildings versus ~~larger-wider~~ commercial structures;
- Traffic noise and safety in residential streets as well as over flow parking generated by the increase in commercial and retail activities;
- Shading effects generated by ~~taller-and~~ larger commercial buildings; and
- ~~Incompatibility in terms of general neighbourhood cohesion and social infrastructure.~~

AMENDMENT 243 [Chapter 5A Central Commercial Activity Area (Appendix 8 Design Guide)]

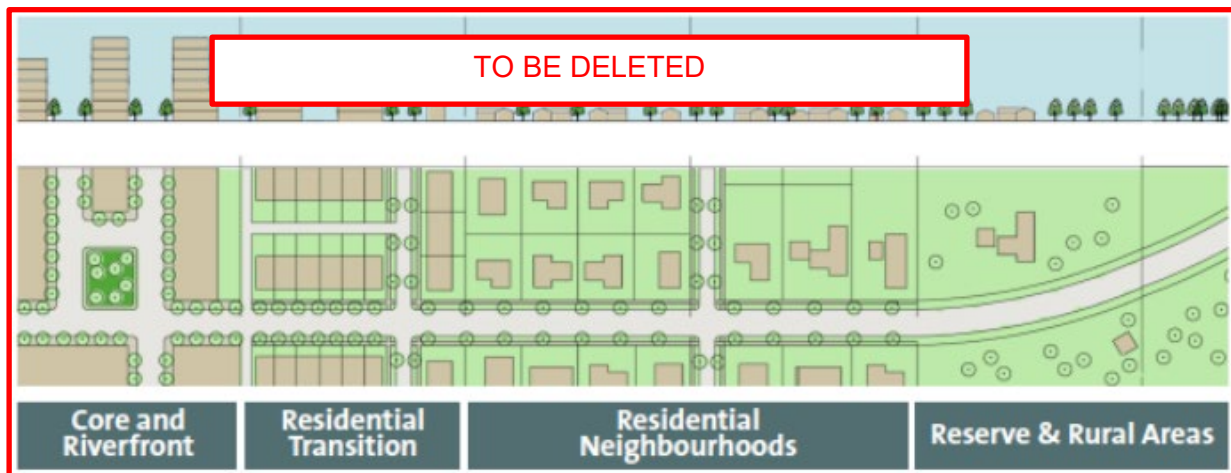
Amend Central Commercial Design Guide – Section 1.7 Character and Context Description – Residential Transition Precinct – Future Character – Paragraph 1

Future Character

The vision for the Residential Transition Precinct is ~~to have~~ a gradual transition of ~~development densities from high to low intensity of uses. It means that the city is planned to have a high intensity mixed use urban centre (in this case, character and amenity values between the Core Precinct) which gradually decreases its intensity to a compact residential density neighbourhood (in this case in the Central Commercial Activity Area and the High Density Residential Transition Precinct), and further decreases to lower intensities of residential uses (the residential neighbourhoods) to finally meet reserves and rural areas at the city outskirts (refer to diagram below).~~ Activity Area.

AMENDMENT 244 [Chapter 5A Central Commercial Activity Area (Appendix 8 Design Guide)]

Delete Central Commercial Design Guide – Section 1.7 Character and Context Description – Residential Transition Precinct – Future Character – Image and caption “The Transect”



The Transect

AMENDMENT 245 [Chapter 5A Central Commercial Activity Area (Appendix 8 Design Guide)]

Amend Central Commercial Design Guide – Section 1.7 Character and Context

Description – Residential Transition Precinct – Future Character – Paragraphs 2 and 3

~~The Residential Transition Precinct sits between the residential neighbourhoods located at the edge of the City Centre boundary and the Core and Commercial Precincts.~~ The aim is a Precinct that is predominantly reflects a residential look and feel whether as solely residential in use, albeit of compact density housing types such as townhouses, terraced houses and small scale apartment buildings. ~~Some retail and commercial activities are not precluded to occur in the form of or mixed-use developments.~~ New stand-alone commercial or retail buildings are not should be carefully managed, desirable and. Existing and well established commercial buildings will be encouraged to be progressively adjusted over time, in built form (~~scale, size, such as~~ signage, materials ~~and,~~ proportions, and relation to the street) to better address the adjoining residential uses overtime.

The table ~~on next page below~~ summarises the present and future character.

AMENDMENT 246 [Chapter 5A Central Commercial Activity Area (Appendix 8 Design Guide)]

Amend Central Commercial Design Guide – Section 1.7 Character and Context

Description – Residential Transition Precinct – Future Character – Caption to Example Image 5



~~Future character - Commercial buildings are not desirable.~~ If they commercial buildings are provided, the architectural style of commercial buildings are to relate to a "residential character". Buildings placed close to street boundary. Home offices offer a good transition to residential neighbourhoods

AMENDMENT 247 [Chapter 5A Central Commercial Activity Area (Appendix 8 Design Guide)]

Amend Central Commercial Design Guide – Section 1.7 Character and Context

Description – Residential Transition Precinct – Table

RESIDENTIAL TRANSITION PRECINCT

ATTRIBUTES	EXISTING CHARACTER	FUTURE CHARACTER
Uses	Predominantly commercial	Predominantly residential with some retail and commercial in the form of mixed use developments. Home offices offer a good transition to residential neighbourhoods. Stand alone commercial buildings are not desirable.
Densities	Low	<u>Medium-Low to High</u>

Heights	Mostly 2 storeys with some 3 to 4 storey buildings	Mostly 3-storey buildings with a few 4 to 6-storey buildings <u>Any height</u>
Buildings façades	Generally medium to large front façades varying from 20m to greater than 60m long, large signage, low level of transparency	Windows, balconies and verandahs facing public open space, appropriate signage and landscaping, modulated façades - projecting and recessive architectural elements
Built Form	Medium to large commercial buildings	Townhouses, terraced houses, small-scale residential apartments, mixed use apartments - stand-alone commercial buildings are not desirable
Pedestrian and cycling connectivity	Mostly good with the exception of the east-west linkage barrier caused by the shopping centre	New through-block pedestrian connections are created
Car parking	Large surfaces of car parking fronting the streets	Surface car parking is to be located behind the buildings and not visible from public spaces. Car parking within building structures is provided. Façades of carparking structures are treated to minimise unattractive and inactive frontages
Interface between Residential Transition Precincts and Residential Activity Area	Surface parking fronting streets, wide front setbacks, commercial use and medium to large plate buildings to the west of Cornwall St. and narrower front setbacks, stand alone houses and small plate buildings to the east of Cornwall St.	Similarities between east and west of Cornwall St. - similar uses, similar setbacks, smaller plate forms, architectural style that relates to a high-density “residential character”

AMENDMENT 248 [Chapter 5A Central Commercial Activity Area (Appendix 8 Design Guide)]

Amend Central Commercial Design Guide – Section 2.2 Managing Building Bulk – Introduction

2.2 Managing Building Bulk

Building bulk refers to the vertical and horizontal dimensions of a building relative to its neighbouring buildings. Human scale means sizes and dimensions that are not dominating to people.

The objective of “Managing Building Bulk” is to have a ~~town-commercial~~ centre where buildings ~~are-do~~ not give an impression of being dominating, to ensure that people enjoy being there and so contribute to the life and vibrancy of the place, support business located there and to make it an attractive choice relative to other centres.

Managing building bulk is about the impression of scale given by the design of the elements of a building. The design guide should not be interpreted to mean that the overall height or density of buildings should be limited.

AMENDMENT 249 [Chapter 5A Central Commercial Activity Area (Appendix 8 Design Guide)]

Amend Central Commercial Design Guide – Section 2.6 Managing Development on Commercial Lots Abutting Residential Neighbourhoods – Assessment Guidelines

Assessment Guidelines

1. Transition 1 only - Developments should provide a minimum of 4m wide pedestrian lane. In this case, commercial buildings should have a 3m side setback from the pedestrian lane;
2. Transition 2 only - Developments should provide ~~a vegetated green buffer of no less than 7m;~~ high quality landscaping on the transition boundary;
3. All transitions - Buildings should provide windows fronting onto public open spaces or private courtyards;
4. All transitions - Loading areas should not be visible from residential lots;
5. All transitions - Fencing of commercial lots adjoining public spaces (lanes or streets) should enable inter-visibility. Fencing of a maximum of 1.2m high and shrubs of a maximum of 1.5m high is a guide;
6. Transitions 1 and 2 only - Fencing adjoining private spaces and not fronting onto public spaces should give privacy to residential or commercial lots. Fencing of a maximum of 1.8m high is a guide;
7. All transitions - Façades should be modulated at regular intervals to reduce the bulky appearance of commercial buildings. Intervals of no more than 10m is a guide (refer to Managing Building Bulk).

AMENDMENT 250 [Chapter 5A Central Commercial Activity Area (Appendix 8 Design Guide)]

Amend Central Commercial Design Guide – Section 2.8 Private Outdoor Areas – Caption to Images 2 and 3



Balconies are a good ~~alternative to form of~~ private outdoor ~~areas-area~~ in residential apartments or townhouses

AMENDMENT 251 [Chapter 5A Central Commercial Activity Area (Appendix 8 Design Guide)]

Amend Central Commercial Design Guide – Section 2.10 Managing Wind – Assessment Guidelines

Assessment Guidelines

1. *New buildings should be designed with reference to the existing wind patterns of the site and not increase the wind speed at ground level at key street locations (refer to Chapter 5A 2, Rules 14M Wind);*
2. *Projecting and recessive elements (such as balconies, verandahs, set backs) should be used to reduce the adverse effects of wind at street level.*

AMENDMENT 252 [Chapter 5A Central Commercial Activity Area (Appendix 8 Design Guide)]

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

Assessment Guidelines

1. *The composition of activities along frontages should recognise the type of frontage shown in guideline 2.1 (i.e. Frontage Type 1, Type 2 and Type 3). For Frontage Type 1, activities on the ground level should be a number of individual smaller scale activities with narrow frontages (each activity up to 10 metres in frontage width), with one larger format activity up to 20 metres wide frontage. For Frontage Type 2, multiple larger format activities on the ground level can be provided up to 20 metres in width where they are separated by smaller scale activities (each activity up to 10 metres in frontage width). For Frontage Type 3 and on the secondary frontage of corner sites, no specific activity frontage width guidelines apply (see diagrams on pages 78 and 79). Frontage width dimensions are a guide only;*
2. *Where a proposed development has a frontage exceeding 100 metres in width, a through block pedestrian link should be provided;*
3. *Malls and large format retail developments should not be located within the Residential Transition Precinct and the Riverfront (Core) Precinct;*
4. *~~Car~~ Where provided, car parking is encouraged to be located within structures or on roof tops ~~are encouraged~~ (refer to guideline 2.3 for further guidance on car parking).*

Chapter 5B Petone Commercial Activity Area

AMENDMENT 253 [Chapter 5B Petone Commercial Activity Area (Issues, Objectives and Policies)]

Amend issue of section 5B 1.1.2A - Area 2 - Petone Mixed Use - Area Generally Bounded by Hutt Road, Petone Avenue, Campbell Terrace, Victoria Street, Sydney Street and The Esplanade - Activities

Issue

Mixed uses which complement and support each other, such as commercial, small-scale or low intensity light-industrial, business and service activities, residential and large format retail activities in the western end of Petone would support the social and economic well-being of the area and the City as a whole. However, they could also detract from the established vibrancy and vitality of the [traditional retail areas around Jackson Street Historic Retail Precinct \(Petone Commercial Activity Area – Area 1\)](#) and Hutt City's Central Commercial Activity Area. It is also necessary to manage the potential adverse effects, including noise, dust, odour, glare, light spill and traffic, of activities so as to maintain and enhance the quality of the environment. In addition, potential reverse sensitivity effects and incompatibility effects between activities may occur.

AMENDMENT 254 [Chapter 5B Petone Commercial Activity Area (Issues, Objectives and Policies)]

Amend policies of section 5B 1.1.2A - Area 2 - Petone Mixed Use - Area Generally Bounded by Hutt Road, Petone Avenue, Campbell Terrace, Victoria Street, Sydney Street and The Esplanade – Activities

Policy

...

- (b) Manage larger scale retail activities to ensure they do not detract from the vibrancy and vitality of [the traditional retail areas around Jackson Street Historic Retail Precinct](#) (Petone Commercial Activity Area – Area 1) and Hutt City's Central Commercial Activity Area and create an attractive and public focused environment.
- (c) Restrict smaller scale retail activities to ensure they do not detract from the vibrancy and vitality of the [traditional retail areas around Jackson Street Historic Retail Precinct](#) (Petone Commercial Activity Area – Area 1) and Hutt City's Central Commercial Activity Area.

...

AMENDMENT 255 [Chapter 5B Petone Commercial Activity Area (Issues, Objectives and Policies)]

Amend explanation and reasons of section 5B 1.1.2A - Area 2 - Petone Mixed Use - Area Generally Bounded by Hutt Road, Petone Avenue, Campbell Terrace, Victoria Street, Sydney Street and The Esplanade – Activities

Explanation and Reasons

There is demand for an area within Petone to accommodate a range of complementary activities including residential, large format retail and commercial activities. Petone Commercial Activity Area - Area 2 is suitable as a mixed use area for the following reasons:

- (a) There are a wide range of sites, in terms of size, configuration and existing built development which can be used, adapted or redeveloped to accommodate a range of activities. These activities would serve both the local and wider community;

- (b) The area adjoins the small scale speciality retail area of the traditional retail areas around Jackson Street Historic Retail Precinct (Petone Commercial Activity Area – Area 1) and thus a sense of place can be achieved which provides a range of complementary residential, retail and commercial activities;
- (c) The area is well situated in terms of the regional transportation network (including public transport) and other public and community infrastructure and services; and
- (d) The area adjoins the Petone Foreshore which offers visual interest, open space and recreational opportunities.

...

Retail activities are continually changing in response to market pressures. The Petone Mixed Use Area has developed as a location for larger format retail activities. There is potential if a high number of smaller scale speciality or comparative shops develop in the Petone Mixed Use Area that they could degrade or undermine the vibrancy and vitality of the traditional retail areas around Jackson Street Historic Retail Precinct (Petone Commercial Activity Area – Area 1) which forms the core of the existing retail area in Petone and the Lower Hutt City central area. Therefore, a limitation is placed on the size of smaller and larger retail activities to maintain the role and economic, cultural and social wellbeing of these areas.

Retail provisions in Petone Commercial Activity Area – Area 2 are intended to provide a complementary retail role to existing retail activities within the traditional retail areas around Jackson Street Historic Retail Precinct (Petone Commercial Activity Area – Area 1).

Retail activities within the Petone Mixed Use Area are anticipated to be in the form of large format retail and other types of retailing (such as sale of bulky goods) which do not directly compete with the range of retail goods and services available within the traditional retail areas around Jackson Street Historic Retail Precinct (Petone Commercial Activity Area – Area 1).

It is anticipated that small-scale retail activity will remain concentrated in the traditional retail areas around Jackson Street Historic Retail Precinct (Petone Commercial Activity Area – Area 1) to protect the economic vitality of this area and its historical value and character. It is important to protect the economic vitality and viability of this area, in order to support the ongoing use of buildings in this precinct to fund the repair, maintenance and other improvements to buildings within this identified Historic Area.

However, it is recognised there may be demand for individual small-scale retail activities in the Petone Mixed Use Area. Applications for small-scale retail activity in the Petone Mixed Use Area are expected to be accompanied by an assessment of their potential effects on the retail efficiency and economic vitality and viability of the traditional retail areas around Jackson Street Historic Retail Precinct (Petone Commercial Activity Area – Area 1), as well as identifying whether a more suitable location exists for this type of retail ~~within the Jackson Street Historic Retail Precinct~~. Although it is recognised that individual small-scale retail activities may have minor effects on the economic vitality and viability of the traditional retail areas around Jackson Street Historic Retail Precinct (Petone Commercial Activity Area – Area 1), the cumulative effect of such development is likely to be detrimental to the economic vitality and viability of this retail area.

The Petone Mixed Use Area is not considered suitable for large-scale integrated retail developments (i.e. above 10,000m²) due to potential effects on the economic vitality and viability of the traditional retail areas around Jackson Street Historic Retail Precinct (Petone Commercial Activity Area – Area 1) and Hutt City's Central Commercial Activity Area, as well as potential increases in traffic volumes on the surrounding road network and natural hazard risks. This activity is considered to be more suitably located within the Central Commercial Activity Area (commonly referred to as Lower Hutt CBD).

...

AMENDMENT 256 [Chapter 5B Petone Commercial Activity Area (Issues, Objectives and Policies)]

Delete section 5B 1.1.2B - Area 2 - Petone Mixed Use - Natural Hazards

~~5B 1.1.2B Area 2 - Petone Mixed Use - Natural Hazards~~

Issue

~~Petone West is susceptible to a number of natural hazards due to its location in proximity to the Wellington fault line, its coastal position, high watertable, soil profile and anticipated exposure to ground shaking. Development in this area would increase the potential consequences and impacts of these hazards. Given the natural hazard risks and potential consequences, it is necessary to reduce the risk and vulnerability of people and their property from natural hazards.~~

~~Risks from natural hazards need to be balanced with risk of negative economic and social consequences from preventing or restricting any further development (and corresponding investment) in this existing urban area and the benefits of allowing for the use of previously developed land in proximity to strategic transport links and a range of amenities.~~

Objective

~~To avoid or mitigate the vulnerability and risk of people and development to natural hazards to an acceptable level.~~

Policy

- ~~(a) Restrict the establishment of certain activities such as emergency facilities, childcare centres, places of assembly, commercial activities accommodating large numbers of people, education and training, housing for the elderly, and residential facilities in recognition of their higher vulnerability to natural hazard risks and potential for higher consequences in the event of a natural disaster occurring.~~
- ~~(b) Manage developments containing higher numbers of people, more vulnerable types of development and developments with higher consequences in the event of a natural disaster, to ensure that the use and development avoids or mitigates the risks posed by seismic hazards to a degree considered acceptable by the Council.~~
- ~~(c) Ensure that new development does not occur without an understanding of natural hazard risks.~~
- ~~(d) New development does not take place without appropriate precautions and mitigation measures against natural hazard risks.~~
- ~~(e) Ensure developments, including buildings and structures, are located, designed and constructed to reduce the risk to building failure and loss of life from seismic hazards, including fault rupture hazard, subsidence, liquefaction and tsunami inundation.~~
- ~~(f) Ensure the design and layout of developments, including buildings, avoids or mitigates the effects of sea level rises, taking into account rises to such levels as a result of climate change.~~

Explanation and Reasons

~~The Wellington Fault traverses the Petone Mixed Use Area, which places the area at high risk from seismic activity. This area is at risk from a range of hazards including:~~

- ~~• Surface fault rupture within the Wellington Fault Special Study Area;~~
- ~~• Wellington Fault subsidence and ground level change;~~
- ~~• Ground shaking;~~
- ~~• Liquefaction and associated subsidence;~~
- ~~• Tsunami inundation; and~~
- ~~• Climate change impacts, including absolute and relative sea level rise.~~

~~Fault rupture has the potential to cause significant damage to buildings, structures and life without warning. The Wellington Fault Special Study Area has been identified to manage the risks posed by fault rupture, although other earthquake-related risks apply outside this area.~~

~~A significant portion of the mixed use area has been identified as having a medium to high overall earthquake risk, with liquefaction potential identified as high and very high.~~

~~The assessment of hazard risks involves a consideration of potential consequences from natural hazards, in addition to the likelihood of an event occurring.~~

~~Due to the potential for large numbers of people to congregate or work in community facilities and large commercial buildings, as well as facilities which provide critical services during emergency events, the establishment of specific activities is restricted. These restricted activities are based on the Building Importance Categories in the Building Code. In addition, any new development will need to undertake a site specific investigation of the seismic hazards (fault rupture, liquefaction, tsunami and subsidence) to determine the risks to people and property posed by the hazards and the measures proposed to avoid or mitigate these risks.~~

~~Although the risk of damage from natural hazards can be reduced by the adoption of a range of mitigation measures, natural hazard risks cannot be completely eliminated. Consideration should be given to the risks posed by natural hazards over the anticipated lifetime of development (not less than 50 years).~~

~~Prior to any development occurring, it is important that there is understanding and consideration of the natural hazard risks and assessment of precautions and mitigation measures proposed in response to these risks. A site specific assessment would ensure these risks are assessed. This assessment needs to take into account the future use and occupancy of the development.~~

~~All new buildings and extensions and alterations to existing buildings which increase gross floor area above 5% will require resource consent. Matters of consideration will include natural hazards and will require the submission of geotechnical information provided by a suitably qualified person assessing the seismic risks for the subject site, including fault rupture, ground shaking, subsidence, tsunami and liquefaction. The information shall identify the location and depth of any fault trace and/or fault trace deformation, location and depth of subsidence, liquefaction risk and risk of tsunami inundation.~~

~~At the time of proposing new development, geotechnical information will be required to demonstrate new buildings avoid and are setback from being sited directly over a fault trace. For subsidence, liquefaction and ground shaking, geotechnical investigations will be required to assess the ground conditions of the site, and assess the intensity and nature of future development of the site, including building design and construction techniques.~~

~~Due to the position of the aquifer under part of the mixed use area, applicants should be aware that intrusive ground investigation intended as part of an assessment of hazard risk, may also require resource consent from Greater Wellington Regional Council.~~

~~The design and layout of development, including buildings, is also expected to take into account methods to avoid or mitigate the risks from sea level rises, and take into account changes to these levels as a result of climate change. Sea levels in Wellington Harbour are predicted to rise by 0.8m by the 2090's or approximately 1m in the next 100 years. This prediction does not take into account relative sea level rises, caused by polar ice sheet loss and tectonic subsidence.~~

AMENDMENT 257 [Chapter 5B Petone Commercial Activity Area (Issues, Objectives and Policies)]

Amend explanation and reasons of section 5B 1.1.3 - Area 2 Petone Mixed Use - Main Entrance and Gateway Routes, with regard to The Esplanade

Explanation and Reasons

...

The Esplanade:

This area forms one of the most important entrances to the City. Given the close association with the harbour and public open space along the Petone foreshore, it is important to maintain a high standard of design for buildings and structures fronting The Esplanade.

The Esplanade carries a significant volume of traffic along the Petone foreshore area. This route is at the edge of the City and is part of the connection with the harbour, which is one of the region's most significant natural features. There is a contrast between, on the one side of the road, a building dominated townscape, and on the other, an open and panoramic seascape.

The building design and appearance will be managed to enhance the amenity value and visual appearance of the area and adjoining foreshore, as well as creating an attractive gateway entrance to the City. Design features will need to be incorporated to prevent visual monotony and promote a strong visual connection with the street. ~~This should include the provision of landscaping along the road front boundary and setting buildings back from the street edge, except on small and narrow sites identified in Appendix Petone Commercial 7.~~

AMENDMENT 258 [Chapter 5B Petone Commercial Activity Area (Issues, Objectives and Policies)]

Amend objective of section 5B 1.2.1 - Area 1 Distinctive Character and Built Form of the Area on Jackson Street generally between Victoria and Cuba Streets

Objective

~~To ensure that the distinctive built form~~ The significant historic heritage values, style, and character of buildings and structures in the ~~area between Victoria and Cuba Streets~~ Jackson Street Heritage Precinct are retained and enhanced.

AMENDMENT 259 [Chapter 5B Petone Commercial Activity Area (Issues, Objectives and Policies)]

Amend policies of section 5B 1.2.1 - Area 1 Distinctive Character and Built Form of the Area on Jackson Street generally between Victoria and Cuba Streets

Policy

- (a) External alterations, repairs, or modifications to existing buildings and structures ~~plus and~~ the construction of new buildings and structures in the ~~area bounded by Victoria and Cuba Streets must~~ Jackson Street Heritage Precinct comply with the specified design performance standards.
- (b) External alterations, repairs, or modifications to existing buildings and structures and the construction of new buildings and structures in Area 1 outside the Jackson Street Heritage Precinct respect the significant historic heritage values, style, and character of the Jackson Street Heritage Precinct.

AMENDMENT 260 [Chapter 5B Petone Commercial Activity Area (Issues, Objectives and Policies)]

Amend explanation and reasons of section 5B 1.2.1 - Area 1 Distinctive Character and Built Form of the Area on Jackson Street generally between Victoria and Cuba Streets

Explanation and Reasons

The area on both sides of Jackson Street bounded generally by Victoria and Cuba Streets consists of a mix of one and two storeyed buildings, with small frontage retail activities and commercial activities at road level, and residential flats or offices above. Many of the buildings in this area were built between 1926 and 1940. A large number of buildings have decorative parapets and present an imposing impression from the road.

This area has a distinctive built form, style and character, arising from the significant historic heritage values of the Jackson Street Heritage Precinct. It is important that these characteristics

are retained and enhanced. Council does not seek to prevent or prohibit the repair, alteration, modification or redevelopment of existing buildings or structures. Any such changes to the external facade of existing buildings or redevelopment must not compromise the existing built form and character of the area and will be assessed in accordance with design performance standards specified in Appendix Petone Commercial 1.

Signs on buildings not only provide an important commercial function but also add to the character and vitality of the area. The design of their position, size, shape, colour and lettering style must be carefully considered and assimilated into the design of the building as a whole. Therefore, it is important that all signs are compatible and sympathetic with the distinctive character of the area. This being the case all signs, (except those that are temporary for a period of three months) require a resource consent and will be assessed in accordance with the design performance standards specified in Appendix Petone Commercial 1.

AMENDMENT 261 [Chapter 5B Petone Commercial Activity Area (Issues, Objectives and Policies)]

Amend policies of section 5B 1.2.3 - Area 2 - Character and Building Form and Quality within Area 2 - Petone Mixed Use

Policy

...

~~(d) — Manage the height and location of buildings to respond to their context and locality, with lower building heights for the areas:~~

- ~~• Adjoining and close to Residential Activity Areas to minimise effects on the amenity values, including shading, over dominance and privacy; and~~
- ~~• Along the Jackson Street front road boundary with taller buildings setback from the street, thereby creating a streetscape with lower level buildings and protecting sunlight to public spaces within the street.~~

(e) ~~Manage the height, location and design of~~ Encourage buildings and development on The Esplanade to create a landscaped street frontage and to protection of sunlight access to the beach ~~to avoid overshadowing.~~

...

(h) Manage new buildings to be designed to manage adverse effects on amenity value, including visual, ~~wind~~ and glare.

(i) ~~Restrict~~ Manage the height of design of buildings and structures at the interface with adjoining residential areas to minimise effects on the amenity values, including shading, ~~over dominance~~ and privacy.

~~(j) — Ensure that new buildings higher than 12 metres are designed to avoid, remedy or mitigate any wind problems that they create (including cumulative effects with other buildings) and where existing wind conditions are dangerous, ensure new development improves the wind environment as far as reasonably practical.~~

..

(l) Manage the effect of development on adjacent areas identified for their historic heritage, cultural, and distinctive character and built form values, particularly Te Puni Urupā.

...

AMENDMENT 262 [Chapter 5B Petone Commercial Activity Area (Issues, Objectives and Policies)]

Amend Explanation and Reasons of section 5B 1.2.3 - Area 2 - Character and Building Form and Quality within Area 2 - Petone Mixed Use

Explanation and Reasons

...

The Wellington Fault traverses the Petone Mixed Use Area and is subject to high risk of seismic activity causing fault rupture, liquefaction, subsidence, ground shaking and tsunamis. Fault rupture has the potential to cause significant damage to buildings, structures and life without warning. The Wellington Fault ~~Special Study Area Overlay~~ has been identified to manage the risks posed by fault rupture. At the time of proposing new development, geotechnical information will be required to demonstrate new buildings avoid and are setback from being sited directly over a fault trace. For subsidence, liquefaction and ground shaking, geotechnical investigations will be required to assess the ground conditions of the site, and assess the intensity and nature of future development of the site, including building design and construction techniques.

AMENDMENT 263 [Chapter 5B Petone Commercial Activity Area (Issues, Objectives and Policies)]

Amend explanation and reasons of section 5B 1.2.4 - Carparking

Explanation and Reasons

The provision of suitable on-site carparking, servicing and access is an important part of a number of activities and developments. ~~Carparking~~ If provided, carparking needs to be both adequate adequately designed and well- located, while not compromising other forms of transport or degrading the streetscape or visual amenity values of the area.

Performance standards and design guidance for carparking is provided in the Petone Mixed Use Area Design Guide to ensure on-site carparking is provided in a manner which recognises and reflects the streetscape and visual amenity values of the area.

The use of porous car parking surfaces is also encouraged, which provides a number of environmentally friendly benefits, including a reduction in surface water ponding and contaminants entering the drainage system or Wellington Harbour.

Landscaping and screening of car parking can improve the visual amenity values of an area. It is important therefore that areas within the car parking area and areas adjoining roads are suitably landscaped and screened as outlined in the Design Guide.

AMENDMENT 264 [Chapter 5B Petone Commercial Activity Area (Rules)]

Add new Permitted Activity Rule 5B 2.1.1(f)

(f) Redecoration, repair or alterations which are internal and not visible from the road or from the road frontage.

AMENDMENT 265 [Chapter 5B Petone Commercial Activity Area (Rules)]

Add new Permitted Activity Rule 5B 2.1.1(g)

(g) Minor repair, alterations, and maintenance to the existing facade of a building or structure that does not require building consent;

AMENDMENT 266 [Chapter 5B Petone Commercial Activity Area (Rules)]

Add new Permitted Activity Rule 5B 2.1.1(h)

(h) Signs that are temporary for a period of no more than 3 months.

AMENDMENT 267 [Chapter 5B Petone Commercial Activity Area (Rules)]
Delete Permitted Activity Condition 5B 2.1.1.1(a) Site Coverage

~~(a) Site Coverage:~~

~~Site Coverage: Up to a maximum of 100%.~~

AMENDMENT 268 [Chapter 5B Petone Commercial Activity Area (Rules)]
Amend Permitted Activity Condition 5B 2.1.1.1(b) Maximum Height of Buildings and Structures

(b) Maximum Height of Buildings and Structures:

~~(i) 10m within the Jackson Street Heritage Precinct~~

~~(ii) 22m where not within the Jackson Street Heritage Precinct~~

~~Maximum Height of Buildings and Structures: 10.0m.~~

AMENDMENT 269 [Chapter 5B Petone Commercial Activity Area (Rules)]
Amend Permitted Activity Condition 5B 2.1.1.1(c) Landscaping and Screening

(c) Landscaping and Screening:

(i) All outdoor storage and servicing areas must be screened so that they are not visible from a road or public place.

(ii) At least 5% of car parking areas not contained within a building ~~and adjoining roads~~ must be landscaped ~~and screened~~.

~~(iii) Car parking areas must be screened from Jackson Street.~~

AMENDMENT 270 [Chapter 5B Petone Commercial Activity Area (Rules)]
Amend Permitted Activity Condition 5B 2.1.1.1(d) Sites abutting residential activity areas

(d) Sites abutting residential activity areas:

Where a site abuts a residential activity area the following conditions shall apply:

(i) ~~The maximum height of buildings is 10 metres.~~ All buildings and structures shall comply with the recession plane requirements of the abutting residential activity area.

(ii) Side yard - minimum depth of ~~3 metres where the~~ 1m on boundaries with a site abuts in a residential activity area.

(iii) Rear yard - minimum depth of ~~8 metres where the~~ 1m on boundaries with a site abuts in a residential activity area. This may be reduced if there is a service lane to the rear of the site.

(iv) ~~Where a site abuts a residential activity area all~~ All outdoor storage and servicing areas must be screened ~~by a from the abutting residential activity area by a building~~ or close-boarded fence or a fence made of solid material with a minimum height of 1.2m and a maximum height of 1.8m.

(v) All car parking areas, not contained within buildings, which abut a residential activity area shall be screened by a building or close-boarded fence or a fence made of solid material with a minimum height of 1.2m and a maximum height of 1.8m.

(vi) ~~Where a site abuts a residential activity area, servicing~~ Servicing of activities must not occur between the hours of 10.00pm and 7.00am.

AMENDMENT 271 [Chapter 5B Petone Commercial Activity Area (Rules)]

Amend Restricted Discretionary Activity Rule 5B 2.1.2(a)

- (a) All construction, redevelopment, alterations, repairing or modifications of any building or structure, ~~except the following: which is not listed as a Permitted Activity.~~
- ~~i. Redecoration, repair or alterations which are internal and not visible from the road or from the road frontage; and~~
 - ~~ii. Minor repair or alterations or maintenance to the existing facade of a building or structure which does not require any building consent;~~
- ~~which are Permitted Activities.~~

AMENDMENT 272 [Chapter 5B Petone Commercial Activity Area (Rules)]

Amend Restricted Discretionary Activity Rule 5B 2.1.2(b)

- (b) All signs ~~which are not listed as a~~ except those that are temporary for a period of three months which are Permitted Activities Activity.

AMENDMENT 273 [Chapter 5B Petone Commercial Activity Area (Rules)]

Amend Permitted Activity Rule 5B 2.2.1(l)

- (l) The alteration, addition and repair of buildings and structures where the gross floor area of the additions is less than 5% of the gross floor area of the existing building and where if the maximum height of the existing building is greater than 22m, the height is not increased.

AMENDMENT 274 [Chapter 5B Petone Commercial Activity Area (Rules)]

Amend Permitted Activity Condition 5B 2.2.1.1(a) Maximum Height and Recession Plane of Buildings and Structures

- (a) Maximum Height and Recession Plane of Buildings and Structures: ~~20.0m, with the following exceptions—~~
- ~~i. 12.0m on the road front boundary of Jackson Street, Hutt Road and The Esplanade with a recession plane of 45° sloping inwards up to the permitted height in (ii)-(iv) below;~~
 - ~~ii. 12.0m for properties abutting a General Residential Area;~~
 - ~~iii. 14.0m for properties to the east of Victoria Street, except for those sites which abut the General Residential Activity Area;~~
 - ~~iv. 14.0m for properties on the north side of Jackson Street, between Victoria and Gear Streets.~~

~~The above height limits are illustrated in Appendix Petone Commercial 8—Petone Commercial Activity Area 2.~~

No limit, except areas shown on the District Plan Map as having a specific height control overlay, in which case the maximum height of that overlay applies.

AMENDMENT 275 [Chapter 5B Petone Commercial Activity Area (Rules)]

Delete Permitted Activity Condition 5B 2.2.1.1(b) Minimum Yard and Setback Requirements

~~(b)—Minimum Yard and Setback Requirements:~~

- ~~i. Buildings and structures on sites abutting an urupa shall have a minimum setback of 3m.~~
- ~~ii. Buildings and structures on sites abutting a General Residential Activity Area shall have a minimum setback of 3.0m.~~

- iii. ~~Buildings and structures shall have a minimum setback of 10m from The Esplanade front road boundary, except for sites identified in Appendix Petone Commercial 7.~~

AMENDMENT 276 [Chapter 5B Petone Commercial Activity Area (Rules)]
Amend Permitted Activity Condition 5B 2.2.1.1(d) Landscaping and Screening

(d) Landscaping and Screening:

- i. At least 5% of car parking areas not contained within buildings must be landscaped. Areas within the parking area and areas adjoining or fronting roads must be landscaped.
- ii. All outdoor storage areas shall be screened so that they are not visible from a road or public space.
- iii. Any surface or ground level parking area shall not exceed a maximum width of 18m along the site frontage or 40% of the site frontage, whichever is the lesser.
- iv. ~~On sites with road frontage to The Esplanade, a planting strip shall be provided to comply with the following conditions:~~
 - ~~A minimum width of 2.5m;~~
 - ~~Planting shall include at least one specimen tree capable of growing to 5.0m in height within 10 years of planting for every 5.0m of site frontage; and~~
 - ~~The planting strip shall be planted so as to provide separation between on-site pedestrian and vehicle activities and pedestrian/vehicular activities taking place on the street.~~

AMENDMENT 277 [Chapter 5B Petone Commercial Activity Area (Rules)]
Amend Permitted Activity Condition 5B 2.2.1.1(e) Sites abutting Residential Activity Areas

(e) Sites abutting Residential Activity Areas:

Where a site abuts a Residential Activity Area, the following conditions shall apply:

- i. ~~The maximum building height is 12m.~~ All buildings and structures shall comply with the recession plane requirements of the abutting Residential Activity Area.
- ii. Rear yard - minimum depth of ~~3.0m~~ 1m.
- iii. All outdoor storage, carparking, and servicing areas must be screened so they are not visible from abutting sites in a Residential Activity Area.
- iv. Servicing of activities must not occur between the hours of 10.00pm and 7.00am.
- v. No mechanical repair and servicing of motor vehicles, trailers or motor fuelled domestic equipment shall be undertaken on the site.

AMENDMENT 278 [Chapter 5B Petone Commercial Activity Area (Rules)]
Amend Permitted Activity Condition 5B 2.2.1.1(f) Sites abutting or directly opposite the Community Iwi Activity Area

(f) Sites abutting or directly opposite the Community Iwi Activity Area (Te Puni Urupā):

Where a site abuts or is situated immediately opposite the Community Iwi Activity Area (Te Puni Urupā), the following conditions shall apply:

- i. ~~The maximum building height is 8m where a site abuts the Community Iwi Activity Area.~~
- ii. For all buildings and structures, a recession plane applies of 2.5m + 45° from all site boundaries with the urupā. This recession plane also applies to properties on the

opposite side of Te Puni Street, where it will be measured from the road boundary of the urupā.

- iii. A minimum yard of 3 metres on any boundary with the urupā.

AMENDMENT 279 [Chapter 5B Petone Commercial Activity Area (Rules)]

Amend Permitted Activity Condition 5B 2.2.1.1(f) Sites abutting or directly opposite the Community Iwi Activity Area

- (l) Outdoor Living Areas for Residential Activities:

A minimum area of 20m² per residential unit shall be provided as either private or shared outdoor amenity space. Of this area, a minimum of 2.5m² shall be private outdoor space which is contiguous with the main living area of the unit.

Alternatively, for residential units located entirely above ground floor level the outdoor living space requirement can be satisfied by providing a balcony or roof terrace with a minimum area of 5m² with a minimum dimension of 1.8m.

AMENDMENT 280 [Chapter 5B Petone Commercial Activity Area (Rules)]

Delete Restricted Discretionary Activity Rule 5B 2.2.2

~~(b) The construction, alteration of, addition to buildings and structures over 12 metres in height, except:~~

- ~~i. The alteration of, addition to buildings and structures where the gross floor area of the additions is less than 5% of the gross floor area of the existing building; or~~
- ~~ii. The alteration of, addition of buildings and structures which does not change the external building form (floor area and height) of the existing building.~~

AMENDMENT 281 [Chapter 5B Petone Commercial Activity Area (Rules)]

Amend Matter of Discretion 5B 2.2.2.1(a)

- (a) The construction, alteration of, addition to buildings and structures, except for those works permitted under Rule 5B 2.2.1 (l) and (m)
- i. Design, external appearance and siting of the building or structures
 - ii. Matters in the Petone Mixed Use Area Design Guide
 - A Design Statement will be required which demonstrates how the proposed development responds to the design guidelines of the Petone Mixed Use Area Design Guide.
 - iii. Amenity Values
 - Effects upon the amenity values both within the site concerned and upon the planned amenity values for surrounding areas from buildings, structures and use of outdoor areas.
 - iv. Landscaping
 - The extent to which landscaping is incorporated to achieve high quality urban design which maintains or enhances the image and visual appearance of the mixed use area.
 - A landscape plan will be required. This plan should include landscaping of any outdoor on-site parking areas.
 - v. Natural Hazards
 - The outcomes of the geotechnical investigation on seismic hazards, including fault rupture, subsidence, tsunami and liquefaction.

- Whether the potential risk to the health and safety of people and property from fault rupture, subsidence, tsunami, liquefaction and sea level rise (taking into account changes to these levels arising from climate change), can be avoided or mitigated.
 - The design and layout of the development, including buildings, to avoid or mitigate the effects from fault rupture, subsidence, tsunami, liquefaction and sea level rise (taking into account changes to these levels arising from climate change).
- vi. Capacity of Infrastructure
- The capacity of the City's infrastructure to service additional development on the site.
- vii. Impact on Historic Heritage
- Expected or potential impacts on the historic heritage values of any adjacent Historic Area, Historic Building or Significant Cultural or Archaeological Resource and any measures to be adopted to protect these values.
- viii. Cultural significance of Te Puni Urupā
- Where adjacent, impacts on the cultural and historic values of the Te Puni Urupā.

AMENDMENT 282 [Chapter 5B Petone Commercial Activity Area (Rules)]
Delete Matter of Discretion 5B 2.2.2.1(b)

~~(b) — The construction, alteration of, addition to buildings and structures over 12 metres in height
The effects of wind on public space and adjoining areas.~~

AMENDMENT 283 [Chapter 5B Petone Commercial Activity Area (Rules)]
Delete Restricted Discretionary Activity Condition 5B 2.2.2.2(b)

~~(b) — The construction, alteration of, addition, and repair of buildings and structures over 12 metres in height.~~

~~i. — Wind Protection:~~

~~All buildings and structures over 12 metres in height and where any part of the building or structure fronts a street, pedestrian mall, pedestrian walkway, shall be designed to comply with the following conditions:~~

- ~~(a) — Safety: The safety criteria shall apply to all public space. The maximum gust speed shall not exceed 20 m/s. If the speed exceeds 20 m/s with the proposed development, it must be reduced to 20 m/s or below.~~
- ~~(b) — Cumulative Effect: The cumulative criteria shall apply to all public space. Any proposed development shall comply with the requirements for both of the following wind strengths, at each measurement location.~~

Wind strength	Change in annual hours of occurrence with the development at all measurement points	Requirements on developer
Strong (mean hourly wind speed = 3.5 m/s)	If hours that 3.5 m/s is equalled or exceeded increase by more than 170 hr/yr (i.e. 2 % of the year)	Reduce change in hours to a maximum of 170 hours.

Moderate (mean hourly wind speed = 2.5 m/s)	If hours that 2.5 m/s is equalled or exceeded increase by more than 170 hr/yr (i.e. 2% of the year)	Reduce change in hours to a maximum of 170 hours.
---	---	---

~~(c) While hours exceeded at some locations in the Cumulative Effect Criteria may increase or decrease, the overall impact of a building on the wind conditions must be neutral or beneficial.~~

~~(d) To show that a development complies with these standards a wind report must be supplied that meet the requirements outlined in Appendix Petone Commercial 4 — Wind Report.~~

AMENDMENT 284 [Chapter 5B Petone Commercial Activity Area (Appendices)]
Amend section 1.1 Background of Appendix Petone Commercial 1

Appendix Petone Commercial 1

Part 1: Building Shape

1.1 Background

Given the quality of old building stock ~~fronting Jackson Street within the Jackson Street Heritage Precinct~~, refurbishments or new developments should reinforce the visual cohesion of the existing facades. Refurbishment or renovation of existing buildings should relate to the historical design traditions within the street.

...

AMENDMENT 285 [Chapter 5B Petone Commercial Activity Area (Appendices)]
Amend Appendix Petone Commercial 2 - Petone Mixed Use Activity Area Design Guide

See following section of this document for proposed amendments to Appendix Petone Commercial 2.

AMENDMENT 286 [Chapter 5B Petone Commercial Activity Area (Appendices)]
Delete Appendix Petone Commercial 4 Wind Report

~~Appendix Petone Commercial 4~~

~~Wind Report~~

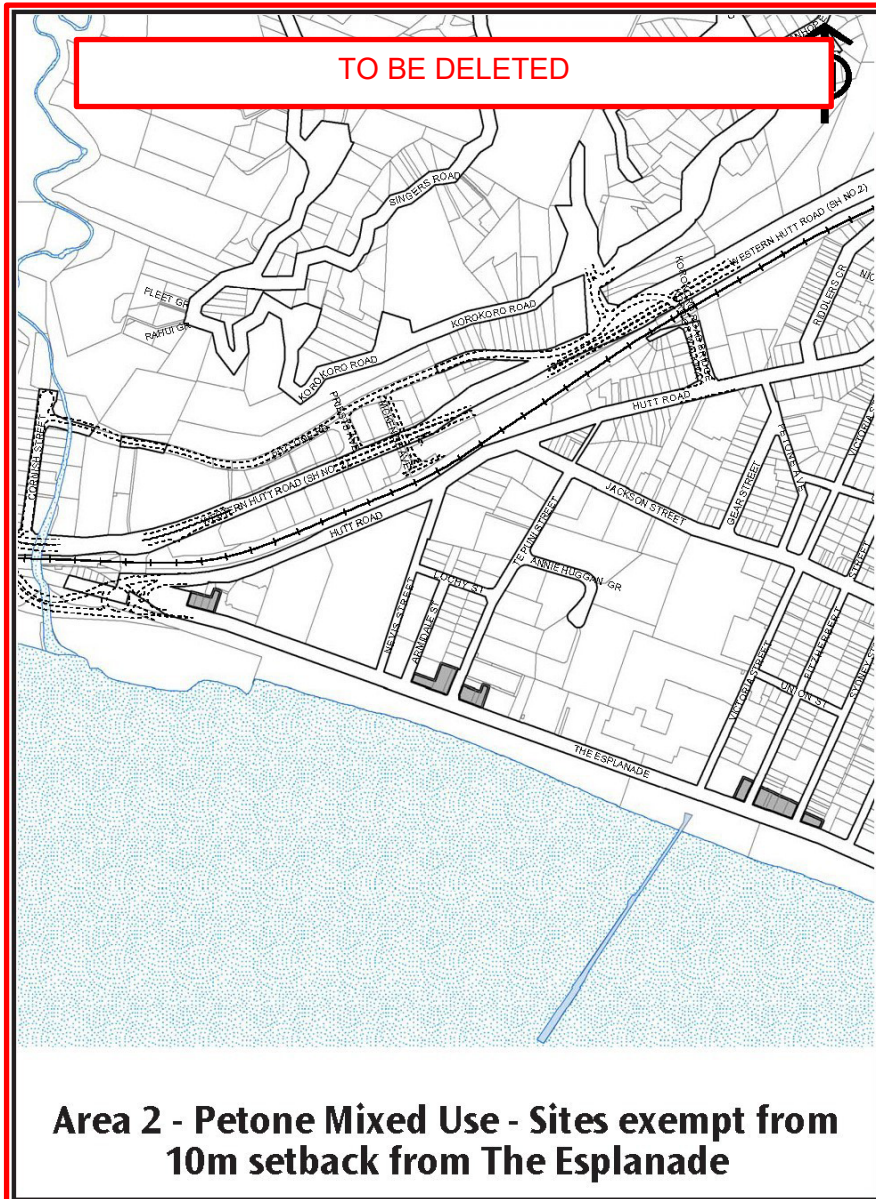
~~Buildings above 12 metres require a wind assessment report to identify and describe measures for addressing the potential adverse of wind on public space, including streets.~~

~~Typically headings for a wind assessment report would be:~~

- ~~— Existing wind conditions/environment.~~
- ~~— Existing built context and environment in terms of height and bulk of surrounding buildings.~~
- ~~— Location of the site relative to public spaces.~~
- ~~— Proposed building height and form.~~
- ~~— Design features proposed to manage wind effects.~~

AMENDMENT 287 Chapter 5B Petone Commercial Activity Area (Appendices)]
Delete Appendix Petone Commercial 7

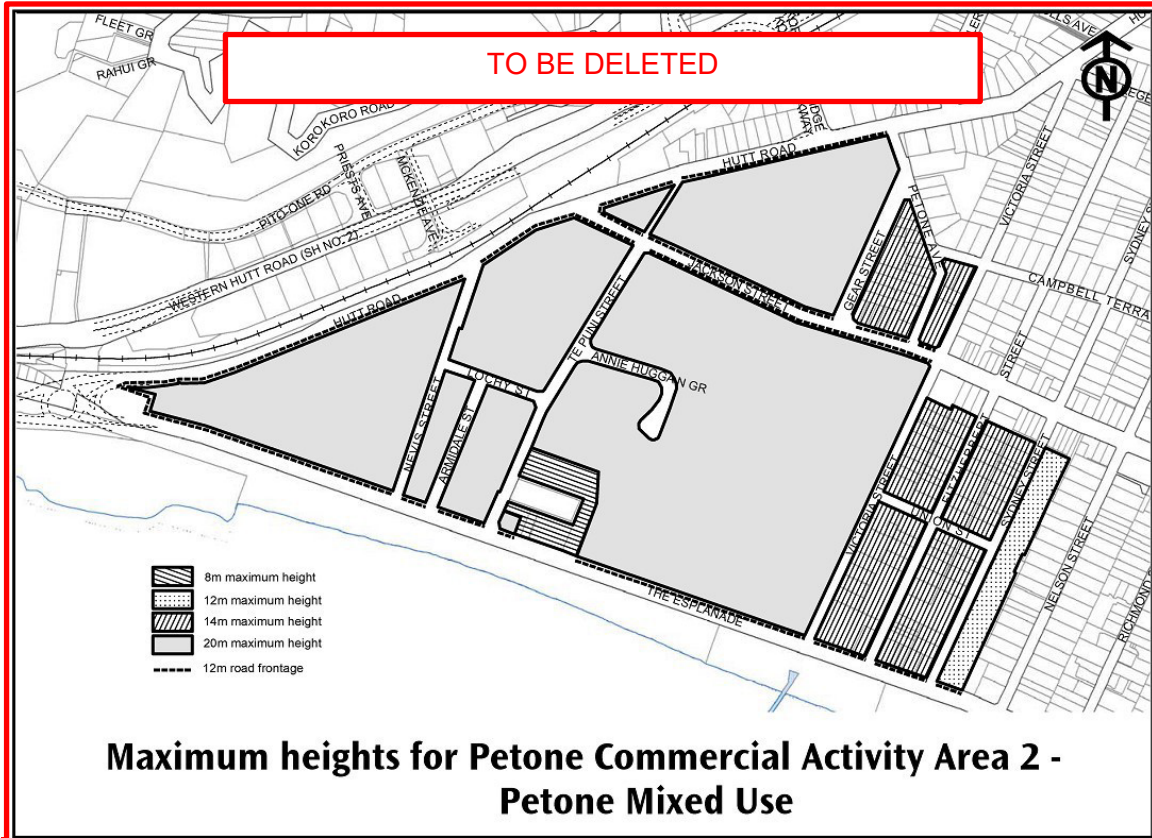
Appendix Petone Commercial 7



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

AMENDMENT 288 Chapter 5B Petone Commercial Activity Area (Appendices)
Delete Appendix Petone Commercial

Appendix Petone Commercial 8



Appendix Petone Commercial 2 – Petone Mixed Use Activity Area Design Guide

AMENDMENT 289 [Chapter 5B Petone Commercial Activity Area (Appendix 2)]
Amend section 1.3 of Appendix Petone Commercial 2

1.3 How the Design Guide Relates to Petone Vision

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

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

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

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

...

AMENDMENT 290 [Chapter 5B Petone Commercial Activity Area (Appendix 2)]
Amend section 1.7 of Appendix Petone Commercial 2 – Character and Context Description - Summary Table

Summary Table - Existing to Future Character

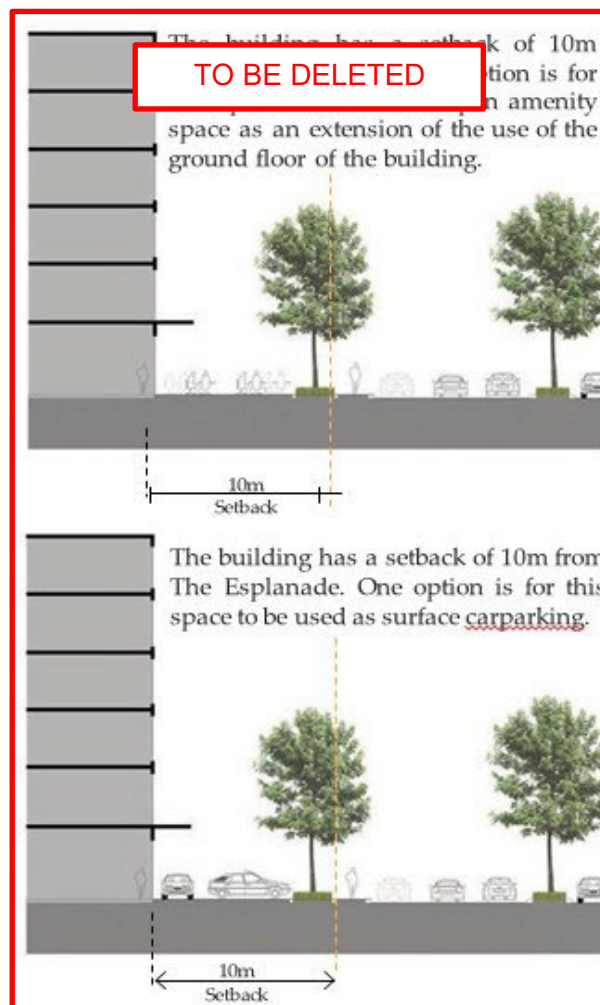
ATTRIBUTES	EXISTING CHARACTER	FUTURE CHARACTER
Uses	Service, commercial, large format retail and industrial.	Mix of uses, including existing uses (service, commercial, large format retail and light industrial) plus medium density residential and retail (greater than 500m ²) along Jackson Street. No residential uses on the ground floor along Jackson Street.
Densities	Low with a high amount of open areas with surface car parks.	Increased intensity of development, including public and private open spaces with a reduced extent of open surface car parks.
Heights	Low, mostly 1 or 2 storeys with a few taller (up to 8 storeys).	Mix of low and taller buildings throughout the area Buildings of any height are provided for except for limited areas around Te Puni Urupā
Architecture and Style	Range of eras and no specific styles, utilitarian sheds, simple box forms, basic materials - concrete, corrugated iron, little detail.	Contemporary, more articulation within forms. More attention to detail at street level, with a range of materials used. Conversions or replacement of existing

		buildings. Maintenance of existing heritage values in Jackson Street.
Built Form	Stand alone buildings with large floor plates mixed with adjoining smaller buildings on streets to the east.	Single use and mixed use buildings. New buildings provide opportunities for residential, commercial/business and light industrial activities. New buildings may include medium density residential development around private or public open spaces.
Open Space	No green open spaces.	New developments have on-site courtyards or larger open space areas that provide contained sheltered open areas for occupants' amenity.
Connections	Large blocks with limited connectivity for all transport modes.	Existing streets supplemented by new street and pedestrian connections.
Car Parking	Large areas of surface carparking fronting the streets.	Carparking is located either internally within buildings or behind buildings.

AMENDMENT 291 [Chapter 5B Petone Commercial Activity Area (Appendix 2)]
Amend section 2.4 of Appendix Petone Commercial 2 – The Esplanade Design Objective – Guidelines

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

AMENDMENT 292 [Chapter 5B Petone Commercial Activity Area (Appendix 2)]
Delete image from section 2.4 of Appendix Petone Commercial 2 – The Esplanade Design Objective – Guidelines – Image 2

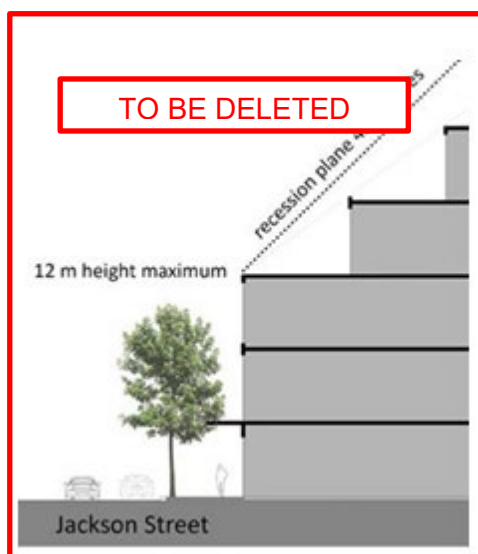


AMENDMENT 293 [Chapter 5B Petone Commercial Activity Area (Appendix 2)]

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

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

AMENDMENT 294 [Chapter 5B Petone Commercial Activity Area (Appendix 2)]
Delete image and caption from section 2.4 of Appendix Petone Commercial 2 – Jackson Street Design Objective – Guidelines



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

AMENDMENT 295 [Chapter 5B Petone Commercial Activity Area (Appendix 2)]
Amend in section 2.5 of Appendix Petone Commercial 2 – Adjacent Uses – B. Buildings Adjoining Residential Neighbourhoods – Design Objective

Design Objective

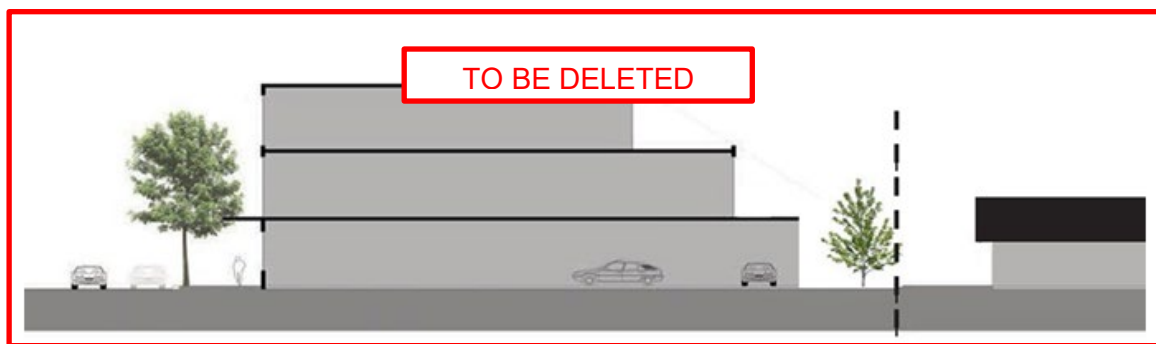
New development minimises adverse effects on adjacent residential properties and the residential amenities enjoyed by their occupants.

Existing and new development along the eastern boundary of the Mixed Use Activity Area (fronting Sydney Street) backs onto an established residential area that is itself enabled for significant change, including buildings of a similar height to that enabled in the Petone Mixed Use Area. It is important that the planned amenity values of this adjacent residential area is are taken into account and protected to the degree practicable.

AMENDMENT 296 [Chapter 5B Petone Commercial Activity Area (Appendix 2)]
Amend in section 2.5 of Appendix Petone Commercial 2 – Adjacent Uses – B. Buildings Adjoining Residential Neighbourhoods – Guidelines

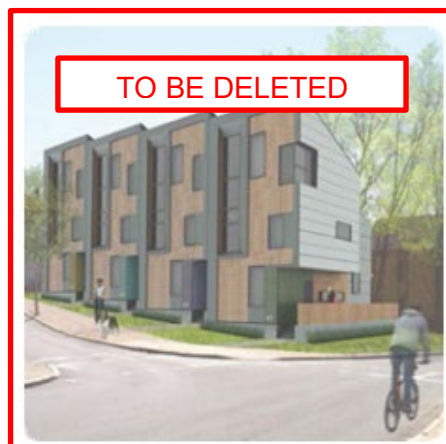
- ~~1. A setback should be provided between new development and existing residential development. It is recommended that this setback be used for planting or open space;~~
2. Screens and other devices should be provided to limit overlooking from new activities onto adjoining residential uses; and
3.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

AMENDMENT 297 [Chapter 5B Petone Commercial Activity Area (Appendix 2)]
Delete image and caption from section 2.5 of Appendix Petone Commercial 2 – Adjacent Uses – B. Buildings Adjoining Residential Neighbourhoods – Image 1 and caption



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

AMENDMENT 298 [Chapter 5B Petone Commercial Activity Area (Appendix 2)]
Delete image and caption from section 2.5 of Appendix Petone Commercial 2 – Adjacent Uses – B. Buildings Adjoining Residential Neighbourhoods – Image 4 and caption



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

AMENDMENT 299 [Chapter 5B Petone Commercial Activity Area (Appendix 2)]
Amend section 2.8 of Appendix Petone Commercial 2 – Car Parking – B. Surface Car Parking – Guidelines

1. ~~Location of Any~~ surface car parking should be located behind buildings ~~is encouraged~~;
2. Surface parking should not exceed more than 50% of the site's frontage;

3. Trees and planting should be located to alleviate the negative visual effects of car parking and to provide shading for cars and pedestrians;
4. Surface car parking should aim to provide 1 tree per 4 parking spaces, along with low maintenance shrubs; and
5. Permeable surfaces including porous pavement (permeable pavers, concrete and asphalt) and grasscrete are encouraged.

AMENDMENT 300 [Chapter 5B Petone Commercial Activity Area (Appendix 2)]
Amend section 2.10 of Appendix Petone Commercial 2 – Wind – Design Objective

Design Objective

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

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

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

AMENDMENT 301 [Chapter 5B Petone Commercial Activity Area (Appendix 2)]
Amend image in section 2.10 of Appendix Petone Commercial 2 – Wind – Guidelines



[Modify image to remove text on projecting roofline]

AMENDMENT 302 [Chapter 5B Petone Commercial Activity Area (Appendix 2)]
Amend section 2.11 of Appendix Petone Commercial 2 – Amenity – D. Quality of Internal Residential Space – Guidelines

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

Chapter 5C Suburban Commercial Activity Area

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

Chapter 5D Special Commercial Activity Area

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

Chapter 5E Suburban Mixed Use Activity Area

AMENDMENT 305 [Chapter 5E Suburban Mixed Use Activity Area (Introduction / Zone Statement)]

Amend section 5E 1 Introduction / Zone Statement

5E 1 Introduction / Zone Statement

The Suburban Mixed Use Activity Area applies to ~~selected suburban centres generally located in areas of good public transport.~~ local commercial areas that complement the city centre and Petone metropolitan centre.

~~The Suburban Mixed Use Activity Area provides~~ These areas primarily provide for the local convenience needs of surrounding residential areas including local retail, commercial services and offices as well as residential use above ground floor. It addresses expectations of residents ~~of higher density housing types~~ to have easy access to a wide range of facilities and services, particularly residents of higher density housing types.

The Suburban Mixed Use Activity Area enables intensification and provides for medium to high density development.

The highest levels of building height and density are provided for in centres that:

- are located within a walkable catchment of the city centre or the Petone metropolitan centre.
- are located within a walkable catchment of rapid transit stops.
- have a high level of commercial activity or a wide range of community services.

Other centres provide for more moderate height to reflect the surrounding residential context.

New development is expected to be designed to high standards and enhance the quality of the streets and public open space in these centres. The Medium Density Design Guide assists in the development of high quality buildings and environments and provides guidance where permitted activity development standards are not met.

AMENDMENT 306 [Chapter 5E Suburban Mixed Use Activity Area (Objectives)]

Amend Objective 5E 2.2

Objective 5E 2.2

Land is efficiently used for medium to high density mixed use development.

AMENDMENT 307 [Chapter 5E Suburban Mixed Use Activity Area (Objectives)]

Amend Objective 5E 2.3

Objective 5E 2.3

Built development is of a scale and quality that is compatible with the amenity level of medium to high density mixed use development and contributes towards creating a sense of place.

AMENDMENT 308 [Chapter 5E Suburban Mixed Use Activity Area (Objectives)]

Amend Objective 5E 2.4

Objective 5E 2.4

Built development ~~shall maintain~~ is consistent with the amenity values expected in the planned urban environment of adjoining residential areas.

AMENDMENT 309 [Chapter 5E Suburban Mixed Use Activity Area (Objectives)]
Delete Objective 5E 2.6

Objective 5E 2.6

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

AMENDMENT 310 [Chapter 5E Suburban Mixed Use Activity Area (Policies)]
Amend Policy 5E 3.5

Policy 5E 3.5

Enable the efficient use of land through medium to high density built development while managing any adverse effects on the environment, including effects on infrastructure and residential amenity.

AMENDMENT 311 [Chapter 5E Suburban Mixed Use Activity Area (Policies)]
Amend Policy 5E 3.6

Policy 5E 3.6

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

AMENDMENT 312 [Chapter 5E Suburban Mixed Use Activity Area (Policies)]
Amend Policy 5E 3.7

Policy 5E 3.7

Require built development adjoining Residential Activity Areas to manage the effects on the amenity of those areas, having specific regard to ~~visual dominance~~, privacy and shading.

AMENDMENT 313 [Chapter 5E Suburban Mixed Use Activity Area (Policies)]
Delete Policy 5E 3.10

Policy 5E 3.10

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

AMENDMENT 314 [Chapter 5E Suburban Mixed Use Activity Area (Rules)]
Amend Rule 5E 4.2.1 Building Height

Rule 5E 4.2.1 Building Height

- | |
|---|
| (a) Construction or alteration of a building is a permitted activity if: <ul style="list-style-type: none">(i) The building <u>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</u><u>(ii) In any other case, the building</u> does not exceed a maximum height of 12m. |
| (b) Construction or alteration of a building that exceeds the maximum height of 12m <u>in Rule 5E 4.2.1(a)</u> is a restricted discretionary activity.
Discretion is restricted to: <ul style="list-style-type: none">(i) The effects on the amenity of adjoining sites.(ii) The effects on the privacy of adjoining sites.(iii) The effects on shading of adjoining sites. |

- (iv) The effects on the amenity of adjoining Residential Activity Areas, the streetscape and adjoining public space.
- (v) The following mixed use and medium density residential development design elements:
 1. Building height
 2. Recession planes and setbacks
 3. Indoor and outdoor living spaces
 4. Open space and boundary treatments
 5. Entrances, carparking and garages
 6. 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 (v), the Council will be principally guided by its Medium Density Design Guide.

Links to:

Objectives 5E 2.2, 5E 2.3

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

AMENDMENT 315 [Chapter 5E Suburban Mixed Use Activity Area (Rules)]
 Amend Rule 5E 4.2.3 Yards

Rule 5E 4.2.3 Yards

- (a) Construction or alteration of a building is a **permitted activity** if the following yard requirements are being met:
 - (i) For sites adjoining a residential activity area the building is not located within the following yard setbacks:

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

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

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

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

Discretion is restricted to:

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

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

Links to:

Objectives 5E 2.2, 5E 2.3

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

AMENDMENT 316 [Chapter 5E Suburban Mixed Use Activity Area (Rules)]

Amend Rule 5E 4.2.4 Outdoor Living Space

Rule 5E 4.2.4 Outdoor Living Space

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

- (i) Each dwelling has an outdoor living space that:
1. Has a minimum area of 10m².
 2. Has a minimum dimension of 2m.
 3. Has direct access from the dwelling to which it relates.

For dwellings located entirely above ground floor level the outdoor living space requirement can be satisfied by providing a balcony or roof terrace with a minimum area of 5m² with a minimum dimension of ~~2m~~ 1.8m.

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

Discretion is restricted to:

- (i) The effects on the amenity for residents of the site, including access to sunlight and open space and the usability and accessibility of the outdoor living space proposed.
- (ii) The proximity of the site to communal or public open space that has the potential to mitigate any lack of private outdoor living space.
- (iii) The following mixed use and medium density residential development design elements:
1. Building height
 2. Recession planes and setbacks
 3. Indoor and outdoor living spaces
 4. Open space and boundary treatments
 5. Entrances, carparking and garages
 6. 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 5E 2.2, 5E 2.3

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

AMENDMENT 317 [Chapter 5E Suburban Mixed Use Activity Area (Rules)]
Amend Rule 5E 4.2.8 Demolition

Rule 5E 4.2.8 Demolition

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

For buildings listed in Appendix Heritage 1, ~~2~~ or 3 or in Appendix Significant Natural, Cultural and Archaeological Resources 1 the relevant rules of the Chapters 14E and 14F relating to demolition apply.

Chapter 6A General Business Activity Area

AMENDMENT 318 [Chapter 6A General Business Activity Area (Issues, Objectives and Policies)]

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

6A 1.2.3 Effects on Cultural Practices at Marae

AMENDMENT 319 [Chapter 6A General Business Activity Area (Issues, Objectives and Policies)]

Add new issue to section 6A 1.2.3 Effects on Cultural Practices at Marae

Issue

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

AMENDMENT 320 [Chapter 6A General Business Activity Area (Issues, Objectives and Policies)]

Add new objective to section 6A 1.2.3 Effects on Cultural Practices at Marae

Objective

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

AMENDMENT 321 [Chapter 6A General Business Activity Area (Issues, Objectives and Policies)]

Add new policy to section 6A 1.2.3 Effects on Cultural Practices at Marae

Policy

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

AMENDMENT 322 [Chapter 6A General Business Activity Area (Issues, Objectives and Policies)]

Add new explanation and reasons to section 6A 1.2.3 Effects on Cultural Practices at Marae

Explanation and Reasons

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

AMENDMENT 323 [Chapter 6A General Business Activity Area (Rules)]

Amend Permitted Activity Condition 6A 2.1.1(c)

(c) Maximum Height of Buildings and Structures:

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

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

AMENDMENT 324 [Chapter 6A General Business Activity Area (Rules)]

Add new Permitted Activity Condition 6A 2.1.1(e)

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

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

AMENDMENT 325 [Chapter 6A General Business Activity Area (Rules)]

Add new Restricted Discretionary Rule 6A 2.3(k)

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

AMENDMENT 326 [Chapter 6A General Business Activity Area (Rules)]

Add new Matter of Discretion 6A 2.3.1(j)

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

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

AMENDMENT 327 [Chapter 6A General Business Activity Area (Rules)]

Amend Discretionary Activity Rule 6A 2.4(a)

(a) Except where stated in the General Rules or as provided for in Rule 6A 2.3(k), any Permitted, Controlled or Restricted Discretionary Activity which fails to comply with any of the relevant Permitted Activity Conditions, or relevant requirements of Chapter 14 - General Rules.

Chapter 9A Community Health Activity Area

AMENDMENT 328 [Chapter 9A Community Health Activity Area (Issues, Objectives and Policies)]

Delete Policy 9A 1.2.1(c) of section 9A 1.2.1

Policy

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

AMENDMENT 329 [Chapter 9A Community Health Activity Area (Issues, Objectives and Policies)]

Amend Explanations and Reasons of section 9A 1.2.1

Explanation and Reasons

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

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

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

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

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

AMENDMENT 330 [Chapter 9A Community Health Activity Area (Rules)]

Amend Permitted Activity Condition 9A 2.1.1(a)

- (a) Minimum Yard Requirements: ~~All yards: 3m.~~

For sites adjoining a Residential Activity Area a 1 metre yard is required on the shared boundary.

AMENDMENT 331 [Chapter 9A Community Health Activity Area (Rules)]

Amend Permitted Activity Condition 9A 2.1.1(b)

- (b) Recession Planes:

For sites adjoining a Residential Activity Area the recession plane requirements of the adjoining Residential Activity Area shall be complied with at the shared boundary.

~~For all buildings and structures~~

~~i. — From the north facing boundary: 2.5m + 45°~~

~~ii. — From the north-east and north-west facing boundary: 2.5m + 41°~~

~~iii. — From all other site boundaries: 2.5 m + 37.5°
provided the recession plane shall not apply to television aerials, flagpoles and chimneys.
See Appendix Community Health 1~~

AMENDMENT 332 [Chapter 9A Community Health Activity Area (Rules)]
Amend Permitted Activity Condition 9A 2.1.1(c)

(c) Maximum Height of Buildings and Structures: 22 metres

~~Area 1 — 20.0m~~

~~Area 2 — 8.0m~~

~~See Appendix Community Health 2~~

AMENDMENT 333 [Chapter 9A Community Health Activity Area (Rules)]
Delete Permitted Activity Condition 9A 2.1.1(d)

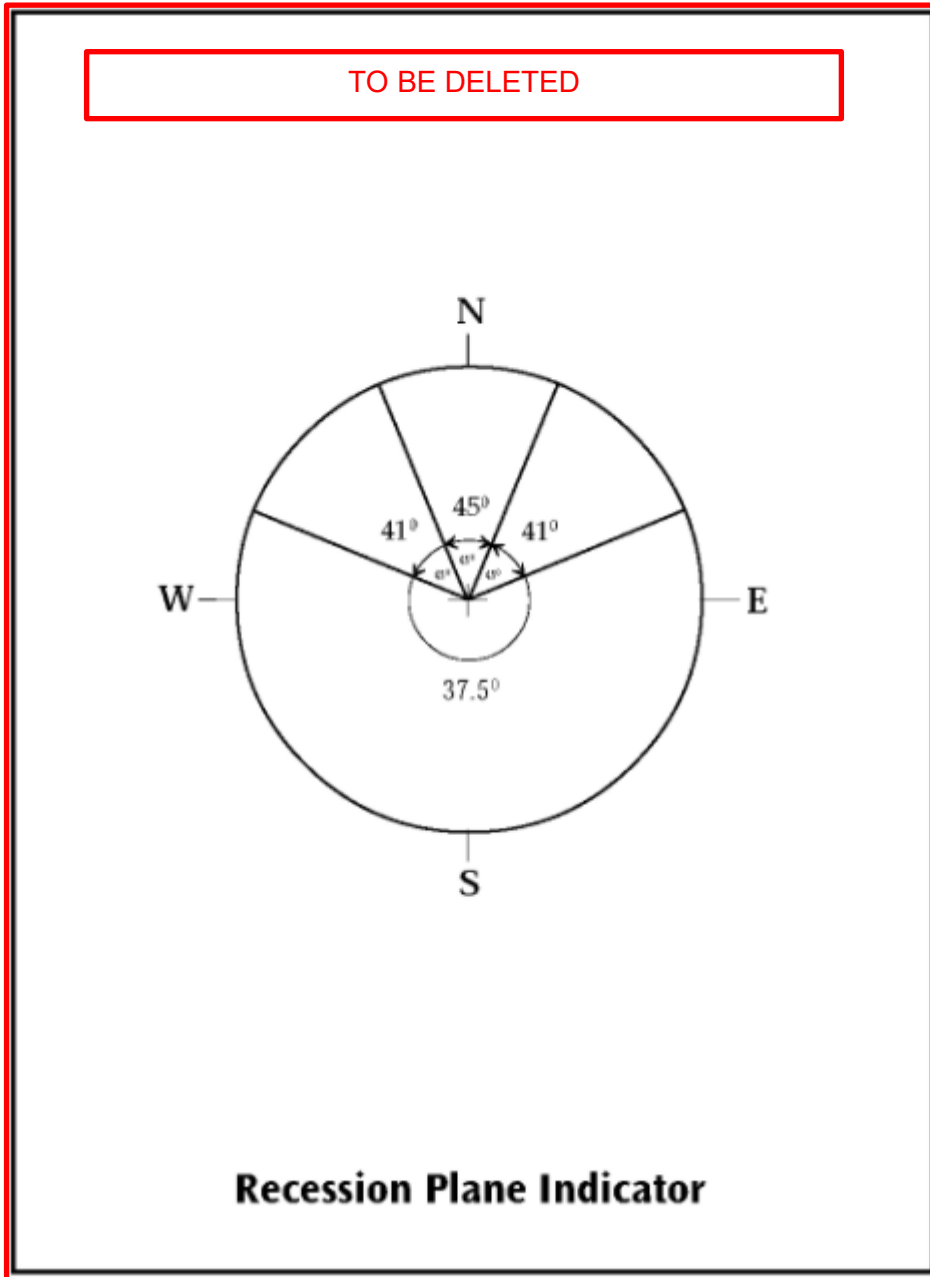
~~(d) — Maximum Length for all Buildings and Structures:~~

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

~~See Appendix General Residential 18 in the General Residential Activity Area.~~

AMENDMENT 334 [Chapter 9A Community Health Activity Area (Appendices)]
Delete Appendix Community Health 1

Appendix Community Health 1



AMENDMENT 335 [Chapter 9A Community Health Activity Area (Appendices)]
Delete Appendix Community Health 2

Appendix Community Health 2



Chapter 10A Community Iwi Activity Area

AMENDMENT 336 [Chapter 10A Community Iwi Activity Area (Rules)]
Amend section 10A 2.1 Rules for Community Iwi Activity Area 1 - Marae

10A 2.1 Community Iwi Activity Area 1 - Marae

(See Appendix Community Iwi 1 for the locations)

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

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

AMENDMENT 337 [Chapter 10A Community Iwi Activity Area (Rules)]
Amend section 10A 2.1.1.1 Permitted Activity - Conditions

10A 2.1.1.1 Permitted Activity - Conditions

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

Chapter 11 Subdivision

AMENDMENT 338 [Chapter 11 Subdivision (Issues, Objectives and Policies)]

Amend policies of section 11.1.1 Allotment Standards

Policy

- (a) To ensure that allotments in ~~lower density residential areas~~ the Hill Residential Activity Area, Landscape Protection Residential Activity and rural zones have minimum design standards such as, minimum size, shape and frontage, which are suitable for the proposed use or development.
- (b) To provide flexibility in lot size, shape and frontage within Commercial, Mixed Use, ~~General Medium Density~~ Residential and ~~Medium High~~ Density Residential Activity Mixed Areas to enable diversity of commercial and residential development size and density.

AMENDMENT 339 [Chapter 11 Subdivision (Issues, Objectives and Policies)]

Amend objective of section 11.1.3 Natural Hazards

Objective

- (a) To ensure that land subject to natural hazards is subdivided in a manner that the adverse effects are avoided, remedied or mitigated.
- (b) Subdivision does not increase the risk from natural hazards, including coastal hazards.

AMENDMENT 340 [Chapter 11 Subdivision (Issues, Objectives and Policies)]

Amend policies of section 11.1.3 Natural Hazards

Policy

- ~~(a) Subdivision of land within the Wellington Fault Special Study Area shall ensure that the allotments are of sufficient size and shape so that buildings and structures are not sited within twenty metres of a faultline.~~
- (aa) Subdivision of land within the Wellington Fault Hazard Overlay shall ensure that the allotments are of sufficient size and shape so that the building platform is at least 20m from the Wellington Faultline.
- ~~(b) Subdivision of land subject to flooding is discouraged as this can lead to greater intensity of use and development and have adverse effects on the environment.~~
- (ba) Subdivision shall ensure that any building platform is not located within an identified Stream Corridor.
- (bb) Subdivision where building platforms are within overland flow paths shall ensure that overland flowpaths are not impeded and mitigation measures are incorporated into the

subdivision to avoid any increase in risk to people or property, including neighbouring properties.

(bc) Subdivision where the building platforms are within the Inundation Area shall include mitigation measures to avoid any increase in risk to people or property, including neighbouring properties.

(bd) Subdivision where the building platforms are within the Medium and High Coastal Hazard Overlays shall include mitigation measures to avoid any increase in risk to people or property, including neighbouring properties.

(c) Subdivision of land should be managed to ensure that within each allotment there is a suitable building platform so that buildings and associated structures will not be adversely affected by slope instability, including the deposition of debris.

AMENDMENT 341 [Chapter 11 Subdivision (Issues, Objectives and Policies)]
Amend Explanations and Reasons of section 11.1.3 Natural Hazards

Explanation and Reasons

Subdivision of land subject to natural hazards may lead to allotments which are inappropriate as the adverse effects cannot be controlled or mitigated. It is important that the subdivision is designed in a manner that the natural hazard can be avoided or mitigated. In this respect, it is important that allotments are of sufficient size and are of an appropriate shape so that the proposed use or development can be sited to avoid the natural hazard, or the necessary mitigation measures can be implemented to manage the risk to people, property and infrastructure,~~without affecting detrimentally the viability of the use or development.~~

AMENDMENT 342 [Chapter 11 Subdivision (Objectives, Policies and Rules)]
Amend issue of section 11.1.4 Special Areas

11.1.4 Special Areas

Issue

Subdivision of land in the coastal environment and in areas of ecological and historic heritage value can have adverse effects that need to be controlled.

AMENDMENT 343 [Chapter 11 Subdivision (Objectives, Policies and Rules)]
Amend objectives of section 11.1.4 Special Areas

Objective 1

To ensure that land in the coastal environment, areas adjoining lakes and rivers and other environmentally sensitive areas are protected from inappropriate subdivision.

Objective 2

Historic heritage values of identified heritage precincts are protected from inappropriate subdivision.

AMENDMENT 344 [Chapter 11 Subdivision (Objectives, Policies and Rules)]
Amend policies of section 11.1.4 Special Areas

Policy

(a) To ensure that land in the coastal environment, areas adjoining rivers and lakes and other environmentally sensitive areas are not subdivided to an extent or manner where amenity values, ecological, social, cultural and recreational conditions are adversely affected.

- (b) Protect the historic heritage values in the Historic Residential Precinct and Patrick Street-Riddlers Crescent by managing density of development enabled by subdivision of land.

AMENDMENT 345 [Chapter 11 Subdivision (Rules)]
Amend Rule 11.2.2 Controlled Activities

11.2 Rules

...

11.2.2 Controlled Activities

All subdivisions in the following activity areas are Controlled Activities except where provided for as Permitted or Discretionary Activities:

~~(a) General Residential Activity Area.~~

(aa) Medium Density Residential Activity Area.

(ab) High Density Residential Activity Area.

(b) Hill Residential Activity Area.

(c) Landscape Protection Residential Activity Area.

~~(d) Special Residential Activity Area.~~

~~(e) Medium Density Residential Activity Area.~~

(f) General Business Activity Area.

(g) Special Business Activity Area.

(h) Rural Residential Activity Area.

(i) General Rural Activity Area.

~~(j) Suburban Commercial Activity Area.~~

(k) Suburban Mixed Use Activity Area.

(l) Central Commercial Activity Area.

(m) Petone Commercial Activity Area 1.

(n) Petone Commercial Activity Area 2.

(o) Community Iwi Activity Area 1 - Marae.

(p) Community Iwi Activity Area 3 - Kokiri Centres.

(q) In all activity areas, where a ~~certificate of title~~ Record of Title has been issued for a site prior to 5 December 1995 or where a site has been created by a staged development whether under a staged unit plan or cross lease plan lodged with the District Land Registrar and where part of the development (or a building on one site on such plan exists) has been completed prior to 5 December 1995, then in such circumstances the allotment design standards and terms shall not apply.

Compliance with other standards and terms is necessary.

(r) In all Commercial, Business, Recreation, Community Health and Community Iwi Activity Areas the allotment design standards and terms shall not apply:

(i) where there are existing buildings on an allotment prior to December 1995; and

(ii) where the subdivision of that allotment does not create a vacant allotment (i.e. with no buildings). Compliance with all other standards and terms is necessary.

- (s) In all Residential and Rural Activity Areas the allotment design standards and terms shall not apply:
 - (i) where there are existing dwelling houses on an allotment prior to December 1995; and
 - (ii) where the subdivision of that allotment does not create an allotment with no dwelling house. Compliance with all other standards and terms is necessary.
- (t) Any subdivision located wholly within Avalon Business Activity Area (Sub-Area 2).

AMENDMENT 346 [Chapter 11 Subdivision (Rules)]

Delete Allotment Design table for General Residential Activity Area from section 11.2.2.1 Standards and Terms

11.2.2.1 Standards and Terms

...

(a) Allotment Design

...

General Residential Activity Area	
Minimum size of allotment:	400m²
	No minimum size is required if:
	(i) For every allotment where there is an existing dwelling: There is no increase in the degree of non-compliance with the relevant General Residential Development Standards specified in 4A 4.2 and 4A 5. Where subdivision is proposed between dwellings that share a common wall, recession plane and yard requirements shall not apply along the length of the common wall.
	(ii) For every allotment where there is no existing dwelling, or for which no existing land use consent for a dwelling has been granted, or is being concurrently granted (in the case of joint land use and subdivision applications): It can be demonstrated that it is practicable to construct on all allotments, as a permitted activity, a dwelling which complies with all relevant General Residential Development Standards specified in 4A 4.2 and 4A 5.
Minimum frontage:	3m to ensure that there is drive-on access to the allotment. For rear allotments the 3m frontage may be satisfied through a registered Right of Way outside the title (outside legal boundaries of the allotment.
Shape factor:	All allotments must be able to contain a rectangle measuring 10m by 15m. Such a rectangle must be clear of any yard or right of way and have a suitable building platform. No shape factor is required if:
	(i) For every allotment where there is no existing dwelling, or for which no existing land use consent for a dwelling has been granted, or is being concurrently granted (in the case of joint land use and subdivision applications)

	It can be demonstrated that it is practicable to construct on all allotments, as a permitted activity, a dwelling which complies with all relevant General Residential Development Standards specified in 4A 4.2 and 4A 5.
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AMENDMENT 347 [Chapter 11 Subdivision (Rules)]

Amend Allotment Design table for Medium Density Residential Activity Area from section 11.2.2.1 Standards and Terms to include standards for High Density Residential Activity Area

Medium Density <u>and High Density Residential Activity Area, excluding the Heretaunga Settlement Heritage Precinct, Riddlers Crescent Heritage Precinct and Historic Residential Precinct</u>	
Minimum size of allotment:	No minimum size required:
<u>Resulting allotments with residential units:</u>	<p>(i) For every allotment where there is an existing dwelling:</p> <p>There shall be no increase in the degree of non-compliance with the relevant Medium Density Residential Development Standards specified in 4F 4.2.</p> <p><u>For any resulting allotment where there is an existing residential unit:</u></p> <p>A. <u>The subdivision complies with or does not increase the degree of non-compliance with the standards of any of the following rules:</u></p> <ol style="list-style-type: none"> 1. <u>Number of units per site,</u> 2. <u>Height in relation to boundary,</u> 3. <u>Setbacks,</u> 4. <u>Building coverage,</u> 5. <u>Outdoor living space,</u> 6. <u>Outlook space,</u> 7. <u>Windows to street,</u> 8. <u>Landscaped area, or</u> <p>B. <u>Land use consent has been granted for non-compliance with the rules in (A), or</u></p> <p>C. <u>The subdivision application is accompanied by a land use application for the non-compliances in (A) that will be determined concurrently with the subdivision application.</u></p> <p>Where subdivision is proposed between <u>dwellings residential units</u> that share a common wall, recession plane and yard requirements shall not apply along the length of the common wall.</p>
<u>Resulting allotments with no residential units:</u>	<p>(ii) For every allotment where there is no existing dwelling, or for which no existing land use consent for a dwelling has been granted, or is being concurrently granted (in the case of joint land use and subdivision applications):</p>

	<p>It can be demonstrated that it is practicable to construct on all allotments, as a permitted activity, a dwelling which complies with all relevant Medium Density Residential Development Standards specified in 4F 4.2.</p> <p><u>For any resulting allotment with no existing residential unit:</u></p> <p>A. <u>It is practicable to construct a residential unit on the allotment as a permitted activity, or</u></p> <p>B. <u>Land use consent has been granted for the proposed use of the site (including built development), or</u></p> <p>C. <u>The subdivision application is accompanied by a land use application for the proposed use of the site that will be determined concurrently with the subdivision application.</u></p>
Minimum frontage:	3m to ensure that there is drive-on access to the allotment. For rear allotments the 3m frontage may be satisfied through a registered Right of Way outside the title (outside legal boundaries of the allotment).

AMENDMENT 348 [Chapter 11 Subdivision (Rules)]

Delete Allotment Design table for Special Residential Activity Area from section 11.2.2.1 Standards and Terms

Special Residential Activity Area	
Minimum size of allotment:	700m²
Minimum frontage:	15m, except for rear allotments which must have a minimum 3m frontage. For rear allotments the 3m frontage may be satisfied through a registered Right of Way outside the title (outside legal boundaries of the allotment).
Shape factor:	All allotments must be able to contain a rectangle measuring 10m by 15m. Such a rectangle must be clear of any yard or right of way and have a suitable building platform.
Other:	Compliance with the permitted activity conditions of the activity area.

AMENDMENT 349 [Chapter 11 Subdivision (Rules)]

Amend Allotment Design table for Central Commercial, Suburban Commercial, Suburban Mixed Use and Petone Commercial (Area 1) Activity Areas from section 11.2.2.1 Standards and Terms

Central Commercial Activity Area, Suburban Commercial Activity Area, Suburban Mixed Use Activity Area and Petone Commercial Activity Area 1	
Minimum size of allotment:	200m ²
Minimum frontage:	6m
Other:	Compliance with the permitted activity conditions of the activity area.

AMENDMENT 350 [Chapter 11 Subdivision (Rules)]

Amend Allotment Design table for Community Iwi Activity Area 1 from section 11.2.2.1 Standards and Terms

Community Iwi Activity Area 1 - Marae
Waiwhetū (Puketapu Grove), Te Mangungu (Rata Street), Koranui (Stokes Valley), Te Kakano O Te Aroha (Moera) and Pukeatua (Wainuiomata) - Minimum size of allotment and frontage the same as the General Residential Activity Area <u>Medium Density and High Density Residential Activity Areas</u> .
Te Tahau O Te Po (Puke Ariki, Hutt Road) - Minimum size of allotment and frontage the same as the General Business Activity Area.

AMENDMENT 351 [Chapter 11 Subdivision (Rules)]

Amend section on engineering design standards for wastewater (section 11.2.2.1(b)(v)) for Retail and Suburban Commercial and Suburban Mixed Use Activity Areas

(b) Engineering Design

...

(v) Wastewater

Compliance with the following standards:

...

Retail and Suburban Commercial Areas, Suburban Mixed Use Areas		
ADWF	(Average Dry Weather Flow)	0.25 l/ha/sec
PDWF	(Peak Dry Weather Flow)	0.44 l/ha/sec
MWWF	(Maximum Wet Weather Flow)	0.44 l/ha/sec
	where l/ha/sec = litres/hectare/second	

AMENDMENT 352 [Subdivision 11 Subdivision (Rules)]

Amend section 11.2.2.2 Matters in which Council Seeks to Control

11.2.2.2 Matters in which Council Seeks to Control

The matters over which control is reserved are:

- (a) The design and layout of the subdivision, including the size, shape and position of any lot, any roads or the diversion or alteration to any existing roads, access, passing bays, parking and manoeuvring standards, and any necessary easements;
- (b) The provision of servicing, including water supply, wastewater systems, stormwater control and disposal, roads, access, street lighting, telephone and electricity;
- (c) Management of construction effects, including traffic movements, hours of operation and sediment control;
- (d) Provision of esplanade reserves, esplanade strips and access strips;
- (e) Site contamination remediation measures and works;
- (f) Protection of significant sites, including natural, cultural and archaeological sites;

~~(g) Avoidance or mitigation of natural hazards;~~

(ga) Avoidance or mitigation of any natural hazard risk in accordance with Policy 11.1.3;

- (h) The design and layout of the subdivision where any lot may affect the safe and effective operation and maintenance of and access to regionally significant network utilities (excluding the National Grid) located on or in proximity to the site;
- (i) The outcome of consultation with the owner and operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site; and
- (j) Those matters described in Section 108 and 220 of the Resource Management Act 1991.

Note: Rule 11.2.3(b) covers subdivision within the National Grid Corridor.

AMENDMENT 353 [Chapter 11 Subdivision (Rules)]

Amend section 11.2.2.3(a) on assessment criteria for allotment design

11.2.2.3 Assessment Criteria

(a) Allotment Design:

- Allotments to have the appropriate net site area and dimensions to enable activities, buildings or structures to be sited to comply with the specified activity area requirements.
- Subdivisions should be designed so as to give areas a strong and positive identity by taking into account characteristics of the area and ensuring that roading patterns, public open space/reserves and community facilities are well integrated.
- Subdivision should take into account the future character of an area as provided for the by Activity Area zoning.
- Account must be taken of the future development potential of adjoining or adjacent land and any potential reverse sensitivity effects on regionally significant network utilities (excluding the National Grid).
- The roading pattern must take into account the future development pattern of adjacent land.
- Subdivisions should be designed in a manner which recognises and gives due regard to the natural and physical characteristics of the land and adverse effects are avoided, remedied or mitigated.
- For the land identified in Appendix Subdivision 9, in addition to the above, subdivisions should be designed to give priority to avoiding where possible the need for indigenous vegetation clearance and earthworks within the identified no-development areas. Where avoidance is not possible the design must demonstrate how the effects will be minimised and remedied.

Subdivision shall also be designed to ensure that motor vehicle access to all new allotments is provided from Stratton Street only.

AMENDMENT 354 [Chapter 11 Subdivision (Rules)]

Amend section 11.2.2.3(b) on assessment criteria for engineering design

(b) Engineering Design

(i) Access

- The legal road must be of sufficient width to cater for all functions the road is expected to fulfil, including the safe and efficient movement of all users, provision for parked vehicles, the provision of public utilities, landscaping and public transport facilities.
- The carriageway width should allow vehicles to proceed safely at the operating speed intended for that type of road in the network, with acceptable minor delays in the peak period.

- The carriageway should be designed to discourage motorists from travelling above the intended speed by reflecting the functions of the road in the network. In particular, the width, the horizontal and vertical alignments and superelevation should not be conducive to excessive speed.
- Intersections or junctions should be designed to allow all desired movements to occur safely without undue delay. Projected traffic volumes should be used in designing all intersections or junctions on traffic routes.
- Footpaths shall be provided on both sides of roads and shall be designed and located taking into account pedestrian amenity and likely use patterns. Footpaths may be reduced to only one side where:
 - there is no development fronting that part or side of the road,
 - topography or vegetation precludes provision, or
 - vehicle volumes and speeds are low and use of the carriageway is considered to be safe and comfortable for pedestrian use, and
 - pedestrian use will not be deterred by the lack of a footpath.
- Materials used in the construction of roads must be durable, maintainable, cost effective and compatible with Council's engineering standards.
- Allotments must have drive on access, except those in the Suburban Mixed Use, ~~and Medium Density Residential Activity Areas, and those Comprehensive Residential Developments in the General Residential Activity Area provided with access to communal parking areas. In cases where it can be shown that it is physically not possible to provide drive on access, alternative arrangement for off-street parking must be provided~~ Medium Density Residential and High Density Residential Activity Areas.
- Where appropriate, when designing the roading network, account must be given to the provision of public transport facilities and the provision for safe, convenient and efficient access for cyclists and pedestrians.

...

AMENDMENT 355 [Chapter 11 Subdivision (Rules)]

Add new Restricted Discretionary Rules 11.2.3(e), 11.2.3(f) and 11.2.3(g)

11.2.3 Restricted Discretionary Activities

(a) Any subdivision that does not comply with the standards and terms for controlled activity under Rule 11.2.2.1 in respect of (b) Engineering Design, (c) Contamination and (e) Earthworks.

(b) Any subdivision located within a National Grid Corridor that complies with the standards and terms under Rule 11.2.3.2.

Non-notification

(i) In respect of Rule 11.2.3 (b), public notification of applications for resource consent is precluded. Limited notification will be served on the National Grid Operator as the only affected party under section 95B of the Act.

Note: Rule 11.2.3 (b) (i) prevails over Rule 17.2.2.

(c) Any subdivision located within close proximity to consented and existing renewable energy generation activities.

Non-notification

(i) In respect of Rule 11.2.3 (c), public notification of applications for resource consent is precluded. Limited notification will be served on the renewable energy generation activities' operator as the only affected party under section 95B of the Act.

Note: Rule 11.2.3 (c) (i) prevails over Rule 17.2.2.

- (d) Any subdivision of the land identified in Appendix Subdivision 7 or Appendix Subdivision 8.
- (e) Any subdivision that creates building platforms within an Overland Flowpath area of the Flood Hazard Overlay.
- (f) Any subdivision that creates building platforms within the Medium Coastal Hazard Area Overlay.
- (g) Any subdivision in the Petone Commercial Activity Area and Suburban Mixed Use Activity Area which is also within the Coastal Hazards Overlays and involves the construction of new buildings which will be occupied by members of the public, employees or will result in the creation of a vacant allotment.

AMENDMENT 356 [Chapter 11 Subdivision (Rules)]

Amend section 11.2.3.1(a) of Matters in which Council has restricted its discretion

11.2.3.1 Matters in which Council has restricted its discretion

- (a) Any subdivision that does not comply with the standards and terms for controlled activity under Rule 11.2.2.1 in respect of (b) Engineering Design, (c) Contamination and (e) Earthworks.

...

- (ia) The matters of control under Rule 11.2.2.2.

...

- (v) Natural Hazards:

Consideration should be given to those areas prone to erosion, landslip, coastal hazards and flooding. Earthworks should not increase the vulnerability of people or their property to such natural hazards. In the Primary and Secondary River Corridors of the Hutt River, consideration should be given to the effects on the flood protection structures.

...

AMENDMENT 357 [Chapter 11 Subdivision (Rules)]

Add new section 11.2.3.1(d) to Matters in which Council has restricted its discretion

- (d) Any subdivision that creates building platforms within an Overland Flowpath area of the Flood Hazard Overlay.
 - (i) The matters in Policy 14H 1.6.

AMENDMENT 358 [Chapter 11 Subdivision (Rules)]

Add new section 11.2.3.1(e) to Matters in which Council has restricted its discretion

- (e) Any subdivision that creates building platforms within the Medium Coastal Hazard Area Overlay.
 - (i) The matters in Policy 14H 1.10.

AMENDMENT 359 [Chapter 11 Subdivision (Rules)]

Add new section 11.2.3.1(f) to Matters in which Council has restricted its discretion

- (f) Any subdivision in the Petone Commercial Activity Area and Suburban Mixed Use Activity Area which is also within the Coastal Hazards Overlays and involves the construction of new buildings which will be occupied by members of the public, employees or will result in the creation of a vacant allotment.

- (i) The matters in Policy 14H 1.13.

AMENDMENT 360 [Chapter 11 Subdivision (Rules)]
Amend section 11.2.4 Discretionary Activities

11.2.4 Discretionary Activities

- (a) Avalon Business Activity Area.
- ~~(b) Special Commercial Activity Areas 1 and 2.~~
- (c) Rural Residential Activity Area - all subdivisions with direct access off Liverton Road.
- ~~(d) Historic Residential Activity Area.~~
- (da) Historic Residential Precinct and Patrick Street-Riddlers Crescent Precinct.
- (e) General, Special, River and Passive Recreation Activity Areas.
- (f) Extraction Activity Area.
- (g) Community Health Activity Area.
- (h) Any subdivision within the identified coastal environment as shown in Map Appendices 2A, 2B, and 2C.
- (i) Any subdivision which is not a Permitted, Controlled or Restricted Discretionary Activity.
- (j) Any subdivision located wholly or partially within Avalon Business Activity Area (Sub-Area 1).
- (k) On 2/76 Normandale Road, Pt Lot 1 DP 7984, any earthworks undertaken as part of a subdivision, in that part of the site identified to the north and east of the stream, as shown on Appendix Earthworks 3.
- ~~(l) Any subdivision of the land identified in Appendix Subdivision 7 or Appendix Subdivision 8 that do not comply with the standards and terms for controlled activity under Rule 11.2.2.1 in respect of (a) Allotment Design.~~
- (m) Any subdivision of the land identified in Appendix Subdivision 9 that does not comply with the standards and terms for controlled activity under Rule 11.2.2.1 in respect of (a) Allotment Design relating to Minimum Size of Allotment, Minimum Frontage, Shape Factor, Number of Allotments, Access and Other but excluding No-development Areas.
- (n) Any subdivision that creates building platforms within the Wellington Fault Overlay.
- (o) Any subdivision that creates building platforms within the High Coastal Hazard Overlay.

AMENDMENT 361 [Chapter 11 Subdivision (Rules)]
Amend section 11.2.4.1 Assessment Criteria for Discretionary Activities

11.2.4.1 Assessment Criteria for Discretionary Activities

- (a) The matters contained in sections 104 and 105, and in Part II of the Act shall apply.
- (b) Compliance with the engineering design standards.
- (c) The degree of compliance or non-compliance with any relevant Permitted and Controlled Activity Standards and Terms.
- (d) Those matters listed in the Assessment Criteria for Controlled Activities.
- ~~(e) For the sites identified in Appendix Subdivision 7 and Appendix Subdivision 8, those matters to which Council has restricted its discretion under Rule 11.2.3.1 (c).~~
- (f) For any subdivision that creates building platforms within the Wellington Fault Hazard Overlay, the matters in Policy 14H 1.2.

(g) For any subdivision that creates building platforms within the High Coastal Hazard Overlay, the matters in Policy 14H 1.11.

AMENDMENT 362 [Chapter 11 Subdivision (Rules)]

Amend section 11.2.5 Non-Complying Activities

11.2.5 Non-Complying Activities

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

Chapter 12 Financial Contributions

AMENDMENT 363 [Chapter 12 Financial Contributions (Introduction)]
Amend Introduction to Chapter 12 Financial Contributions

Introduction

~~Section 108(a) as part of a resource consent authorises a condition requiring a financial contribution be made for purposes specified in the Plan.~~

Section 77E(1) of the Act authorises rules requiring a financial contribution for any class of activity other than a prohibited activity.

Section 108 (9) defines financial contribution as -

- (a) *Money; or*
- (b) *Land, including an esplanade reserve or esplanade strip (other than in relation to a subdivision consent), but excluding Maori land within the meaning of the Maori Land Act 1993 unless that Act provides otherwise; or*
- (c) *A combination of money and land.*

This Chapter contains the requirements for financial contributions which can be imposed for resource consents in all activity areas, subdivision and development of land.

The provisions of this Chapter apply to all activity areas. Activities must also be assessed in terms of the requirements of each activity area, and the requirements of Chapters 11, 13 and 15, to determine whether or not a resource consent is required.

This chapter uses the term developers to refer to those undertaking alterations or development works resulting in an increased intensity of use of the site, including (but not limited to) new buildings, redevelopment of existing buildings, changes of use or any form of subdivision of land.

AMENDMENT 364 [Chapter 12 Financial Contributions (Issues, Objectives and Policies)]
Amend Issue of section 12.1.1

12.1 Issues, Objectives and Policies

12.1.1 Provision of Utility Services and Reserves when land is subdivided or developed

Issue

In the subdivision or development of land it is important that the cost of providing the necessary services and land for reserves are allocated fairly between ~~subdividers or~~ developers and the Council.

AMENDMENT 365 [Chapter 12 Financial Contributions (Issues, Objectives and Policies)]
Amend Policies of section 12.1.1

Policy

- (a) Subdividers and developers should bear the cost of providing all utility services within the land being subdivided or developed where the benefits accrue to the land being subdivided or developed.

- (b) In circumstances where the existing services outside the land being subdivided or developed are adequate but, the proposed subdivision or development will require upgrading or provision of new services and facilities, the subdivider or developer shall pay the full and actual cost of such upgrading or new utility services and facilities.
- (c) Where Council has provided the necessary utility services in advance of land being subdivided or developed, it is necessary for owners of such land to make a fair and reasonable contribution when the land is subdivided or developed.
- (d) Subdivision or development of land can lead to an increase in demand or need for reserves and open space and have adverse effects on the environment. It is important that subdividers or developers make a fair and reasonable contribution, either in cash or land, so that demand or need can be met and adverse effects can be avoided, remedied or mitigated.

AMENDMENT 366 [Chapter 12 Financial Contributions (Rules)]

Amend heading of section 12.2.1 Financial Contributions relating to subdivision of land

12.2 Rules

12.2.1 Financial Contributions relating to subdivision or developed of land

AMENDMENT 367 [Chapter 12 Financial Contributions (Rules)]

Amend Rules 12.2.1.1 Financial Contributions relating to roads, private ways, service lanes, accessways, footpaths and walkways

12.2.1.1 Financial Contributions relating to roads, private ways, service lanes, accessways, footpaths and walkways

- (a) The full and actual costs of providing all new roads, private ways, service lanes, accessways, footpaths and walkways within the land being developed or subdivided.
- (b) Where existing roads, service lanes, accessways, footpaths and walkways outside the subdivision development are adequate to serve the existing development but the proposed subdivision development will result in such roading facilities being inadequate in terms of specified performance standards the subdivider developer must pay the full and actual cost for all upgrading and/or any new facilities.
- (c) Notwithstanding (b) above, where the existing road(s), service lane, footpath, accessway and walkway outside the land being subdivided already are not in accordance with the engineering performance standards (see Subdivision Chapter for performance standards) and the increase in traffic, due to the subdivision development, requires the existing road, service lane, footpath, accessway and walkway to be upgraded or widened, the subdivider shall make a contribution. The amount the subdivider will have to contribute will be based on the following method: developer shall pay the full and actual costs for all upgrading and/or any new facilities. The Council may elect to reduce the financial contribution from full and actual costs where the works provide significant benefits to other parties, such as other development sites, vacant land to be developed, or address an existing and meaningful level of service deficit.
 - (i) ~~Determine the number of dwelling units or buildings that could be developed in the proposed subdivision.~~
 - (ii) ~~Using the number of dwelling units or buildings obtained, estimate the number of vehicular and pedestrian trips likely to be generated (including any future growth in traffic) by the proposed subdivision.~~

- (iii) ~~Estimate the number of vehicular and pedestrian trips generated by the existing development (including any future growth in traffic) and where appropriate taking into account future development (i.e. vacant land that could be subdivided in the future).~~
- (iv) ~~Determine the cost of upgrading the road, footpath, accessways or service lane based on the combined vehicular and/or pedestrian traffic.~~
- (v) ~~Divide the cost of upgrading the road, footpath, accessway or service lane by the total vehicular and/or pedestrian trips generated and allocate costs based on (i) and (ii).~~
- (d) Where in (c) above Council has contributed to the cost of upgrading or the provision of new roading facilities subdividers developers of such ~~vacant land~~ development sites will pay the full and actual cost involved based on the trips generated and taking into account the time value of money.
- (e) Where Council has upgraded facilities to take into account both vehicular and pedestrian traffic increases from land yet to be developed subdividers or other development sites, developers of such undeveloped land development sites shall be required to pay the full and actual costs of the upgrading and/or the new facilities based on trips generated by the subdivision development and taking into account the time value of money.
- (f) Where Council provides or contributes to the necessary roading facilities for vacant land in advance of land being subdivided either by carrying out the necessary work or through other means such as in (c) above, the Council shall require a contribution from the developer when land is subdivided.
- (g) Except where (f) above applies, where Council provides or contributes to the roading facilities for land being developed either by carrying out the necessary work or through other means such as in (c) above, the contribution is payable by the 20th of the following month (after the issue of a financial contribution notice by the Council) unless Council agree to different payment timing for large scale multi-stage developments. For financial contributions related to future works, a deposit of up to 100% of the estimated cost of the works may be required at the time building consent is issued.

AMENDMENT 368 [Chapter 12 Financial Contributions (Rules)]

New Rule 12.2.1.2, relocated from current Rule 12.2.2.1 (Traffic Impact Fee - for retail activities in all activity areas and places of assembly in all residential and rural areas)

12.2.1.2 Traffic Impact Fee for retail activities in all activity areas and places of assembly in all residential and rural activity areas

In all activity areas for all retail activities with a gross floor area exceeding 3,000 m², and all places of assembly in Rural and Residential Activity Areas, shall be assessed to determine whether a traffic impact fee is required.

- (a) Where the existing roading network is adequate to serve the current level of development but the proposed retail activity or place of assembly will result in the need to upgrade or provide new facilities due to an increase in traffic generated the developer must pay the full and actual cost of the upgrading or the provision of new facilities.
- (b) Where the existing roading network is below specified performance standards the developer shall pay for the upgrading or the provision of new facilities. The amount the developer shall pay will be determined in accordance with the following method:
 - (i) Determine the number of vehicular and pedestrian trips likely to be generated by the proposed development (including any future growth in traffic).
 - (ii) Determine the number of vehicular and pedestrian trips generated by current development (including any future growth in traffic) and where appropriate taking into account future development.

- (iii) Determine the cost of upgrading the roading network and/or the provision of new facilities.
 - (iv) Divide the cost of upgrading the roading network by the total number of vehicular and/or pedestrian trips generated and allocate costs based on (i) and (ii) above.
 - (v) Discounting the cost of upgrading the roading network, by the cost of completion of any works required, to bring the roading infrastructure up to an appropriate well maintained level for the activity area.
- (c) Council recognises that the impact fee is not appropriate in all cases and that each case must be assessed based on the particular circumstances that exist. In determining whether the base maximum should be adjusted the following matters need to be taken into account:
- (i) Whether there will be increase in intensity of use of land from that which existed before.
 - (ii) Whether there is a change in nature and character of the use of land.
 - (iii) The subsidies that council may receive from Transit New Zealand.

AMENDMENT 369 [Chapter 12 Financial Contributions (Rules)]
Amend Rule 12.2.1.3 Financial Contributions relating to lighting

12.2.1.3 Financial Contributions relating to road lighting

The ~~subdivider~~ developer must meet the full and actual cost of providing the necessary road lighting within the land being ~~subdivided~~ developed.

AMENDMENT 370 [Chapter 12 Financial Contributions (Rules)]
Amend Rules 12.2.1.4 Financial Contributions relating to water supply

12.2.1.4 Financial Contributions relating to water supply

- (a) Within the land being subdivided or developed the ~~subdivider~~ developer must pay the full and actual cost of providing the water supply for the proposed allotments.
- (b) Where the existing water supply capacity and pressure is adequate to serve existing development but the proposed subdivision will result in the capacity and/or pressure being inadequate the subdivider must pay the full and actual costs for all such upgrading and new facilities.
- (c) Where a ~~developer~~ subdivider is required to provide additional capacity to accommodate future demand beyond the land being subdivided or developed, the Council shall pay the additional cost involved based generally on the following method:
 - (i) Estimate the total number of litres per day in the area to be served by the new facility.
 - (ii) Determine the actual and full cost of providing the new facility.
 - (iii) Determine average cost per litre: (ii)/(i) = (iii).
 - (iv) Multiply (iii) by the development potential of land outside the land being subdivided to obtain the amount the Council has to contribute.
- (d) Where Council provides or contributes to the necessary water supply facilities for vacant land in advance of land being subdivided either by carrying out the necessary work or through other means such as in (c) above, the Council shall require a contribution from the ~~subdivider~~ developer when land is subdivided based on the actual cost of providing the service to that land after taking into account the time value of money.
- (e) Except where (d) above applies, where Council provides or contributes to the necessary water supply facilities for land being developed either by carrying out the necessary work or through other means such as in (c) above, the Council shall require a contribution from the developer based on the actual cost of providing the service to that land after taking into

account the time value of money. The contribution is payable by the 20th of the following month (after the issue of a financial contribution notice by the Council) unless Council agree to different payment timing for large scale multi-stage developments. For financial contributions related to future works, a deposit of up to 100% of the estimated cost of the works may be required at the time building consent is issued.

AMENDMENT 371 [Chapter 12 Financial Contributions (Rules)]

Amend Rules 12.2.1.5 Financial Contributions relating to disposal of wastewater and stormwater

12.2.1.5 Financial Contributions relating to disposal of waste water and stormwater for subdivision of land

- (a) Within the land being subdivided or developed the ~~subdivider~~ developer must pay the full and actual cost of providing the necessary waste water and stormwater disposal facilities.
- (b) Where the existing waste water and/or stormwater capacity outside the land being subdivided or developed is adequate to serve existing development but the proposed subdivision or development will result in the capacity being inadequate the ~~subdivider~~ developer shall pay the full and actual cost for all such upgrading and new facilities.
- (c) Where the Council provides or contributes to the necessary sewage and/or stormwater disposal system for vacant land in advance of such land being subdivided ~~either by carrying out the necessary work~~ the Council shall require a contribution from the ~~subdivider~~ developer when such land is subdivided based on the actual and full cost of providing the service to that land after taking into account the time value of money.
- (d) Except where (c) above applies, where the Council provides or contributes to the necessary sewage and/or stormwater disposal system for development sites in advance of such sites being developed the Council shall require a contribution from the developer based on the actual and full cost of providing the service to that land after taking into account the time value of money. The contribution is payable by the 20th of the following month (after the issue of a financial contribution notice by the Council) unless Council agree to different payment timing for large scale multi-stage developments. For financial contributions related to future works, a deposit of up to 100% of the estimated cost of the works may be required at the time building consent is issued.
- (e) The above provisions shall apply to all staged subdivisions and other developments.
- (f) ~~The above provisions shall apply to all staged subdivisions.~~

AMENDMENT 372 [Chapter 12 Financial Contributions (Rules)]

Amend Rules 12.2.1.8 Financial Contributions relating to Reserves

12.2.1.8 Financial Contributions relating to reserves

- (aa) Where the subdivision results or will result in an increase or an intensification of use of land, whether for residential or commercial or industrial activities, the reserve contribution shall be a maximum contribution in cash or land to an equivalent value equal to 7.5% of the value of each new allotment, to provide a maximum dollar contribution of \$10,000 per allotment created in residential activity areas or \$5,000 per allotment created in rural activity areas.
- (ab) For other residential developments including unit title developments, where the development results or will result in an increase or an intensification of use of land, the reserve contribution shall be a contribution in cash or land to an equivalent value equal a dollar contribution of \$10,000 per residential unit. The contribution is payable by the 20th of the following month (after the issue of a financial contribution notice and invoice by the Council) unless Council

agree to different payment timing for large scale multi-stage developments. This notice will usually be issued shortly after building consent is issued.

- ~~(a) Where the subdivision results or will result in an increase or an intensification of use of land, whether for residential or commercial or industrial activities, the reserve contribution shall be a maximum contribution in cash or land to an equivalent value equal to 7.5% of the value of each new allotment, to provide a maximum dollar contribution of \$10,000 per allotment created in residential activity areas or \$5,000 per allotment created in rural activity areas.~~
- (b) Council recognises that the maximum reserve contribution is not appropriate in all cases and that each case must be assessed based on the particular circumstances that exist. In determining whether the base maximum should be reduced the following matters will be taken into account:
- i. Whether there will be an increase in intensity of use of land which will lead to an increase in demand or need for reserves and open space.
 - ii. Whether there will be changes to the nature and character of the use of land which will have adverse effects on the environment.
 - iii. The nature, type and suitability of recreation and open space provisions provided by the development.
 - iv. The amount, type and distribution of open/recreation space and whether they are adequately meeting community needs and requirements.
 - v. The nature of the topography, natural features, vegetation, landscape and visual amenity values of the land being developed to meet community open space and recreational requirements and/or to ensure protection of amenity values.
 - vi. The amount of reserve contribution paid on the land in the last ten years.
 - vii. The amount and nature of planting or improvements made to new and existing reserves and open space areas.
- (c) In determining whether land, cash or a combination of cash and land will be required the following matters will be taken into account:
- i. The size and nature of the proposed open/recreation space.
 - ii. The ability of the open/recreation areas to be used for the proposed purpose.
 - iii. The distance and accessibility of the proposed open/recreation space to users.
 - iv. The cost of maintaining the proposed open/recreation space.
 - v. The topography of the proposed open/recreation space.
 - vi. The ability to link the proposed open/recreation space to an existing or future network of open/recreation space and/or community facilities.

AMENDMENT 373 [Chapter 12 Financial Contributions (Rules)]

Add new Rules 12.2.1.9, relocated from current Rule 12.2.2.2 (Reserve Impact Fee – for all activities in the business and commercial activity areas)

12.2.1.9 Reserve Impact Fee for all activities in the business and commercial activity areas

- (a) Where commercial or industrial development results or will result in an increase or intensification of use of land a contribution of money equivalent to 0.5% of the value of the development in excess of \$200,000 is required.

- (b) Council recognises that the maximum reserve contribution is not appropriate in all cases and that each case must be assessed based on the particular circumstances that exist. In determining whether the base maximum should be reduced the following matters will be taken into account:
- (i) Whether there will be an increase in intensity of use of land which will lead to an increase in demand or need for reserves and open space.
 - (ii) Whether there will be changes to the nature and character of the use of land which will have adverse effects on the environment.
 - (iii) The nature, type and suitability of recreation and open space provisions provided by the development.
 - (iv) The amount, type and distribution of open/recreation space and whether they are adequately meeting community needs and requirements.
 - (v) The nature of the topography, natural features, vegetation, landscape and visual amenity values of the land being developed to meet community open space and recreational requirements and/or to ensure protection of amenity values.
 - (vi) The amount of reserve contribution paid on the land in the last ten years.
 - (vii) The amount and nature of planting or improvements made to new and existing reserves and open space areas.
 - (viii) The amount of floor area to be used exclusively for public recreation activities.

AMENDMENT 374 [Chapter 12 Financial Contributions (Rules)]

Delete current Rules 12.2.2.1 and 12.2.2.2, relocated to Rules 12.2.1.2 and 12.2.1.9, respectively

~~12.2.2 — Financial Contributions relating to the development of land~~

~~12.2.2.1 — Traffic Impact Fee — for retail activities in all activity areas and places of assembly in all residential and rural activity areas~~

~~In all activity areas for all retail activities with a gross floor area exceeding 3,000 m², and all places of assembly in Rural and Residential Activity Areas, shall be assessed to determine whether a traffic impact fee is required.~~

- ~~(a) — Where the existing roading network is adequate to serve the current level of development but the proposed retail activity or place of assembly will result in the need to upgrade or provide new facilities due to an increase in traffic generated the developer must pay the full and actual cost of the upgrading or the provision of new facilities.~~
- ~~(b) — Where the existing roading network is below specified performance standards the developer shall pay for the upgrading or the provision of new facilities. The amount the developer shall pay will be determined in accordance with the following method:~~
 - ~~(i) — Determine the number of vehicular and pedestrian trips likely to be generated by the proposed development (including any future growth in traffic).~~
 - ~~(ii) — Determine the number of vehicular and pedestrian trips generated by current development (including any future growth in traffic) and where appropriate taking into account future development.~~
 - ~~(iii) — Determine the cost of upgrading the roading network and/or the provision of new facilities.~~
 - ~~(iv) — Divide the cost of upgrading the roading network by the total number of vehicular and/or pedestrian trips generated and allocate costs based on (i) and (ii) above.~~

- (v) ~~Discounting the cost of upgrading the roading network, by the cost of completion of any works required, to bring the roading infrastructure up to an appropriate well maintained level for the activity area.~~
- (c) ~~Council recognises that the impact fee is not appropriate in all cases and that each case must be assessed based on the particular circumstances that exist. In determining whether the base maximum should be adjusted the following matters need to be taken into account:~~
 - (i) ~~Whether there will be increase in intensity of use of land from that which existed before.~~
 - (ii) ~~Whether there is a change in nature and character of the use of land.~~
 - (iii) ~~The subsidies that council may receive from Transit New Zealand.~~

12.2.2.2 ~~Reserve Impact Fee – for all activities in the business and commercial activity areas~~

- (a) ~~Where commercial or industrial development results or will result in an increase or intensification of use of land a contribution of money equivalent to 0.5% of the value of the development in excess of \$200,000 is required.~~
- (b) ~~Council recognises that the maximum reserve contribution is not appropriate in all cases and that each case must be assessed based on the particular circumstances that exist. In determining whether the base maximum should be reduced the following matters will be taken into account:~~
 - (i) ~~Whether there will be an increase in intensity of use of land which will lead to an increase in demand or need for reserves and open space.~~
 - (ii) ~~Whether there will be changes to the nature and character of the use of land which will have adverse effects on the environment.~~
 - (iii) ~~The nature, type and suitability of recreation and open space provisions provided by the development.~~
 - (iv) ~~The amount, type and distribution of open/recreation space and whether they are adequately meeting community needs and requirements.~~
 - (v) ~~The nature of the topography, natural features, vegetation, landscape and visual amenity values of the land being developed to meet community open space and recreational requirements and/or to ensure protection of amenity values.~~
 - (vi) ~~The amount of reserve contribution paid on the land in the last ten years.~~
 - (vii) ~~The amount and nature of planting or improvements made to new and existing reserves and open space areas.~~
 - (viii) ~~The amount of floor area to be used exclusively for public recreation activities.~~

Chapter 13 Network Utilities, including the National Grid

AMENDMENT 375 [Chapter 13 Network Utilities, including the National Grid (Issues, Objectives and Policies)]

Amend Explanation and Reasons of section 13.1.4 Managing Environmental Effects

13.1 Issues, Objectives and Policies

13.1.4 Managing Environmental Effects

Explanation and Reasons

...

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

...

AMENDMENT 376 [Chapter 13 Network Utilities, including the National Grid (Rules)]

Amend section 13.3.1 – Table of Activity Status

13.3 Rules - Network Utilities

13.3.1 Activity Status

Rule Number	Rule	Activity Area	Status	Standards	Matters of Control or Discretion
...					
General					

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

13.3.1.19	Masts with or without associated antennas.	Residential (excluding Historic Residential Heretaunga Settlement and Riddlers Crescent Heritage Precincts and Landscape Protection Residential), Recreation, Rural Residential	Restricted Discretionary	Health and Safety: 13.3.2.1 Height: 13.3.2.2.1, 13.3.2.2.2 Size and Diameter: 13.3.2.3.1, 13.3.2.3.2, 13.3.2.3.3, 13.3.2.3.4 Separation/Setback: 13.3.2.4.1, 13.3.2.4.2 Earthworks: 13.3.2.5	13.3.4(b), 13.3.4(e), 13.3.4(f), 13.3.4(g), 13.3.4(h), 13.3.4(i), 13.3.4(j), 13.3.4(l), 13.3.4(m), 13.3.4(n), 13.3.4(o), 13.3.4(r), 13.3.4(u), 13.3.4(v)
13.3.1.20	Masts with or without associated antennas.	The Coastal Environment identified as SNR 9, shown in Map Appendices 2A, 2B and 2C, Historic Residential Heretaunga Settlement and Riddlers Crescent Heritage Precincts , Landscape Protection Residential	Discretionary	Health and Safety: 13.3.2.1	
13.3.1.21	Antenna and support structure attached to buildings.	All, except for Historic Residential Heretaunga Settlement and Riddlers Crescent Heritage Precincts	Permitted	Health and Safety: 13.3.2.1 Height: 13.3.2.2.3 Size and Diameter: 13.3.2.3.5	
13.3.1.22	Antenna and support structure attached to buildings.	Historic Residential Heretaunga Settlement and Riddlers Crescent Heritage Precincts	Restricted Discretionary	Health and Safety: 13.3.2.1 Height: 13.3.2.2.3 Size and Diameter: 13.3.2.3.5	13.3.4(d), 13.3.4(e), 13.3.4(f), 13.3.4(g)
...					
13.3.1.24	Antenna attached to buildings that do not meet permitted activity standards.	All, except for Historic Residential Heretaunga Settlement and Riddlers Crescent Heritage Precincts	Restricted Discretionary	Health and Safety: 13.3.2.1	13.3.4(a), 13.3.4(b), 13.3.4(d), 13.3.4(e), 13.3.4(f), 13.3.4(g), 13.3.4(h), 13.3.4(i), 13.3.4(j), 13.3.4(k), 13.3.4(l), 13.3.4(m), 13.3.4(p), 13.3.4(r), 13.3.4(u), 13.3.4(v)
13.3.1.25	Antenna attached to buildings that do not meet restricted discretionary activity standards.	Historic Residential Heretaunga Settlement and Riddlers Crescent Heritage Precincts	Discretionary	Health and Safety: 13.3.2.1	
...					

AMENDMENT 377 [Chapter 13 Network Utilities, including the National Grid (Rules)]
 Amend section 13.3.2.2 – Height

13.3.2.2 Height

Standard	Utility	Commercial	Business	Community	Residential	Rural	Recreation
		Central Petone	Suburban Mixed Use Special	General Special Extraction	Avalon	Health Iwi	General Special Hill Medium Density High Density <u>Historic Heretaunga Settlement and Riddlers Crescent Heritage Precincts</u> Landscape Protection
...							

AMENDMENT 378 [Chapter 13 Network Utilities, including the National Grid (Rules)]
 Amend section 13.3.2.3 – Size and Diameter

13.3.2.3 Size and Diameter

Standard	Utility	Residential	Commercial		Business	Recreation	Rural	Community
		General, Special Historic Hill Landsc. Prot. Medium Density <u>High Density</u>	Central, Petone	Suburban Mixed Use	Special	General Special Avalon Extraction	General Special River Passive	Residential General
...								

AMENDMENT 379 [Chapter 13 Network Utilities, including the National Grid (Rules)]
 Amend section 13.3.2.4 – Separation Distance and Setbacks

13.3.2.4 Separation Distance and Setbacks

	Residential	Commercial	Business	Recreation	Rural	Community
--	-------------	------------	----------	------------	-------	-----------

...	<p style="text-align: center;"> General Special Historic Hill Landsc. Prot. Medium Density <u>High Density</u> </p>	<p style="text-align: center;"> Central Petone Suburban Special Suburban Mixed Use </p>	<p style="text-align: center;"> General Special Avalon Extraction </p>	<p style="text-align: center;"> General Special River Passive </p>	<p style="text-align: center;"> Residential General </p>	<p style="text-align: center;"> Health Iwi </p>
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Chapter 14C Noise

AMENDMENT 380 [Chapter 14C Noise (Rules)]

Amend Permitted Activity Condition 14C 2.1.3

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

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

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

Maximum 45dBA 10.00pm - 7.00am

AMENDMENT 381 [Chapter 14C Noise (Rules)]

Amend Permitted Activity Condition 14C 2.1.4

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

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

Area 1 Station Village

Maximum 65dBA 6.30am - 9.00pm

Maximum 57dBA 9.00pm - 6.30am

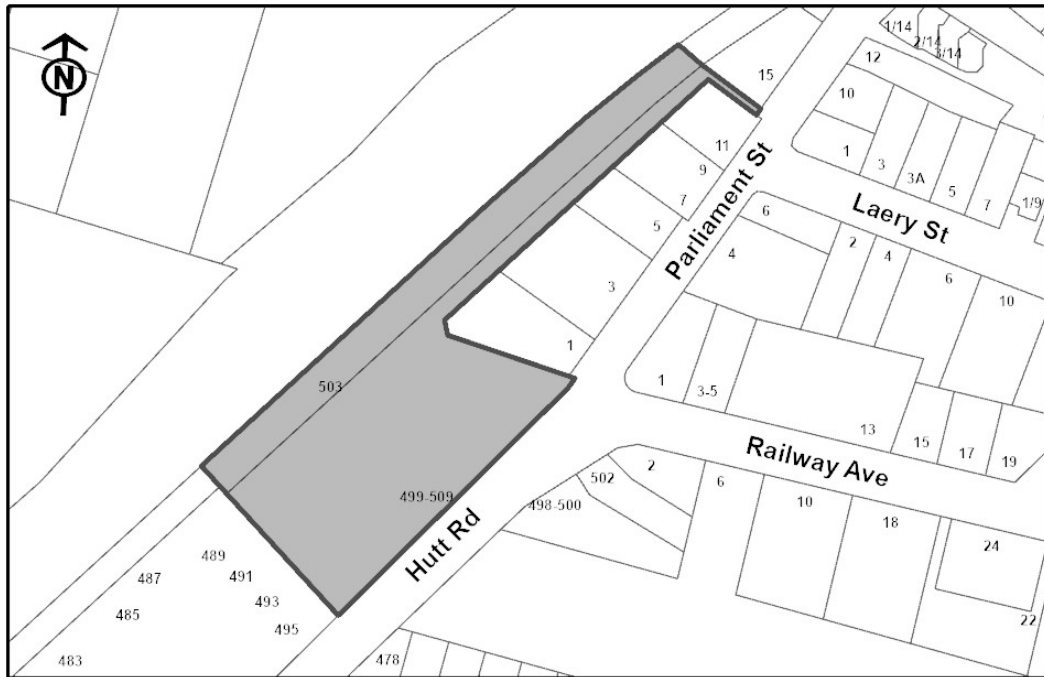
Area 2 Boulcott Village

Maximum 63dBA 6.30am - 10.00pm

Maximum 45dBA 10.00pm - 6.30am

AMENDMENT 382 [Chapter 14C Noise (Rules)]
Add new Appendix Noise 3 – Station Village and Boulcott Village

Appendix Noise 3 - Station Village and Boulcott Village



Station Village



Boulcott Village

Chapter 14D Hazardous Facilities

AMENDMENT 383 [Chapter 14D Hazardous Facilities (Issue, Objective and Policies)]
Amend Policy 14D 1.1.1(g)

Policy

...

- (g) That hazardous facilities within the Wellington Fault ~~Overlay~~ ~~Special Study Area~~ be managed to avoid adverse effects from creating an unacceptable level of risk to the community and/or causing irreversible damage to the receiving environment.

AMENDMENT 384 [Chapter 14D Hazardous Facilities (Issue, Objective and Policies)]
Amend Explanation and Reasons of section 14F 1.1.1 Risk associated with Hazardous Substances

Explanation and Reasons

...

- (c) Hazardous Facilities Screening Procedure:

...

- (v) The Wellington Fault ~~Special Study Area Overlay~~:
 The Wellington Fault ~~Special Study Area Overlay~~ has been identified as an area prone to risk from an earthquake rupture event. Hazardous facilities in this area should be managed more conservatively, using a lower trigger level throughout the Wellington Fault ~~Special Study Area Overlay~~.

...

AMENDMENT 385 [Chapter 14D Hazardous Facilities (Rules)]
Amend Table 1 of Rule 14D 2.1(a)

14D 2.1 Permitted Activities - Conditions

Table 1 - Consent Status Matrix

Activity Area	Effects Ratio Trigger Level for Permitted Activities	Effects Ratio Trigger Level for Restricted Discretionary Activities	Effects Ratio Trigger Level for Discretionary Activities
...			
Avalon Business General Recreation Suburban Commercial Suburban Mixed Use Central Commercial Petone Commercial 2 Rural Residential	< 0.2	0.2 - 0.4	> 0.4

Community Health			
<u>Special Commercial 1 & 2</u> <u>Suburban Mixed Use - Station Village and Boulcott Village (see Appendix Hazardous Facilities 2 Station Village and Boulcott Village)</u> Petone Commercial 1 Special Recreation 1 & 2 Passive Recreation	< 0.1	0.1 - 0.2	> 0.2
...			

AMENDMENT 386 [Chapter 14D Hazardous Facilities (Rules)]
 Amend Table 2 of Rule 14D 2.1(b)

Table 2 - Width of Buffer Strip for more Hazardous Activity Area

Activity Area	Width of buffer strip applied on the inside of the activity area if adjacent to a more sensitive activity area
...	
Avalon Business Suburban Commercial Suburban Mixed Use Central Commercial Petone Commercial 2 Community Health General Recreation Rural Residential	10 metres
Special Commercial 1 & 2 <u>Suburban Mixed Use - Station Village and Boulcott Village (see Appendix Hazardous Facilities 2 – Station Village and Boulcott Village for location)</u>	5 metres

Petone Commercial 1 Special Recreation 1 & 2 Passive Recreation River Recreation	
---	--

AMENDMENT 387 [Chapter 14D Hazardous Facilities (Rules)]
Amend Table 3 of Rule 2.1(b)

Table 3 - Effects Ratio Trigger Level for more Hazardous Activity Areas

More Hazardous Activity Area, as identified in the Consent Status Matrix	Adjacent Sensitive Activity Area	Effects Ratio trigger level applied in the buffer strip of the more hazardous activity area
Extraction	All Community Iwi	0.05
Special Business	All Residential	
General Business	River Recreation	0.1
General Rural	Special Recreation 1 & 2	0.2
Avalon Business	Passive Recreation	
General Recreation	Petone Commercial 1	
Rural Residential	Special Commercial 1 & 2	
Suburban Commercial	Suburban Mixed Use - Station Village and Boulcott Village (see Appendix Hazardous Facilities 2)	
Suburban Mixed Use		
Central Commercial		
Petone Commercial 2	Community Health	0.5
Community Health	Petone Commercial 2	
Special Commercial 1 & 2	Central Commercial	
Suburban Mixed Use - Station Village and Boulcott Village (see Appendix Hazardous Facilities 2)	Suburban Commercial	
Petone Commercial 1	Suburban Mixed Use	
Passive Recreation	Rural Residential	
Special Recreation 1 & 2	General Recreation	1.0
River Recreation	Avalon Business	
	General Rural	
	General Business	

AMENDMENT 388 [Chapter 14D Hazardous Facilities (Rules)]
Amend Rule 2.1(c)

(c) **Wellington Fault ~~Special Study Area Overlay~~:**

Hazardous facilities in the Wellington Fault ~~Special Study Area Overlay~~ shall have an Effects Ratio below or equal to the Effects Ratio specified in Table 4. The buffer strips for the more hazardous activity area, where adjacent to a sensitive activity area, shall not apply to sites within the Wellington Fault ~~Special Study Area Overlay~~.

For the Special Business Activity Area these trigger levels apply only to the environmental effects group.

Table 4 - Effects Ratio Trigger Level to be Applied in the Wellington Fault ~~Special Study Area Overlay~~:

Activity Area	Effects Ratio trigger level applied in the Wellington Fault Special Study Area Overlay
Extraction General Business General Rural	0.2
General Recreation Rural Residential Suburban Commercial Suburban Mixed Use Petone Commercial 2	0.1
Special Commercial 1 & 2 Suburban Mixed Use - Station Village and Boulcott Village (see Appendix Hazardous Facilities 2) Petone Commercial 1 Passive Recreation Special Recreation 1 & 2	0.05
River Recreation	0.02
All Residential All Community Iwi	0.01

AMENDMENT 389 [Chapter 14D Hazardous Facilities (Rules)]
Amend Rule 14D 2.3(b)

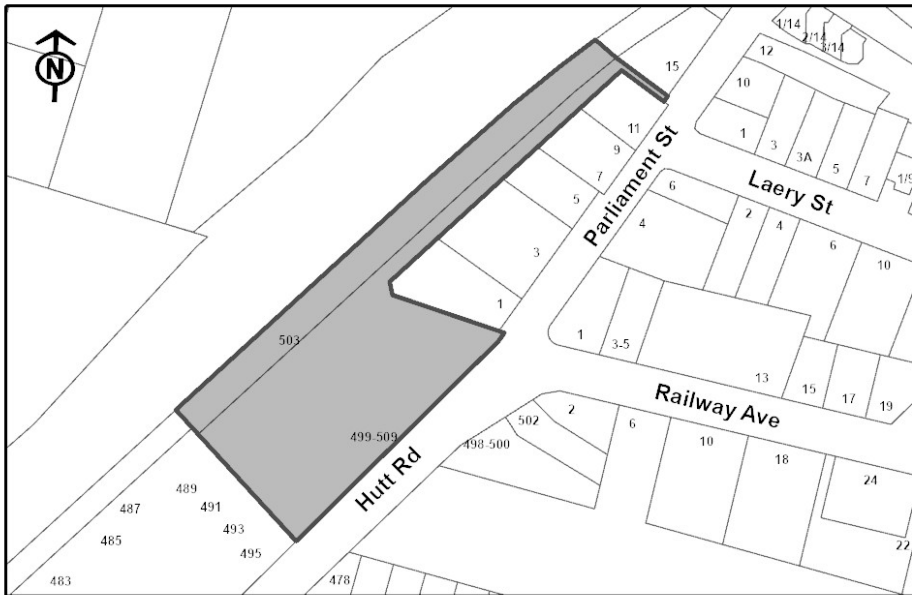
14D 2.3 Discretionary Activities

...

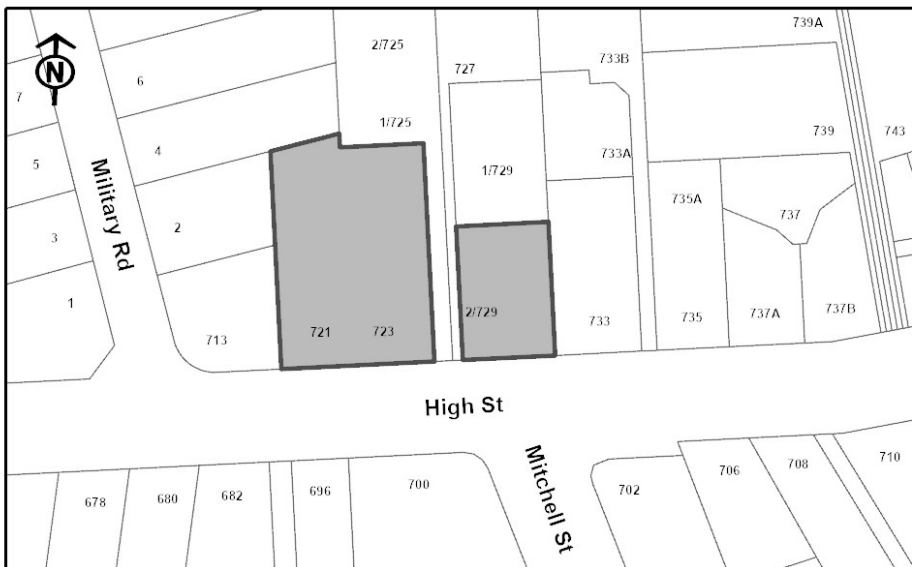
- (b) Any hazardous facility with an Effects Ratio above the Effects Ratio specified in the Wellington Fault ~~Special Study Area Overlay~~, for the activity area in which it proposes to locate, as indicated in Table 4.

AMENDMENT 390 [Chapter 14D Hazardous Facilities (Appendices)]
Add new Appendix Hazardous Facilities 2 – Station Village and Boulcott Village

Appendix Hazardous Facilities 2 - Station Village and Boulcott Village



Station Village



Boulcott Village

Chapter 14F Heritage Buildings and Structures

AMENDMENT 391 [Chapter 14F Heritage Buildings and Structures (Introduction)]
Amend introduction for Chapter 14F Heritage Buildings and Structures

Introduction

A range of buildings and structures exist throughout the City that make a contribution to the heritage of the City. The contribution they make can relate to the era in which they were constructed, association with a person of importance in the community or the event they commemorate. The buildings and structures may be individually important or significant because of their contribution to a group.

The Act places importance on the retention of heritage in a number of ways. Within Part II, Sections 5, 6, 7, and 8 have aspects referring to heritage. These provisions place heritage within the fundamental purpose and principles of the Act. Part VIII of the Act refers to heritage orders and provides the mechanism for creating and administering both heritage protection authorities and heritage orders. The Act also outlines the procedures for the involvement of Heritage New Zealand Pouhere Taonga in the resource and building consent processes.

Heritage New Zealand Pouhere Taonga has responsibilities with respect to historic places and areas, waahi tapu and waahi tapu areas and archaeological sites. The Heritage New Zealand Pouhere Taonga Act 2014 details the statutory framework and provides a registration process.

Provision has been made in the Plan for those buildings and structures contributing to the heritage of the City **in three ways** -

- (a) Objectives, policies, rules and design guides have been developed for buildings in Jackson Street, Patrick Street, ~~Adelaide Street, The Esplanade/Adelaide Street~~ and Riddlers Crescent. For Jackson Street these appear in the Petone Commercial Activity Area and those for Patrick Street, ~~Adelaide Street, The Esplanade/Adelaide Street~~ and Riddlers Crescent are in the Heretaunga Settlement and Riddlers Crescent Heritage Precincts in the Historic High Density Residential Activity Area.
- (b) There are a number of buildings and structures in the City that are registered by Heritage New Zealand Pouhere Taonga. ~~Heritage New Zealand Pouhere Taonga has also registered the Workers' Dwelling Act houses in Patrick Street as a Historic Area.~~ Those properties registered by Heritage New Zealand Pouhere Taonga are listed in Appendix Heritage 1.
- (c) There are a number of other individual buildings and structures that have been identified as making a notable contribution to local heritage. These are listed in Appendix Heritage 2. For those buildings and structures listed in Appendix Heritage 1 and 2, rules have been developed relating to demolition and relocation, to manage work to the exterior facades and to provide the opportunity for a greater range of activities to be considered to assist in the retention of buildings.
- (d) Other buildings and structures, when grouped or considered together, can also make a contribution to heritage. These are listed in Appendix Heritage 3.

AMENDMENT 392 [Chapter 14F Heritage Buildings and Structures (Issues, Objectives and Policies)]
Amend Explanation and Reasons of section 14F 1.1 Retention of Heritage Values

Explanation and Reasons

Buildings and structures are an important element in the heritage values of the City. Buildings and structures identified include:

- (a) those with a distinct architectural style;
- (b) those associated with particular or important people in the city; and
- (c) groups of buildings ~~with a particular character~~ with significant heritage values when considered together.

There are significant structures such as monuments, together with community, commercial, industrial and residential buildings. Generally it is the facade of buildings that contributes to the heritage of the City, through the visual impact of their style, architectural detail and cladding materials.

AMENDMENT 393 [Chapter 14F Heritage Buildings and Structures (Rules)]
Amend Rule 14F 2.1(a)

14F 2.1 Permitted Activity

- (a) Identified Heritage Buildings or Structures:
 Any alteration, repair or modification of any building listed in Appendix Heritage ~~1 or 2~~ 1, 2 or 3 involving either-
 - i. Redecoration, repair or alterations which are internal and not visible from the road frontage; or
 - ii. Minor repair, alteration or maintenance to the exterior of a building or structure which do not require a building consent.

AMENDMENT 394 [Chapter 14F Heritage Buildings and Structures (Rules)]
Amend Rule 14F 2.2(a)

14F 2.2 Restricted Discretionary Activities

- (a) Any other alteration, repair or modification of any building or structure listed in Appendix Heritage ~~1 & 2~~ 1, 2 or 3.

AMENDMENT 395 [Chapter 14F Heritage Buildings and Structures (Rules)]
Amend Rules 14F 2.3(a) and 14F 2.3(b)

14F 2.3 Discretionary Activities

- (a) Any activity within a building or structure listed in Appendix Heritage 1, and 2 or 3, and not within the provisions of the Petone Commercial Activity Area or the ~~Historic Residential Activity Area~~ Heretaunga Settlement and Riddlers Crescent Heritage Precincts of the High Density Residential Activity Area.
- (b) Demolition or relocation of part or all of a building or structure listed in Appendix Heritage 1, or 2 or 3.

AMENDMENT 396 [Chapter 14F Heritage Buildings and Structures (Appendices)]
Amend Appendix Heritage 1- Heritage Buildings and Structures listed by Heritage New Zealand Pouhere Taonga

14F Appendices

Appendix Heritage 1

Heritage Buildings and Structures listed by Heritage New Zealand Pouhere Taonga

...

~~Heritage Areas listed by Heritage New Zealand Pouhere Taonga~~

~~Patrick Street Workers' Dwellings Precinct, Petone~~

~~Described as those houses on Patrick Street and Adelaide Street constructed under the Workers' Dwelling Act:~~

~~Patrick Street Nos. 2, 4, 8, 10, 14, 16, 18, 19, 22, 24;~~

~~Adelaide Street Nos. 43, 54.~~

~~Jackson Street Historic Area, Petone~~

~~Described as those buildings located along both sides of Jackson Street, between the intersection with Victoria Street in the west and Cuba Street in the east.~~

~~Lower Hutt Civic Centre Historic Area~~

~~The Lower Hutt Civic Centre Historic Area has road boundaries to the south, west and north. These are clockwise Woburn Road, Queens Drive and Laings Road. To the east, Myrtle Street forms the boundary then continues around the Club grounds, and from there on, separates private property from Council-owned and church-owned land back to Woburn Road.~~

AMENDMENT 397 [Chapter 14F Heritage Buildings and Structures (Appendices)]
Add new Appendix Heritage 3 – Heritage Areas

Appendix Heritage 3

Heritage Areas

Heretaunga Settlement Heritage Precinct, Petone

Houses on Patrick Street, Adelaide Street and The Esplanade constructed under the Workers' Dwelling Act. The boundaries are shown on the district plan maps as the Heretaunga Settlement Heritage Precinct, HA-02.

Jackson Street Heritage Precinct, Petone

Buildings located along both sides of Jackson Street, between the intersection with Victoria Street in the west and Tory Street in the east. The boundaries are shown on the district plan maps as the Jackson Street Heritage Precinct, HA-04.

Lower Hutt Civic Centre Heritage Precinct

The Lower Hutt Civic Centre Heritage Precinct has road boundaries to the south, west and north. These are clockwise Woburn Road, Queens Drive and Laings Road. To the east, Myrtle Street forms the boundary then continues around the Club grounds, and from there on, separates private property from Council-owned and church-owned land back to Woburn Road. The boundaries are shown on the district plan maps as the Lower Hutt Civic Centre Heritage Precinct, HA-05.

AMENDMENT 398 [Chapter 14F Heritage Buildings and Structures (Appendices)]
Renumber existing Appendix Heritage 3 – Design Guidelines

Appendix Heritage ~~3~~ 4
Design Guidelines

...

Chapter 14H Natural Hazards

AMENDMENT 399 [Chapter 14H Natural Hazards]
Delete current Chapter 14H Natural Hazards.

AMENDMENT 400 [Chapter 14H Natural Hazards]
Add new Chapter 14H Natural Hazards

14H Natural Hazards

AMENDMENT 401 [Chapter 14H Natural Hazards (Introduction)]
Add opening paragraphs of introduction for Chapter 14H Natural Hazards

Introduction

Lower Hutt is an area comprising a wide variety of physical features including the coast, rivers and streams, steep hills, low lying valleys, an escarpment and a fault. This makes the city susceptible to a wide range of natural hazards, which can result in damage to property and buildings and lead to a loss of human life. Because of this, it is important to identify areas susceptible to natural hazards and to avoid or manage subdivision, use and development, relative to the natural hazard risk posed, to reduce the potential for damage to property, infrastructure and the potential for loss of human life.

The District Plan focuses on the following natural hazards as they are the hazards that present the greatest risk to people, property and infrastructure and their potential effects can be addressed through appropriate land use planning measures:

The Wellington Fault passes through the western side of Lower Hutt's valley floor and has the potential to generate permanent ground deformation in the event of an earthquake. There are also soft soils with a high liquefaction potential.

Flooding and coastal inundation from sea level rise are influenced by climate change. It is predicted that climate change will result in more intense rainfall events, storm events will become more common and the sea level will rise. The flooding and coastal inundation hazard maps incorporate current climate change predictions.

Slope stability is addressed through the earthworks rules within the District Plan. When a development does not comply with the earthworks rules, site stability is one of the matters that will be considered as part of the resource consent process.

Natural hazards such as severe winds, wildfires, and ground shaking from earthquakes are primarily managed by other statutory instruments or processes including the Building Act 2004, Civil Defence Emergency Management Act 2002 and the Local Government Act 1974 and 2002.

<u>Natural Hazard Overlay</u>	<u>Respective Hazard Ranking</u>
<u>Wellington Fault Rupture (within 20m of known fault)</u>	<u>High</u>
<u>Stream Corridor (1:100 year inundation event + 1m sea level rise)</u>	
<u>Overland Flowpath (1:100 year inundation event + 1m sea level rise)</u>	<u>Medium</u>
<u>Inundation Area (1:100 year inundation extent + 1m sea level rise)</u>	<u>Low</u>

AMENDMENT 402 [Chapter 14H Natural Hazards (Introduction)]
Add Coastal Hazards section of introduction for Chapter 14H Natural Hazards

Coastal Hazards

Hutt City’s coastal environment is susceptible to a wide range of coastal hazards, some of which are mapped as Coastal Hazard Overlays. These include:

Tsunami; and

Coastal inundation including sea level rise.

Given the continued uncertainty associated with the rate of sea level rise, the different sea level rise scenarios as outlined in the Ministry for the Environment ‘Preparing for Coastal Change’ (2017) guidance have been used to form the basis of the mapping of these hazards.

The hazard ranking of coastal hazards is set out below:

<u>Coastal Hazard Overlay</u>	<u>Respective Hazard Ranking</u>
<u>Tsunami – 1:100 year scenario inundation extent</u>	<u>High</u>
<u>Existing Coastal Inundation Extent with a 1:100 year storm</u>	
<u>Tsunami – 1:500 year scenario inundation extent</u>	<u>Medium</u>
<u>Coastal Inundation Extent – (1.5m Relative Sea Level Rise and 1:100 year storm tide and wave setup)</u>	
<u>Tsunami 1:1000 year scenario inundation extent</u>	<u>Low</u>

AMENDMENT 403 [Chapter 14H Natural Hazards (Introduction)]
Add Risk section of introduction for Chapter 14H Natural Hazards

Risk

Risk is a product of both the likelihood of and the consequences from a natural hazard. A risk-based approach to natural hazards balances allowing people and communities to use their property and undertake activities, while also ensuring that lives or significant assets are not harmed or lost as a result of a natural hazard event. When addressing the consequences from natural hazards, priority has been given in this plan as follows to:

- The protection of people from loss of life and injury;
- Reducing damage to buildings from natural hazard events; and
- The protection of essential infrastructure to ensure the health, safety and resilience of communities;

While in most instances development is unable to change the likelihood of a natural hazard event, incorporating mitigation measures or avoiding any further development in certain hazard areas can reduce the consequences from natural hazards, thereby over time reducing the associated risks. Potential mitigation measures that can be incorporated into developments to reduce the consequences of natural hazards include:

- Building design and location (for example minimum floor levels or the ability for buildings to be relocated);
- Raising floor or ground levels to avoid inundation;
- The creation of flood water detention areas to protect areas from flooding;
- The creation, retention or enhancement of natural systems and features;
- The use of suitable materials in infrastructure and building construction;
- The type of activities within buildings and structures, or the type of development;

- The use of green infrastructure options (for example sacrificial fill); and
- Securing Overland Flowpaths to allow for controlled stormwater flows when primary network capacity is exceeded.

AMENDMENT 404 [Chapter 14H Natural Hazards (Introduction)]
Add Overlays section of introduction for Chapter 14H Natural Hazards

Overlays

Natural Hazard Overlays – Means the mapped extent within the District Plan of the following Natural Hazards:

- Fault Rupture Hazards
- Flood Hazards based on a 1% Annual Exceedance Probability Flood including effects of climate change, including:
 - Stream corridor
 - Overland Flow
 - Inundation Areas

Coastal Hazard Overlays – Means the mapped extent within the District Plan of the following Coastal Hazards

- Tsunami Hazards, including the effects of climate change:
 - Low Tsunami Hazard (1:1000 year tsunami event including 1m sea level rise)
 - Medium Tsunami Hazard (1:500 year tsunami event including 1m sea level rise)
 - High Tsunami Hazard (1:100 year tsunami event including 1m sea level rise)
- Coastal Inundation Hazard, including the effects of climate change and Vertical Land Movement
 - Medium Coastal inundation Hazard (1.5m Relative Sea Level Rise, 1% Annual Exceedance Probability storm tide and wave setup (the average raised elevation of sea level at the shore caused by breaking waves))

AMENDMENT 405 [Chapter 14H Natural Hazards (Introduction)]
Add Qualifying Matters section of introduction for Chapter 14H Natural Hazards

Qualifying Matters

Policies 14H 1.3 – 1.13 and Rules 14H 2.2 – 1.10 address Natural Hazards as Qualifying Matters in accordance with Section 77I Resource Management (Enabling Housing Supply and Other Matters) Amendment Act 2021 and Policy 4 of the National Policy Statement on Urban Development 2020. As such, these Policies and the associated rules are only applicable to the following areas:

- Medium Density Residential Activity Area
- High Density Residential Activity Area
- Suburban Mixed Use Activity Area
- Central Commercial Activity Area
- Petone Commercial Activity Area

AMENDMENT 406 [Chapter 14H Natural Hazards (Issue, Objective and Policies)]
Add new section 14H 1 Issue, Objective and Policies

14H 1 Issue, Objective and Policies

AMENDMENT 407 [Chapter 14H Natural Hazards (Issue, Objective and Policies)]
Add new section 14H 1.1 Local Area Issue

14H 1.1 Local Area Issue

AMENDMENT 408 [Chapter 14H Natural Hazards (Issue, Objective and Policies)]
Add new section 14H 1.1.1 Risk associated with Natural Hazards

14H 1.1.1 Risk associated with Natural Hazards

AMENDMENT 409 [Chapter 14H Natural Hazards (Issue, Objective and Policies)]
Add new Issue to section 14H 1.1.1

Issue

There is a risk of harm to people and damage to their property from natural hazards associated with natural and coastal hazards. The risk to people and their property should be avoided or mitigated.

AMENDMENT 410 [Chapter 14H Natural Hazards (Issue, Objective and Policies)]
Add new Objective 14H 1.1

Objective 14H 1.1 Risk from Natural Hazards

To avoid or reduce the risk to people, property, and infrastructure from natural hazards and coastal hazards.

AMENDMENT 411 [Chapter 14H Natural Hazards (Issue, Objective and Policies)]
Add new Policy 14H 1.1

Policy 14H 1.1 Levels of Risk

Subdivision, use and development reduce or do not increase the risk to people, property and infrastructure by:

1. Limiting the scale of subdivision, use and development on sites within the medium and high Natural Hazard Overlays and the medium and high hazard areas of the Coastal Hazard Overlays; and
2. Requiring mitigation for subdivision, use and development that addresses the impacts from natural hazards to people, property and infrastructure in the low hazard, medium hazard and high hazard areas within the Natural Hazard and Coastal Hazard Overlays.

AMENDMENT 412 [Chapter 14H Natural Hazards (Issue, Objective and Policies)]
Add new Policy 14H 1.2

Policy 14H 1.2 Structures and Buildings within the Wellington Fault Overlay

Manage Structures and Buildings, within the Wellington Fault Overlay by ensuring that:

1. The activity is located more than 20m from the Wellington Faultline, or

2. The activity, excluding additions to existing building, has an operational or functional need to locate within the Wellington Fault Overlay and locating outside of these Overlays is not a practicable option; and
3. The activity incorporates mitigation measures that ensure the risk from fault rupture to people and property is reduced or not increased; or
4. For additions to existing buildings, the change in risk from fault rupture to people and property is reduced or not increased.

AMENDMENT 413 [Chapter 14H Natural Hazards (Issue, Objective and Policies)]
Add new Policy 14H 1.3

Policy 14H 1.3 Additions to Buildings in an identified Inundation Area of the Flood Hazard Overlay

Provide for additions to buildings that are within the identified Inundation Area, where:

1. The impact from the 1% Annual Exceedance Probability flood event is low due to either the:
 - incorporation of mitigation measures;
 - size of the addition in relation to the existing building; or
 - type of activities undertaken within the addition; and
2. The risk to people and property is reduced or not increased from the 1% Annual Exceedance Probability Flood.

AMENDMENT 414 [Chapter 14H Natural Hazards (Issue, Objective and Policies)]
Add new Policy 14H 1.4

Policy 14H 1.4 Additions to Buildings within the Overland Flowpaths and Stream Corridors of the Flood Hazard Overlays

Only allow additions to buildings that are within the Overland Flowpaths and Stream Corridors, where it can be demonstrated that:

1. The risk from the 1% Annual Exceedance Probability flood event is low due to either the:
 - proposed mitigation measures;
 - size of the addition; or
 - nature of the activities undertaken within the addition; and
2. The risk to people and property is reduced or not increased from the 1% Annual Exceedance Probability Flood; and
3. Overland Flowpaths and Stream Corridors are unimpeded, and unobstructed to allow for the conveyancing of flood waters.

AMENDMENT 415 [Chapter 14H Natural Hazards (Issue, Objective and Policies)]
Add new Policy 14H 1.5

Policy 14H 1.5 New residential units, commercial activities or retail activities within the identified Inundation Areas of the Flood Hazard Overlays

Provide for new residential units, commercial activities or retail activities that are within the Inundation Area, provided that mitigation measures are incorporated to ensure the risk to people and property both on the site and on adjacent properties is not increased or is reduced.

AMENDMENT 416 [Chapter 14H Natural Hazards (Issue, Objective and Policies)]
Add new Policy 14H 1.6

Policy 14H 1.6 New residential units, commercial activities or retail activities within the Overland Flowpaths of the Flood Hazard Overlays

Manage New residential units, commercial activities or retail activities that are within the Overland Flowpaths or any subdivision where the building platform is within the Overland Flowpaths by:

1. Incorporating mitigation measures that reduce or avoid an increase in risk to people and property from the 1% Annual Exceedance Probability Flood;
2. Ensuring that people can safely evacuate from properties during a 1% Annual Exceedance Probability Flood; and
3. Overland Flowpaths are unimpeded, and unobstructed to allow for the conveyancing of flood waters and is not diverted onto adjacent properties.

AMENDMENT 417 [Chapter 14H Natural Hazards (Issue, Objective and Policies)]
Add new Policy 14H 1.7

Policy 14H 1.7 New residential units, commercial activities or retail activities within the Stream Corridors of the Flood Hazard Overlays

Avoid New residential units, commercial activities or retail activities that are within the Stream Corridors or any subdivision where the building platform where the building platform is within the Stream Corridors unless it can be demonstrated that:

1. The activity, has an operational and functional need to locate within the Stream Corridor and locating outside of the Stream Corridor is not a practicable option;
2. Mitigation measures are incorporated that reduce or avoid an increase in risk to people and property from the 1% Annual Exceedance Probability Flood;
3. People can safely evacuate the property during a 1% Annual Exceedance Probability Flood; and
4. The conveyancing of flood waters through the Stream Corridor is still able to occur unimpeded and is not diverted onto adjacent properties.

AMENDMENT 418 [Chapter 14H Natural Hazards (Issue, Objective and Policies)]
Add new Policy 14H 1.8

Policy 14H 1.8 Additions to buildings within the Medium Coastal Hazard Area and High Coastal Hazard Area

Enable additions to buildings within the Medium Coastal Hazard Area and High Coastal Hazard Area, where

1. They enable the continued use of the existing building; and
2. The risk from the coastal hazard is low due to either:
 - proposed mitigation measures; or
 - the size and the activity of the addition.

AMENDMENT 419 [Chapter 14H Natural Hazards (Issue, Objective and Policies)]
Add new Policy 14H 1.9

Policy 14H 1.9 New residential units within the Low Coastal Hazard Areas

Provide for new residential units, commercial activities or retail activities, where the building platform is or will be within the Low Coastal Hazard Area, where it can be demonstrated that:

1. The activity, building, or subdivision incorporates measures that reduce or do not increase the risk to people and property from a tsunami;
2. There is the ability to access safe evacuation routes for occupants of the building in case of a tsunami.

AMENDMENT 420 [Chapter 14H Natural Hazards (Issue, Objective and Policies)]
Add new Policy 14H 1.10

Policy 14H 1.10 New residential units in the Medium Coastal Hazard Area

Manage new residential units, commercial activities or retail activities within the Medium Coastal Hazard Area or any subdivision where the building platform will be within the Medium Coastal Hazard Area by ensuring:

1. The activity, building, or subdivision incorporates measures that reduce or do not increase the risk to people and property from the coastal hazard, and
2. There is the ability to access safe evacuation routes for occupants of the building from the coastal hazard.

AMENDMENT 421 [Chapter 14H Natural Hazards (Issue, Objective and Policies)]
Add new Policy 14H 1.11

Policy 14H 1.11 New residential units in the High Coastal Hazard Area

Manage residential units, commercial activities or retail activities within the High Coastal Hazard Areas or any subdivision where the building platform will be within the High Coastal Hazard Area by ensuring:

1. The activity has an operational or functional need to locate within the High Coastal Hazard Area and locating outside of these High Coastal Hazard Area is not a practicable option
2. The activity, building, or subdivision incorporates measures that reduce or do not increase the risk to people, and property from the coastal hazard;
3. There is the ability to access safe evacuation routes for occupants of the building from the coastal hazard; and
4. The activity does not involve the removal or modification of a natural system or feature that provides protection to other properties from the natural hazard.

AMENDMENT 422 [Chapter 14H Natural Hazards (Issue, Objective and Policies)]
Add new Policy 14H 1.12

Policy 14H 1.12 Subdivision, Use and Development in the Petone Commercial Activity Area and Suburban Mixed Use Activity Area which will not be occupied by members of the public and within the Coastal Hazards Overlays

Enable subdivision, development and use on sites within the Petone Commercial Activity Area and Suburban Mixed Use Activity Area and within any Coastal Hazard Overlay, where they do not involve the construction of new buildings which will be occupied by members of the public, or employees or the creation of vacant allotments.

AMENDMENT 423 [Chapter 14H Natural Hazards (Issue, Objective and Policies)]
Add new Policy 14H 1.13

Policy 14H 1.13 Subdivision, Use and Development in the Petone Commercial Activity Area and Suburban Mixed Use Activity Area which will be

occupied by members of the public and within the Coastal Hazards Overlays

Manage subdivision, development and use on sites within the Petone Commercial Activity Area and Suburban Mixed Use Activity Area and within any Coastal Hazard Overlay, where they involve the construction of new buildings which will be occupied by members of the public, employees or result in the creation of a vacant allotment by ensuring that

1. The activity, building or subdivision incorporates measures that reduce or do not increase the risk to people, and property; and
2. There is the ability to access safe evacuation routes for occupants of the building from the coastal hazard.

AMENDMENT 424 [Chapter 14H Natural Hazards (Rules)]

Add new section 14H 2 Rules

14H 2 Rules

AMENDMENT 425 [Chapter 14H Natural Hazards (Rules)]

Add new Rule 14H 2.1 Structures and buildings within the Wellington Fault Overlay

Rule 14H 2.1 Structures and buildings within the Wellington Fault Overlay

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| <p><u>1. Structures and buildings on any site where the whole site or a portion of the site falls within the Wellington Fault Overlay are permitted activities where:</u></p> <p><u>a. The proposed structures or buildings are for the following:</u></p> <ul style="list-style-type: none"><u>• accessory buildings which are not required for habitable or working purposes</u><u>• utilities including associated uninhabited buildings which are otherwise Permitted Activities</u> |
| <p><u>2. Structures and buildings on any site where the whole site or a portion of the site falls within the Wellington Fault Overlay are restricted discretionary activities where:</u></p> <p><u>a. Compliance with 14H 2.1(1) cannot be achieved</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>1. Safe Separation Distance of Structures and Buildings from the Wellington Fault:</u></p> <ul style="list-style-type: none"><u>• For all structures and buildings, an engineering report will be required to confirm that the Wellington Fault is not within 20.0m of any proposed structure or building, or that the necessary engineering precautions have been taken.</u> |

AMENDMENT 426 [Chapter 14H Natural Hazards (Rules)]

Add new Rule 14H 2.2 Additions to residential buildings in the Inundation Area, Overland Flow Path or Stream Corridor Flood Hazard Overlays

Rule 14H 2.2 Additions to residential buildings in the Inundation Area, Overland Flow Path or Stream Corridor Flood Hazard Overlays

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| <p><u>1. Additions to residential buildings that are within the Inundation Area, Overland Flow Path or Stream Corridor Flood Hazard Overlays are permitted activities where:</u></p> <p><u>a. When located within an Inundation Area of the Flood Hazard Overlay, the finished floor levels of the additions are located above the 1% Flood Annual Exceedance Probability Level, where the finished floor level is to the bottom of the floor joists or the base of the concrete floor slab; and</u></p> |
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<p><u>b. The additions are not located within the Overland Flow Path Overlay; and</u></p> <p><u>c. The additions are not located within the Stream or River Corridor Overlay.</u></p>
<p><u>2. Additions to residential buildings that are within the Inundation Area, Overland Flow Path or Stream Corridor Flood Hazard Overlays are restricted discretionary activities where:</u></p> <p><u>a. Compliance with the requirements of 14H 2.4(1)(a) cannot be achieved.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>1. The matters in 14H 1.3.</u></p>
<p><u>3. Additions to residential buildings that are in the Inundation Area, Overland Flow Path or Stream Corridor Flood Hazard Overlays are restricted discretionary activities where:</u></p> <p><u>a. Compliance with the requirements of 14H 2.4(1)(b) cannot be achieved</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>1. The matters in 14H 1.4.</u></p>
<p><u>4. Additions to residential buildings that are in the Inundation Area, Overland Flow Path or Stream Corridor Flood Hazard Overlays are non-complying activities where:</u></p> <p><u>a. Compliance with the requirements of 14H 2.2(1)(c) cannot be achieved.</u></p>

AMENDMENT 427 [Chapter 14H Natural Hazards (Rules)]

Add new Rule 14H 2.3 New residential units, commercial activities or retail activities in the Inundation Area of the Flood Hazard Overlay

Rule 14H 2.3 New residential units, commercial activities or retail activities in the Inundation Area of the Flood Hazard Overlay

<p><u>1. New residential units, commercial activities or retail activities that are within the Inundation Area of the Flood Hazard Overlay are permitted activities where:</u></p> <p><u>a. When located within an Inundation Area of the Flood Hazard Overlay, the finished floor levels of the building for the Potentially Hazard Sensitive Activity are located above the 1% Flood Annual Exceedance Probability Level, including an allowance for freeboard, where the finished floor level is to the bottom of the floor joists or the base of the concrete floor slab.</u></p>
<p><u>2. New residential units, commercial activities or retail activities that are within the Inundation Area of the Flood Hazard Overlay are restricted discretionary activities where:</u></p> <p><u>Compliance with the requirements of 14H 2.3(1)(a) cannot be achieved.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>1. The impact from the 1% Annual Exceedance Probability flood is low due to either the:</u></p> <ul style="list-style-type: none"> • <u>implementation mitigation measures;</u> • <u>the shallow depth of the flood waters within the building; or</u> • <u>type of activity undertaken within the building; and</u> • <u>The risk to people and property is reduced or not increased.</u>

AMENDMENT 428 [Chapter 14H Natural Hazards (Rules)]

Add new Rule 14H 2.4 New residential units, commercial activities or retail activities that are within the Overland Flowpaths of the Flood Hazard Overlay

Rule 14H 2.4 New residential units, commercial activities or retail activities that are within the Overland Flowpaths of the Flood Hazard Overlay

1. New residential units, commercial activities or retail activities that are within the Overland Flowpaths of the Flood Hazard Overlay are restricted discretionary activities.

Matters of discretion are restricted to:

1. The matters in 14H 1.6.

AMENDMENT 429 [Chapter 14H Natural Hazards (Rules)]

Add new Rule 14H 2.5 New residential units, commercial activities or retail activities that are within the Stream Corridors of the Flood Hazard Overlay

Rule 14H 2.5 New residential units, commercial activities or retail activities that are within the Stream Corridors of the Flood Hazard Overlay

1. New residential units, commercial activities or retail activities that are within the Stream Corridors of the Flood Hazard Overlay are non-complying activities.

AMENDMENT 430 [Chapter 14H Natural Hazards (Rules)]

Add new Rule 14H 2.6 Additions to buildings within the Coastal Hazard Overlays

Rule 14H 2.6 Additions to Buildings within the Coastal Hazard Overlays

1. Additions to Buildings within the Coastal Hazard Overlays are a permitted activity where:

a. The additions are to a building in the Low Coastal Hazard Area; or

b. The additions are to buildings for any of the following in either the Low Coastal Hazard Area, Medium Coastal Hazard Area or High Coastal Hazard Area:

- Accessory buildings used for non-habitable purposes
- Parks facilities
- Structures that are non-habitable and that are not used as places of employment; or

c. The additions are in the Medium Coastal Hazard Area and they do not increase the building footprint by more than 50m².

2. Additions to Buildings within the Coastal Hazard Overlays are a restricted discretionary activity where:

a. Compliance with the requirements of 14H 2.6(1)(c) cannot be achieved; or

b. The addition is to a building within a High Coastal Hazard Area.

Matters of discretion are restricted to:

1. The matters in 14H 1.8.

AMENDMENT 431 [Chapter 14H Natural Hazards (Rules)]

Add new Rule 14H 2.7 New residential units in the Low Coastal Hazard Area

Rule 14H 2.7 New residential units in the Low Coastal Hazard Area

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| <p><u>1. New residential units in the Low Coastal Hazard Area are a permitted activity where:</u></p> <p><u>a. The development involves the construction of residential units, the total number of residential units on a site is no more than three.</u></p> |
| <p><u>2. New residential units in the Low Coastal Hazard Area are a restricted discretionary activity where:</u></p> <p><u>a. Compliance with 14H 2.7(1)(a) cannot be achieved.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>1. The matter in 14H 1.9.</u></p> |

AMENDMENT 432 [Chapter 14H Natural Hazards (Rules)]

Add new Rule 14H 2.8 New residential units in the Medium Coastal Hazard Area

Rule 14H 2.8 New residential units in the Medium Coastal Hazard Area

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| <p><u>1. New residential units in the Medium Coastal Hazard Area are a permitted activity where:</u></p> <p><u>a. The total number of residential units on a site is no more than two</u></p> |
| <p><u>2. New residential units in the Medium Coastal Hazard Area are a restricted discretionary activity where:</u></p> <p><u>a. Compliance with 14H 2.8(1)(a) cannot be achieved.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p><u>1. The matters in 14H 1.10.</u></p> |

AMENDMENT 433 [Chapter 14H Natural Hazards (Rules)]

Add new Rule 14H 2.9 New residential units in the High Coastal Hazard Area

Rule 14H 2.9 New residential units in the High Coastal Hazard Area

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| <p><u>1. New residential units in the High Coastal Hazard Area are a permitted activity where:</u></p> <p><u>a. The total number of residential units on a site is no more than two</u></p> |
| <p><u>2. New residential units in the High Coastal Hazard Area are a non complying activity where:</u></p> <p><u>a. Compliance with 14H 2.9(1)(a) cannot be achieved</u></p> |

AMENDMENT 434 [Chapter 14H Natural Hazards (Rules)]

Add new Rule 14H 2.10 Commercial activities or retail activities that are within the Petone Commercial Activity Area and Suburban Mixed Use Activity Area and within the Medium or High Coastal Hazard Overlays

Rule 14H 2.10 Commercial activities or retail activities that are within the Petone Commercial Activity Area and Suburban Mixed Use Activity Area and within the Medium or High Coastal Hazard Overlays

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| <p><u>1. Commercial activities or retail activities that are within the Petone Commercial Activity Area and the Suburban Mixed Use Activity Area and which are also within the Medium or High Coastal Hazard Overlays are a permitted activity where:</u></p> |
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<p>a. <u>The activity does not involve the construction of a building that would be occupied by more than 10 employees of the activity, or any members of the public; or</u></p> <p>b. <u>The activity does not involve the conversion of an existing building into a building that would be occupied by more than 10 employees of the activity, or any members of the public.</u></p>
<p>2. <u>New buildings and commercial activities within the Petone Commercial Activity Area and Suburban Mixed Use Activity Area which are also within the Medium or High Coastal Hazard Overlays are a restricted discretionary activity where:</u></p> <p>a. <u>Compliance with 14H 2.10(1) cannot be achieved.</u></p> <p><u>Matters of discretion are restricted to:</u></p> <p>1. <u>The matters in 14H 1.13.</u></p>

AMENDMENT 435 [Chapter 14H Natural Hazards (Rules)]

Add new section 14H 2.11 Other Matters

14H 2.11 Other Matters

<p>(a) <u>All Permitted and Restricted Discretionary Activities must comply with other relevant Permitted Activity Conditions.</u></p>
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AMENDMENT 436 [Chapter 14H Natural Hazards (Anticipated Environmental Results)]

Add new section 14H 3 Anticipated Environmental Results

14H 3 Anticipated Environmental Results

- (a) Increased public awareness of natural hazards.
- (b) Reduced level of vulnerability experienced by people and their property in hazard prone areas, through the safe location and construction of all structures and buildings.

Chapter 14M Wind

AMENDMENT 437 [Chapter 14M Wind]

Add new Chapter 14M Wind

14M Wind

AMENDMENT 438 [Chapter 14M Wind (Introduction)]

Add new introduction for Chapter 14M Wind

Introduction

Buildings alter the patterns and speeds of wind around them, and this can result in uncomfortable or even hazardous conditions for people in public spaces. The windy climate of Lower Hutt means that new buildings need to be designed and managed to reduce the impacts of wind on public space.

It is most effective to consider wind in the design of new buildings early in the process, as issues such as building bulk, shape, and site layout can have an impact. Even relatively low buildings (four storeys) can have notable wind effects if they are significantly different to their surrounding buildings.

The design guides for the Central Commercial and Petone Commercial Activity Areas include some guidelines for managing wind in developments. The Council may also publish design guidance around designing for wind. It is advisable to consider these resources early in the design process.

The rules in this chapter apply to building activity in the following activity areas:

- Central Commercial Activity Area
- Petone Commercial Activity Area
- Suburban Mixed Use Activity Area
- Medium Density Residential Activity Area
- High Density Residential Activity Area
- Community Health Activity Area
- General Business Activity Area (where the height limit is greater than 12 metres)
- Community Iwi Activity Area (where the height limit is greater than 12 metres)

In these areas, an assessment of the likely effects of buildings over a specified height is required to ensure that the comfort and safety of pedestrians in public spaces is effectively managed. These rules apply in conjunction with the rules in activity area chapters and with other general rules.

AMENDMENT 439 [Chapter 14M Wind (Issue, Objective and Policies)]
Add new section 14M 1 Issue, Objective and Policies

14M 1 Issue, Objective, and Policies

AMENDMENT 440 [Chapter 14M Wind (Issue, Objective and Policies)]
Add new section 14M 1.1 Effects of Wind Generated by Buildings on Safety and Comfort

14M 1.1 Effects of Wind Generated by Buildings on Safety and Comfort

AMENDMENT 441 [Chapter 14M Wind (Issue, Objective and Policies)]
Add new Issue to section 14M 1.1

Issue

Buildings can alter the pattern and speed of wind at ground level in public spaces. This can affect the comfort of pedestrians in public spaces and even mean that wind conditions can become hazardous. It is important that buildings are designed and operated to manage these effects.

AMENDMENT 442 [Chapter 14M Wind (Issue, Objective and Policies)]
Add new Objective to section 14M 1.1

Objective

Within public places in Commercial Activity Areas, High Density Residential and Medium Density Residential Activity Areas, and other urban non-residential activity areas that enable buildings taller than 12 metres:

- (a) Wind conditions remain safe, and where possible, existing unsafe wind conditions are improved.
- (b) In key commercial centre locations, wind conditions are comfortable for pedestrians, and
- (c) The pedestrian wind environment is protected from gradual degradation over time.

AMENDMENT 443 [Chapter 14M Wind (Issue, Objective and Policies)]
Add new Policies to section 14M 1.1

Policy

- (a) Encourage consideration of wind during the early stages of building design to achieve high quality design for wind that minimises the adverse impact on public spaces, with wind mitigation measures contained on site.
- (b) Require that larger buildings, including significant alterations and additions, are designed to manage adverse wind effects, by meeting specified performance standards.
- (c) Ensure that where wind effects have been managed through wind mitigation measures, that those mitigation measures are retained and maintained.

AMENDMENT 444 [Chapter 14M Wind (Rules)]

Add new section 14M 2 Rules

14M 2 Rules

AMENDMENT 445 [Chapter 14M Wind (Rules)]

Add new section 14M 2.1 Rules – Restricted Discretionary Activities

14M 2.1 Restricted Discretionary Activities

AMENDMENT 446 [Chapter 14M Wind (Rules)]

Add new Rules 14M 2.1(a) and 14M 2.1(b)

- (a) The construction, alteration of, and addition to buildings and structures with a height greater than that specified in Table 14M 2.1.1, except for:
 - (i) Alterations that do not change the external building volume, or
 - (ii) Additions that increase the building or structure height by no more than 5 metres.
- (b) Alterations to or removal of existing off-site wind mitigation measures required by a resource consent.

Non-notification/service

In respect of Rule 14M 2.1(a) and Rule 14M 2.1(b), public and limited notification is precluded where the standards in 14C 2.1.3 are met.

AMENDMENT 447 [Chapter 14M Wind (Rules)]

Add new section 14M 2.1.1 Height thresholds for wind assessment

14M 2.1.1 Height thresholds for wind assessment

<u>Location</u>	<u>Height</u>
<u>Central Commercial Activity Area – buildings and structures fronting on to streets, pedestrian malls, walkways, or other public space identified in Appendix Wind 1 – Central Commercial Additional Wind Protection</u>	<u>12 metres</u>
<u>Central Commercial Activity Area – other</u>	<u>22 metres</u>
<u>Petone Commercial Activity Area 1 – Jackson Street (as shown in Appendix Petone Commercial 5)</u>	<u>12 metres</u>
<u>Petone Commercial Activity Area 2 – Petone Mixed Use (as shown in Appendix Petone Commercial 6)</u>	<u>22 metres</u>
<u>Suburban Mixed Use Activity Area</u> <u>Medium Density Residential Activity Area</u> <u>High Density Residential Activity Area</u> <u>Community Health Activity Area</u> <u>General Business Activity Area (where a height control overlay provides for a height limit greater than 12 metres)</u> <u>Community Iwi Activity Area (where a height control overlay provides for a height limit greater than 12 metres)</u>	<u>12 metres</u>

AMENDMENT 448 [Chapter 14M Wind (Rules)]

Add new section 14M 2.1.2 Matters of Discretion

14M 2.1.2 Matters in which Council has Restricted its Discretion

- (a) The extent of the effects of wind on public space, including cumulative effects.
- (b) Any adverse effects on existing wind mitigation measures.
- (c) The extent to which the design contributes to an improvement of existing unsafe wind conditions.
- (d) The ongoing protection and operation of wind mitigation measures that are required to meet the performance standards in this chapter.

AMENDMENT 449 [Chapter 14M Wind (Rules)]

Add new section 14M 2.1.3 Standards

14M 2.1.3 Standards

The buildings and structures shall be designed to comply with the following conditions:

- (a) Safety: The safety criteria shall apply to all public space. The annual maximum 3-second gust speed shall not exceed 20 m/s. If the annual maximum 3-second gust speed exceeds 20 m/s with the proposed development, it must be reduced to 20 m/s or below.
- (b) Deterioration of the wind environment criteria apply to all public space.
 - i. At all locations within public spaces, a proposed building must not increase the number of hours that the mean hourly wind speed equals or exceeds 2.5 m/s by more than 480 hours per year compared to the existing wind environment.
 - ii. The overall impact of a proposed building, considering all locations within public spaces and their associated uses, on the annual change in the number of hours that

the mean hourly wind speed equals or exceeds 2.5 m/s must be neutral or beneficial.

- (c) Comfort: The comfort criteria only apply to the public spaces listed in Appendix Wind 1 – Central Commercial Additional Wind Protection. At all locations in public places shown in that appendix, a proposed building must:
- i. Maintain or improve the existing wind conditions if the mean hourly wind speed equals or exceeds 2.5 m/s for more than 1,700 hours each year, or
 - ii. Limit the number of hours that the mean hourly wind speed equals or exceeds 2.5 m/s to 1,700 hours each year if the existing wind conditions have mean hourly wind speeds of 2.5 m/s equalled or exceeded for less than 1,700 hours each year.
- (d) A wind report demonstrating compliance with Standards 14C2.1.3 (a)-(c) must be prepared in accordance with the requirements outlined in Appendix Wind 2 – Wind Reports.

AMENDMENT 450 [Chapter 14M Wind (Rules)]

Add new Rule 2.2(a)

14M 2.2 Discretionary Activities

- (a) Any activity provided for in this chapter as a restricted discretionary activity that does not comply with the relevant restricted discretionary activity standards.

AMENDMENT 451 [Chapter 14M Wind (Appendices)]

Add new section 14M Appendices

14M Appendices

AMENDMENT 452 [Chapter 14M Wind (Appendices)]
Add new Appendix Wind 1 - Central Commercial Additional Wind Protection

Appendix Wind 1 - Central Commercial Additional Wind Protection



AMENDMENT 453 [Chapter 14M Wind (Appendices)]
Add new Appendix Wind 2 – Wind Reports

Appendix Wind 2 - Wind Reports

Buildings and structures covered by this chapter require a wind assessment report to identify and describe measures for addressing the potential adverse of wind on public space, including streets. The report may be either quantitative or qualitative, as described below.

A quantitative wind assessment should be used:

- for new buildings and structures over 22 metres in height, or
- for alterations and additions to existing buildings and structures that both:
 - increase their height by over 5 metres over their existing height, and
 - result in a total height over 22 metres

A qualitative wind assessment should be used for situations that do not meet the thresholds that necessitate a quantitative wind assessment.

A wind report may also be required for the removal or alteration of wind mitigation measures from an existing resource consent. That resource consent should be consulted to determine whether a quantitative or qualitative assessment is required.

Quantitative Wind Assessment

A quantitative assessment is based on the results of wind tunnel testing, or a suitable equivalent (e.g. computational fluid dynamics software calibrated against measured data). It should quantify the extent and magnitude of the effect of the building on the surrounding pedestrian level wind environment by measuring and comparing the wind conditions of the existing site with those of the proposed building.

The assessment should document to what degree the building complies with the performance standards in 14M 2.1.3. It should also cover the topics of a qualitative wind assessment.

Qualitative Wind Assessment

A qualitative assessment is not based on the results of a wind tunnel test or computer modelling, and relies on the professional knowledge of a suitably qualified and experienced person, and any available evidence of local wind conditions.

The assessment should include the following:

- A description of existing wind conditions, including sources and limitations of information used. Results from any previous relevant quantitative assessment should be used when available.
- A description of the interaction of existing buildings with the wind that leads to the existing wind conditions.
- A review of the proposed development and its appropriateness for the wind environment in which it sits.
- Location of the proposed development relative to important nearby public spaces.
- A description of the influence of the proposed development on the surrounding pedestrian level wind environment.
- To what degree existing wind conditions may deteriorate with the proposed development.
- A description of proposed wind mitigation measures.
- The likelihood that the development will meet, or to what degree it will not meet, the performance standards in section 14M 2.1.3.
- The rationale behind the design of the building and any proposed wind mitigation measures that support it being the best practical way to achieve the performance standards in section 14M 2.1.3.