



1 October 2025

Sacha Jones

s7(2)(a)

Tēnā koe Sacha,

Request for Information – Local Government Official Information and Meetings Act (LGOIMA) 1987

We refer to your official information request dated 8 September 2025, seeking information relating to resource or building consents for 183 Riverside Drive, Waterloo, Lower Hutt. Specifically, you requested:

Please provide copies of the following in relation to any resource or building consents applied for or granted for 183 Riverside Drive, Waterloo, Lower Hutt 5011 between 1 January 2024 to 29 August 2025:

- 1) Resource or building consent applications*
- 2) Internal documents capturing the Council's assessment of those applications*
- 3) Communications relating to the applications or consents (internal and external, including any emails)*
- 4) Any documents noting the identification, assessment, and management of conflicts of interests relating to the consent applications or assessment of those applications.*

Answer:

Please refer to **Appendix 1** below, which details the documents being released in response to your request. We are releasing the resource consent application RM240221, including the proposal and Assessment of Environmental Effects (AEE), the decision report, and associated stamped plans.

Please note, some information has been withheld under section 7(2)(a) of the LGOIMA to protect the privacy of natural persons.

Additionally, we identified email correspondence relating to billing and fee objections associated with the consent. However, as these communications involve a third party and contain personal information, they have been withheld in full under section 7(2)(a) of the LGOIMA.

No building consent applications were lodged for this property between 1 January 2024 and 29 August 2025. Further, no documents were identified in relation to conflict-of-interest management for either resource or building consents. Accordingly, these parts of your request is refused under section 17(g) of the LGOIMA, as the information sought is not held.

You have the right to seek an investigation and review by the Ombudsman of this response. Information about how to make a complaint is available at: [Office of the Ombudsman - Complaints](#), or freephone 0800 802 602.

Please note that this response to your information request may be published on Hutt City Council's website: [Proactive releases - Hutt City Council](#).

Ngā mihi nui



Rebekah van der Splinter

Senior Advisor, Official Information and Privacy

Appendix 1: Documents for release

Number	Date	Document Type	Title/Subject Line	Redaction Grounds
1	June 2024	Application	Resource Consent Application and Assessment of Environmental Effects - 183 Riverside Drive, Waterloo	Some information has been withheld under section 7(2)(a) of the LGOIMA.
2	27 June 2024	Plan	Architecture Plan (RM240221)	
3	9 September 2024	Plan	Subdivision Scheme Plan	
4	9 September 2024	Decision Report	Approval of Resource Consent for A 3-Lot Subdivision and Construction of 2 Residential Units at 183 Riverside Drive, Waterloo (Lot 191 Dp 15345)	



URBANEDGE
P L A N N I N G L T D

Resource Consent Application and Assessment of Environmental Effects

183 Riverside Drive, Waterloo

DATE – June 2024

APPLICANT – ^{s7(2)(a)} _____



PO Box 39071
Wellington Mail Centre
Lower Hutt 5045

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PART A: RESOURCE CONSENT APPLICATION

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To: Resource Consents Manager

Address: Hutt City Council
Private Bag 31-912
Lower Hutt 5040

Urban Edge Planning on behalf of s7(2)(a) applies for the following land use and subdivision consents under sections 9 and 11 of the Resource Management Act 1991 (RMA):

Location of application site	Street Address:	183 Riverside Drive, Waterloo
	Legal description:	Lot 191 DP 15345
	District Plan Zoning:	Medium Density Residential Zone
Type of resource consent	Land use and subdivision consent	
Brief description of the proposal	Construction of two new dwellings and an associated three lot fee simple subdivision	
Activity Status	Land Use - Restricted Discretionary Activity Subdivision – Discretionary Activity	
Other consents required	No other consents are being sought at this time. If a Regional Consent is required for stormwater management, this will be subsequently obtained.	
Deposit fee	\$6,310	
Address for service	Urban Edge Planning Attn: s7(2)(a) PO Box 39071 Wellington Mail Centre Lower Hutt 5045 E: s7(2)(a) P: [REDACTED]	
Address for invoices	s7(2)(a) [REDACTED] E: s7(2)(a)	

P: s7(2)(a)

Urban Edge Planning attaches, in accordance with **Schedule 4 of the RMA 1991**, an assessment of environmental effects containing the level of detail that corresponds with the scale and significance of the effects that the proposed activity may have on the environment.

Urban Edge Planning also attaches, in the policy analysis, the relevant information required to be included in this application by the Operative District Plan. No additional information requirements apply in this case under the RMA or any regulations made under the RMA. No regional consents are presently being sought in respect of this proposal.

Signature of applicant:

s7(2)(a)

s7(2)(a)

Urban Edge Planning

On behalf of s7(2)(a)

Date: June 2024

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PART B: ASSESSMENT OF ENVIRONMENTAL EFFECTS

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1. Existing Environment

1.1 Location and General Description

183 Riverside Drive is a 635m² almost rectangular shaped allotment located on the northern side of the Riverside Drive road carriageway. The property has a flat topography and contains a single-storey dwelling located in the front (southern) half of the property, as well as accessory buildings and structures in the rear half. Lawns and gardens are located to the rear of the dwelling. The site is void of substantial vegetation. A single-width vehicle crossing is located in the south-western corner of the site that provides access to a driveway/car pad located in the south-western portion of the site.

The surrounding area is largely residential in nature, with properties mostly being of a similar size to the subject site. While most properties contain only one dwelling, there is a degree of intensification evident in the neighbourhood, with a number of properties in the neighbourhood having been subject to infill subdivision. The site is located on the opposite side of the road from Waiwhetū Stream, in close proximity to Waiwhetū Marae, Te Rūnanganui o Te Āti Awa ki te Upoko o Te Ika a Māui, Waiwhetū medical centre and Te Whiti Park. Bus stops are located nearby on Riverside Drive and Whites Line East. Educational facilities and the Waiwhetu shops are within walking distance of the site.

The subject site and surrounding area are shown in Figure 1 below.



Figure 1: Application site and surrounds. Source: GRIP

1.2 Planning Environment

183 Riverside Drive is located within the Medium Density Residential Zone of the Operative Hutt City District Plan. The southern end/front of the site is within the Inundation Flood Hazard Overlay.

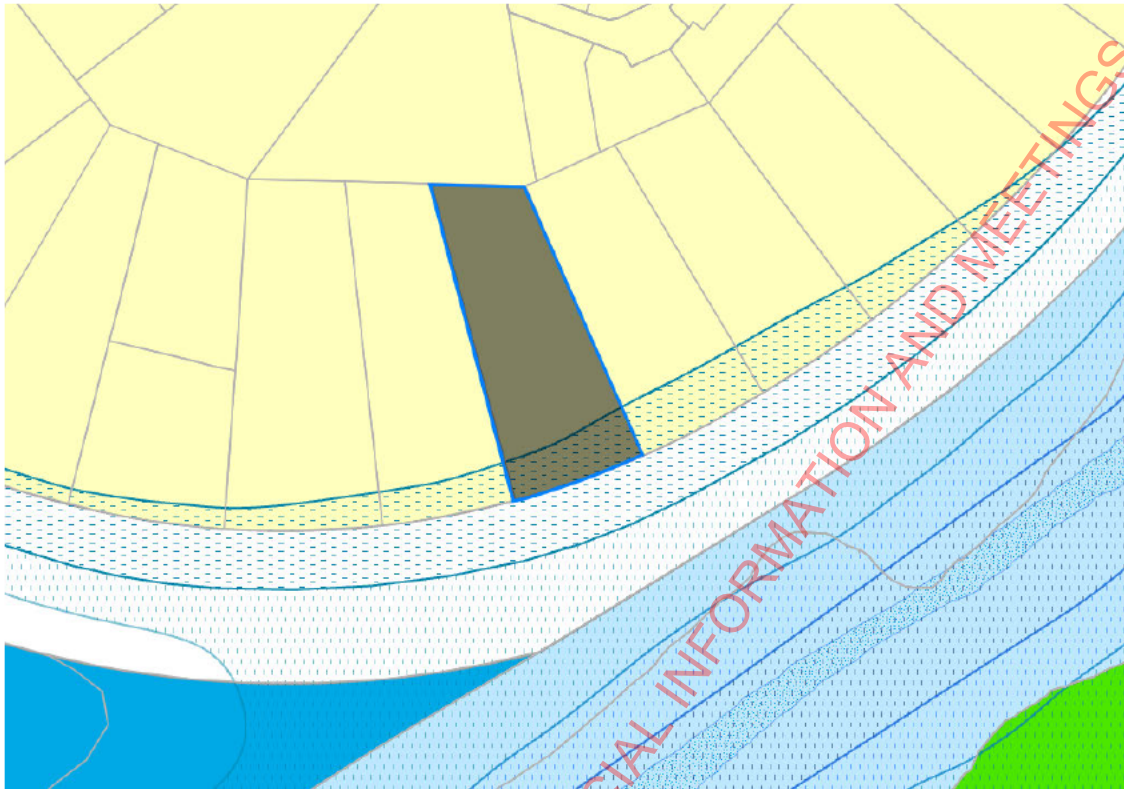


Figure 2: Site zoning. Source: HCC GIS

The application site is not subject to any other designation, heritage protections, identified natural hazards or significant natural, cultural or archaeological resources under the District Plan.

The site is not identified as contaminated under the GWRC Selected Land Use Register (SLUR). The front of the site is within a 1% AEP flood hazard area in the GWRC flood hazard extent maps.

1.3 Legal Description

183 Riverside Drive is legally described as Lot 191 DP 15345, held in Record of Title WN48C/173. There are no registered interests that would affect assessment of the proposal.

A copy of the Record of Title is attached at Appendix A.

2. Proposal

2.1 Description of the Proposal

The applicant is seeking resource consent to construct two new dwellings and undertake a three lot fee simple subdivision at 183 Riverside Drive, Waterloo.

2.1.1 Proposed Dwellings

The application includes the construction of two duplex units behind the existing dwelling in the northern part of the site as per Figure 3 below.

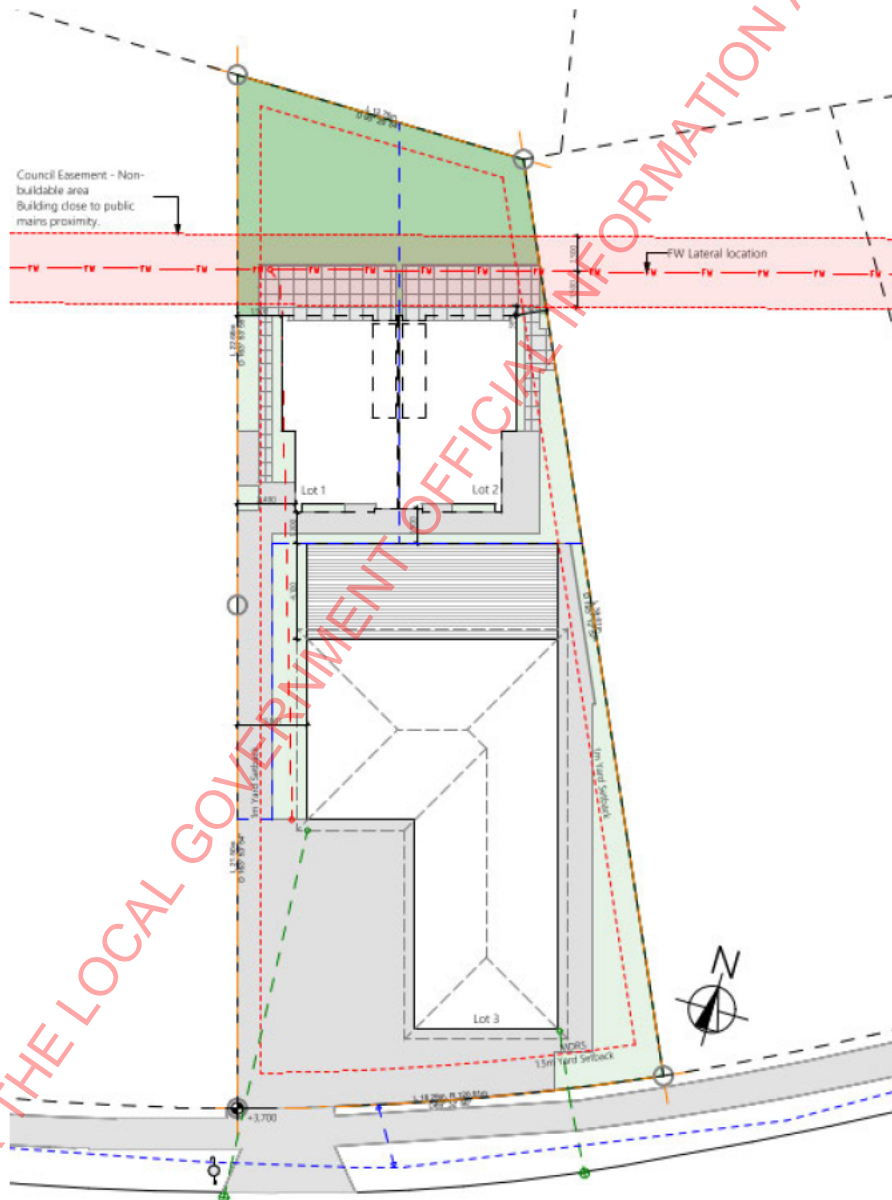


Figure 3: Proposed Development. Source: Prime Designs Plans – Appendix B

The proposed units will be two-storey and will contain two bedrooms each, in a mirrored design. The units will accommodate open plan kitchen, dining and living areas, laundry and WC in the ground floor level. The first floor will incorporate two bedrooms, a family bathroom and storage. The primary outdoor living areas for these units

will be located to the rear (north) of the dwellings and accessed directly from indoor living spaces. Patios will be located to the rear of the units for formal outdoor living areas. Service areas containing washing lines and refuse bins will be located in the side yard of each unit.

The existing dwelling will be retained at the front (south) of the site. The primary outdoor area for the dwelling will be the existing rear deck. No changes are proposed to the dwelling, though new servicing areas for washing lines and rubbish bins will be located in the side yards of the dwelling.

2.1.2 Proposed Subdivision

A three lot fee simple subdivision is proposed around the two proposed dwellings and one existing dwelling, to enable each dwelling to have separate legal tenure.

Lot 1 will be the western of the two rear lots and will be 149m² in area (approximately 122m² net). Lot 1 will contain proposed Unit 1 and its associated yard areas. Ongoing legal access to the lot from Riverside Drive will be via a pedestrian right of way over Lot 3. A right of way over Lot 1 will provide pedestrian access to Lot 2.

Lot 2 will be the eastern of the two rear lots and will be 112m² in area. Lot 2 will contain proposed Unit 2 and its associated yard areas. Ongoing legal access to the lot from Riverside Drive will be via pedestrian rights of way over Lots 2 and 3.

Lot 3 will be a 374m² (approximately 355.4m² net) allotment and will contain the existing dwelling and its associated car parking area. The lot will have direct frontage to Riverside Drive. A pedestrian right of way over Lot 3 will provide ongoing legal access to Lots 1 and 2.

Where necessary, it is proposed to create easements to protect access, services, and party walls.

The proposed scheme layout and a schedule of proposed easements is included on the scheme plan in Appendix C.

2.1.3 Access and Parking

The existing crossing will be retained and will continue to provide vehicular access for Lot 1 to its onsite parking in front of the existing dwelling.

No on-site parking will be provided for Lots 1 or 2. Any vehicles associated with these lots will be parked on the street. Pedestrian access for Lots 1 and 2 will be provided over Lot 3, with a right of way of 1.5m width securing access. Additional rights of way with width of 1.2m and 1.5m over Lot 1 will provide access to Lot 2.

2.1.4 Earthworks

Earthworks will consist of a site scrape in the locations of the Lot 1 and 2 dwellings and areas of new hard surfacing. The total earthworks required for the development of the site will have a volume of no more than 6m³.

2.1.5 Works and Services

See the Scheme Plan in Appendix C for details of the servicing of the development.

Water Supply

The existing water connection for Lot 3 will be retained. A single connection to the main is proposed for Lots 1 and 2, which will then be split into individual connections and manifolds for these lots.

Further details of the water supply proposed to service the development is included in Appendix C. It is anticipated that detailed engineering drawings will be required for approval as a condition of consent.

Stormwater

The stormwater connection for Lot 3 will be retained. Two new stormwater connections and kerb outlets are proposed for Lots 1 and 2. The design of the stormwater network will achieve stormwater neutrality, with stormwater tanks proposed for Lots 1 and 2.

Further details of the stormwater infrastructure proposed is included in Appendix C. It is anticipated that detailed engineering drawings will be required for approval as a condition of consent.

Sewerage disposal

A new stormwater lateral for Lot 3 is proposed to be installed clear of the proposed dwelling on Lot 1 and connect to the main that runs through Lots 1 and 2. The existing sewer pipe for the existing dwelling is to be capped at the main. New wastewater laterals for Lots 1 and 2 will connect directly to the main that runs through these lots.

Further details of the wastewater infrastructure proposed is included in Appendix C. It is anticipated that detailed engineering drawings will be required for approval as a condition of consent.

Dispensation may be needed from Wellington Water Ltd (WWL) for building within 3m of the wastewater main. It is requested that the Hutt City Council subdivision engineer liaises with WWL to arrange this dispensation.

Power and telecommunications

The proposed lots can be serviced for electricity and telecommunications.

Financial Contributions

Financial contributions are anticipated for the proposed allotments, with credits for the existing lot.

3. Resource Consent Requirements

District Plan Rule No.	District Plan Standard	Compliance
Permitted Activities – Medium Density Residential		
4F 4.1.1 Residential activities		Complies The proposal is exclusively for residential activity
4F 4.1.9 Light Spill	a) Activities are permitted if: <ul style="list-style-type: none"> (i) Artificial light does not result in added illuminance in excess of 8 lux measured at the window of any residential unit. (ii) Light spill is avoided beyond the boundary of the site. 	Will comply
4F 4.1.10 Vibration	a) Activities that would cause vibration are permitted activities if: <ul style="list-style-type: none"> (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. 	May not comply It is possible (though very unlikely) that construction of the proposed units could produce vibration evident beyond the boundary of the application site. Consent is conservatively sought on this basis.
4F 4.1.11 Vegetation Removal	a) The removal of indigenous vegetation: <ul style="list-style-type: none"> (i) That was planted within a domestic garden for amenity purposes and/or the use of amenity or screening (ii) Within 5m of a lawfully established residential unit (iii) Within 3m of a lawfully established accessory buildings 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 	Complies No vegetation will be removed.

	<p>is a permitted activity.</p> <p>b) The removal of exotic vegetation is a permitted activity if:</p> <p>c) The removal of trees on an Urban Environment Allotment is a permitted activity</p> <p>d) The trimming of vegetation is a permitted activity.</p>	
Permitted Development Standards – Medium Density Residential		
4F 4.2.1AA	<p>Number of residential units per site</p> <p>(a) Up to three residential units per site are a permitted activity.</p>	<p>Complies</p> <p>The proposal results in three dwellings across the application site and one dwelling per lot following subdivision.</p>
4F 4.2.1	<p>Building Coverage</p> <p>(a) Construction or alteration of a building is a permitted activity if:</p> <p>(i) The building coverage does not exceed 50%.</p>	<p>Complies</p> <p>Lot 1: 34.46% Lot 2: 37.53% Lot 3: 38.58% Overall: 34.84%</p> <p>Note that the building coverage calculations for the individual lots as shown in the architectural plans do not account for right of way areas. The calculations above are based on net site areas.</p>
4F 4.2.2	<p>Building height</p> <p>a) Construction or alteration of a building is a permitted activity if:</p> <p>(i) The building does not exceed a maximum height of 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,</p> <p>(ii) The building is within a specific 18m height control overlay shown on the District Plan maps and does not exceed the maximum height shown for that overlay.</p>	<p>Complies – The proposed units will all be two storey and well under 11m.</p>
4F 4.2.3	<p>Height in relation to boundary</p> <p>a) Construction or alteration of a building is a permitted activity if the following height in</p>	<p>Complies – see architectural plans, Appendix B.</p> <p>Note that the Unit 2 does not breach the height in relation to boundary plane from</p>

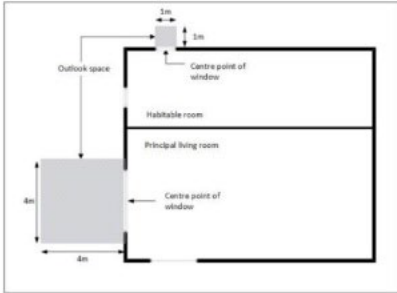
	<p>relation to boundary requirements are being met:</p> <ul style="list-style-type: none"> (i) 4m +60° from all side and rear boundaries where no more than 3 residential units will occupy a site. (ii) Where four or more units occupy the site: <ul style="list-style-type: none"> a) 8m + 60° along the first 21.5m of the side boundary as measured from the road frontage. b) 4m + 60° along all other boundaries c) Except 4m + 60° applies along any boundary that adjoins a site: <ul style="list-style-type: none"> a. In any other Residential one b. Containing a historic heritage building or structure listed in Chapter 14F – Appendix Heritage 1, 2 or 3 or a significant cultural resource listed in Chapter 14E – Appendix Significant Natural, Cultural and Archaeological Resources 1. <p>Where the boundary forms part of a legal right of way, entrance strip, access site, or pedestrian access way, the height in relation to boundary applies from the nearest boundary of that legal right of way, entrance strip, access site, or pedestrian access way.</p> <p>This standard does not apply to:</p> <ul style="list-style-type: none"> 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 2 buildings on adjacent sites or where a common wall is proposed. d. Boundaries adjoining a commercial or business activity area e. Chimney structures not exceeding 1.1m in width on any elevation, provided these do not exceed the height in relation to boundary by more than 1m, and f. Antennas, aerials, satellite dishes (less than 1m in diameter), flues and architectural 	<p>the western boundary (see compliance tent in the architectural plans (Appendix B) for confirmation.</p>
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	<p>features (e.g. finials, spires), provided these do not exceed the height in relation to boundary by more than 3m measured vertically.</p>	
4F 4.2.4	<p>Setbacks</p> <p>(a) Construction or alteration of a building is a permitted activity if:</p> <p>(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</p> <p>(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.</p> <p>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.</p> <p>Eaves may encroach into any yard by up to 0.6m.</p>	<p>Does not comply</p> <p>The deck of the existing dwelling will be sited right up to the proposed internal boundary with Lots 1 and 2.</p> <p>The proposed dwellings comply with the 1m yard setbacks from external and proposed internal boundaries (noting that there is no yard setback along boundaries where a party wall is proposed). While the stormwater tank for Unit 1 will be located within the 1m side yard, this is permitted under the exception for an accessory building within a yard.</p>
4F 4.2.4A	<p>Height in Relation to Boundary and Yards for Sites Abutting Marae in the Community Iwi Activity Area</p>	<p>N/A – The proposal does not abut any marae in the Community Iwi Activity area.</p>
4F 4.2.5	<p>Permeable surface</p> <p>(a) Construction or alteration of a building is a permitted activity if:</p> <p>(i) A minimum of 30% of the site area is a permeable surface.</p>	<p>Does not comply</p> <p>Lot 1: 53.41% Lot 2: 53.42% Lot 3: 25.91% Overall: 38.46%</p>
4F 4.2.6	<p>Outdoor Living Space</p> <p>(a) Construction or alteration of a building is a permitted activity if:</p> <p>(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:</p> <ol style="list-style-type: none"> Where located at ground level, has no dimension less than 3m; Where provided in the form of a balcony, patio, or roof terrace, is 	<p>Complies</p> <p>All three units will have outdoor living areas of more than 20m², with each having dimensions of more than 3m and being able to be accessed from the unit to which it relates.</p>

	<p>at least 8m² and has a minimum dimension of 1.8m;</p> <p>3. Is accessible from the residential unit; and</p> <p>4. May be:</p> <ul style="list-style-type: none"> i. Grouped cumulatively by area in one communally accessible location, or ii. Located directly adjacent to the unit; and <p>5. Is free of buildings, parking spaces, and servicing and manoeuvring areas.</p> <p>(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:</p> <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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. 	
<p>4F 4.2.7</p>	<p>Accessory Building</p> <p>a) Construction or alteration of an accessory building is a permitted activity if:</p> <p>(i) Development Standards 4G 4.2.1 (Building Coverage), 4G 4.2.2 (Building Height), 4G 4.2.3 (Height in Relation to Boundary), 4G 4.2.4 (Setbacks) and 4G 4.2.5 (Permeable Surface) are complied with.</p>	<p>Complies</p> <p>While the proposed stormwater tanks contribute to permeable surface calculations, it is noted that prior to subdivision of the site, the permeable surfaces across the site will be compliant, and post subdivision, the permeable surfaces for Lots 1 and 2 will also be compliant. The tanks also comply with the remainder of the standards.</p>
<p>4F 4.2.8</p>	<p>Screening and Storage</p> <p>a) Construction or alteration of a building is a permitted activity if:</p>	<p>Complies</p> <p>All service areas will be screened from view from the street by either fencing or stormwater tanks.</p>

	(i) All outdoor storage and servicing areas are screened so that they are not visible from a road or public space.	
4F 4.2.9	Demolition The demolition of a building is a permitted activity.	N/A – No demolition is proposed.
4F 4.2.10	Stormwater Detention a) Construction of a roofed building, excluding accessory buildings or additions to an existing building, is a permitted activity if: (i) A rainwater tank is provided for the building that collects all rainwater from the roof of the building. The rainwater tank must have the following volumes: <ul style="list-style-type: none"> • 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 <i>Managing Stormwater Runoff, The use of raintanks for hydraulic neutrality, Acceptable solution #1</i> dated June 2019.	Complies A 2,000L stormwater detention tank is proposed for each proposed unit. The existing dwelling does not require installation of a stormwater tank.
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:	Does not comply A small portion of the outlook spaces of Units 1 and 2 will be infringed by the wing walls (see Plan 106).

	 <p>(iii) The minimum dimensions for a required outlook space are:</p> <p>(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</p> <p>(b) All other habitable rooms must have an outlook space with a minimum dimension of 1 metre in depth and 1 metre in width.</p> <p>(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.</p> <p>(v) Outlook spaces may be over driveways and footpaths within the site or over a public street or other public open space.</p> <p>(vi) Outlook spaces may overlap where they are on the same wall plane in the case of a multi-storey building.</p> <p>(vii) Outlook spaces may be under or over a balcony.</p> <p>(viii) Outlook spaces required from different rooms within the same building may overlap.</p> <p>(ix) Outlook spaces must:</p> <p>(a) Be clear and unobstructed by buildings; and</p> <p>(b) Not extend over an outlook space or outdoor living space required by another dwelling.</p>	
<p>4F 4.2.12</p>	<p>Windows to Street</p>	<p>N/A – The two proposed buildings are located at the rear of the site, behind the existing dwelling.</p>

	<p>a) Construction or alteration of a building is a permitted activity if:</p> <p>(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.</p>	
4F 4.2.13	<p>Landscaped Area</p> <p>a) Construction or alteration of a building is a permitted activity if the following landscaped area standards are met:</p> <p>(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.</p> <p>(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.</p>	<p>Complies</p> <p>The landscaped area of the site will be 21.41%.</p>
Subdivision – Permitted Activity Standards		
11.2.1.1	Minor boundary adjustments	N/A – The proposal is not a minor boundary adjustment.
Subdivision – Controlled Activity Standards		
11.2.2.1(a)	<p>Allotment Design</p> <p>Minimum size:</p> <p>No minimum size required.</p> <p><i>Resulting allotments with residential units:</i></p> <p>For any resulting allotment where there is an existing residential unit:</p> <p>A. The subdivision complies with or does not increase the degree of non-compliance with the standards of any of the following rules:</p> <ol style="list-style-type: none"> 1. Number of units per site 2. Height in relation to boundary 3. Setbacks 4. Building coverage 	<p>Does not comply</p> <p>There is no minimum allotment size required as the subdivision application is accompanied by a land use application for the proposed development.</p> <p>Lot 3 will have a frontage width exceeding 3m. Lots 1 and 2 will have right of way access over Lot 3 (with Lot 2 also having right of way access over Lot 1), however, as this is pedestrian access only, the width of the rights of way will be between 1.2m and 1.5m.</p> <p>Land use consent is sought concurrently for any breaches with the standards</p>

	<p>5. Outdoor living space 6. Outlook space 7. Windows to street 8. Landscaped area</p> <p>B. Land use consent has been granted for non-compliance with the rules in (A), or</p> <p>C. 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.</p> <p>Where subdivision is proposed between residential units that share a common wall, recession plane and yard requirements shall not apply along the length of the common wall.</p> <p><i>Resulting allotments with no residential units</i></p> <p>For any resulting allotment with no existing residential unit:</p> <p>A. It is practicable to construct a residential unit on the allotment as a permitted activity, or</p> <p>B. Land use consent has been granted for the proposed use of the site (including built development), or</p> <p>C. 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.</p> <p>Minimum frontage: 3m to ensure there is drive-on access to the allotment. For rear allotments, this may be satisfied through a right of way.</p>	<p>listed in (A), whereby provision (C) is satisfied.</p>
<p>11.2.2.1(b)</p>	<p>Engineering design – Compliance with Engineering Standards pertaining to access, street lighting, stormwater, wastewater, water supply, telecommunications, electricity and earthworks.</p>	<p>Does not comply See Chapter 14A assessment below.</p>
<p>11.2.2.1(c)</p>	<p>Contamination – Compliance with the Ministry for the Environment, Contaminated Land Management Guidelines 1 – 5</p>	<p>Complies</p>

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11.2.2.1(d)	Esplanade Reserves, Strips and Access Strips An esplanade strip of 20m for lots along the bank of any river whose bed has an average width of 3m or more where the river flows through or adjoins the lot concerned	N/A – no esplanade reserves, strips or access strips are required or proposed
11.2.2.1(e)	Ground Level: the natural ground level may not be altered by more than 1.2m measured vertically Quantity: maximum volume of 50m ³ (solid measure) per site. Compliance with NZS 4431:1989 and Part 2 NZS 4404:2004; and Erosion and Sediment Control Guidelines for the Wellington Region/Small Sites	Complies
11.2.2.1(f)	Financial Contributions; and Compliance with Chapter 14	Will comply
General Rules		
14A Transport	Standard 1 – Standards for New Roads (a) Road Classification (b) Engineering Standards (c) Service Lanes, Private Ways, Pedestrian Accessways and Walkways	Does not comply No new vehicle crossings, driveways or car parks are proposed in conjunction with the subdivision or development of the application site. Pedestrian accessways will have a minimum trafficable width of at least 1m, however, this does not meet the 1.2m minimum width required by NZS 4404.
	Standard 2 – Site Access and Manoeuvring Area (a) Vehicle access (b) Separation distances from intersections and rail level crossings (c) Manoeuvring area (d) Additional provision for service stations	As existing – no new vehicle crossings, driveways or car parks are proposed in conjunction with the subdivision or development of the application site.
	Standard 3 – Minimum Sight Distances at Railway Level Crossings	N/A
	Standard 4 – Car and Cycle Parking and End of Trip Facilities	Will comply
	Standard 5 – Loading and Unloading	N/A

	Standard 6 – Development within the State Highway and Railway Corridor Buffer Overlays	N/A – The site is not within the State Highway or Railway Corridor Buffer Overlays
14B Signage	Controls on location, size, temporary signage, illumination and movement of signage	N/A – no signage is proposed
14C Noise		Will comply
14D Hazardous Facilities		N/A – No hazardous facilities are proposed
14F Heritage Buildings and Structures		N/A – No heritage buildings or structures are present on site
14G Trees		N/A – No listed trees are present on site
14H 2.1	Structures and buildings within the Wellington Fault Rupture Hazard Overlay	N/A – The site is not within the Wellington Fault Rupture Hazard Overlay
14H 2.2	Additions to residential buildings in the Inundation Area, Overland Flow Path or Stream Corridor Flood Hazard Overlays	N/A – The site is not within the Inundation Area, Overland Flow Path or Stream Corridor Flood Hazard Overlays
14H 2.3 New residential units, commercial activities or retail activities in the Inundation Area of the Flood Hazard Overlay	<p>1. New residential units, commercial activities or retail activities that are within the Inundation Area of the Flood Hazard Overlay are permitted activities where:</p> <p>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.</p>	N/A – The proposed units are not located within the Inundation Flood Hazard Overlay on the application site.
14H2.4	New residential units, commercial activities or retail activities that are within the Overland Flowpaths of the Flood Hazard Overlay	N/A – The application site is not within an Overland Flowpath Overlay
14H 2.6	Additions to Buildings within the Coastal Hazard Overlays	N/A – The application site is not within a Coastal Hazard Overlay

14 2.7	New residential units in the Low Coastal Hazard Area	N/A – The application site is not within a Coastal Hazard Overlay
14H 2.8	New residential units in the Medium Coastal Hazard Area	N/A – The application site is not within a Coastal Hazard Overlay
14H 2.9	New residential units in the High Coastal Hazard Area	N/A – The application site is not within a Coastal Hazard Overlay
14I Earthworks	<ul style="list-style-type: none"> a) Ground Level: the natural ground level may not be altered by more than 1.2m measured vertically b) Quantity: maximum volume of 50m³ (solid measure) per site. c) Baring Head, Pt 1A2 Parangarahu d) In the Primary and Secondary River Corridors, earthworks must be a minimum distance of 20m from a flood protection structure. 	Complies Earthworks will consist of a site scrape and will have a total volume of no more than 6m ³ .
14J Temporary Activities		Not applicable – no temporary activities are proposed
14K Filming		Not applicable – no filming activities are proposed
14L Renewable Energy Generation		Not applicable – no renewable energy sources are proposed

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3.1 Activity Status

Activity	Rule	Activity Status
Land Use	<p>The proposal is a Restricted Discretionary Activity under the following rules:</p> <ul style="list-style-type: none"> • 4F 4.1.10 (b) for vibration non-compliances • 4F 4.2.4 (b) for setback infringements • 4F 4.2.5 (b) for shortfalls in permeable surface areas • 4F 4.2.11 (b) for outlook infringements • 14A 5.1 (b) for pedestrian access width 	<p>The dwelling construction and pedestrian access components are therefore Restricted Discretionary Activities</p>
Subdivision	<p>The proposed subdivision is a Restricted Discretionary Activity under Rule 11.2.3(a) for a subdivision that doesn't comply with the access standards under Rule 11.2.2.1 (b).</p> <p>The subdivision is a Discretionary Activity under Rule 11.2.4 (j) for a subdivision that doesn't require with the allotment standards with respect to frontage width under Rule 11.2.2.1 (a).</p>	Discretionary Activity

3.2 Overall Activity Status

The land use components of the proposal will be assessed as a **Restricted Discretionary Activity**.

The subdivision will be assessed as a **Discretionary Activity**.

3.3 Assessment Criteria

The proposed land use and subdivision elements have specified Restricted Discretionary criteria applicable to their assessment and determination, as per the following:

Standard breached	Matters of discretion
Vibration	Effects on the amenity of the surrounding residential area
Setbacks	<ul style="list-style-type: none"> (i) The planned urban built character (ii) Dominance, privacy and shading effects (iii) Streetscape and visual amenity effects
Permeable surface	<ul style="list-style-type: none"> (i) The effects on the stormwater system (ii) The potential for increased surface ponding and flooding (iii) The mitigation of additional stormwater runoff through means such as onsite stormwater retention
	<ul style="list-style-type: none"> (i) The planned urban built character for the Medium Density Residential Activity Area (ii) The matters in Policy 4F 3.2D

	<p>(iii) The effects on internal privacy of future occupants resulting from a reduced outlook</p> <p>(iv) The effects on internal privacy of future occupants resulting from a reduced outlook</p>
Transport	(i) The effects generated by the standards not being met.

It is noted that as a Discretionary Activity, assessment matters for the subdivision are not limited to any specific matter, however, the assessment criteria of Rule 11.2.3 provide guidance as to the matters that should be considered.

- (i) The effects generated by the standards not being met.
- (ii) Any actual or potential adverse effects from the non-compliance
- (iii) Matters of control under Rule 11.2.2.2
- (iv) Amenity Values
- (v) Existing natural features and topography
- (vi) Historical or Cultural significance
- (vii) Natural hazards
- (viii) Construction
- (ix) Engineering requirements
- (x) Erosion and sediment management

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4. Notification Considerations

4.1 Public Notification – Section 95A

The matters to be considered by the consent authority when deciding whether or not to publicly notify an application are set out in Section 95A of the RMA. On 18 October 2017, Section 95A was replaced with a four-step process to determine whether to publicly notify an application for a resource consent. This four-step process was altered further by the Resource Management Amendment Act 2020, which took effect with respect to Section 95A on 20 September 2020.

Step 1: Mandatory public notification in certain circumstances (sections 95A(2) and (3))

Determine whether the application meets any of the following criteria –

- (a) *The applicant has requested that the application be publicly notified;*
- (b) *Public notification is required under Section 95C; or*
- (c) *The application is made jointly with an application to exchange recreation reserve land under section 15AA of the Reserves Act 1977*

The applicant has not requested that the application be publicly notified, nor has the applicant jointly made an application to exchange recreational reserve land. Therefore, public notification is not required under Step 1, and the test for public notification continues at Step 2.

Step 2: If not required by step 1, public notification precluded in certain circumstances (sections 95A(4), (5) and (6))

Determine whether the application meets any of the following criteria –

- (a) *the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes public notification;*
- (b) *the application is for a resource consent for 1 or more of the following, but no other, activities:*
 - (i) *a controlled activity;*
 - ~~(ii)~~ *[Repealed by Resource Management Amendment Act 2020]*
 - (iii) *a restricted discretionary, discretionary, or non-complying activity, but only if the activity is a boundary activity;*
 - ~~(iv)~~ *[Repealed by Resource Management Amendment Act 2020]*

The application is for a Discretionary Activity and a Restricted Discretionary Activity and is not precluded from public notification under the District Plan or any NES. Therefore, the application must be tested for public notification under Step 3.

Step 3: If not precluded by Step 2, public notification required in certain circumstances

Determine whether the application meets any of the following criteria –

- (a) *the application is for a resource consent for 1 or more activities, and any of those activities is subject to a rule or NES that requires public notification;*
- (b) *the consent authority decides, in accordance with section 95D, that the activity will have or is likely to have adverse effects on the environment that are more than minor.*

The application is for a resource consent that does not require public notification under any of the rules that consent is required under and the effects on the wider environment are considered to be less than minor for the reasons outlined in section 5 of the application below.

Step 4: Public notification in special circumstances (section 95A(9))

Determine whether special circumstances exist in relation to the application that warrant the application being publicly notified.

No special circumstances exist in relation to the application that could warrant the application being publicly notified.

Section 95A Conclusion

Having regard to the four steps outlined within Section 95A, it is considered that public notification of this application is not required.

4.2 Potentially Affected Persons – Section 95B

Section 95B relates to limited notification of consent applications and (in summary) directs that, where notification of an application for resource consent is not required under Section 95A, the consent authority must give limited notification of the application to any affected person. Section 95B is a four step process to determine whether to limited notify an application for a resource consent. Section 95B was altered further by the RMA, which took effect with respect to Section 95B on 20 September 2020.

Step 1: Certain affected groups and affected persons must be notified (Sections 95B (2) and 95B (3))

Determine whether there are any—

- (a) affected protected customary rights groups; or*
- (b) affected customary marine title groups (in the case of an application for a resource consent for an accommodated activity).*

Determine—

- (a) whether the proposed activity is on or adjacent to, or may affect, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11; and*
- (b) whether the person to whom the statutory acknowledgement is made is an affected person under section 95E.*

Notify the application to each affected group identified under subsection (2) and each affected person identified under subsection (3).

The application is not considered to affect any of the parties outlined within Step 1. While the application site is located on the opposite side of Riverside Drive from the Waiwhetū Stream, and is therefore adjacent a statutory acknowledgement area, the proposed works are not considered to affect persons to whom the statutory acknowledgement is made. The proposed works will be separated from the stream by approximately 60m, and best practice earthworks and construction methodology will be employed at the construction stage to ensure sediment-laden stormwater does not enter the stream. Therefore, limited notification is not required at Step 1, and the test for limited notification continues at Step 2.

Step 2: If not required by step 1, limited notification precluded in certain circumstances

- (a) *the application is for a resource consent for 1 or more activities, and each activity is subject to a rule or national environmental standard that precludes limited notification:*
- (b) *the application is for a controlled activity (but no other activities) that requires consent under a district plan (other than a subdivision of land):*

The application is not precluded from limited notification under Step 2. Therefore, the test for limited notification continues at Step 3.

Step 3: If not precluded by step 2, certain other affected persons must be notified (Sections 95B (7) and 95B(8))

Determine whether, in accordance with section 95E, the following persons are affected persons:

- (a) *In the case of a boundary activity, determine in accordance with section 95E whether an owner of an allotment with an infringed boundary is an affected person; and*
- (b) *In the case of any other activity determine whether a person is an affected person in accordance with section 95E.*

The application is not for a boundary activity only.

It is considered that any effects arising from the proposal on any other party in accordance with section 95E are less than minor as discussed in section 5 below.

As such, it is considered the application meets the requirements of Step 3 and the test for limited notification continues at Step 4.

Step 4: further notification in special circumstances (Section 95 (10))

Determine whether special circumstances exist in relation to the application that warrant notification of the application to any other persons not already determined to be eligible for limited notification under this section (excluding persons assessed under section 95E as not being affected persons), and,—

- a) *if the answer is yes, notify those persons; and*
- b) *if the answer is no, do not notify anyone else.*

No special circumstances exist in relation to the application that could warrant the application being limited notified.

Section 95B Conclusion

Having regard to the four steps outlined within Section 95B, it is considered that limited notification of this application is not required.

5. Assessment of Environmental Effects

5.1 Scope

The following section presents an assessment of environmental effects (AEE) in accordance with Schedule Four of the RMA, with regard to the assessment criteria outlined in Section 3.3 above. The AEE is comprised of the following components:

- Permitted Baseline
- Character and Amenity Effects
- Subdivision Design and Servicing Effects
- Construction Effects
- Access
- Esplanade Strips and Reserves
- Natural Hazards
- Positive Effects

5.2 Permitted Baseline

The permitted baseline allows a consent authority to disregard adverse effects that are the same as could arise from a compliant activity.

The District Plan permits built development on a site. To proceed without a resource consent, up to three residential units could be built on a site, provided they did not exceed 50% building coverage, are less than 11m in height, comply with the 4m + 60° height in relation to boundary control, are setback 1.5m from the front boundary and 1m from all other boundaries, and maintain a minimum of 30% of the site as permeable surface. Each unit must also be provided with 20m² of outdoor living space that is no less than 3m in dimension, ensure that all servicing and storage areas are screened, and comply with the required stormwater detention standards. The outlook space of 4m x 4m from the principal living room and 1m x 1m from all other habitable rooms, 20% glazing for street facing units, and minimum 20% landscaping requirements must also be achieved. The proposal must also comply with the transport standards in Chapter 14A, the earthworks standards in Chapter 14I being earthworks up to 50m³ in volume and 1.2m in depth, and the natural hazards provisions in Chapter 14H (whereby all built development must be located outside of the Stream Corridor and Overland Flowpath Overlay Areas, and above the 1% AEP flood level within the Inundation Overlay Area).

The permitted baseline is considered to be of high relevance to the assessment of adverse effects of the land use component of the application.

Regarding subdivision, only subdivisions involving minor boundary adjustments or subdivision of existing retail premises by way of leasing are considered to be a permitted activity. As the proposal involves the creation of new fee simple allotments, it is considered that the permitted baseline is not relevant to the subdivision component of this application.

5.3 Character and Amenity Effects

The applicant is seeking resource consent to construct two additional dwelling units on the application site, resulting in three dwellings on the site. Residential amenity values can be affected when a greater scale and density of development occurs on a site than allowed within the District Plan. This proposal represents a permitted density. The proposed dwellings are of a compliant height and setback, such that the bulk, dominance, shading and privacy effects on neighbouring properties are anticipated by the District Plan. Indeed, the proposed dwellings could be constructed on the site as a Permitted Activity if the rear wing walls of Units 1 and 2 were adjusted, pedestrian accesses were widened by 0.2m and construction methodologies were selected to ensure vibration will not be felt off-site.

While unlikely, it is possible that the construction of the proposed dwellings will generate vibration that is discernible by neighbouring properties. Should vibrating activities occur, they will be limited in intensity and duration.

For these reasons, the effects of the proposed development on the amenity of persons associated with adjoining properties or any other properties will be less than minor.

With respect to the internal amenity effects from the narrower pedestrian access to Lots 1 and 2, I note that where the access is narrower than the 1.2m specified by NZS 4404, the access will only be 0.2m narrower, and for a short length. The access will be wide enough to be used comfortably. While the deck of Unit 3 will be located on the boundary of Lots 1 and 2, the privacy of Units 1 and 2 will be maintained, due to the limited extent of glazing at the ground floor level of their southern elevations. The outlook non-compliances for Units 1 and 2 are very small and therefore will not impinge on the amenity of occupants of these dwellings. As such, the amenity effects on occupants of the proposed dwellings will be less than minor.

Turning to the character effects of the proposal, it is again noted that the density and form of the development is permitted by the District Plan and as such, any resulting character effects are anticipated by the Plan and therefore less than minor.

Overall, the effects of the proposal on character and amenity will be less than minor and acceptable.

5.4 Subdivision Design and Servicing Effects

As described above, the development has been designed to make efficient use of a site specifically zoned for medium density residential use, with the proposal allowing for the creation of two additional residential units/lots. The proposed lots are of a shape and size suitable to provide for their intended residential uses, including outdoor living areas, servicing and access. The proposed boundaries have been arranged around one existing and two proposed residential units, with a resulting density anticipated by the District Plan. The subdivision will generate no further effects on adjoining properties or the wider environment than those discussed under section 5.3 above.

The proposal complies with Council requirements pertaining to stormwater, wastewater, and water, noting also that the location of the proposed units has been largely dictated by the location of the wastewater main running through the application site.

While the permeable surfaces for proposed Lot 3 will be less than the 30% specified by the District Plan, it is noted that overall, the permeable surfaces across the site will be 37.22%. Stormwater neutrality will be ensured through the use of stormwater tanks for the two proposed dwellings. It is expected that appropriate conditions will be imposed on the consent which will require the applicant to install services to the standards of the Council.

Consent is required as proposed Lots 1 and 2 will not have frontage of at least 3m. The District Plan specifies a frontage width of at least 3m to allow for vehicular access to lots (despite not containing any minimum parking standards). The two rear lots will be pedestrian access only and as such, do not require rights of way of 3m. The proposed 1.5m width right of way over Lot 3 will provide Lots 1 and 2 with ample width in which to access their respective sites. Similarly, the 1.2m width right of way for Lot 2 over Lot 1 will be sufficient to provide appropriate pedestrian access.

Where necessary, easements are proposed to ensure that the occupiers of each allotment have legal and physical access, and access to services, as well as party wall easements. The subdivision scheme plan (Appendix C) illustrates how servicing and easements will operate.

Given the above factors, any potential effects associated with the design and layout of the proposed subdivision, and associated servicing are considered to be less than minor and acceptable.

5.5 Construction Effects

Construction works associated with the proposal are considered to generate effects that are anticipated in a residential setting and will be the same as the effects associated with a permitted development. The District Plan allows for some additional noise during such times in accordance with NZS 6803P "Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work". Moreover, if the consent is approved, the consent holder has a general duty under section 16 of the Resource Management Act 1991 to avoid unreasonable noise and vibration.

Any potential construction effects are considered to be temporary in nature and will be less than minor.

5.6 Access

Lot 3 will continue to have vehicular access to the site via the existing crossing, with a car pad located at the front of the existing dwelling that will be clear of the right of way to Lots 1 and 2.

Access to Lots 1 and 2 will be pedestrian access only, with the lots being accessed via a right of way over Lot 3. While a short length of the pedestrian access will be less than 1.2m, it will be of sufficient width to provide comfortable access to the units on Lots 1 and 2.

5.7 Esplanade Strips and Reserves

There are no waterbodies that are located on or adjacent the site. No esplanade strips or reserves are therefore required.

5.8 Natural Hazards

The front of the application site is located within an inundation flood hazard overlay identified in the District Plan. The proposed dwellings and the entirety of Lots 1 and 2 will be located clear of this hazard overlay. WWL have advised that the proposed dwellings within Lots 1 and 2 can be designed with floor levels as per the Building Code.

There is no evidence that the subject site is subject to erosion or landslip and it is considered that the proposed development will not increase the vulnerability of people or their property to such natural hazards.

Given these factors, any potential natural hazard effects associated with the proposal area considered to be less than minor.

5.9 Positive Effects

The proposed development will have positive effects in that it will result in an efficient use of a residential allotment zoned Medium Density and assists in increasing the District's supply of housing stock as well as complementing the District's consolidated urban form.

The density, bulk and form of the development is comparable to that of a permitted baseline development, with the form of the proposed development therefore being compatible with the evolving character of the surrounding area.

The proposed lots and associated units are located in proximity to bus stops and train stations, thereby allowing for more sustainable modes of transport and lessening the reliance on cars, particularly noting that no on-site parking is proposed for the new units. The development is also in walking distance educational facilities, public parks and other amenities.

5.10 Conclusion

Overall, on the basis of the above assessment, the actual and potential effects of the proposal are considered to be less than minor and acceptable.

6. Statutory Assessment

The following assessment is provided in accordance with the relevant sections of the Resource Management Act 1991 (RMA).

6.1 Part 2 (Purposes and Principles) – Sections 5, 6, 7 and 8

6.1.1 Section 5 (Purpose and Principles)

The RMA has a single overarching purpose: to promote the sustainable management of natural and physical resources. Sustainable management is defined in section 5 as:

...managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural wellbeing and for their health and safety while –

- (a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and*
- (c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.*

The proposal is in keeping with the sustainable management purpose of the RMA in that it supports the efficient use of a finite resource (land), providing an additional two dwellings as compared to the existing environment. It is considered that the proposal will provide for the social and economic wellbeing of future occupants through provision of additional choice within the market; two-bedroom duplex units are proposed. Any adverse environmental effects associated with the development are largely avoided by the design, location and scale of the proposal. Where adverse effects cannot be avoided, they have been appropriately mitigated for the reasons detailed in sections 4 and 5 above.

6.1.2 Section 6 (Matters of National Importance)

In achieving the purpose of the RMA, section 6 provides that all persons exercising functions and powers under the RMA, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for a range of matters of national importance.

The front of the site is within an identified inundation flood hazard overlay, as mapped by the District Plan. The proposed units will not be located within this overlay and WWL have confirmed that floor levels can be set by the Building Code. Accordingly, section 6(h) has been given regard to.

For the reasons discussed in section 6.1.4 below, the proposal is considered consistent with s6(e) relating to the relationship to ancestral waters.

It is considered that there are no other relevant section 6 matters that require consideration as part of this proposal.

6.1.3 Section 7 (Other Matters)

Section 7 outlines other matters that all persons exercising functions and powers under the RMA shall have particular regard to in relation to managing the use, development and protection of natural and physical resources. For the reasons detailed under sections 4 and 5 above, the proposal is considered to be an efficient use of natural and physical resource (section 7(b)), and will ensure the maintenance of amenity values and the quality of the environment (sections 7(c) and (f)).

It is considered that there are no other relevant section 7 matters that require consideration as part of this proposal.

6.1.4 Section 8 (Principles of the Treaty of Waitangi)

The principles of the Treaty of Waitangi shall be taken into account when managing the use, development, and protection of natural and physical resources.

The application site is not identified as having any particular cultural or historic significance. The application site is, however, located on the opposite side of the road from Waiwhetū Stream, which is a statutory acknowledgement area. The proposed works will be separated from Waiwhetū Stream by approximately 60m, and best practice earthworks and construction methodology will be used on-site so sediment laden stormwater does not discharge to the stream. The separation distance and erosion and sediment controls will ensure that the proposal will not further degrade the health of the stream. Accordingly, the proposal is considered consistent with section 8 of the Act.

6.2 Section 104(1)

This section of the RMA requires that, when considering an application for resource consent, the consent authority must have regard to a number of factors, as considered follows:

- Section 104(1)(a) of the Act – Potential or Actual Effects;
- National Environmental Standards;
- Other Regulations;
- National Policy Statements;
- Objectives and Policies of the Greater Wellington Regional Policy Statement;
- Objectives and Policies of the City of Lower Hutt Operative District Plan; and
- Other Matters.

6.2.1 Section 104(1)(a) – AEE

This section of the RMA requires that regard is given to any actual and potential effects on the environment of allowing the activity.

An assessment of the actual and potential effects of the proposal is included in Section 5 of this report. It is considered that the adverse effects on the environment will be less than minor.

6.2.2 Section 104(1)(b)(i) – NES's

Section 104(1)(b)(i) of the RMA requires that regard is given to any relevant provisions of a national environmental standard. The following national environmental standards are currently in force through regulations:

- National Environmental Standards for Air Quality
- National Environmental Standard for Sources of Drinking Water
- National Environmental Standards for Telecommunication Facilities
- National Environmental Standards for Electricity Transmission Activities

- National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health
- National Environmental Standards for Plantation Forestry
- National Environmental Standards for Freshwater
- National Environmental Standard for Storing Tyres Outdoors
- National Environmental Standards for Marine Aquaculture
- National Environmental Standard for Greenhouse Gas Emissions from Industrial Process Heat

None of the national environmental standards are considered relevant to this proposal.

6.2.3 Section 104(1)(b)(ii) – Other Regulations

Under section 104(1)(a)(ii), consideration must be given to any other relevant regulations. No other regulations are relevant to this proposal.

6.2.4 Section 104(1)(b)(iii) and (iv) – National Policy Statements

Under section 104(1)(b)(iii) and (iv), consideration must be given to any relevant provisions of a National Policy Statement (NPS). The following national policy statements are currently in place:

- National Policy Statement on Urban Development
- National Policy Statement for Freshwater Management
- National Policy Statement for Renewable Electricity Generation
- National Policy Statement on Electricity Transmission
- New Zealand Coastal Policy Statement
- National Policy Statement for Highly Productive Land
- National Policy Statement for Indigenous Biodiversity
- National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat

The National Policy Statement on Urban Development (NPS-UD) seeks to create well-functioning urban environments through the RMA planning process. The proposal is consistent with the relevant objectives and policies of the NPS-UD in the following ways:

- The proposal supports a well-functioning urban environment through provision of additional housing within Lower Hutt, with a less common typology (two bedroom, two-storey semi-detached units) proposed in an area where this building typology is less common.
- The development has good accessibility to public transport, with bus stops located on Riverside Drive and Whites Line East, and the Woburn and Waterloo train stations located within walking distance providing connections throughout Lower Hutt as well as into Central Wellington and Upper Hutt. With proximity to public transport and no onsite parking for the new units proposed, the development supports modal shift and a reduction in greenhouse gas emissions.
- The proposed development is consistent with the outcomes sought by the underlying Medium Density zone for increased density and intensity of residential development, though noting that the density proposed will be compliant with the District Plan.
- The development will support the competitive function of the housing market through provision of additional housing supply, and efficient use of a currently underutilised property.

- Servicing has been designed and considered alongside the design of the proposed dwellings, and incorporates stormwater attenuation to address known capacity issues within the wider network.

None of the other national policy statements are considered relevant to this proposal.

6.2.5 Section 104(1)(b)(v) – Regional Policy Statement

Section 104(1)(b)(v) of the RMA requires that regard is given to any relevant provisions of a regional policy statement or proposed regional policy statement. The Wellington RPS was made operative in April 2013, and is therefore relevant to this proposal.

The proposal is generally consistent with the objectives and policies of this document as it:

- Will not impact on air quality, fresh water, historic heritage, indigenous ecosystems or soils and minerals;
- Will not result in any significant modifications to the natural landforms;
- Will not impact on natural hazards or unnecessarily increase risk to people from natural hazards; and
- Supports a consolidated regional form, design and function with a development that is appropriate to the residential character of the area.

The Proposed Regional Policy Statement (RPS Change 1) was notified on 18 August 2022. The proposal is generally consistent with the objectives and policies of this document as it:

- Will not impact on climate resilience; and
- Gives effect to the NPS-UD.

Both the RPS and RPS Change 1 require consideration of how developments will impact freshwater and its management. Waiwhetū stream is at least 60m separated from the site and best practice construction methodologies will be implemented to ensure effects on the stream are minimised. As discussed above, measures utilised during construction to prevent dust and runoff extending to the stormwater network and neutrality measures will ensure that the health of receiving environments will be ensured during the construction stage and beyond.

6.2.6 Section 104(1)(b)(vi) – Plans or Proposed Plans

Under section 104(1)(b)(vi), regard must be given to any relevant provisions of a plan or proposed plan. The following table provides an assessment of the relevant objectives and policies in the operative District Plan.

Policy / Objectives		Consistent?	Assessment
Medium Density Residential Activity Area			
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.	Yes	The proposal will contribute to a well-functioning urban environment through the provision of a development typology (semi-detached townhouse units) that is less common in Waterloo, with the predominant building typology being single detached dwellings on large lots. This provides variety within the Lower Hutt housing market.

Policy / Objectives		Consistent?	Assessment
			The development has good connections between housing and commercial centres, with bus stops and train stations located on Riverside Drive and nearby Whites Line East, as well as being located in proximity to shops and public amenities.
Objective 4F 2.3	The Medium Density Residential Activity Area provides for a variety of housing types and sizes that respond to: <ul style="list-style-type: none"> i. Housing needs and demand, and ii. The neighbourhood's planned urban built character, including three-storey buildings. 	Yes	The proposed development will introduce a less common housing typology to the neighbourhood, being two storey semi-detached townhouses. While the proposal has a height less than the three enabled by the height standards for the zone, the proposal does represent a higher density of development than is common in the suburb, with a Permitted level of density overall. The proposed units and their associated outdoor living have been designed to be low maintenance units that provide suitable amenity for occupants.
Objective 4F 2.3.A	Recognise that the neighbourhood's planned urban built character is defined through the enablement of individual medium density developments of up to three storey.		
Objective 4F 2.4	Built development is consistent with the planned medium density built character and compatible with the amenity levels associated with medium density residential development.	Yes	The development is largely compliant with the bulk and location requirements for the zone, including the number of dwellings for the site.
Objective 4F 2.5	Built development is of high quality and provides: <ul style="list-style-type: none"> i. Healthy, safe, attractive, and accessible living environments, and ii. Attractive and safe streets. 	Yes	The proposal will result in two new dwellings built to modern standards that will provide a warm and dry environment for future occupants.
Objective 4F 2.6	Built development is adequately serviced by network infrastructure or addresses any infrastructure constrains.	Yes	All lots can be serviced by network infrastructure as shown on the scheme plan (Appendix C).
Policy 4F 3.1	Provide for residential activities and those non-residential activities that support the community's social, economic and cultural well-being and manage any adverse effects on residential amenity.	N/A	
Policy 4F 3.2	Enable a variety of housing types with a mix of densities within the Medium Density	Yes	A variety of housing types is provided for through two proposed semi-detached

Policy / Objectives		Consistent?	Assessment
	Residential Activity Area, including three-storey attached and detached dwellings and low-rise apartments.		dwellings. The density of the site is Permitted, at three residential units on the site overall.
Policy 4F 3.2A	Provide for developments not meeting permitted activity status, while encouraging high-quality developments.	Yes	The proposed does have non-compliances, however, due to the small scale of the non-compliances, the effects of these are considered to be less than minor in nature, with a high-quality development resulting.
Policy 4F 3.2B	Enable housing to be designed to meet the day-to-day needs of residents.	Yes	Each dwelling has outdoor living areas orientated to the north for solar gain. While no parking is provided on the site for the two new units, there is ample parking available on the street. The site is located in proximity to public transport, public parks, schools and shops, thereby meeting the day-to-day needs of residents.
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.	Yes	Compliant outdoor living areas are provided for all dwellings. All outdoor living areas will be accessible from their respective units, with nearby parks providing supplementary outdoor living opportunities.
Policy 4F 3.2D	Encourage development to contribute to an attractive setting for occupants and the surrounding area, which can be achieved through: <ul style="list-style-type: none"> 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 	Yes	The landscaped area for the site is compliant overall. Outlook non-compliances are miniscule and will not impact the amenity of future occupants.
Policy 4F 3.3	Manage the effects of built development on adjoining sites and the street by controlling height, height in relation to boundary, setbacks, and building coverage of built development.	Yes	The proposal complies in terms of external boundary setbacks, maximum height, height in relation to boundary and building coverage. The development is therefore of a bulk and form that is

Policy / Objectives		Consistent?	Assessment
			permitted by the District Plan. The effects of built development on adjoining sites and the street will therefore be less than minor.
Policy 4F 3.6	Require built development to make adequate provision for privacy and sunlight access for adjoining sites.	Yes	The proposal complies in terms of external boundary setbacks, maximum height, height in relation to boundary and building coverage. The development is therefore of a bulk and form that is permitted by the District Plan. The effects of the development on adjoining sites with respect to privacy and sunlight are therefore anticipated by the District Plan and will therefore be less than minor.
Policy 4F 3.8	Encourage development to achieve attractive and safe streets and public open spaces, including by providing for passive surveillance.	Yes	The proposed units will be located at the rear of the site, behind the existing dwelling, so will not contribute additional passive surveillance. Being of a compliant building form and of modern design, the proposed units will contribute to achieving an attractive street.
Policy 4F 3.9	Require rainwater tanks and a minimum area of permeable surfaces or alternative design solutions in order to assist with the management of stormwater runoff created by development.	Yes	Rainwater tanks will be provided for the two new dwellings and permeable surfaces across the site comply with the minimum 30% required by the District Plan.
Policy 4F 3.10	Require development to be stormwater neutral.	Yes	The development will be stormwater neutral.
Subdivision			
Objective 11.1.1	To ensure that land which is subdivided can be used for the proposed use or development.	Yes	The subdivision will reflect the design and location of the proposed units.
Policy 11.1.1(b)	To provide flexibility in lot size, shape and frontage within Commercial, Mixed Use, Medium Density Residential and High Density Residential Activity Areas to enable diversity of commercial and residential development size and density.	Yes	Each of the proposed residential allotments is of sufficient size and shape to accommodate the proposed units and associated outdoor living areas.
Objective 11.1.2	To ensure that utilities provided to service the subdivision protect the environment	Yes	Each residential lot will be appropriately serviced for water, wastewater and

Policy / Objectives		Consistent?	Assessment
	and that there are no adverse effects on the health and safety of residents and occupiers.		stormwater, as well as power and telecommunications. Stormwater neutrality will be achieved.
Policy 11.1.2(a)	To ensure that utilities provided comply with specified performance standards relating to such matters as access, street lighting, stormwater, water supply, wastewater, gas, telephone, electricity and earthworks.	Yes	All lots can be fully serviced in terms of three waters and utilities in accordance with the relevant standards without adverse effects on the environment or occupants. No vehicular access is proposed for the new units. While the frontage width and pedestrian access width standards are not met, the width of the rights of way and pedestrian accesses within the site will allow for comfortable access to the respective lots/units.
Objective 11.1.3 (a)	To ensure that land subject to natural hazards is subdivided in a manner that the adverse effects are avoided, remedied or mitigated.	Yes	The area of the site where dwellings are proposed is not subject to flooding as identified on the District Plan maps. Wellington Water Ltd have confirmed that floor levels can be set by the Building Code.
Objective 11.1.3 (b)	Subdivision does not increase the risk from natural hazards, including coastal hazards.	Yes	The subdivision will not increase risk from flooding.
Policy 11.1.3(b)	Subdivision shall ensure that any building platform is not located within an identified Stream Corridor.	N/A	There is no identified stream corridor within the site.
Policy 11.1.3(c)	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.	N/A	There is no identified overland flowpath within the site.
Policy 11.1.3(d)	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.	Yes	The area of the site where dwellings are proposed are not subject to flooding as identified on the District Plan maps. Wellington Water Ltd have confirmed that floor levels can be set by the Building Code.
Transport			

Policy / Objectives		Consistent?	Assessment
Objective 14A 3.5	Adverse effects on the safety and efficiency of the transport network from on-site transport facilities (vehicle access, parking, manoeuvring and loading facilities) are managed.	Yes	The proposal will not introduce any new or altered vehicle access or on-site parking. Access to Lots 1 and 2 will be pedestrian only, secured via rights of way over Lot 3 (and also Lot 1 in the case of Lot 2). Any vehicles associated with Lot 1 or 2 will park on the street, which is an anticipated effect, noting the District Plan does not require on-site car parking. Overall, the proposal will not generate additional traffic safety or efficiency effects.
Policy 14A 4.2	Land use, subdivision and development should not cause significant adverse effects on the connectivity, accessibility and safety of the transport network, and, where appropriate, should: <ul style="list-style-type: none"> ○ seek to improve connectivity within and between communities; and: enable walking, cycling and access to public transport.	Yes	The proposal is located in proximity to public transport on Riverside Drive and Whites Line East. The location of the site in proximity to amenities allows for the up-take of active modes.
Policy 14A 4.6	Vehicle access, parking, manoeuvring and loading facilities should be designed to standards that ensure they do not compromise the safety and efficiency of the transport network.	Yes	No new or altered vehicle access or on-site car parking is proposed. As such, the safety and efficiency of the transport network will not be impacted by the proposal.
Policy 14A 4.7	The transport network, land use, subdivision and development should provide for all transport modes.	Yes	No on-site parking is provided for the two new units, which will instead have pedestrian access over Lot 3. While a portion of the pedestrian access is underwidth, the shortfall is small, with sufficient access width provided for.

6.2.7 Section 104(c) – Other Matters

Section 104(1)(c) of the RMA requires that regard is given to any other matters the consent authority considers necessary to determine the application.

The Hutt City Urban Growth Strategy is considered to be a relevant consideration for this proposal. In 2013, Hutt City Council approved an urban growth strategy that encourages 6000 houses to be constructed over the next 20 years. A significant number of these houses are proposed to be constructed through more intense residential development. A Housing and Business Capacity Assessment (HBA) has been undertaken by Hutt City Council, as required under the previous NPS for Urban Development Capacity. This identifies that by 2047, Hutt City will need to provide for an additional 6105-11,256 dwellings to accommodate medium to high population growth.

However, feasible development capacity was shown to provide for 'realisable' capacity of approximately 4,473 dwellings by 2047; this is a distinct shortfall for both medium and high growth scenarios. The proposed two additional dwellings proposed in this application will contribute towards the housing needed to account for future growth in Lower Hutt.

There are no other matters or non-statutory documents of particular relevance to the consideration of this application.

6.2.8 Section 106

Section 106 of the RMA allows a consent authority to decline a subdivision consent, or grant the consent subject to conditions, if it considers that there is a significant risk from natural hazards or sufficient provision has not been made for legal or physical access.

The subject site is not located within the Wellington Fault Special Study Area and the site is not in a coastal hazard, overland flow path or stream corridor overlay. While the front of the site is within the Inundation Flood Hazard overlay, both dwellings will be sited well clear of the overlaid area and Wellington Water have confirmed that the floor levels of the dwellings can be set by the Building Code.

The site is generally flat whereby the risk of land instability is low. Earthworks will be low in depth and limited in volume so they will not create or exacerbate instability.

Each of the proposed residential lots will be provided with legal and physical access. Lot 3 will have direct frontage to Riverside Drive, while Lots 1 and 2 will have pedestrian access via rights of way with width of at least 1.2m.

Accordingly, there are no known reasons for resource consent to be declined under s106.

7. Conclusion

Resource consent is sought for the construction of two residential units and associated three lot fee simple subdivision at 183 Riverside Drive, Waterloo.

This application has analysed the proposal in terms of the actual and potential effects on the environment with the conclusion that there are no affected persons and the adverse effects will be less than minor.

It is considered that the proposal is consistent with the relevant objectives and policies of the Greater Wellington Regional Policy Statement, and the Operative District Plan, as well as Part 2 of the Resource Management Act 1991. It is therefore considered that the Council can grant the consent, subject to the imposition of appropriate conditions. We request that draft conditions be circulated to us prior to the release of the resource consent decision.

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Appendix A. Record of Title

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Appendix B. Architectural Plans

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Appendix C. Subdivision Scheme Plan and Topographic Plan

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Appendix D. Wellington Water Ltd Comments

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Project **Duplex Development**

Address **183 Riverside Drive
Lower Hutt**

Client **s7(2)(a)**

Job Number **24049**

Drawing Set **Resource Consent**

Drawn By **s7(2)(a)**

Date Published **27/06/2024**

Description Of Work **New Duplex - 2 storey 2 bedroom dwellings with Linea weatherboards, Axon, Vertical Cedar and Trapezoidal Colorsteel roofing. Ribraft slab - SED foundations, trusses by truss manufacturer. Services to be connected include foul water, stormwater, water supply, power, phone and gas.**

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Resource Consent Sheet Index

Sheet	Name
Plans	
101	Cover Page
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103	Site Landscape Plan - Unit 1 & 2
104	Site Landscape Plan - Unit 3
105	3D Render
106	3D Render
107	Floor Plans
108	Roof Plan
109	Elevations
110	3D Views
111	Resource Consent
112	3D Perspective



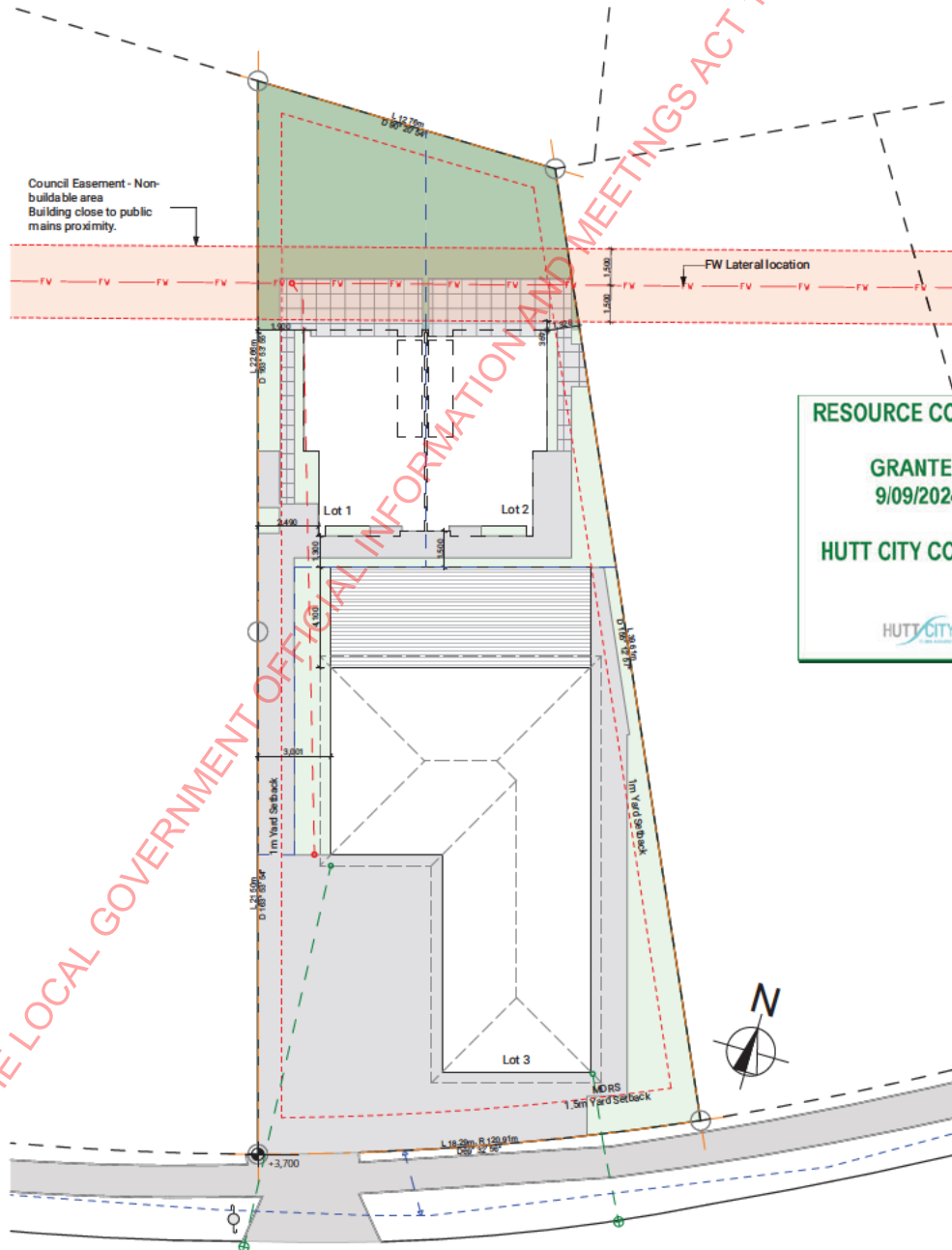
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1 Site Location Plan 1:500

Earthworks
 No significant earthworks - site scrape post removal of existing landscaping and garden shed.

Site Information	
Site Area	635m ²
Site Coverage Area	221.21m ²
Site Coverage Percent	34.84%
Max. Site Coverage	50%
Minimum FFL (to u/s floor)	As per 3604



2 Site Plan 1:200

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Duplex Development
 183 Riverside Drive

Lower Hutt

Client:
 FH Developments
S7(2)(a)
Job No:
 24049
Date:
 27/06/2024

Drawing Set:
 Resource Consent
Drawn By:

S7(2)(a)















Scale:
 1:200, 1:500
Drawing No:
 102
Drawing Sheet:
 Site Plan

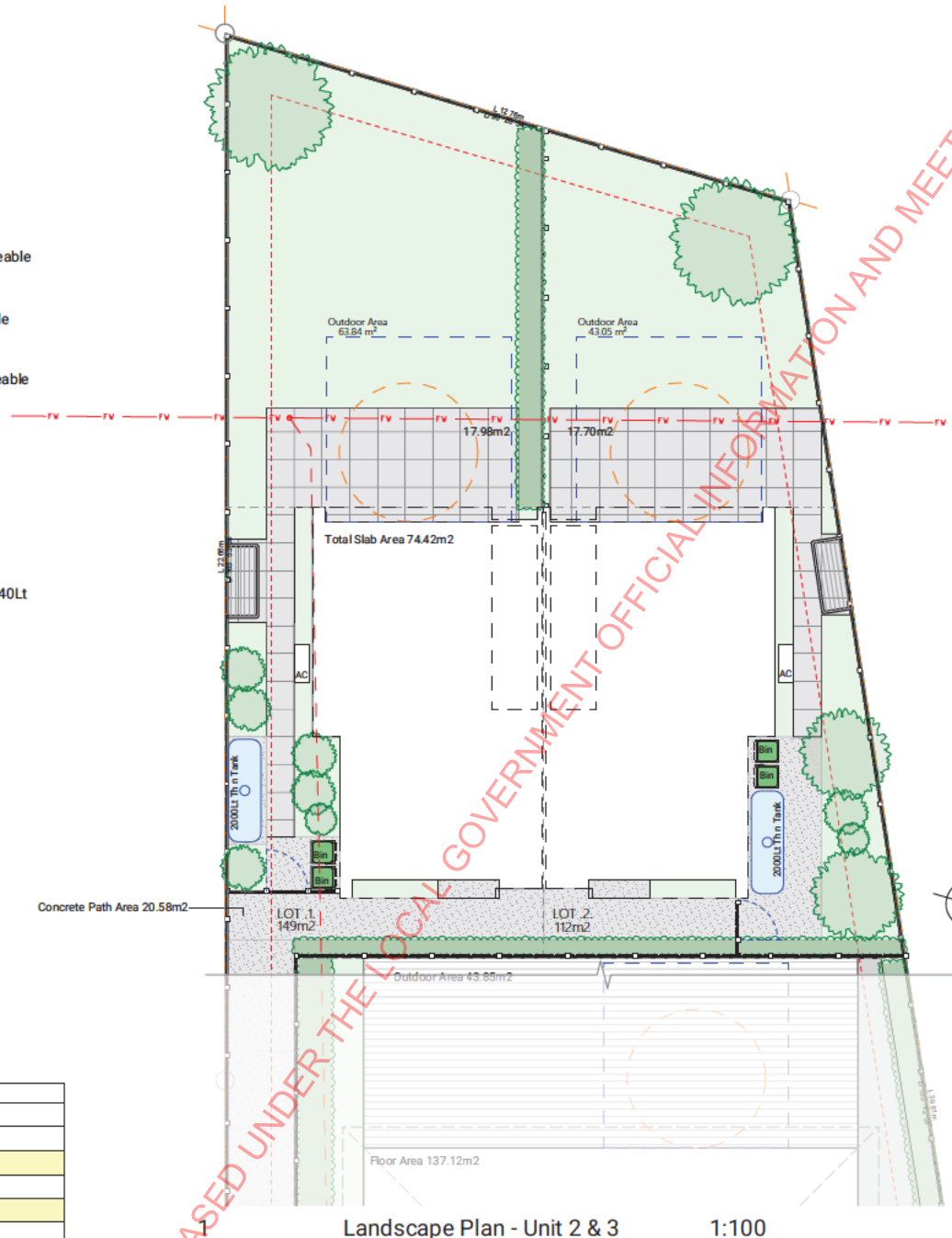


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Landscape Legend

-  Paving - Permeable
-  Concrete Path
-  Existing Concrete
-  Existing Decking - Permeable
-  New Decking - Permeable
-  Landscape Area - Permeable
-  Planting
-  Hedge
-  Fence
-  Council Wheelie Bins - 240Lt
-  Clothesline
-  2000Lt Thin Tank
-  3000Lt Thin Tank
-  Outlook Area 4mx4m



LOT 1.	
Site Area	149m ²
Site Coverage (Including SW Tank)	42.04m ²
	28.21%
Permeable Area	79.59m ²
Permeable %	53.41%
Landscape Area	43.91m ²
Landscape %	29.46%

LOT 2.	
Site Area	112m ²
Site Coverage (Including SW Tank)	42.04m ²
	37.53%
Permeable Area	59.84m ²
Permeable %	53.42%
Landscape Area	42.14m ²
Landscape %	37.62%

Site Information	
Site Area	635m ²
Site Coverage (Incl Stormwater Tanks)	221.21m ²
	34.84%
Permeable Area	236.35m ²
Permeable %	37.22%
Landscape Area	135.97m ²
Landscape %	21.41%


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Landscape Plan - Unit 2 & 3 1:100

Duplex Development
183 Riverside Drive

Lower Hutt

Client:
 FH Developments 
 S7(2)(a)
 Job No:
 24049
 Date:
 27/06/2024

Resource Consent

Drawn By:
 S7(2)(a)

Scale:
 1:100

Drawing No:
 103

Drawing Sheet:
 Site Landscape Plan - Unit 1 & 2

















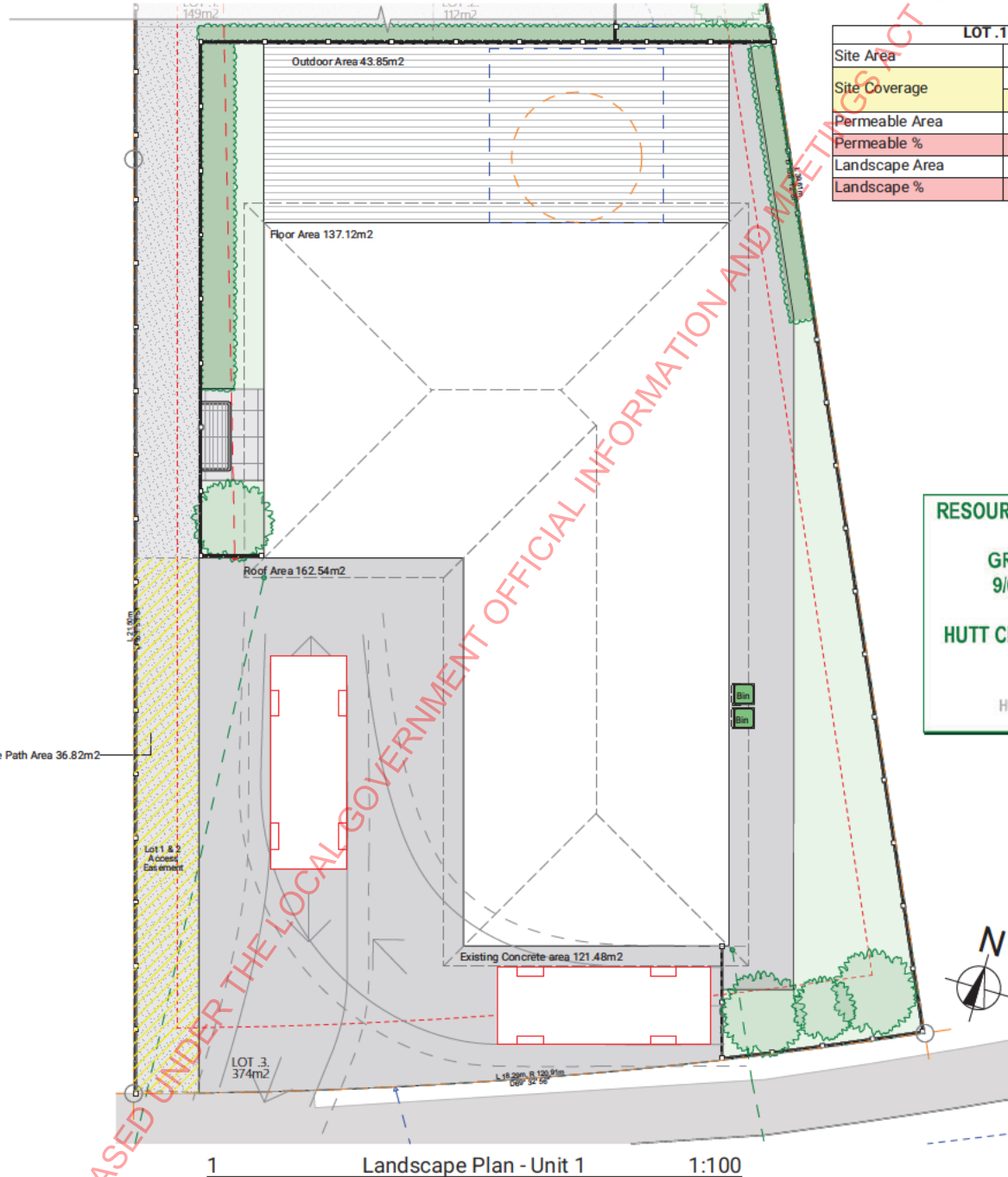
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Landscape Legend

-  Paving - Permeable
-  Concrete Path
-  Existing Concrete
-  Existing Decking - Permeable
-  New Decking - Permeable
-  Landscape Area - Permeable
-  Planting
-  Hedge
-  Fence
-  Council Wheelie Bins - 240Lt
-  Clothesline
-  2000Lt Thin Tank
-  3000Lt Thin Tank
-  Outlook Area 4mx4m



LOT 1.	
Site Area	374m ²
Site Coverage	137.12m ²
Permeable Area	96.92m ²
Permeable %	25.91%
Landscape Area	49.92m ²
Landscape %	13.34%

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Duplex Development
183 Riverside Drive

Lower Hutt

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 Job No:
 24049
 Date:
 27/06/2024

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 Drawn By:
 57(2)(a)
 Scale:
 1:100
 Drawing No:
 104
 Drawing Sheet:
 Site Landscape Plan - Unit 3



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1 Landscape Plan - Unit 1 1:100

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Front - Unit 1 & 2

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Scale:		
Drawing Sheet:	3D Render	
		Drawing No: 105



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Rear - Unit 1

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Duplex Development

Client:

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Drawing Set: Resource Consent

Drawn By: 57(2)(a)

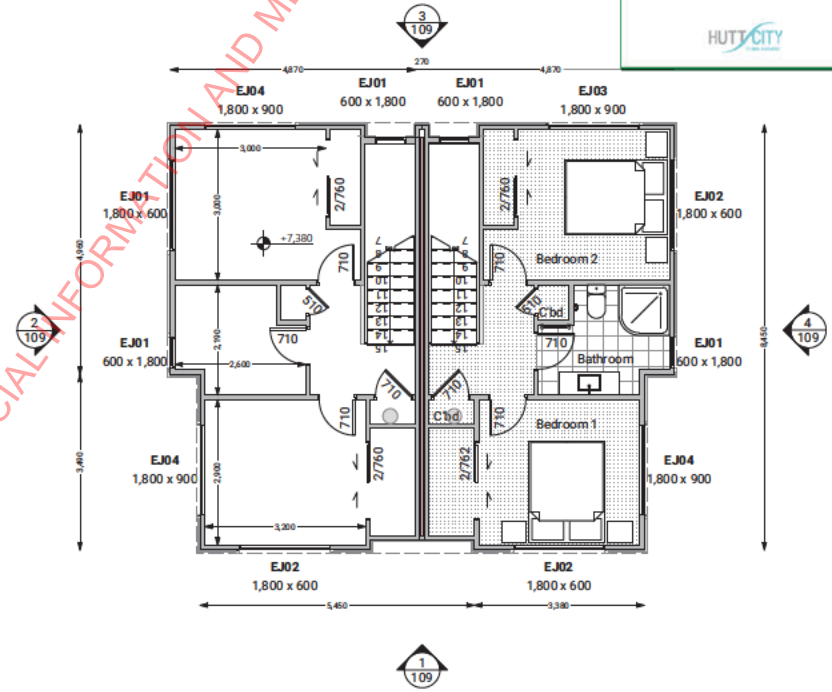
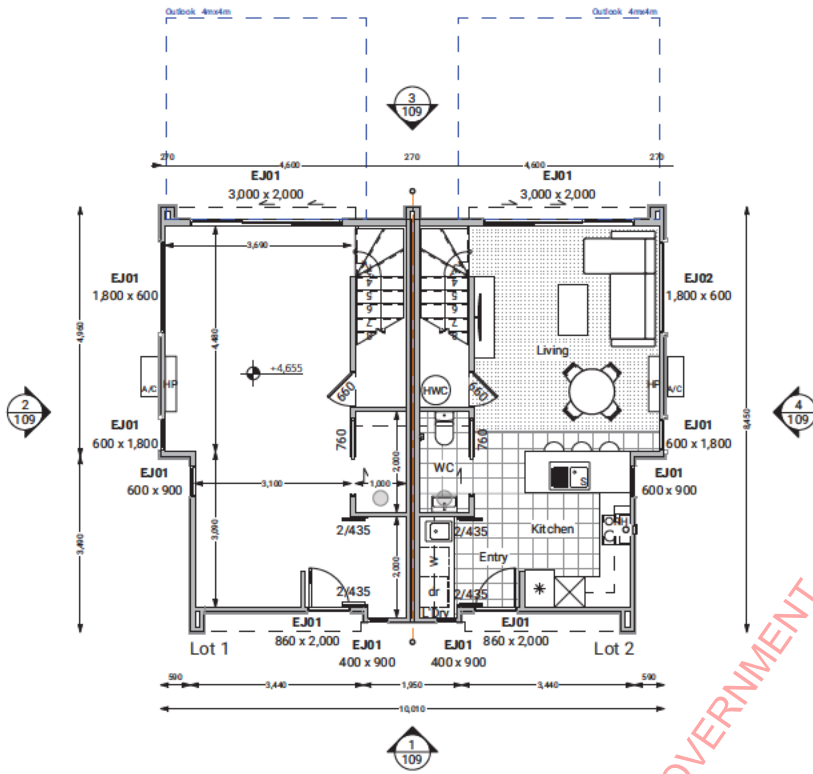
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Floor Area - Unit 1	
Lower Floor Area	37.05m ²
Upper Floor Area	34.90m ²
Total Floor Area	71.95m²

Floor Area - Unit 2	
Lower Floor Area	37.05m ²
Upper Floor Area	34.90m ²
Total Floor Area	71.95m²



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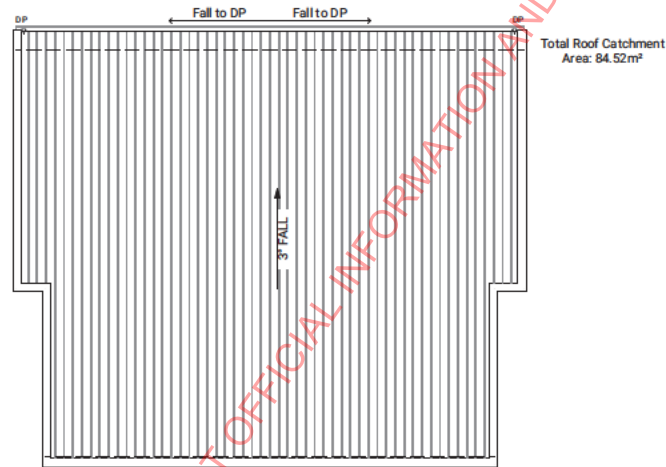


Drawing Set:	Resource Consent
Drawn By:	57(2)(a)
Scale:	1:100
Drawing Sheet:	Floor Plans

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Total Roof Catchment Area: 84.52m²

1 Roof Plan 1:100

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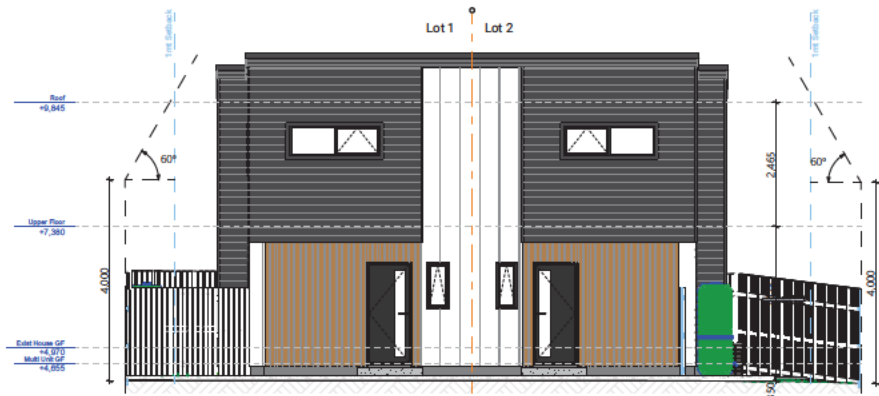


Drawing Set:	Resource Consent
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Scale:	1:100
Drawing Sheet:	Roof Plan

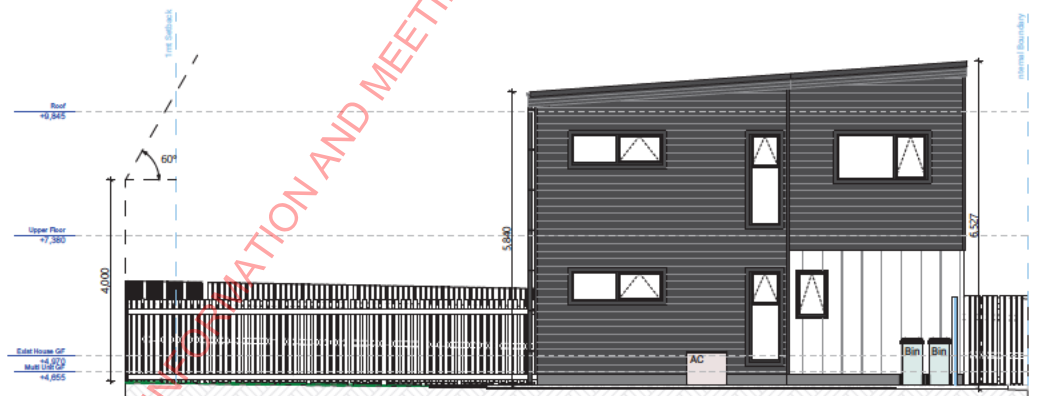
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Drawing No: 108

Cladding Types
 Stain finished vertical shiplap
 Paint finish Linea Weatherboard
 Paint finish Vertical Stria
Roofing
 Prefinished metal cladding, trapezoidal



1 Elevation 1:100



2 Elevation 1:100



3 Elevation 1:100



4 Elevation 1:100

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Drawing Sheet:	Elevations	
		Drawing No: 109



View - West



View - East



View - North



View - South

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Scale:	
Drawing Sheet: 3D Views	
Drawing No: 110	



RESOURCE CONSENT
 West Boundary - Recession Plane
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Scale:	
Drawing Sheet:	3D Perspective

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East Boundary - Recession Plane

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183 Riverside Drive	Job No:	24049
Lower Hutt	Date:	27/06/2024
admin@primedesigns.co.nz	04 528 8405	3 Jupiter Grove, Trentham, Upper Hutt



Drawing Set:	Resource Consent
Drawn By:	57(2)(a)
Scale:	
Drawing Sheet:	3D Perspective

All work must comply with relevant NZS & Council requirements. All dimensions to be verified on site by contractor prior to commencing work, do not scale from drawings. If there are any inaccuracies with the drawings please contact designer immediately. Copyright for design & drawings retained by Prime Designs Wgtn Ltd.

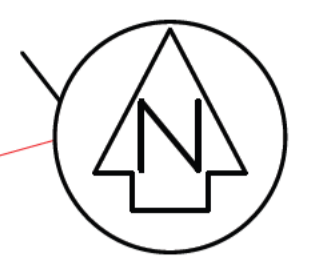
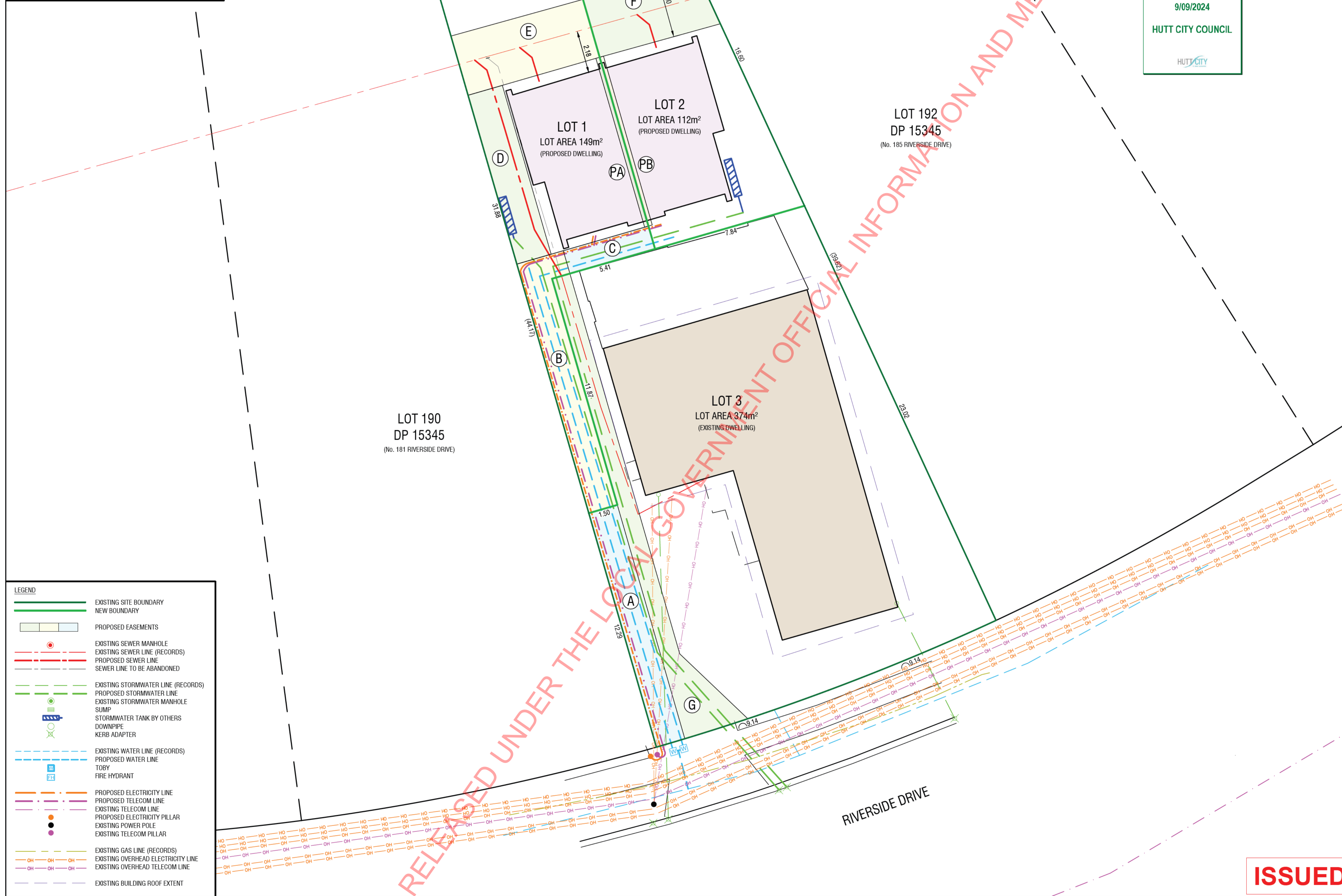
Drawing No: 112

PROPOSED MEMORANDUM OF EASEMENTS			
PURPOSE	SHOWN	BURDENED LAND	BENEFITED LAND
Pedestrian right of way, right to drain water, right to convey water, electricity, telecommunications and gas	A	Lot 3	Lots 1 and 2
	B, C	Lot 1	Lot 2
Right to drain sewage	B, D	Lot 1	Lot 3
Right to drain water	G	Lot 3	Lots 1 and 2

PROPOSED SCHEDULE OF EASEMENTS			
PURPOSE	SHOWN	BURDENED LAND	BENEFITED LAND
Party walls	PA	Lot 1	Lot 2
	PB	Lot 2	Lot 1

PROPOSED SCHEDULE OF EASEMENTS IN GROSS			
PURPOSE	SHOWN	BURDENED LAND	GRANTEE
Right to convey telecommunications	A	Lot 3	Chorus NZ LTD.

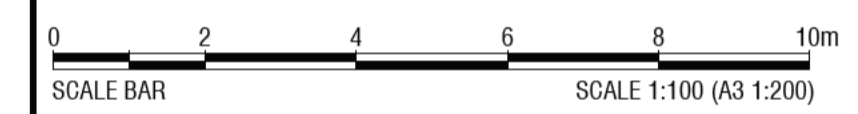
PROPOSED MEMORANDUM OF EASEMENTS IN GROSS			
PURPOSE	SHOWN	BURDENED LAND	GRANTEE
Right to drain sewage	E	Lot 1	HCC
	F	Lot 2	



RESOURCE CONSENT
GRANTED
9/09/2024
HUTT CITY COUNCIL

REVISION DETAILS	NAME	DATE

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 - A-G DENOTES PROPOSED EASEMENT AREAS. RECORD OF TITLE WN48C/173 IS SUBJECT TO THE FOLLOWING INTERESTS
 - PART IV A CONSERVATION ACT 1987
 - SECTION 11 CROWN MINERALS ACT 1991
 - FENCING COVENANT IN TRANSFER B524577.1
 NOT ALL INTERESTS ON THE RECORD OF TITLE MAY BE SHOWN ON THIS PLAN, AND SHOULD BE INVESTIGATED FURTHER
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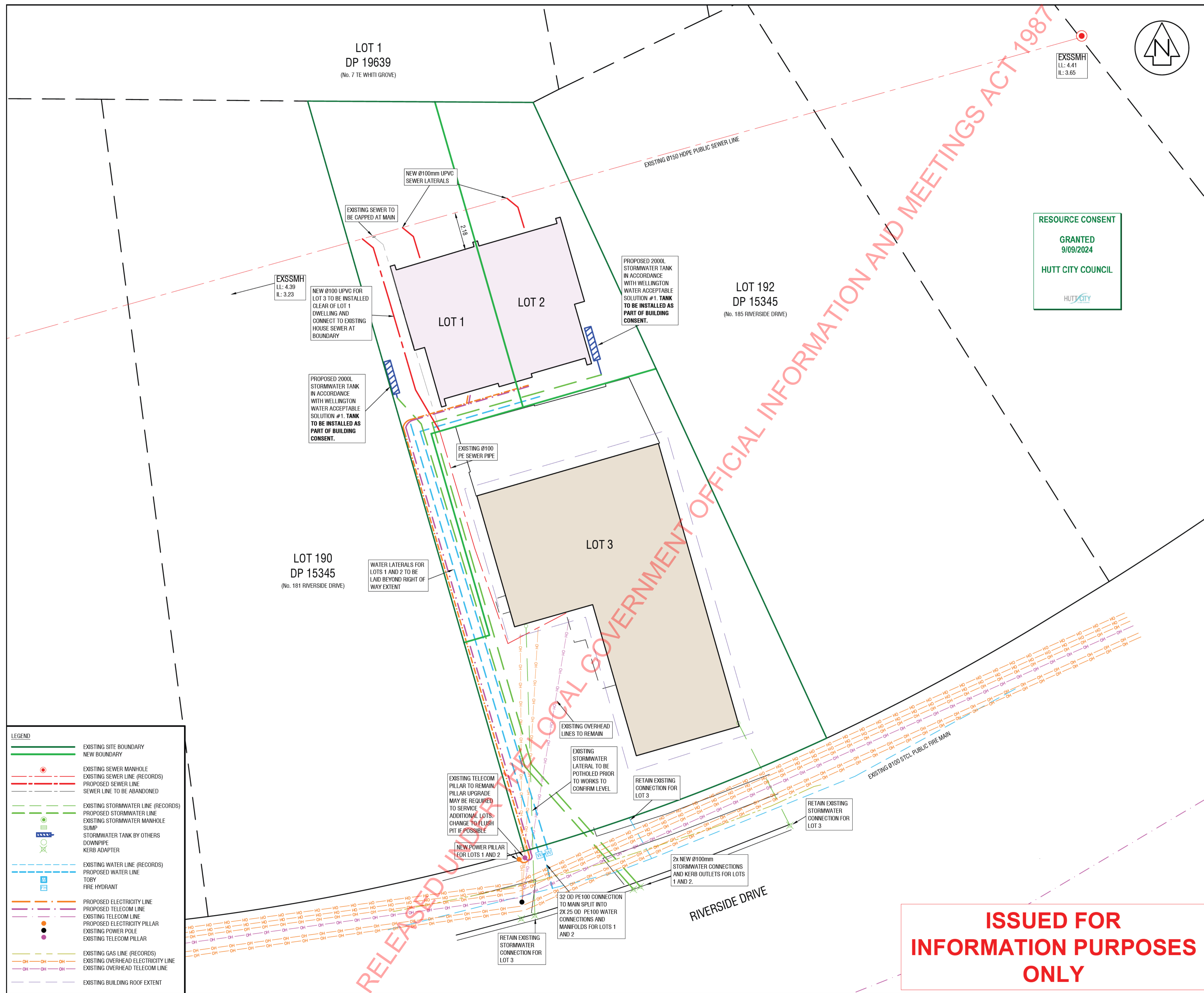
PROJECT
PROPOSED SUBDIVISION
LOT 191 DP 15345
183 RIVERSIDE DRIVE,
LOWER HUTT

SCALE		REDUCED SCALE	
A1 - 1:100		A3 - 1:200	
FIELDWORK	JMF	04/24	30505 SCH
DESIGNED	JMF	06/24	
DRAWN	CG	06/24	
CHECKED	BH	06/24	
SHEET 1 OF 3 SHEETS		REVISION -	

LEGEND

	EXISTING SITE BOUNDARY
	NEW BOUNDARY
	PROPOSED EASEMENTS
	EXISTING SEWER MANHOLE
	EXISTING SEWER LINE (RECORDS)
	PROPOSED SEWER LINE
	SEWER LINE TO BE ABANDONED
	EXISTING STORMWATER LINE (RECORDS)
	PROPOSED STORMWATER LINE
	EXISTING STORMWATER MANHOLE
	SUMP
	STORMWATER TANK BY OTHERS
	DOWNPIPE
	KERB ADAPTER
	EXISTING WATER LINE (RECORDS)
	PROPOSED WATER LINE
	TOBY
	FIRE HYDRANT
	PROPOSED ELECTRICITY LINE
	PROPOSED TELECOM LINE
	EXISTING TELECOM LINE
	PROPOSED ELECTRICITY PILLAR
	EXISTING POWER POLE
	EXISTING TELECOM PILLAR
	EXISTING GAS LINE (RECORDS)
	EXISTING OVERHEAD ELECTRICITY LINE
	EXISTING OVERHEAD TELECOM LINE
	EXISTING BUILDING ROOF EXTENT

ISSUED



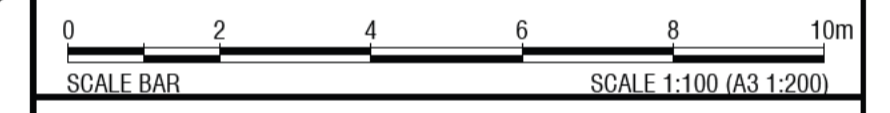
LEGEND

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	NEW BOUNDARY
	EXISTING SEWER MANHOLE
	EXISTING SEWER LINE (RECORDS)
	PROPOSED SEWER LINE
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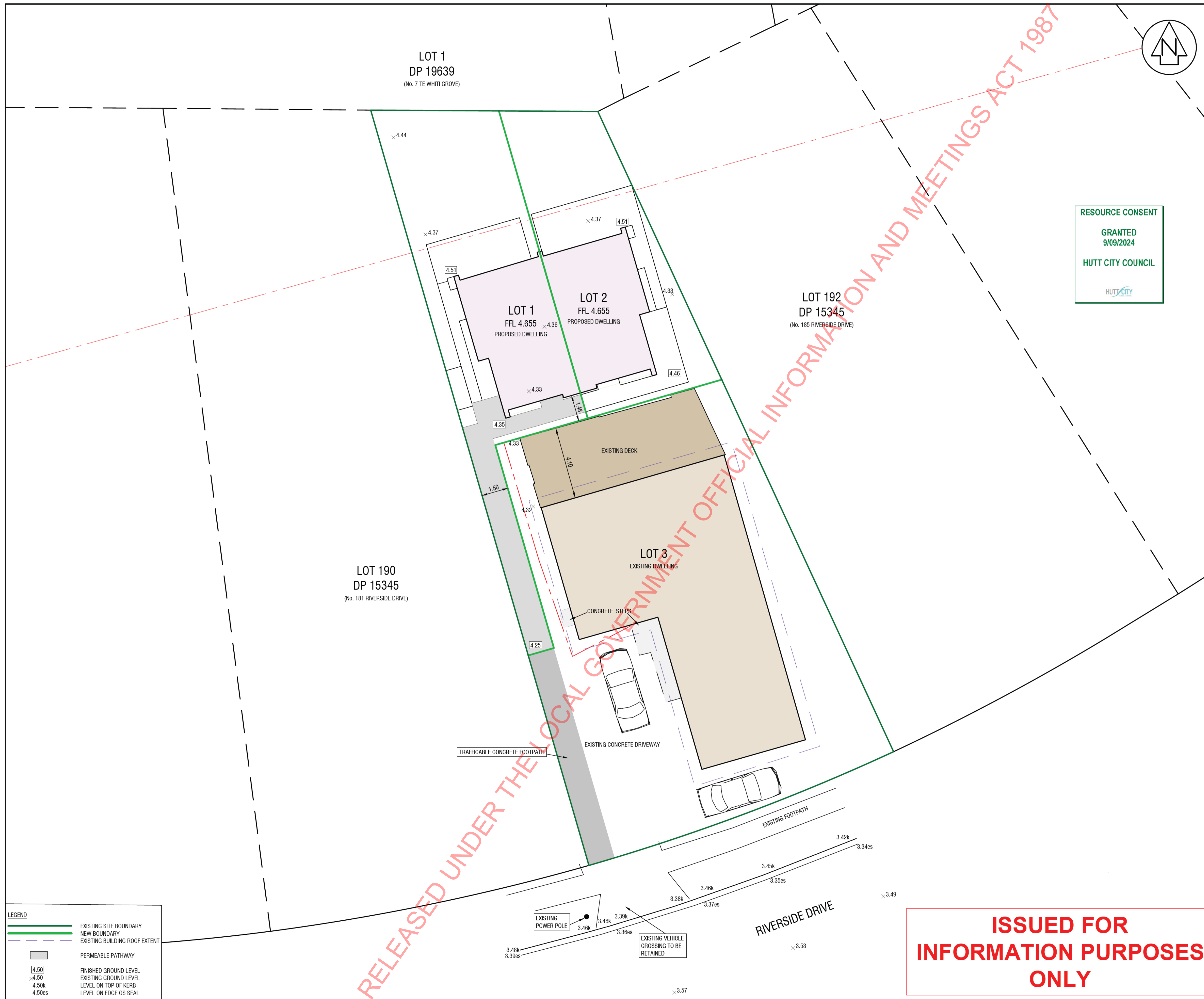
PROJECT
 PROPOSED SUBDIVISION
 LOT 191 DP 15345
 183 RIVERSIDE DRIVE,
 LOWER HUTT

SERVICES LAYOUT

SCALE	A1 - 1:100	REDUCED SCALE	A3 - 1:200
FIELDWORK	JMF 04/24	DRAWING NUMBER	30505 SCH
DESIGNED	JMF 06/24	SHEET	2 OF 3 SHEETS
DRAWN	CG 06/24	REVISION	-
CHECKED	SG 06/24		

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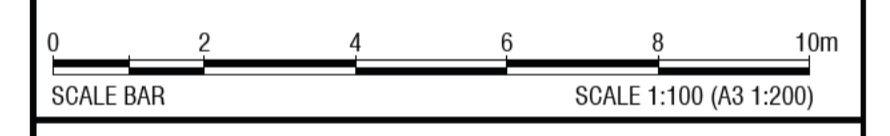
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PROJECT
 PROPOSED SUBDIVISION
 LOT 191 DP 15345
 183 RIVERSIDE DRIVE,
 LOWER HUTT

ACCESS LAYOUT

SCALE A1 - 1:100		REDUCED SCALE A3 - 1:200	
FIELDWORK	NAME JMF	DATE 04/24	DRAWING NUMBER 30505 SCH
DESIGNED	JMF	06/24	
DRAWN	CG	06/24	
CHECKED	SG	06/24	
SHEET 3 OF 3 SHEETS		REVISION -	

LEGEND

	EXISTING SITE BOUNDARY
	NEW BOUNDARY
	EXISTING BUILDING ROOF EXTENT
	PERMEABLE PATHWAY
4.50	FINISHED GROUND LEVEL
x4.50	EXISTING GROUND LEVEL
4.50k	LEVEL ON TOP OF KERB
4.50es	LEVEL ON EDGE OS SEAL

ISSUED FOR
 INFORMATION PURPOSES
 ONLY

RM number: RM240221
Date: 9 September 2024
Applicant: s7(2)(a)
Agent: Urban Edge Planning
Address: s7(2)(a)
Attention: s7(2)(a)

Sandra Michel-Shanks
 Environment and Sustainability
 T 04 560 3506
Sandra.Michel-Shanks@huttcity.govt.nz
 Our reference:RM240221

APPROVAL OF RESOURCE CONSENT FOR A 3-LOT SUBDIVISION AND CONSTRUCTION OF 2 RESIDENTIAL UNITS AT 183 RIVERSIDE DRIVE, WATERLOO (LOT 191 DP 15345)

Council granted consent for the following reasons:

- A Council subdivision engineer assessed the proposal and concluded it can meet the necessary engineering standards, subject to the conditions shown below.
- For the reasons outlined in section 5.1, 5.2 and 6.1 of this report the proposal will have less than minor effects on the wider environment and individual persons. Overall, the environmental effects of the proposal are considered to be acceptable. Please refer to these sections for reasoning and assessment details.
- Conditions imposed on the consent under section 108 and 220 of the Resource Management Act 1991 will control, mitigate and remedy any environment effects caused by the subdivision.
- Council considers the proposal to be consistent with section 106 of the Resource Management Act 1991.
- The property does not appear on Greater Wellington Regional Council's selected land use register as a contaminated site or as having been the site of a verified hazardous activity. As a result, Council considers the likelihood of earthworks uncovering contamination at the site to be negligible.
- The proposal is consistent with the policies and objectives of the city's District Plan.
- Council has given due regard to the New Zealand Coastal Policy Statement, any national, regional or proposed regional policy statement and any other regulations in reaching its decision. Council considers there are no other relevant matters that need to be dealt with.
- The proposal is consistent with the purposes and principles of Part 1 of the Resource Management Act 1991.

- The proposal is consistent with the purposes and principles of Part II of the Resource Management Act 1991.

RELEASED UNDER THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

1. PROPOSAL

The applicant is seeking a combined land use and subdivision consent to create 3 allotments at 183 Riverside Drive in Waiwhetu. The applicant is proposing to retain the existing dwelling within the front of the site and construct two new dwelling units towards the rear of the site, resulting in an associated three-lot fee simple subdivision as shown on the provided scheme plans and architectural plans. Following subdivision, the proposal will have the following characteristics:

Lot 1 (Unit 1) will be a rear lot measuring 122m² (net site area) and contain the proposed new double story dwelling with a building footprint of 37.05m² (floor area 71.95m²). The new dwelling unit on Lot 1 will host open plan kitchen, dining and living areas, laundry, and WC on the ground floor. The first floor will accommodate two bedrooms, a family bathroom and storage.

Lot 2 (Unit 2) will be a rear lot measuring 112m² (net site area), and it will contain a proposed new double story (attached) dwelling unit with a building footprint of approximately 37.05m² (floor area 71.95m²). The new dwelling unit on Lot 2 will host open plan kitchen, dining and living areas, laundry, and WC on the ground floor. The first floor will accommodate two bedrooms, a family bathroom and storage.

Lot 3 will be a front lot measuring 374m², and it will contain the existing 137.12m² single storey dwelling and attached rear deck measuring approximately 43.85m². Lot 3 will be provided with new areas for washing lines and rubbish bins located in the side yard of the dwelling.

Access

Lots 1 and 2 will have pedestrian access only via a 1.5m easement with right of way access over Lot 3. Additional rights of way with a width of 1.2m and 1.5m over Lot 1 will provide access to Lot 2. No on-site parking will be provided for Lots 1 or 2.

Lot 3 will retain the existing vehicle crossing, and driveway area with direct access from Riverside Drive.

Services

- Water

Lots 1 and 2 will be provided with a single connection to the main that will then be split into individual connections and manifolds for these lots.

Lot 3 will retain the existing water connection.

- Wastewater

Lots 1 and 2 will be provided with new, separate connections to the existing sewer main.

Lot 3 will be provided with a new stormwater lateral, which will be installed clear of the proposed dwelling unit on Lot 1 and connect to the main that runs through lots 1 and 2.

The existing sewer pipe for the existing dwelling on lot 3 will be capped at the main.

Wellington Water Limited has advised that wastewater mitigation is not required for this development.

- **Stormwater**
Lots 1 and 2 will each be provided with new separate stormwater connections and kerb outlets.
Lot 3 will retain the existing stormwater connection.
- **Stormwater attenuation** will be provided for the new dwelling units on Lots 1 and 2 (in accordance with Wellington Water Limited guidelines).
- **Telecommunications and electricity**
Lots 1 and 2 can be serviced for electricity and telecommunications available within the area.
Lot 3 will retain the existing telecommunications and electricity connections.

The applicant has confirmed that easements will be provided as required.

- **Earthworks** to facilitate the development will comprise approximately 6m³ relating to site scrape and hardfill to accommodate the proposed dwelling units at the rear of the site.

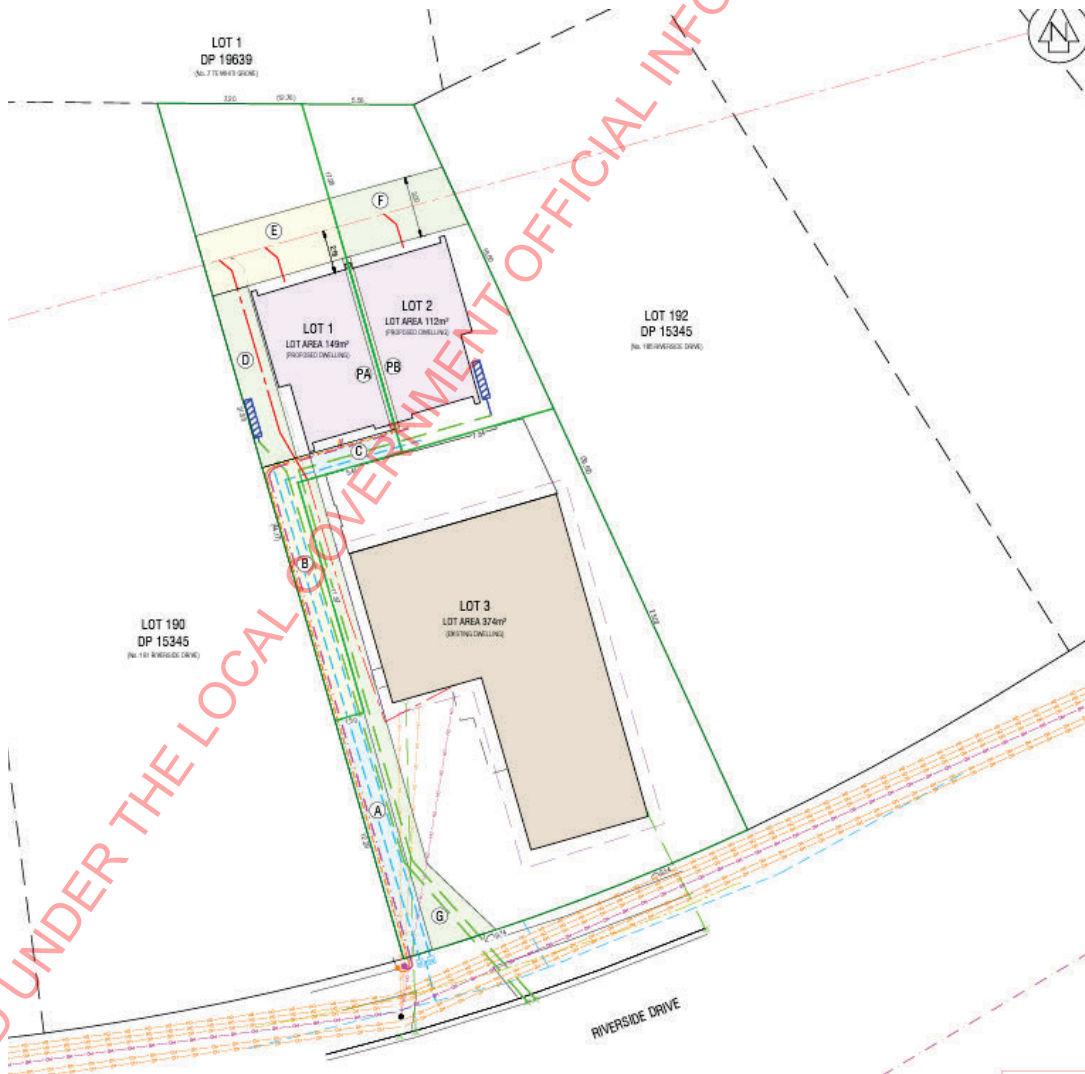


Figure 1: Propose subdivision scheme plan

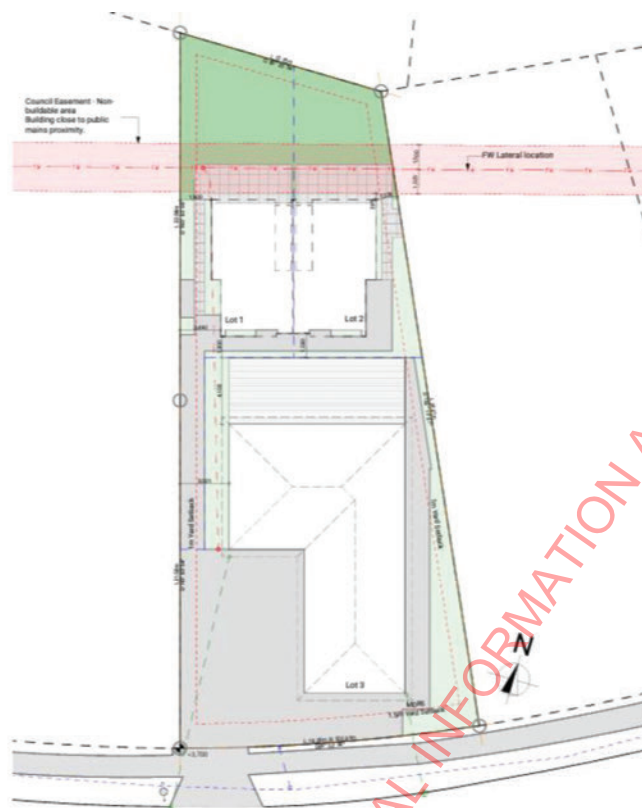


Figure 2: Proposed site plan

2. SITE DESCRIPTION

The application site, known as 183 Riverside Drive in Waiwhetu, is legally described as Lot 191 DP 15345 and comprised in the Record of Title (RT) WN48C/173. The application site is a front lot that has an area of 635m², is predominantly rectangular in shape and its contours are primarily flat.

The Record of Title is subject to the following Interests:

- Part IV A Conservation Act 1987
- Section 11 Crown Minerals Act 1991
- Fencing Covenant in Transfer B524577.1- 21.6.1996

There are no interests registered in the Record of title that will restrict Council's ability to process this resource consent application.

The application site is located on the northern side of Riverside Drive. The site contains an existing single storey dwelling located towards the front of the site. The front half of the site is primarily comprised of sealed concrete, with a small area of landscaped lawn towards the boundary with 185 Riverside Drive. The rear of the site contains an attached 43.85m² timber deck with direct access from the rear of the dwelling and an approximate 225m² lawn area. Access to the application site is via an existing driveway access adjacent to the southwestern boundary shared with 181 Riverside Drive.



Figure 3: View of proposed site from Riverside Drive (HCC wastewater pipe shown crossing rear yard in red) from HCC GIS mapping.

The following permits have been granted in regard to the application site:

- BC100796 – March 2014 – New extension to southeast portion of existing dwelling

Surrounding Environment

The landscape character of the existing surrounding environment consists of an established residential area with dwellings, accessory buildings and mature vegetation on land zoned Medium Density Residential. Properties on Riverside Drive are of a mixture of land size and built form to the application site. While most properties contain only one dwelling, there is a degree of intensification evident in the neighbourhood, with a number of properties in the neighbourhood having been subject to infill subdivision. Beyond the application site and adjacent properties, land is zoned Medium Density Residential, High Density Residential, Community Iwi, General Recreation, and River Recreation.

The applications site is located 160m from Te Whiti Park, 350m from Waiwhetu Fitness Centre, 600m from the Whites Line E Playground, 700m from Trafalgar Park, 900m from the Waterloo Kindergarten, and 1100m from a local mix of business activities including retail for serving the daily convenience needs of the area (e.g. superette, dairy, takeaway, and healthcare). Bus stops are located nearby on Riverside Drive and Whites Line East.

Waiwhetū Stream is located on the opposite side of the road (approximately 33m) from the application site, and Waiwhetū Marae, Te Rūnanganui o Te Āti Awa ki te Upoko o Te Ika a Māui (closest boundary) is approximately 20m from the application site.

The site is not subject to any designation, heritage protections, identified significant natural, cultural, or archaeological resources under the District Plan. Also, the site is not identified as

one that previously or currently contains a contaminating activity, as identified on the Ministry for the Environment Hazardous Activities and Industries List (HAIL).

The site is mapped as being subject to a flood hazard (inundation) overlay in the HCC District Plan maps over the front approximate 6.8m of the site. However, the site is not known to be particularly subject to subsidence, erosion, falling debris or slippage. Additionally, no building structures are proposed to be constructed in the overlay area.

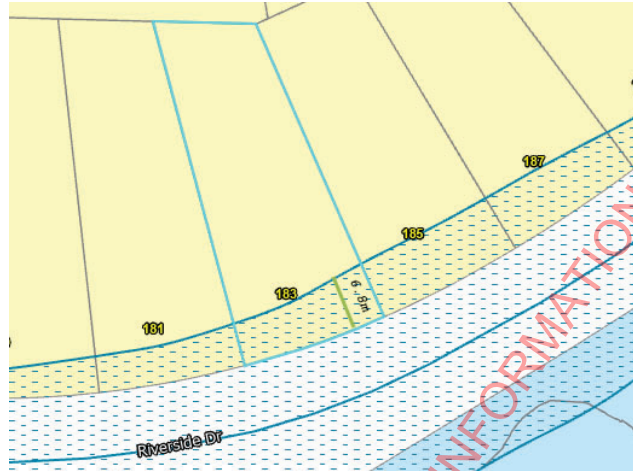


Figure 4: View of Flood Hazard Overlay (Inundation) at application site from HCC GIS mapping.

The site is shown to be adjacent to a Statutory Acknowledgment Line running through Waiwhetu Stream in the HCC GIS mapping (figure 4). The Statutory Acknowledgment line is in regard to the Deed of Settlement between Ngāti Toa Rangatira and the Crown and Taranaki Whānui (Port Nicholson Block Settlement Trust) and the Crown regarding the Hutt River and its tributaries.

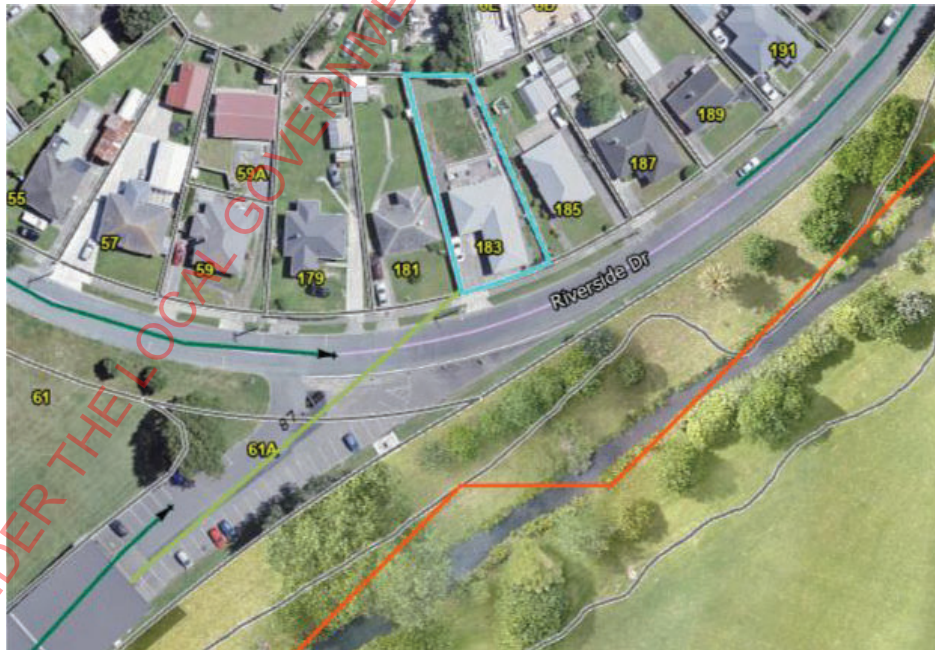


Figure 5: View of Statutory Acknowledgment line adjacent to the application site (shown as a red line).

3. RELEVANT PLANNING RULES AND REGULATIONS

District Plan

The District Plan is the appropriate planning instrument with which to assess the proposal. Rules relating to the Medium Density Residential zone, which this proposal falls within, are contained in Chapter 4F and the proposal must also be assessed against the Subdivision rules in Chapter 11 and the general rules in Chapter 14 of the District Plan.

The following table summarises the rules and conditions considered to be relevant to this application and whether the proposal complies with each of these criteria.

Rule	Condition	Compliance
Rule 11.2.2.1 – Rules for Controlled Subdivisions in the Medium Density Residential Zone		
11.2.2.1 (a)	Minimum size of allotment – No minimum size No minimum allotment size is required for any resulting allotment where there is a land use consent application accompanied for any non-compliances associated with the proposed dwelling units that will be determined concurrently with the subdivision application.	Complies – The proposal includes a Land Use consent application for any non-compliances associated with the dwelling units whereby there is no requirement for meeting the minimum allotment size standard: Lot 1 – 122m ² (net site area) Lot 2 – 112m ² (net site area) Lot 3 – 355.4m ² (net site area)
11.2.2.1 (a)	Minimum frontage – 3m to ensure that there is drive-on access to the lot. For rear allotments the 3m frontage may be satisfied through a registered Right of Way outside the title (outside legal boundaries of the allotment).	Does not comply – Lot 1 – rear lot with 1.2 to 1.5m frontage over a ROW. Pedestrian access only. Lot 2 – rear lot with 1.2 to 1.5m frontage over a ROW. Pedestrian access only. Lot 3 – front lot with an approximate 11.04m frontage
11.2.2.1 (b)(i)	Access – Transport standards in Chapter 14 Chapter 14A – Standard 1 (C) Legal Widths and Formation Requirements for Pedestrian Accessways (in accordance with Section 3 of NZS 4404:2010)	Does not comply – see Chapter 14 rules below
11.2.2.1 (b)(iv)	Stormwater	Complies – Lots 1 & 2 will each be provided with a 2,000L stormwater detention tank in accordance with Wellington Water's Acceptable Solution #1. Lot 3 will retain its existing stormwater system.
11.2.2.1 (b)(v)	Wastewater	Can comply – A condition will be imposed for this.
11.2.2.1 (b)(vi)	Water supply	Can Comply – A condition will be imposed for this.
11.2.2.1 (b)(vii)	Telecommunications & Electricity	Can Comply – A condition will be imposed for this.
11.2.2.1 (e)	Earthworks standards in Chapter 14	Complies – see Chapter 14 rules below
11.2.2.1 (f)(i)	Financial contributions in Chapter 12	Can comply – A condition will be imposed for this.
Rule 4F.1 Residential Activities		
4F 4.1.9	Light Spill	Complies – The proposal will be managed appropriately so that there is no light spill or glare at or beyond the boundary of the site.
4F 4.1.10	Vibration - No vibration discernible beyond boundary of the site	Does not comply – There may be a small degree of vibration discernible beyond the site whilst earthworks are being undertaken.
4F 4.1.11	Vegetation Removal -	Complies – No vegetation proposed to be removed from the site.

Rule 4F 4.2 – Development Standards in the Medium density Residential activity area		
4F 4.2.1AA (a)	Up to three dwellings per site	Complies – There will be three dwellings on the site prior to subdivision. Each lot will have one dwelling after subdivision.
4F 4.2.1 (a)	Maximum building coverage – 50%	Complies – Lot 1 will have approx. 34.46% (net) site coverage Lot 2 will have approx. 37.53% (net) site coverage Lot 3: will have approx. 38.58% (net) site coverage The proposal will result in a total of 34.84% building cover before subdivision.
4F 4.2.2 (a)	Maximum building height – 11m	Complies – Lots 1 and 2 will each have a two-storey unit (attached) and well under 11m. Lot 3 – will have an existing dwelling legally established and well under 11m.
4F 4.2.3 (a)	Height in relation to boundary – from all site boundaries 4m + 60° This standard does not apply to a boundary with a road or proposed internal boundaries within a site.	Complies – The dwelling units on Lots 1 & 2 will not breach the height in relation to boundary requirements in relation to external boundaries. Lot 3 – will have an existing dwelling legally established.
4F 4.2.4 (a)(i)	Minimum Setbacks: Front yard 1.5m All other yards 1m No yards are required along existing or proposed internal boundaries within a site.	Does not comply – Lots 1 and 2 (units 1 and 2) – will be rear units sharing a party wall and comply with the 1m setbacks from external and proposed internal boundaries. Lot 1 (unit 1) – the stormwater tank for Unit 1 will be located within the 1m side yard, this is permitted under the exception for an accessory building within a yard. Lot 3 – will have an existing dwelling legally established with front yard setback min 1.5m and all side yard setback minim 1m. Post subdivision the existing (rear) deck (above 0.5m) will be positioned on the internal rear boundary with Lots 1 and 2.
4F 4.2.4A	Height in Relation to Boundary and Yards for Sites Abutting Marae in the Community Iwi Activity Area	N/A – The proposal does not abut any marae in the Community Iwi Activity area.
4F 4.2.5 (a)	Permeable surface - minimum 30%	Does not comply – Lot 1 will have approx. 53.41% permeable surface Lot 2 will have approx. 53.42% permeable surface Lot 3 will have approx. 25.91% permeable surface Overall site permeable surface cover 38.46%.
4F 4.2.6 (a)	Outdoor living space – minimum area of 20m ² and dimension of 3m Where provided in the form of a balcony, patio, or roof terrace, is at least 8m ² and has a minimum dimension of 1.8m	Complies – Lots 1, 2 and 3 will each have a complying outdoor living space with direct access from the dwelling units.
4F 4.2.7 (a)	Accessory Building Construction or alteration of an accessory building is a permitted activity if: (i) Development Standards 4F 4.2.1 (Building Coverage), 4F 4.2.2 (Building Height), 4F 4.2.3 (Height in Relation to Boundary), 4F 4.2.4 (Setbacks) and 4F 4.2.5 (Permeable Surface) are complied with.	Complies – Lot 1 (unit 1) – the stormwater tank for Unit 1 will be located within the 1m side yard, this is permitted under the exception for an accessory building within a yard. All other development standards are complied with.
4F 4.2.8 (a)	Screening and storage – (i) All outdoor storage and servicing areas are screened so that they are not visible from a road or public space.	Complies – Lots 1 and 2 will be rear allotment and will not be visible from the road. Lot 3 – All service areas will be screened from view from the street by either fencing or stormwater tanks.
4F 4.2.9 (a)	Demolition	Complies – No demolition is proposed.

<p>4F 4.2. 10 (a)</p>	<p>Storm Water Detention</p>	<p>Complies – Lots 1 & 2 – will each have a 2,000L stormwater detention tank, meeting WWL Acceptable Solution #1. Lot 3 – will have an existing dwelling legally established and will retain its existing storm water system.</p>
<p>4F 4.2.11 (a)</p>	<p>Outlook space per unit – Principal living room with minimum 4m in depth and 4m in width All other habitable rooms with minimum 1m in depth and 1m in width</p>	<p>Does not comply – Lots 1 & 2 – the outlook space for the proposed new dwelling units will have a small infringement due to the wing walls (see Plan 106). Lot 3 – will have an existing dwelling legally established with complying outlook space.</p>
<p>4F 4.2.12 (a)</p>	<p>Windows to street – residential units facing the street with a minimum of 20% of the street facing façade in glazing in the form of windows or doors</p>	<p>Complies – Lots 1 and 2 – the proposed new dwelling units on Lots 1 and 2, will not be street facing. Lot 3 will have an existing dwelling legally established with complying street facing façade.</p>
<p>4F 4.2.13 (a)</p>	<p>Landscaped area – - A residential unit at ground floor level has a landscaped area of a minimum of 20% of a developed site. -</p>	<p>Complies – Lot 1 will be approx. 29.46% landscaped Lot 2 will be approx. 37.62% landscaped Lot 3 will be approx. 13.34% landscaped The landscaped area of the site will be 21.41%.</p>
<p>Chapter 14 Rules – Permitted Activities Standards in all areas</p>		
<p>14A 5.1</p>	<p>Appendix Transport 1 standards:</p> <ul style="list-style-type: none"> • No more than two separate crossings for any front site. • 4-6 Dwellings 6m legal width 5m carriageway • must be a separation distance of at least 1 metre between crossings measured at the kerb/carriageway edge. • Where a vehicle access serves more than 4 dwellings, it must have a minimum width of 3 metres to allow for fire service vehicles. • Sufficient area must be provided to allow vehicles to enter and exit the site in a forward direction except where the access is to a single dwelling and accesses an Access, Secondary Collector or Primary Collector road (as listed in Appendix Transport 3). 	<p>Does Not Comply – No new vehicle crossings, driveways or car parks are proposed in conjunction with the subdivision or development of the application site. Lot 3 – Existing vehicle access with a legal width of 4.2m and serves one dwelling. There will be a minimum of 1m separation from adjoining vehicle crossings. Lots 1 & 2 – no new crossings proposed - pedestrian access only. Pedestrian accessways will have a minimum trafficable width of 1m, however, this does not meet the 1.5m minimum width required by NZS 4404:2010.¹ The proposal is not a high trip generator and ingress is from an access road.</p>

¹ New Zealand Standard, Land Development and Subdivision Infrastructure, NZS4404:2010, Table 3.2, p.69, p.83

<p>14H 2.3 (a)</p>	<p>Natural Hazards – New residential units located in the Inundation Area of the Flood Hazard Overlay</p> <p>a. 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.</p>	<p>N/A – The proposed new dwelling units on Lots 1 and 2 will not be located within the flood hazard (inundation) overlay as shown in the District Plan maps.</p>
<p>14I 2.1.1</p>	<p>Earthworks:</p> <p>(a) Ground level not altered by more than 1.2m</p> <p>(b) Maximum volume 50m³</p>	<p>Complies – Earthworks to facilitate the development will comprise approximately 6m³ relating to site scrape with a maximum depth well below 1.2m required to accommodate the proposed dwelling units at the rear of the site.</p>

The proposal requires resource consent for the following District Plan non-compliance(s):

Land Use

- The proposal may have a small degree of vibration discernible beyond the site. This is assessed as a **restricted discretionary** activity in accordance with **Rule 4F 4. 1.10(b)**.
- The proposal does not comply with the permitted rear yard setback for the deck on Lot 3 as set out in Rule 4F 4.2.4 (a). This will be assessed as a **restricted discretionary** activity in accordance with **Rule 4F 4.2.4(b)**.
- The proposal does not comply with the permitted standard for permeable surface on Lot 3 as set out in Rule 4F4.2.5 (a). This breach is assessed as a **restricted discretionary** activity in accordance with **Rule 4F 4.2.5 (b)**.
- The proposal does not comply with the permitted standard for outlook space on Lots 1 and 2 as set out in **Rule 4F 4.2.11 (a)** for Lot 2. This will be assessed as a **restricted discretionary** activity in accordance with **Rule 4F 4.2.11(b)**.
- The proposal does not comply with the permitted standard for pedestrian access width for Lots 1 and 2 as set out in Rule 4A 5.1(a). This breach is assessed as a **restricted discretionary** activity in accordance with **Rule 14A 5.1 (b)**.

Subdivision

- The subdivision portion of this consent does not comply with the engineering design (access) standards for a controlled activity as set out in Rule 11.2.2.1 (b). This breach is assessed as a **restricted discretionary** activity in accordance with **Rule 11.2.3 (a)**.
- The subdivision portion of this consent does not comply with the allotment (frontage) standards for a controlled activity as set out in Rule 11.2.2.1 (a). This 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.

RELEASED UNDER THE LOCAL GOVERNMENT INFORMATION AND MEETINGS ACT 1987

Matters of Discretion

When assessing the consent application, consideration can only be had to those matters Council has restricted its discretion to within the District Plan. The relevant matters of discretion are:

Standard breached	Matters of discretion
Vibration	(i) Effects on the amenity of the surrounding residential area
Setbacks	(i) The planned urban built character for the Medium Density Residential Activity Area (ii) Dominance, privacy and shading effects on adjoining sites (iii) Streetscape and visual amenity effects
Permeable surface	(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.
Outlook space	(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.
Transport – pedestrian access	(i) The effects generated by the standards not being met.

Overall Application Status

I consider the Subdivision component of the proposal to be **restricted discretionary** under 11.2.3 (a), and the Land Use component to be **restricted discretionary** under 4F 4.1.10 (b), Rule 4F 4.2.4(b), Rule 4A 4.2.5(b) Rule 4F 4.2.11 (b) and Rule 14A 5.1(b).

It has been determined that bundling of the application is not required as there is no clear overlap or consequential effects on matters to be considered. The subdivision components will be assessed as a **Restricted Discretionary Activity**. The land use components of the proposal will be assessed as a **Restricted Discretionary Activity**.

National Environmental Standards

There are currently nine operative National Environmental Standards (NES) that relate to air quality, sources of drinking water, telecommunication facilities, electricity transmission, contaminants in soil, plantation forestry, freshwater, marine aquaculture, and storing tyres outdoors.

The proposal does not require assessment under any National Environmental Standards.

4. PERMITTED BASELINE

A permitted baseline establishes what activities can be undertaken on a site as of right, without the need for resource consent. The permitted baseline approach allows a consent authority to disregard adverse environmental effects that are the same as could arise from a permitted development on the application site.

Within the Medium density Residential Activity Area, residential activities are a permitted activity where they comply with the relevant permitted activity standards such as:

- Up to three dwellings per site;
- A maximum building coverage of 50%;
- A maximum height of 11m;
- Structures must fall within a recession plane of 4m + 60° of external property boundaries, excluding road boundaries;
- Minimum 1.5m front yard and 1m side and rear yards;
- A minimum permeable surface area of 30% of the site;
- A minimum outdoor living area of 20m² with a minimum dimension of 4m that is directly accessible/adjoining the dwelling to which it relates, and is not occupied by any buildings, parking areas, or accessways;
- A minimum 20% landscape area per site
- Accessory buildings that comply with the building coverage, height, recession plane, yard and permeable surface standards mentioned above;
- The transport standards contained in Chapter 14A of the District Plan;
- Earthworks that do not exceed 50m³ in volume and 1.2m in vertical height and/or depth; and
- All dwellings need to be constructed with a minimum floor level above the modelled 1% AEP flood depth, due to this site's inundation flood hazard overlay.

Section 3 of this report has identified how the proposal deviates from the abovementioned standards. In this instance, it is considered the permitted baseline to be relevant to the application. The proposal deviates from the permitted vibration, setbacks, permeable area, outlook space and transport requirements (pedestrian access). As such, it is considered that the permitted baseline is highly relevant to the assessment of effects associated with the land use component of this application.

5. NOTIFICATION ASSESSMENT

Council must assess any resource consent application under section 95 of the Resource Management Act 1991 to determine whether a resource consent application should be notified. The Resource Management Act 1991 details a four step process that must be followed, and triggers or precludes notification of applications in certain circumstances. The sections below follow the four step process for public notification (under section 95A) and limited notification (under section 95E).

5.1 - PUBLIC NOTIFICATION STEPS – SECTION 95A

Pursuant to section 95A of the Resource Management Act, this section follows the 4 step process to determine if public notification is required.

Step 1 - Public notification is mandatory in certain circumstances

Public notification is mandatory in certain circumstances.

Has the applicant requested public notification?	No
Is public notification required under s95C?	No
Is the application made jointly with an application to exchange recreation reserve land under s15AA of the Reserves Act?	No

The applicant has not requested public notification of the application, the application was not made jointly with an application to exchange recreation reserve land, and further information requested has been received.

Public notification is not mandatory under step 1

Step 2 - Public notification is precluded in certain circumstances

If public notification is not required under step 1 it may be precluded in certain circumstances (unless special circumstances apply under step 4).

Are all activities in the application subject to a rule in a Plan or National Environmental Standard precluding public notification?	No
Is the application for one or more of the following (but no other) activities? <ul style="list-style-type: none"> ▪ A controlled activity ▪ A boundary activity with a restricted discretionary, discretionary or non-complying activity status 	No

The proposal is for a restricted discretionary activity that is not a boundary activity, and it is not excluded from public notification.

Public notification is not precluded under step 2.

Step 3 - Public notification is required in certain circumstances

If public notification is not precluded under step 2, public notification may be required in certain circumstances.

Is any activity in the application subject to a rule in a Plan or National Environmental Standard that requires public notification?	No
Does the activity have, or is likely to have, adverse environmental effects that are more than minor in accordance with s95D?	No (see assessment below)

Does the activity have, or is likely to have, adverse environmental effects that are more than minor in accordance with s95D?

Public notification is required under step 3 if the activity will have or is likely to have adverse effects on the environment that are more than minor.

In considering if the adverse effects on the environment are more than minor, the effects on persons who own or occupy the land in, on, or over which the activity will occur; or any land adjacent to that land must be disregarded. I have therefore disregarded the effects on the persons who own or occupy properties at 83, 83A and 87 Riverside Drive and 48A – 48B Bell Road (Recreation Reserve) in making an assessment under s95D.

The potential adverse effects considered relate to the effects on:

- Urban built character, amenity of the surrounding area, streetscape and adjoining public space;
- temporary construction effects; and
- effects associated with earthworks (visual, sediment control, effect on natural features and historical or cultural resources, natural hazards)
- effects in regard to engineering infrastructure and design layout matters,

It is considered that the proposal is not likely to have adverse effects on the wider environment that are more than minor for the following reasons:

Urban built character, amenity of the surrounding area, streetscape and adjoining public space

The three-lot residential development represents a higher density development to what is existing within the surrounding residential area. The District Plan anticipates greater intensification and housing variety in the Medium Density Residential Activity Area and that residential character and amenity values will change over time. The site retains a wholly residential nature with the dwellings have been located in a logical layout with the two double storey units at the rear partially obscured from view by the existing dwelling at the front. This ties in well with the existing street by creating the illusion of one dwelling at the street frontage.

Effects associated with the proposed rear (yard) setback non-compliance regarding the existing deck on Lot 3 will have less than minor effects on amenity and is suitably separated from the wider environment. This non-compliance is limited to an internal boundary, to be shared with Lots 1 and 2. Overall, any streetscape amenity and effects on public space will be less than minor.

Given the maximum building height and height in relation to boundary requirements comply for all allotments the proposal is unlikely to have any dominance, privacy or shading effects beyond the adjacent properties. Any bulk effects on the wider environment will be less than minor.

Other potential effects due to the bulk and location breaches (outlook space post-subdivision) will not be discernible from the wider environment. Consequently, urban built character, streetscape and visual amenity related effects are considered to be less than minor on the wider environment.

Construction effects

Construction effects associated with residential development (including noise, dust and construction traffic) are anticipated within the Medium Density Residential Activity Area and are a necessary element of development. However, these will be temporary in nature and comparable to a potentially permitted development.

Additionally, there may be vibration impacts associated with construction of the two rear units. However, the effects of this will be temporary in nature and of a scale that is anticipated with

residential development in the zone. It is considered that any adverse construction related effects arising from the proposal will be less than minor on the wider environment.

Transport Effects

No new vehicle crossings, driveways or car parks are proposed in conjunction with the development of the application site. The existing dwelling on lot 3 will retain the existing vehicle access and on-site parking. Lots 1 and 2 will be provided with pedestrian access over a right of way with a minimum 1m trafficable width whereas the required width is 1.5m (NZS 4404:2010). On site parking is not required and at the time of my site visit, and as shown on aerial photographs of the area (see figure 6 & 7 below), there are typically numerous vehicle parking spaces available on the street.



Figure 6: View off street parking availability adjacent to application site (east view).



Figure 7: View off street parking availability adjacent to application site (west view).

Overall, any effects on the transport system will be less than minor beyond the adjacent properties.

Engineering Design and Layout

The District Plan anticipates residential activity in the Medium Density Residential Activity area and it is considered that the new lots are of an appropriate size and shape to accommodate residential dwellings and necessary services. Therefore, any effects associated with the subdivision design will be less than minor.

While the proposal does not meet the engineer design requirements for subdivision regarding frontage requirements (due to the undersized 1m formed width of the pedestrian access), the layout of the application site has demonstrated that the proposed access arrangement is workable. The layout effects associated with the subdivision design are therefore considered to be less than minor on the wider environment.

Infrastructure Effects

The proposal results in permeable surface areas of 53.41% and 53.42% and 25.91% for Lots 1, 2 and 3 respectively. The overall permeable surface area is 38.46%, well in excess of the 30% required. Although, Lot 3 will have a marginal 4.09% non-compliance in permeable surface area. Lots 1 and 2 will comply with the minimum permeable surface areas and will be provided with 2,000L stormwater detention tanks (in accordance with Wellington Water's Acceptable Solution #1) which will provide for hydraulic neutrality. Further, Council's development engineer did not raise any issue with the proposed permeable surface areas and did not outline any capacity constraints in terms of stormwater. Given this, any potential effects on the stormwater network associated with the proposal are less than minor.

The transport network has the capacity to accommodate the additional traffic associated with the proposed dwellings, and the availability of public transport in the area allows for alternative modal options to access the surrounding goods and services such that car ownership is not necessary.

The proposal will be serviced appropriately in relation to access, sewer, stormwater, telecommunications, and electricity. There are no known limitations with the capacity of three waters network or with the land transport network to absorb additional transport demand generated by the proposed development.

For the above reasons potential adverse engineering effects on infrastructure capacity (including three waters and land transport), will be less than minor.

On the basis of the above assessment, I consider the adverse effects on the environment to be less than minor. Therefore, Public notification is not required under step 3.

Step 4 – Public notification is required in special circumstances

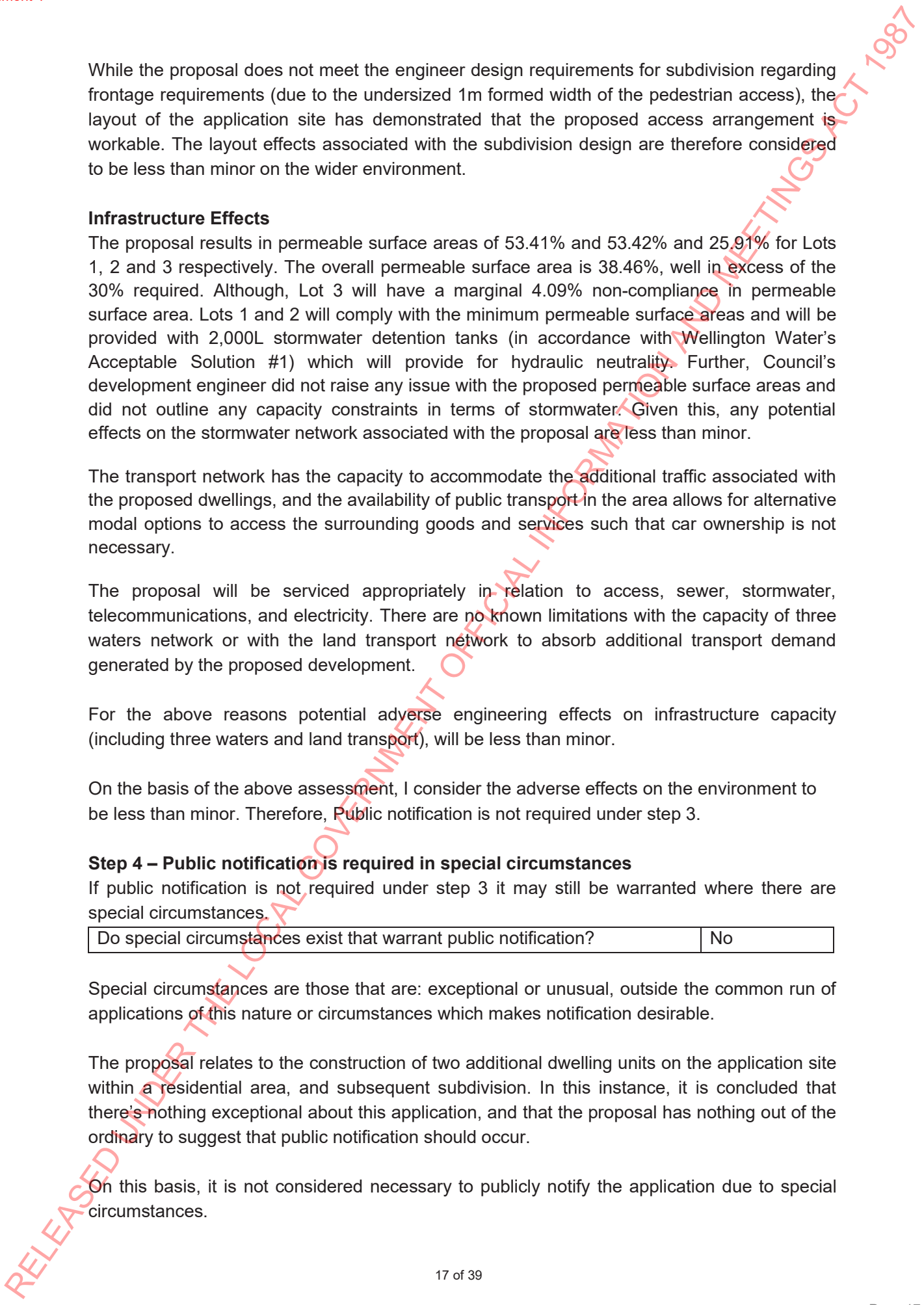
If public notification is not required under step 3 it may still be warranted where there are special circumstances.

Do special circumstances exist that warrant public notification?	No
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Special circumstances are those that are: exceptional or unusual, outside the common run of applications of this nature or circumstances which makes notification desirable.

The proposal relates to the construction of two additional dwelling units on the application site within a residential area, and subsequent subdivision. In this instance, it is concluded that there's nothing exceptional about this application, and that the proposal has nothing out of the ordinary to suggest that public notification should occur.

On this basis, it is not considered necessary to publicly notify the application due to special circumstances.



Conclusion

Having regard to the four steps outlined above within Section 95A, it is considered that public notification of this application is not required.

5.2 - LIMITED NOTIFICATION STEPS - SECTION 95B

As determined in section 5.1, public notification is not required. Pursuant to section 95B of the Resource Management Act, a 4 step process must therefore be followed to determine if limited notification is required.

Step 1 – Certain affected groups/persons must be notified

Limited notification is mandatory for certain groups/persons.

Are there affected customary rights groups?	No
Are there affected customary marine title groups (for accommodated activities)?	No
Is the proposal on or adjacent to, or may affect, land that is subject to a statutory acknowledgement and whether the person to whom the statutory acknowledgement is made affected under section 95E?	No

There are no customary rights or marine title groups affected by the application, however the proposal is adjacent to, land that is the subject of a statutory acknowledgement made in accordance with an Act specified in Schedule 11 of the RMA.

This property is subject to a statutory acknowledgement line adjacent to the front of the property (Waiwhetu Stream across Riverside Drive). Input has been sought from Te Rūnanga o Toa Rangatira representatives of Ngāti Toa, and Taranaki Whānui ki Te Upoko o Te Ika (Port Nicholson Block Settlement Trust). Representatives for Te Runanga o Ngāti Toa Rangatira and Taranaki Whānui ki Te Upoko o Te Ika (Port Nicholson Block Settlement Trust) have not responded to the request for comment.

Limited notification is not required under step 1.

Step 2 – Limited notification is precluded in certain circumstances

Limited notification to any other persons not referenced in step 1 is precluded in certain circumstances (unless special circumstances apply under step 4).

Are all activities in the application subject to a rule in a Plan or National Environmental Standard precluding limited notification?	No
Is the application for the following, but no other activity: <ul style="list-style-type: none"> ▪ A controlled activity (other than a subdivision) under the District Plan 	No

The proposed subdivision and other land use non-compliances in this application are not excluded from limited notification.

Limited notification is not precluded under step 2.

Step 3 – Certain other persons must be notified

If limited notification is not precluded under step 2, limited notification is required for any persons found affected under s95E.

Are any of the following persons 'affected' under s95E? <ul style="list-style-type: none"> For 'boundary activities' an owner of an allotment with an 'infringed boundary' 	No
For all other activities, are there any affected persons in accordance with s95E?	No (see below assessment)

In accordance with s95E are there any affected persons?

Section 95E(3)(a) stipulates that those individuals who give written approval to a proposal cannot be considered to be an affected person/s. No persons have given written approval.



Figure 9: Aerial view of adjacent land which could be potentially affected properties shaded blue

In accordance with section 95E, I have considered whether the proposal could adversely affect any other persons. I consider there to be no affected persons as the potential environmental effects will be less than minor for the following reasons:

Persons at 6E Te Whiti Grove

This property is located towards the northeast corner and rear of the application site, and contains a double two storey dwelling well separated from the shared boundary with the application site. The dwelling will not have views of the proposal due to the position of this property in relation to the application site, separation distance and an approximate 2m high timber fence along the boundary at no. 6E. The proposal does not include any non-compliances in relation to the boundary of this property.

Additionally, the non-complying rear setback will not be discernible beyond the application site due to the screening provided by the proposed dwelling units, fencing and landscaped area obscuring the existing deck, therefore the non-complying rear setback is unlikely to have any shading, privacy, bulk or dominance effects on this property.

Given the above, I consider that any potential adverse effects on persons at 6E Te Whiti Grove to be less than minor.

Persons at 7 Te Whiti Grove

This property is located to the north and rear of the application site and contains a double-story dwelling with accessory buildings, well separated from the shared boundary with the application site. The proposal does not include any non-compliances in relation to the boundary of this property.

Persons at this property will not have views of the non-compliant rear setback of the deck on Lot 3 due to the screening provided by the two new proposed dwelling units on Lots 1 and 2. Further, due to the position of this property to the application site, mature vegetation, and an approximate 1.8m fence along this property's southern boundary, the above non-compliance are unlikely to have any shading, privacy, bulk or dominance effects on persons on this property and therefore considered to be less than minor on the persons on this property.

Any associated bulk dominance effects, as a result of the proposal, is considered to be similar or less than what could result in association with a permitted three dwellings.

Given the above, I consider that any potential adverse effects on persons at 7 Te Whiti Grove to be less than minor.

Persons at 181 and 185 Riverside Drive

These properties are located to the west and east side boundaries of the application site respectively with each containing a single dwelling and accessory building. These properties are well separated from the shared boundary with the application site. The proposal does not include any non-compliances in relation to the boundary of this property.

Whilst it is acknowledged that the pedestrian access width non-compliance for Lots 1 and 2 will be partially visible to these properties, the marginal 0.5m noncompliance for the frontage will not be discernible to persons at these properties.

No. 181 is located to the west of the application site and is a front site. The dwelling on this property will have views of the proposed dwellings at the rear of the application site. Whilst it is acknowledged that the dwelling unit on Lot 1 will have a stormwater tank within the side yard setback, it should also be noted that there is a provision in the District Plan that allows an accessory building (such as a garage) 6m in length to be located within the side/rear yard as a permitted activity which could present a greater scale of adverse amenity effects on the persons at this property than the proposed stormwater tank. Additionally, While the stormwater tank for Unit 1 will be located within the 1m side yard, this is permitted under the exception for an accessory building within a 1m setback.

Given the above, I consider that any potential adverse effects on persons at 181 and 185 Riverside Drive to be less than minor.

Persons at 61 and 61A Guthrie Street

These properties accommodate the Waiwhetū Marae, Te Rūnanganui o Te Āti Awa ki te Upoko o Te Ika a Māui and parking area in front of the Marae and is located to the southwest

of the application site. Persons at this property will be well separated from its closest boundary to the application site by an approximately 20m legal road reserve.

There are no shared boundaries between this property and the application site nor are there any non-compliances in relation to the boundary of this property. Further, the pedestrian accessway and rear yard set back non-compliances will not be visible to persons at this property (see figure 7 below).



Figure 10: View of Waiwhetū Marae from front corner boundary of application site.

Given the above, I consider that any potential adverse effects on persons at 61 and 61A Guthrie Street to be less than minor.

Persons at 170 White Lines East

This property is located south across a minimum 17m legal road the application site and is a Hutt City Council River recreation reserve.

Given that this strip of land is not occupied by any residents, it is considered that any shading, privacy, bulk and dominance or intensity effects on this land will be less than minor and there are no affected persons on this land due to the proposed development.

Given the above, I consider that any potential adverse effects on persons at 170 White Lines East to be less than minor.

General effects and effects upon all other persons

- Construction effects associated with a residential development are anticipated within the Medium Density Residential Activity Area and are a necessary element of development. The construction associated with the proposal will generate some temporary effects including noise and additional traffic, in addition for potential dust and sedimentation effects. The construction effects will be no different to the construction of a dwelling as a permitted activity.
- Additionally, there may be vibration impacts associated with construction of the two rear units. However, the effects of this will be temporary in nature and of a scale that is anticipated with residential development in the zone. It is considered that any adverse construction related effects arising from the proposal will be less than minor on all persons.

- Effects associated with earthworks, construction, transport subdivision and servicing have been assessed as having less than minor effect on all persons for the reasons set out in section 5.1 above. This assessment is applicable to the owners and occupiers of the above adjacent sites and persons beyond adjacent properties.
- The proposal is consistent with all common boundary standards of the Medium Residential Activity Area, including yards and height recession planes, such that the effects of the proposal will be comparable to the permitted baseline.
- The proposed lots will be able to be serviced in accordance with Council standards in relation to stormwater, sewer, water, telecommunications, and electricity. Given these factors, any potential engineering effects associated with the proposal on any party are considered to be less than minor.
- Beyond the application site and the properties mentioned above, there are no other persons considered potentially affected due to the separation distance of other properties from the proposal. I consider the actual or potential effects on the amenity of the surrounding residential area, the streetscape and adjoining public space to be less than minor for the reasons outlined above.
- Overall, effects on all persons from the proposal will be less than minor.

Limited notification is not required under step 3.

Step 4 – Limited notification is required under special circumstances

If limited notification is not required under step 3, limited notification may still be warranted where there are special circumstances.

Do special circumstances exist that warrant notification of any persons to whom limited notification would otherwise be precluded?	No
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For the reasons outlined under step 4 in section 5.1 above I do not consider there to be any special circumstances that warrant limited notification of this proposal.

Conclusion

Having regard to the four steps outlined above within Section 95B, it is considered that limited notification of this application is not required.

5.3 - NOTIFICATION DECISION

In accordance with the notification steps identified in section 5.1 and 5.2 above, this application shall proceed on a non-notified basis.

6. DETERMINING THE APPLICATION

Section 104 requires, when considering a resource consent application, that Council must, subject to Part 2, have regard to any actual or potential effects on the environment; any measure agreed or proposed by the applicant for the purpose of ensuring positive effects on the environment to offset or compensate for any negative effects; any relevant provisions of a National Environmental Standard; other regulations; a National Policy Statement; a New Zealand Coastal Policy Statement; a Regional Policy Statement or proposed Regional Policy

Statement; a plan or proposed plan; and any other matter the consent authority considers relevant and reasonably necessary to determine the application.

Section 104C relates to the determination of applications for **Restricted Discretionary Activities** and requires that:

- (1) *When considering an application for a resource consent for a restricted discretionary activity, a consent authority must consider only those matters over which—*
 - (a) *a discretion is restricted in national environmental standards or other regulations;*
 - (b) *it has restricted the exercise of its discretion in its plan or proposed plan.*
- (2) *The consent authority may grant or refuse the application.*
- (3) *However, if it grants the application, the consent authority may impose conditions under section 108 only for those matters over which—*
 - (a) *a discretion is restricted in national environmental standards or other regulations;*
 - (b) *it has restricted the exercise of its discretion in its plan or proposed plan*

In addition, Council has restricted its discretion as set out in 4F 4.1.10 (b), Rule 4F 4.2.4(b), Rule 4A 4.2.5(b), Rule 4F 4.2.11 (b) and Rule 14A 5.1(b).

6.1 - ASSESSMENT OF ACTUAL OR POTENTIAL EFFECTS ON THE ENVIRONMENT UNDER S104(1)(A)

Allotment and Engineering Design

The proposed allotments are not required to meet any minimum design standards (i.e. in terms of area or shape) since the subdivision is accompanied with a land use application. As such the proposed allotments comply with the relevant allotment design standards whereby the future lots are considered to be of a suitable size and shape to accommodate future dwellings in line with the planned urban built character of the Medium Density Activity Area. The allotments follow a logical layout to accommodate the proposed dwellings.

Lots 1, 2, and 3 will be net areas of 180m², 184m², and 150m² respectively. The allotment design allows the lots to retain their residential character. Each lot will have access as shown on the subdivision scheme plans. Each lot will be serviced with water, wastewater and stormwater connections, and vehicle access from the road for Lot 3 will be achieved. Lots 1 and 2 will be provided with pedestrian access via right of way easements. The existing dwelling on Lot 3 will retain its existing stormwater attenuation and the new dwellings on lots 1 and 2 will each be provided with a 2000L stormwater tank. Separate underground connections for power and telecommunications will be provided for each Lot.

While the proposal does not meet the engineer design requirements for subdivision regarding frontage requirements (due to the undersized 1m formed width of the pedestrian access), the layout of the application site has demonstrated that the proposed access arrangement is workable. Lots 1 and 2 will each be provided with appropriate legal and physical access. The layout effects associated with the subdivision design are therefore considered to be acceptable.

It is reasonably anticipated this type and density of subdivision in the Medium Density Residential area given that the new lots can accommodate the proposed dwellings and

necessary services. On this basis I consider the proposed subdivision design and layout is acceptable; the allotments will be fit for their intended residential purpose.

Additionally, the application has been reviewed by Council's development engineer who considers the proposed subdivision acceptable subject to consent conditions to ensure compliance with the relevant engineering and servicing requirements. Given this, it is considered that any potential adverse effects related to engineering design and servicing the development will be acceptable and the provision of services will be adequately managed by the conditions imposed.

Taking into consideration the reasons mentioned above it is considered that the reduced size of frontage for Lots 1 and 2 will result in less than minor effects and proposed lots will be suitable for its intended residential use.

Urban Built Character, Dominance and Visual Amenity

Overall, the District Plan anticipates a well-built urban environment of at least three storeys in the Medium Density Residential Activity Area. The proposal will still achieve a high quality built environment as anticipated by the District Plan despite the rear setback, under width pedestrian access, permeability (Lot 3) and outlook space non-compliances. Any effects as a result of the above non-compliances will be considered acceptable as they still allow for a well-built urban environment that achieves high quality living environments, and attractive and safe streets.

The dwellings on Lots 1, 2 and 3 will all be provided with complying outdoor living space. These lots will have a minimum of 20m² outdoor area with the required minimum dimension of 4m. All outdoor areas are screened for privacy and well connected to the internal living spaces. The dwellings are laid out so that they capture sun throughout the day/year. Inter-unit fencing and deck screening at the rear of the new dwellings will provide privacy for these outdoor living areas. Landscaping is proposed onsite to improve onsite amenity when viewed from the streetscape, and to be experienced internally by residents onsite. Rubbish bins are discretely located at the rear of the units away from outdoor living areas to minimise impacts on the areas of useable space. All outdoor spaces are a sufficient size to contain washing lines, outdoor living furniture and contain amenity space for the proposed dwellings.

With regards to the internal amenity effects from the narrower pedestrian access to Lots 1 and 2, the access is narrower than the 1.5m specified by NZS 4404, the access will only be 0.5m narrower, and for a short length. The access will be wide enough for pedestrians to gain access to the proposed dwelling allotments in a safe and comfortable manner. While the deck of Unit 3 will be located on the boundary of Lots 1 and 2, the privacy of Units 1 and 2 will be maintained, due to the limited extent of glazing at the ground floor level of their southern elevations.

With regards to, the non-complying outlook space for lots 1 and 2 this is considered a marginal non-compliance as only a small portion of the outlook spaces will be infringed by the wing walls and therefore will not impinge on the amenity of occupants of these dwellings. Therefore, the amenity effects on occupants of the proposed dwellings will be less than minor.

Additional outdoor public spaces are located within walking distance of the site at Te Whiti Park Te Whiti Park (160m), Waiwhetu Fitness Centre (350m), Whites Line E Playground (600m), Hayward Scenic Reserve (1000m), Trafalgar Park (700m), and Bell Park (1300m). Given the above reasons, it is considered that adequate outdoor space will be provided in association with the dwellings and internal amenity effects.

Given the reasons mentioned above, it is considered that any urban built character, dominance, or visual amenity effects as a result of the proposal will be acceptable.

Privacy and Shading

It is acknowledged that the increased density of residential use on neighbouring properties has the potential to result in adverse privacy and shading effects. However, there will be no infringements of the 11m height or the recession plane. Therefore, any shading effects are the same as what could arise from a permitted development on the application site.

The rear yard setback encroachment (Lot 3) is marginal considering that the existing deck and railing is a maximum of 1m in height and an internal boundary with lots 1 and 2. The upper floor windows of the proposed dwelling on Lot 1 and 2 that faces 181 and 185 Riverside Drive respectively relate to bedrooms and bathrooms on the first floor, and none of these spaces are primary living areas and window treatments such as opaque glazing or curtains will likely be employed for the privacy of occupants. In terms of the kitchen and living room windows on the ground floor, boundary treatments will likely be employed for the privacy of occupants with the addition of a new timber fence.

The outlook for Lots 2 and 3 will be screened by proposed vegetation and fencing. The proposed development will have a shared pedestrian access for Lots 1 and 2. The living areas of the proposed development are all located on the lower floor and situated towards east and west respectively. This will result in little to no intervisibility between the proposal that could result in overlooking or privacy concerns.

Given the above, it is considered that any potentially adverse effects relating to shading and privacy are less than minor.

Stormwater Effects

The proposed dwellings on lots 1 and 2 will each be provided with a 2000L stormwater detention tank in compliance with District Plan requirements, and all lots will be connected to the public stormwater network. Although, Lot 3 will have 25.91% permeable surface areas (a marginal 4.09% breach), Lots 1 and Lot 2 will have (53.41%) and (53.42%) permeability and each will have (23% more) respectively which is more permeability than the minimum required post-subdivision. Further, the overall site permeability will be 38.46%.

Given the above, the effects on the stormwater network and increased ponding as a result of the proposed dwellings will be acceptable and will not lead to adverse environmental effects.

Natural Hazards

The site is not known to be particularly subject to subsidence, erosion, falling debris or slippage. The site is shown to have a flood hazard inundation overlay across the front boundary of the site within the District Plan maps. Wellington Water Limited (WWL) has confirmed that flood model shows that the rear of the proposed site where the development is proposed is not subjected to potential flood hazard. WWL advised that the minimum floor level for this site can be based on the requirements from NZ Building Code. It is therefore considered that potential flooding will be suitably mitigated, and potential adverse effects associated with natural hazard risk are acceptable.

Given the above, the effects on the stormwater network and increased ponding and overland flows as a result of the proposed dwellings will be acceptable and will not lead to adverse environmental effects. Therefore, the proposal is unlikely to increase the vulnerability of people or their property to natural hazards.

Construction Effects

Construction effects associated with residential development are anticipated within residential areas and are a necessary element of development. In addition, the District Plan allows for some additional noise during such times in accordance with NZS 6803P "Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work". Any potential construction effects such as noise and traffic are likely to be short in duration (temporary) and limited to the construction phase of the proposal. It is considered that any adverse construction related to effects arising from the proposal will be generally comparable to those associated with the development of the site in accordance with the permitted baseline, and as such, will be less than minor.

Transport and Pedestrian Access Effects

Lot 3 will continue to have vehicular access to the site via the existing crossing, with a car pad located at the front of the existing dwelling that will be clear of the right of way to Lots 1 and 2. Access to Lots 1 and 2 will be pedestrian access only, with the lots being accessed via a right of way over Lot 3. While a short length of the pedestrian access will be less than 1.5m, it will be of sufficient width to provide safe and comfortable access to the units on Lots 1 and 2.

Given the above, the effects on the safety of the transport network as a result of the proposed dwelling units will be acceptable and will not lead to adverse environmental effects.

Esplanade Reserves, Strips and Access Strips

The proposed subdivision is not adjacent to any waterbody with a river bed of 3m or more. Therefore, the provision for esplanade reserves and/or strips along the margin of a waterbody do not apply in this case. The subject site does not contain any watercourses, nor is it located within the Coastal Marine Area. No esplanade strips or reserves are therefore required.

Contamination

It is our understanding that no previous activities on the application site or surrounding properties are identified on the Ministry for the Environment as Hazardous Activities and Industries List (HAIL) and it is not identified by the Greater Wellington Regional Council as a hazardous site. Therefore, the application site is not considered to be a contaminated site.

Protection of Significant Natural, Cultural and Archaeological Sites

Although, the site is adjacent to a statutory acknowledgement area. The subject site is not a site of significance, and does not have any significant cultural, natural or archaeological District Plan notations. Therefore, any potential effects associated with this proposal in relation to the protection of significant natural, heritage, cultural or archaeological sites are considered to be negligible.

Positive Effects

In addition to the aforementioned environmental effects, I consider the proposal to have the following positive effects:

- The proposal will provide two additional residential dwellings to the Lower Hutt housing market.
- The new dwellings will be constructed to modern building standards and be built in an efficient manner which will have a positive effect on the health of the future occupants.

Conclusion

I consider the actual or potential effects on the environment to be acceptable for the reasons outlined above.

6.2 - ASSESSMENT OF THE RELEVANT PROVISIONS OF THE DISTRICT PLAN UNDER S104(1)(B)

Objectives and policies of the District Plan

The District Plan has a number of objectives and policies that require consideration in assessing an application. The Objectives and Policies of the District Plan seek to ensure that activities are undertaken in locations and in a way that protects the character and amenity of the zoning and avoids adverse effects on the surrounding environment. I consider the proposal is consistent with the relevant District Plan objectives and policies identified below:

Chapter 11 Subdivision

Objective 11.1.1

To ensure that land which is subdivided can be used for the proposed use or development.

Policy 11.1.1 (b)

To provide flexibility in lot size, shape and frontage within Commercial, Mixed Use, Medium Density Residential and High Density Residential Activity Areas to enable diversity of commercial and residential development size and density.

Objective 11.1.2

To ensure that utilities provided to service the subdivision protect the environment and that there are no adverse effects on the health and safety of residents and occupiers.

Policy 11.1.2 (a) To ensure that utilities provided comply with specified performance standards relating to such matters as access, street lighting, stormwater, water supply, wastewater, gas, telephone, electricity, and earthworks.

Objective 11.1.3 (b) Subdivision does not increase the risk from natural hazards, including coastal hazards.

Assessment:

- The proposal will comply with the relevant standards for stormwater, water supply and wastewater, gas, telephone and electricity.
- The proposed lots are of a sufficient size and shape, therefore the proposal will retain its residential character due to its compliance with the relevant minimum design standards.
- The proposal will retain its proposed use and will allow the application site to continue being used for residential purposes.
- The proposal has been assessed by Council's Development Engineering Team and concluded it can meet the necessary engineering standards, subject to the conditions shown below.

Chapter 14A Transport

Objective 14A 3.1 A safe, efficient, resilient, and well-connected transport network that is integrated with land use patterns, meets local, regional and national transport needs, facilitates and enables urban growth and economic development, and provides for all modes of transport.

Policy 14A 4.7 The transport network, land use, subdivision and development should provide for all transport modes.

Assessment:

- The proposed development has been suitably designed with consideration to the integration with the surrounding transport network.
- The proposal has been designed to allow vehicles and pedestrians to safely access the site without impacting the transport network or safe access to adjacent sites.
- As the proposal is within an established residential area so any additional traffic generated from the proposed development should be able to be accommodated by the existing road network.

Chapter 4F Medium Density Residential Activity Area

Objective 4F 2.1AA A well-functioning urban environment that enables all people and communities to provide for their social, economic, and cultural wellbeing, and for their health and safety, now and into the future.

Objective 4F 2.1 Residential Activities are the dominant activities in the Medium Density Residential Activity Area.

Objective 4F 2.3 The Medium Density Residential Activity Area provides for a variety of housing types and sizes that respond to: Housing needs and demand, and The neighbourhood's planned urban built character, including three-storey buildings.

Objective 4F 2.3A Recognise that the neighbourhood's planned urban built character is defined through the enablement of individual medium density developments of up to three storeys.

Objective 4F 2.4 Built development is consistent with the planned medium density built character and compatible with the amenity levels associated with medium density residential development.

Objective 4F 2.5 Built development is of high quality and provides: Healthy, safe, attractive, and accessible living environments, and Attractive and safe streets.

Objective 4F 2.6 Built development is adequately serviced by network infrastructure or addresses any infrastructure constraints.

Assessment:

- The proposal will ensure a well-functioning urban environment is achieved within the Medium Density Residential Activity Area that will provide for any future occupants social, economic and cultural wellbeing.
- The proposal provides for smaller residential lots that will provide a variety of housing types and sizes within the Waterloo neighbourhood.
- The proposal provides healthy, attractive, safe, and accessible living environment for future occupants.
- The proposal meets the day-to-day needs of residents by providing residential dwellings that provide safe and functional spaces for occupants and surrounding neighbours.
- The proposal is designed to achieve reasonable sunlight, daylight, and outlook for all residential units and associated outdoor spaces where possible, while minimising overlooking of neighbouring living and private outdoor spaces.
- The proposal will not adversely affect the streetscape, public spaces, or amenity of surrounding environment.
- The application site does not contain any significant natural features that contribute to the City's landscape.
- The proposal can provide for all transport modes due to the sites proximity to public transport.
- The proposal will be stormwater neutral due to the three 2,000L stormwater tanks that will service the dwellings on Lots 1 and 2.
- The extent of non-compliance with district plan standards are acceptable such that effects arising from the proposal will be generally in accordance with that anticipated by a permitted activity.
- Although the development does not meet all the relevant requirements as assessed in section 6.1 of this report, the adverse effects of the proposal will be less than minor subject to compliance with conditions.

As assessed in section 6.1 of this report, the adverse effects of the proposal will be acceptable subject to compliance with conditions, and it is considered that the proposal is consistent with the Hutt City Council District Plan Objectives and Policies.

6.3 - ASSESSMENT OF THE RELEVANT PROVISIONS OF OTHER STATUTORY PLANNING DOCUMENTS UNDER S104(1)(B)

The proposed land use consent is considered to be generally in accordance with the National Policy Statement on Urban Development (NPS:UD). This NPS came into effect on 20 August 2020, replacing the previous National Policy Statement on Urban Development Capacity (NPS:UDC). The NPS:UD directs Council's to enable well-functioning urban environments that provide for the social, economic and cultural wellbeing of people. To do this consideration

is required to allow change in urban environments over time, including through ensuring adequate supply of land for development, and by allowing flexibility in terms of building form and density to provide variation within the housing market and to encourage good accessibility and connectivity.

The proposal includes the construction of 2 residential dwelling units and a 3-lot subdivision on a suburban site within an existing urbanised area that is well serviced by existing infrastructure. The proposal realises the development capacity of urban land in Waterloo while still maintaining the existing residential amenity of the area, the construction of the dwellings is an efficient use of the site that will enable well-functioning urban environments and will increase the capacity and variety of housing supply in the city, while enabling a type of home that meets the needs of the applicant limiting possible adverse impacts on adjacent sites, which in turn will provide for the social, economic, and cultural wellbeing, and health and safety of the current owner and any subsequent owner.

I consider that there are no other relevant provisions of national environmental standard, other regulations, national policy statement, New Zealand Coastal Policy Statement or regional policy statement or proposed regional policy statement that regard must be had.

6.4 – PURSUANT TO S104(1)(C) ARE THERE ANY OTHER MATTERS RELEVANT AND REASONABLY NECESSARY TO DETERMINE THE APPLICATION?

I consider there are no other matters relevant and reasonably necessary to determine the application.

6.5 - PART 2 OF THE RESOURCE MANAGEMENT ACT

Part 2 sets out the purpose and principles of the RMA. Part 2 requires the Council to recognise and provide for matters of national importance, have particular regard to other matters, and to take into account the principles of the Treaty of Waitangi, in order to achieve the purpose and principles of the RMA.

I am satisfied that granting consent for the proposal is consistent with the purpose and principles in Part 2 of the RMA.

6.6 - IN ACCORDANCE WITH S106 A CONSENT AUTHORITY MAY REFUSE SUBDIVISION CONSENT IN CERTAIN CIRCUMSTANCES

A consent authority may refuse subdivision consent or may grant a subdivision consent subject to conditions if it considers that there is significant risk from natural hazards or sufficient provision has not been made for legal and physical access to each allotment to be created by the subdivision.

Despite the under width frontage the proposed lots will have adequate legal and physical access from the road, as shown on the subdivision scheme plan submitted.

While the site is not known to be particularly subject to subsidence, erosion, falling debris or slippage. The district plan maps show a flood hazard overlay across the front boundary of the

site. No building structures are proposed to be constructed within the flood hazard overlay. Wellington Water Limited (WWL) has confirmed that flood model shows that the rear of the proposed site where the development is proposed is not subjected to potential flood hazard. WWL advised that the minimum floor level for this site can be based on the requirements from NZ Building Code. The application site is predominantly flat and has no known history of slips. Therefore, the proposal is unlikely to increase the vulnerability of people or their property to natural hazards.

On this basis the proposal is not considered to increase the vulnerability of people and their property to potential natural hazards.

It is considered that the proposed subdivision does not need to be declined pursuant to Section 106 of the RMA.

6.7 - SUBSTANTIVE DECISION

In accordance with section 104C, I have considered those matters over which discretion is restricted in a national environmental standard or other regulations or plan or proposed plan and have decided to grant the application subject to conditions under s108 and s220 relating to those matters over which discretion is restricted.

I impose the following conditions under s108 and s220 for those matters over which control is reserved in national environmental standards or other regulations; or over which it has reserved its control in its plan or proposed plan.

7. CONDITIONS OF RESOURCE CONSENT

LAND USE CONDITIONS

1. That the proposal is carried out substantially in accordance with the information and approved plans submitted with the application and held on file at Council, (except where modified by conditions of consent) being:
 - Architectural plans (Job No: 24049, Drawing Nos. 102 to 112) prepared by Prime Designs, dated 27/06/2024.
2. That the consent holder advises Council (enforcement@huttcity.govt.nz) at least two working days before any work starts on site; and that the consent holder also supplies the name, phone number and address of the main contractor and, if applicable, the same details for the earthworks company.

Important notes:

- *When given notice of a start date, a compliance officer will suggest an on-site meeting to run through a checklist of things to make sure the project runs as smoothly as possible. This service is included in the resource consent application fee. Using it could avoid difficulties later on. Please note that additional monitoring visits will be charged at \$255 per hour.*
- *Notification of work commencing is separate to arranging building inspections.*

3. The consent holder ensures that the development is designed and built to be stormwater neutral so that the stormwater runoff from the fully developed site is no more than existed prior to the development for both a 10 year and 100-year rainfall event. As such, the installation of an appropriately sized (based on the house roof area) detention tank or approved alternate stormwater system on Lots 1 and 2 is to be undertaken at the time of building dwellings.

Either:

- The tank sizing and installation is to be in accordance with the Wellington Water's guidelines: ***Managing Stormwater Runoff – The use of approved solutions for hydraulic neutrality***, which can be obtained from the following website: <https://www.wellingtonwater.co.nz/resources/developing/stormwater-neutrality-and-wastewater-control/>

Or:

- The Consent holder engages a suitably qualified engineer to provide a stormwater design report for the suitable disposal of stormwater from the site, including the design of the proposed stormwater attenuation, oversized pipes, or tanks.

Construction Management

4. That the consent holder undertakes all earthworks (including for trenching purposes) in such a way that avoids sediment entering streams or drainage systems; and that the consent holder installs and maintains sediment control measures in compliance with Greater Wellington Regional Council's Erosion and Sediment Control Guide for Land Disturbing Activities in the Wellington Region (Feb. 2021) and any erosion and sediment control plan or earthworks construction management plan.

Advice note:

- The consent holder is advised that the District Plan requires all earthworks undertaken (including those associated with trenching and servicing) adhere to Greater Wellington Regional Council's *Erosion and Sediment Control Guidelines for the Wellington Region*, and *Small Earthworks Erosion and Sediment Control for Small Sites*.
- To give effect to the above District Plan requirement, the consent holder is advised of their obligation to undertake earthworks in a manner that:
 - avoids sediment entering streams or drainage systems; and
 - stabilises, covers, and/or seals (via planting, paving, or other surfacing) areas of exposed earth as soon as practicable; and
 - prevents dust blowing beyond site boundaries to the extent that it does not cause nuisance and/or hazard; and
 - ensures vehicles and machinery leaving the site do not drop dirt or other material on roads or otherwise damage road surfaces; and that if such spills or damage happen, the consent holder cleans or repairs roads to their original condition, avoiding discharge into any stream, stormwater system or open drainage channel in the process. (The term "road" includes footpaths, vehicle crossings and berms); and
 - features appropriate erosion and sediment control measures onsite to ensure compliance with the District Plan.
- The consent holder is advised that the District Plan requires all construction works to be undertaken to comply with NZS 6803:1999 Acoustics - Construction noise.

Practicably, to ensure compliance with this requirement of the Plan, machinery operating hours, including machinery start-up times, should be limited to between 7:30am and 6pm Monday to Saturday, with no work on Sundays or public holidays.

- That the consent holder is to apply for a Corridor Access Request (CAR) from Hutt City Council's roading and traffic department should works or machinery obstruct the legal road or pedestrian footpath at any point during works. (This will apply to the installation power, water and stormwater services in the footpath & berm).

SUBDIVISION CONDITIONS

1. That the proposal is carried out substantially in accordance with the information and approved plans submitted with the application and held on file at Council, (except where modified by conditions of consent) being:
 - Subdivision Scheme plan (Drawing No. 30505 SCH, Sheet 1 to 3) prepared by Cuttriss Consultants Limited, dated 06/2024.
2. The consent holder shall pay a contribution to Council's Reserves Purchases and Development Account at Council's standard rate of 4.5 to 7.5% of the value of the additional residential allotments or capped at \$10,000 per allotment whichever is the lesser. The amounts required will be determined on the basis of a market value assessment from a registered valuer. It is the consent holder's responsibility to instruct the valuer and supply Council with this assessment. The amount to be paid will be determined when the consent holder submits the qualified valuer's assessment.

Access

3. That the consent holder constructs the pedestrian right of way and reinstates all areas of existing concrete paving after the services are installed in accordance with the plans approved per Condition 8.

Advice note:

- **It is important that the 1.5m pedestrian access is constructed within the legal boundary and not measured from the relatively new fence** that appears to be approximately 300mm within the adjacent property (181 Riverside Drive).
- If applicable, any exposed aggregate method is to be in accordance with the NZ Ready Mixed Concrete Association's Safe Environmental Guidelines - "On Site Management of Concrete Wash-water".

Three Waters

4. That the consent holder installs and connects 100mm DN sewer, 100mm DN stormwater, and minimum 20mm DN water service leads to the public mains (or to the road kerb or other approved disposal point in the case of stormwater) for Lots 1 and 2 and realigns / renews the section of existing sewer lateral from Lot 3 that will be within Lot 1 (and adjust any other existing services as necessary) in accordance with the plans approved per Condition 8.

Advice note:

- Due to the existing fence being approximately 300mm within the adjacent property (181 Riverside Drive) and not on the boundary, it is very important that any services are laid clear of the relevant boundary and not made relative to the existing fence. This should be made clear on the submitted engineering plans required by Condition 8.
 - The consent holder is advised that the design and construction of all water, stormwater and sewer reticulation services is assessed in the context of the 'Regional Standard for Water Services', the 'Regional Specification for Water Services' and the 'Approved Products Register', including all associated amendments. Copies of the latest version of these documents are available on the following website: <https://wellingtonwater.co.nz/contractors/technical-information>.
 - The consent holder must apply for new water connections at the customer services counter of Council Building, 30 Laings Road, Lower Hutt. These applications are processed by the Water Connections Team at Wellington Water Ltd. Wellington Water Ltd. may impose special requirements or conditions for new connections depending on, among other things, the existing reticulation system's condition and layout, flow rates, pressure zones and proposed future work. It is important the consent holder makes an application early in the design or construction phase.
5. The consent holder ensures that the development is designed and built to be stormwater neutral so that the stormwater runoff from the fully developed site is no more than existed prior to the development for both a 10 year and 100-year rainfall event. As such, the installation of an appropriately sized (based on the house roof area) detention tank or approved alternate stormwater system on Lots 1 and 2 is to be undertaken at the time of building dwellings.
- Either:
- The tank sizing and installation is to be in accordance with the Wellington Water's guidelines: **Managing Stormwater Runoff – The use of approved solutions for hydraulic neutrality**, which can be obtained from the following website: <https://www.wellingtonwater.co.nz/resources/developing/stormwater-neutrality-and-wastewater-control/>
- Or:
- The Consent holder engages a suitably qualified engineer to provide a stormwater design report for the suitable disposal of stormwater from the site, including the design of the proposed stormwater attenuation, oversized pipes, or tanks.
 - In accordance with section 221 of the Resource Management Act 1991, a consent notice shall be placed on the record of title of Lots 1 and 2 including details of the maintenance requirements of the stormwater system certified above. If in the event that the detention tanks or alternate stormwater management system are to be installed following the issue of the s224(c) certification, then a consent notice should be registered on the records of title for Lots 1 and 2 noting the requirements of this condition.
6. That the consent holder submits a copy of the approved water connection application form (signed by Wellington Water Ltd.) to Council when applying for the section 224(c) certification.

7. That the consent holder severs all abandoned cross-boundary services, including any water, sewer and stormwater pipes. Abandoned pipes within the property are to be sealed at the junction with the “live” pipe and at all ends (including where the line is broken through). In addition, where abandoned pipes have the potential to act as a cross-boundary field drain they are to be sealed at the boundaries. Abandoned property laterals (connections from the main or kerb) **are to be severed and sealed at the main** or kerb. The location of sealing of abandoned lines shall be clearly indicated on the final as-built plans.

Engineering Approval

8. That, prior to the commencement of physical works, the consent holder submits engineering plans for the construction work authorised under this consent, to Council’s Resource Consents and Compliance Manager via subdivision@huttcity.govt.nz for approval of the detailed design; that the plans provide information, including:
- a. the three waters infrastructure servicing, with details on but not limited to –
 - i. materials
 - ii. the size, type and class of pipes
 - iii. pipe gradients
 - iv. invert levels including at the point of connection with the public mains
 - v. pipe cover
 - vi. trench profile
 - vii. service clearance dimensions
 - viii. final design surface levels
 - b. the location and height of existing public service details (location and invert levels) must be confirmed.

All construction work must be carried out in accordance with the engineering plans certified under this condition.

Advice note:

- The location of the existing stormwater pipe from the existing dwelling should be confirmed during the construction of the new services for Lots 1 and 2 and plotted on the as-built plan. If there is found to be a service clash, then the stormwater lateral may need to be re-aligned to discharge to the kerb at a suitable alternate location.
- This condition is necessary (even for minor works) as the engineering approval letter will list further engineering requirements in regard to Corridor Access Requests, pipe materials, inspections, as-built information, CCTV etc.
- Engineering approval of the proposed services and access up to the individual lot boundaries is **completely separate** from any approval given under building consent and must be requested prior to installation, irrespective of any building consent being issued.
- To avoid any potential conflict or further amendments to the servicing and engineering design of the proposal it is strongly recommended that the consent holder applies for,

and attains, Engineering Approval prior to the submission of any building consents for the approved development.

- Council accepts no responsibility for any physical work required upon processing of application for section 224(c) certification where engineering plan(s) was not submitted by the consent holder and approved by Council's Resource Consents and Compliance Manager.
 - Where there are discrepancies in information, the most recently dated Council stamped plans will take precedence.
9. That the consent holder appoints a suitably qualified contractor or contractors to complete the works to the approved design; and that the consent holder submits to Council subdivision engineer for approval the name, contact details and experience of the contractor(s) at the time of submitting engineering plans for approval or at least a minimum of 7 days in advance of commencing the construction works. The approved contractor(s) must give a minimum of 48 hours' notice to Council subdivision engineer before starting work.

Power and Telecommunications

10. That the consent holder provides separate underground telecommunication and electrical services to each lot in accordance with the specifications and requirements of the relevant authority.
11. That the consent holder provides Council's Resource Consents and Compliance Manager with written confirmation from Chorus (or the equivalent network supplier) and Wellington Electricity Lines Ltd that they are satisfied the supply of their utilities for separate lots meet their requirements.

Certification and Easements

12. That the consent holder provides Council with written confirmation from a surveyor or suitably qualified engineer that all existing services have been adjusted so they are contained within the lot (or are protected by an appropriate easement) **and that the ends of all abandoned lines have been sealed in accordance with council requirements, or alternatively that the consent holder provides Council with written confirmation from a surveyor or suitably qualified engineer that no such adjustments and sealing are necessary.**
13. That the consent holder provides appropriate easements for public and private services, and/or access, with the easements shown as a memorandum of easement on the land transfer title plan. The consent holder must show easements for public services on a plan with a minimum three-metre width centred over the service, or twice the depth of the trench, whichever is greater; show Council as the grantee in gross; and engage a lawyer at the consent holder's expense to prepare easement documents.
14. That the consent holder provides Council the as-built plan, certified by a surveyor or engineer, showing the location of all new (and abandoned) service connections and new work within private property, relative to the lot boundaries.

Consent Notices

15. That, in accordance with section 221 of the Resource Management Act 1991, Council registers a consent notice on the record of title of the allotments specified below, specifying ongoing requirements in relation to this consent. Consent notices shall be registered to manage the following aspects:

- a. Lots 1 and 2 – stating the details of the stormwater attenuation system used to achieve neutrality and its associated maintenance requirements as per Condition 5 above.
- b. Lots 1 and 2 – stating that the owner(s) cannot increase stormwater discharge, through an increase in non-permeable areas or changes to the approved stormwater detention system, without specific supporting documentation provided to and approved by Council.
- c. Lots 1 and 2 - to ensure any dwellings built on these lots have foundations designed by a chartered professional structural engineer to comply with the requirements of the 'Regional Standard for Water Services' clause 3.8 - 'Building in close proximity to public pipelines' or any replacement of that standard. The design and details of these foundations shall be submitted as part of any building consent applied for on these lots.

Processing Planner:



Sandra Michel-Shanks
Resource Consents Planner

Peer reviewer:



Pepa Moefili
Senior Consents Planner

Application lodged: 27 June 2024

Application Paid: 29 July 2024

Applicant Hold s88G (Conditions Agreement): 19 August 2024 – 9 September 2024

Application approved: 9 September 2024

No of working days taken to process the application: 16

8. NOTES:

- The subdivision resource consent is subject to payment of a development contribution fee. Payment of this fee is required before receiving section 224(c) certification.

Dev. Con. Calc.
Current Price Index: 1629
GST rate: 15.00%

		Residential	
		Fee per lot	Total fee
Number of additional lots	1.5		
Transport	<input checked="" type="checkbox"/>	2,522.74	3,784.10
Water	<input checked="" type="checkbox"/>	8,112.93	12,169.40
Wastewater	<input checked="" type="checkbox"/>	4,030.11	6,045.16
Stormwater	<input checked="" type="checkbox"/>	415.30	622.95
Total		15,081.07	22,621.61
Total fee			\$22,621.61
GST			\$3,393.24
Total contribution payable			\$26,014.85

Catchment

- Western Hills
- Valley Floor
- Stokes Valley
- Wainuiomata
- Eastbourne
- Rural

- In accordance with section 357 of the Resource Management Act 1991, the consent holder is able to object to the conditions of the consent. The consent holder must submit reasons in writing to Council within 15 working days of the date of this decision.
- In accordance with section 120 of the Resource Management Act 1991, the applicant, consent holder, on the application or review of consent conditions may appeal to the Environment Court against the whole or any part of this decision by the consent authority.
- The consent lapses, in accordance with section 125 of the Resource Management Act 1991, if the proposal is not given effect to within five years.
- The consent applies to the application as approved by Council. The consent holder should notify Council if there are changes to any part of the plans. Council may require that the consent holder submits a new resource consent application.
- The proposal has been assessed against the requirements of the city's District Plan. Bylaws may apply to the proposal that may require separate approval from Council before starting any site works. See huttcity.govt.nz for a full list of bylaws.
- The proposal has not been checked for compliance with the Building Act 2004. No associated building work should start without first getting a building consent.
- The consent is not a licence to create adverse effects such as unwarranted dust, noise or disruption. It does not change the legal duty to avoid, remedy or minimise such effects. Council may enforce the provisions of the Resource Management Act 1991 if the consent holder fails to meet this obligation.
- Failure to comply with an abatement notice may result in Council imposing an infringement fine or initiating prosecution.
- Advice note from Heritage New Zealand: The property has, or is likely to have been occupied prior to 1900. Any disturbance of land or damage or destruction of any building or structure associated with human activity prior to 1900, may require an archaeological authority from Heritage New Zealand under the Heritage New Zealand Pouhere Taonga Act 2014. Please contact Heritage New Zealand for further information.
- Before commencement of any work within the legal road corridor, including the laying of services, application is to be made for a Corridor Access Request (CAR). A CAR request

can be made through contacting BeforeUdig either on their website: beforeudig.co.nz or 0800 248 344. Work must not proceed within the road reserve until the CAR has been approved, including the approved traffic management plan if required.

- Constructing, modifying or repairing a vehicle crossing requires separate Council approval, in addition to the approved resource consent. The vehicle crossing is to be constructed in accordance with Council's standards and codes. For more information contact the Transport Division via (04) 570 6881 or click the following link: huttcity.govt.nz/Services/Roads-and-parking/Vehicle-crossings/

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PROPOSED MEMORANDUM OF CAZEMENTS			
PURPOSE	SHOWN	BURDENED LAND	BENEFITIED LAND
Personal right of way, right to drain water, right to convey water, electricity, telecommunications and gas	A	Lot 2	Lots 1 and 2
	B, C	Lot 1	Lot 2
Right to drain water	D, D	Lot 1	Lot 3
	E	Lot 3	Lots 1 and 2

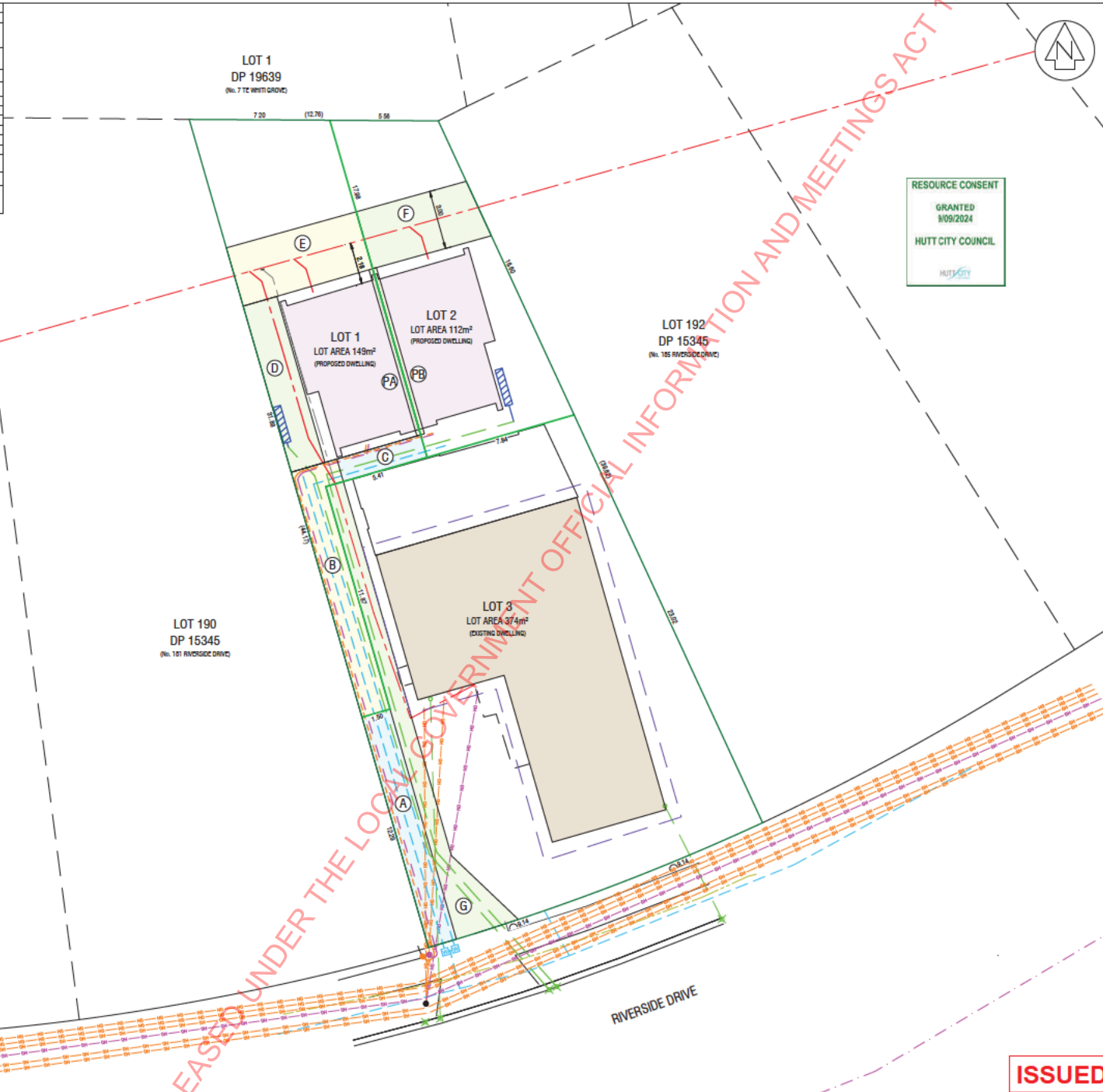
PROPOSED SCHEDULE OF CAZEMENTS			
PURPOSE	SHOWN	BURDENED LAND	BENEFITIED LAND
Party walls	PA	Lot 1	Lot 2
	PB	Lot 2	Lot 1

PROPOSED SCHEDULE OF CAZEMENTS IN CROSS			
PURPOSE	SHOWN	BURDENED LAND	GRANTEE
Right to convey telecommunications	A	Lot 2	Chorus NZ LTD.

PROPOSED MEMORANDUM OF CAZEMENTS IN CROSS			
PURPOSE	SHOWN	BURDENED LAND	BENEFITIED LAND
Right to drain sewage	E	Lot 1	HCC
	F	Lot 2	HCC

LEGEND

	EXISTING SITE BOUNDARY
	NEW BOUNDARY
	PROPOSED CAZEMENTS
	EXISTING SEWER MANHOLE
	EXISTING SEWER LINE (RECORDS)
	PROPOSED SEWER LINE
	SEWER LINE TO BE ABANDONED
	EXISTING STORMWATER LINE (RECORDS)
	PROPOSED STORMWATER LINE
	EXISTING STORMWATER MANHOLE
	EXISTING STORMWATER MANHOLE
	STORMWATER TANK BY OTHERS
	DOWNPIPE
	KIDS ADAPTER
	EXISTING WATER LINE (RECORDS)
	PROPOSED WATER LINE
	TWO
	FIRE HYDRANT
	PROPOSED ELECTRICITY LINE
	PROPOSED TELECOM LINE
	EXISTING TELECOM LINE
	PROPOSED ELECTRICITY PILLAR
	EXISTING POWER POLE
	EXISTING TELECOM PILLAR
	EXISTING GAS LINE (RECORDS)
	EXISTING OVERHEAD ELECTRICITY LINE
	EXISTING OVERHEAD TELECOM LINE
	EXISTING BUILDING ROOF EAVES



REVISION DETAILS	NAME	DATE

- NOTES:**
- THIS PLAN IS TO BE USED FOR RESOURCE CONSENT PURPOSES ONLY & NOT TO BE RELIED UPON FOR ANY OTHER PURPOSE WITHOUT THE CONSENT OF CUTTRISS CONSULTANTS LIMITED.
 - DIMENSIONS AND AREAS SHOWN ON THIS SCHEME PLAN WILL BE SUBJECT TO FINAL LAND TRANSFER SURVEY.
 - COORDINATES ARE IN TERMS OF NEW ZEALAND GEODETIC 2000 DATUM, WELLINGTON CIRCUIT.
 - LEVELS ARE IN TERMS OF NEW ZEALAND VERTICAL DATUM 2016 (NZVD2016). ORIGIN OF LEVELS: IF B SPOUSES (DCL3) RL=+1.0m, SOURCED FROM LINZ GEODETIC DATABASE, APRIL 2024.
 - A SITE SPECIFIC CONVERSION FACTOR OF 0.285m MUST BE ADDED TO THE NZVD LEVELS SHOWN ON THIS PLAN TO BRING IN TERMS OF MCMH SEA LEVEL, WELLINGTON VERTICAL DATUM 1952. DO NOT USE THIS CONVERSION FACTOR ON OTHER PLANS.
 - A-Q DENOTES PROPOSED CAZEMENT AREAS. RECORD OF TITLE WINDMILLS IS SUBJECT TO THE FOLLOWING INTERESTS:
 - PART IN A CONSERVATION ACT 1987
 - SECTION 11 CROWN MINERALS ACT 1991
 - PENDING COVENANT IN TRANSFER REQUEST 7.1
 NOT ALL INTERESTS ON THE RECORD OF TITLE MAY BE SHOWN ON THIS PLAN, AND SHOULD BE INVESTIGATED FURTHER.
 - SERVICES HAVE BEEN LOCATED ON SITE WHERE POSSIBLE, OTHERWISE SHOWN FROM RELEVANT SERVICE AUTHORITIES RECORDS, AND SHOULD BE VERIFIED ON SITE.
 - THE SERVICES SHOWN ON THIS PLAN ARE CONCEPTUAL ONLY, AND THE LOCATION AND DEPTHS MAY CHANGE DURING THE DETAILED DESIGN PROCESS.
 - BOUNDARY LEVELS FOR DETERMINATION OF CRITICAL RESECTION PLANS MUST BE CONFIRMED PRIOR TO ANY APPLICATION FOR BUILDING CONSENT.
 - BOUNDARY INFORMATION HAS BEEN DETERMINED BY SURVEY CALCULATION METHODS AND HAS NOT BEEN VERIFIED ON SITE.
 - PLEASE REFER TO PRIME DESIGN ARCHITECTURAL PLANS JOB REFERENCE 24049 FOR ALL BUILDING AND LANDSCAPING FEATURES.
 - ALL ELECTRONIC CAD DATA MUST BE READ IN CONJUNCTION WITH THESE NOTES.



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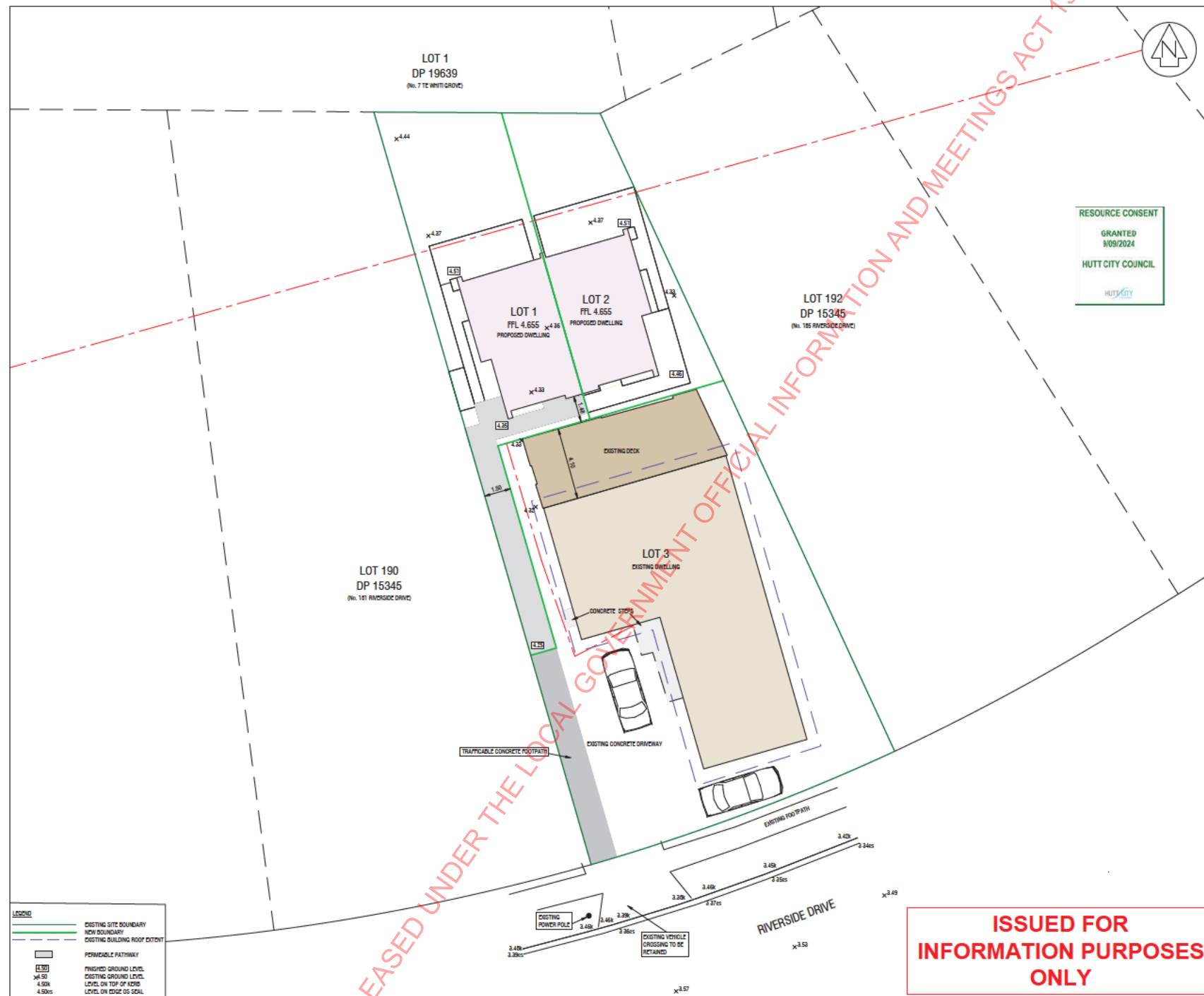
CLIENT
s7(2)(a)

PROJECT
**PROPOSED SUBDIVISION
 LOT 191 DP 15345
 183 RIVERSIDE DRIVE,
 LOWER HUTT**

LEGAL BOUNDARIES

SCALE A1 - 1:100	REDUCED SCALE A3 - 1:200																					
<table border="1"> <thead> <tr> <th>FILEWORK</th> <th>NAME</th> <th>DATE</th> </tr> </thead> <tbody> <tr> <td>DESIGNED</td> <td>JMF</td> <td>04/24</td> </tr> <tr> <td>DRAWN</td> <td>CG</td> <td>06/24</td> </tr> <tr> <td>CHECKED</td> <td>BH</td> <td>06/24</td> </tr> </tbody> </table>	FILEWORK	NAME	DATE	DESIGNED	JMF	04/24	DRAWN	CG	06/24	CHECKED	BH	06/24	<table border="1"> <thead> <tr> <th>DRAWING NUMBER</th> <th>SHEET</th> <th>REVISION</th> </tr> </thead> <tbody> <tr> <td>30505 SCH</td> <td>1</td> <td>1</td> </tr> <tr> <td></td> <td>of 3</td> <td>SHEETS</td> </tr> </tbody> </table>	DRAWING NUMBER	SHEET	REVISION	30505 SCH	1	1		of 3	SHEETS
FILEWORK	NAME	DATE																				
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CHECKED	BH	06/24																				
DRAWING NUMBER	SHEET	REVISION																				
30505 SCH	1	1																				
	of 3	SHEETS																				

ISSUED



RESOURCE CONSENT
 GRANTED
 9/09/2024
 HUTT CITY COUNCIL

REVISION DETAILS	NAME	DATE

- NOTES:**
1. THIS PLAN IS TO BE USED FOR RESOURCE CONSENT PURPOSES ONLY & IS NOT TO BE REPLIED UPON FOR ANY OTHER PURPOSE WITHOUT THE CONSENT OF CUTTRISS CONSULTANTS LIMITED.
 2. DIMENSIONS AND AREAS SHOWN ON THIS SCHEME PLAN WILL BE SUBJECT TO FINAL LAND TRANSFER SURVEY.
 3. COORDINATES ARE IN TERMS OF NEW ZEALAND GEODETIC 2000 DATUM, WELLINGTON CIRCUIT.
 4. LEVELS ARE IN TERMS OF NEW ZEALAND VERTICAL DATUM 2016 (INDICATED), ORIGIN OF LEVELS: IF 8 SPICES SOLID FFL=4.23M, SOURCED FROM LINZ GEODETIC DATABASE, APRIL 2024.
 5. A SITE SPECIFIC CONVERSION FACTOR OF 0.205M MUST BE ADDED TO THE NEWI'S LEVELS SHOWN ON THIS PLAN TO BRING IN TERMS OF MEAN SEA LEVEL WELLINGTON VERTICAL DATUM 1952. DO NOT USE THIS CONVERSION FACTOR ON OTHER PLANS.
 6. SERVICES HAVE BEEN LOCATED ON SITE WHERE POSSIBLE, OTHERWISE SHOWN FROM RELEVANT SERVICE AUTHORITIES RECORDED, AND SHOULD BE VERIFIED ON SITE.
 7. THE SERVICES SHOWN ON THIS PLAN ARE CONCEPTUAL ONLY, AND THE LOCATION AND DEPTHS MAY CHANGE DURING THE DETAILED DESIGN PROCESS.
 8. BOUNDARY LEVELS FOR DETERMINATION OF CRITICAL RECESION PLANS MUST BE CONFIRMED PRIOR TO ANY APPLICATION FOR BUILDING CONSENT.
 9. BOUNDARY INFORMATION HAS BEEN DETERMINED BY SURVEY CALCULATION METHODS AND HAS NOT BEEN VERIFIED ON SITE.
 10. PLEASE REFER TO PRIME DESIGN ARCHITECTURAL PLANS JOB REFERENCE 02409 FOR ALL BUILDING AND LANDSCAPING FEATURES.
 11. ALL ELECTRONIC CAD DATA MUST BE READ IN CONJUNCTION WITH THESE NOTES.



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s7(2)(a)

PROJECT
 PROPOSED SUBDIVISION
 LOT 191 DP 15345
 183 RIVERSIDE DRIVE,
 LOWER HUTT

ACCESS LAYOUT

SCALE A1 - 1:100	REDUCED SCALE A3 - 1:200												
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FILEWORK	NAME	DATE											
DESIGNED	JMF	04/24											
DRAWN	CG	06/24											
CHECKED	SG	06/24											

ISSUED FOR INFORMATION PURPOSES ONLY



Project **Duplex Development**

Address **183 Riverside Drive
Lower Hutt**

Client **FH Developments s7(2)(a)**

Job Number **24049**

Drawing Set **Resource Consent**

Drawn By **s7(2)(a)**

Date Published **27/06/2024**

Description Of Work **New Duplex - 2 storey 2 bedroom dwellings with Linea weatherboards, Axon, Vertical Cedar and Trapezoidal Colorsteel roofing. Ribraft slab - SED foundations, trusses by truss manufacturer. Services to be connected include foul water, stormwater, water supply, power, phone and gas.**

primedesigns.co.nz · 04 528 8405 · 3 Jupiter Grove, Upper Hutt 5018 · admin@primedesigns.co.nz



Head office: 6-8 Meachen Street, Seaview. PO Box 30389, Lower Hutt
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Resource Consent Sheet Index

Sheet	Name
Plans	
101	Cover Page
102	Site Plan
103	Site Landscape Plan - Unit 1 & 2
104	Site Landscape Plan - Unit 3
105	3D Render
106	3D Render
107	Floor Plans
108	Roof Plan
109	Elevations
110	3D Views
111	Resource Consent
112	3D Perspective



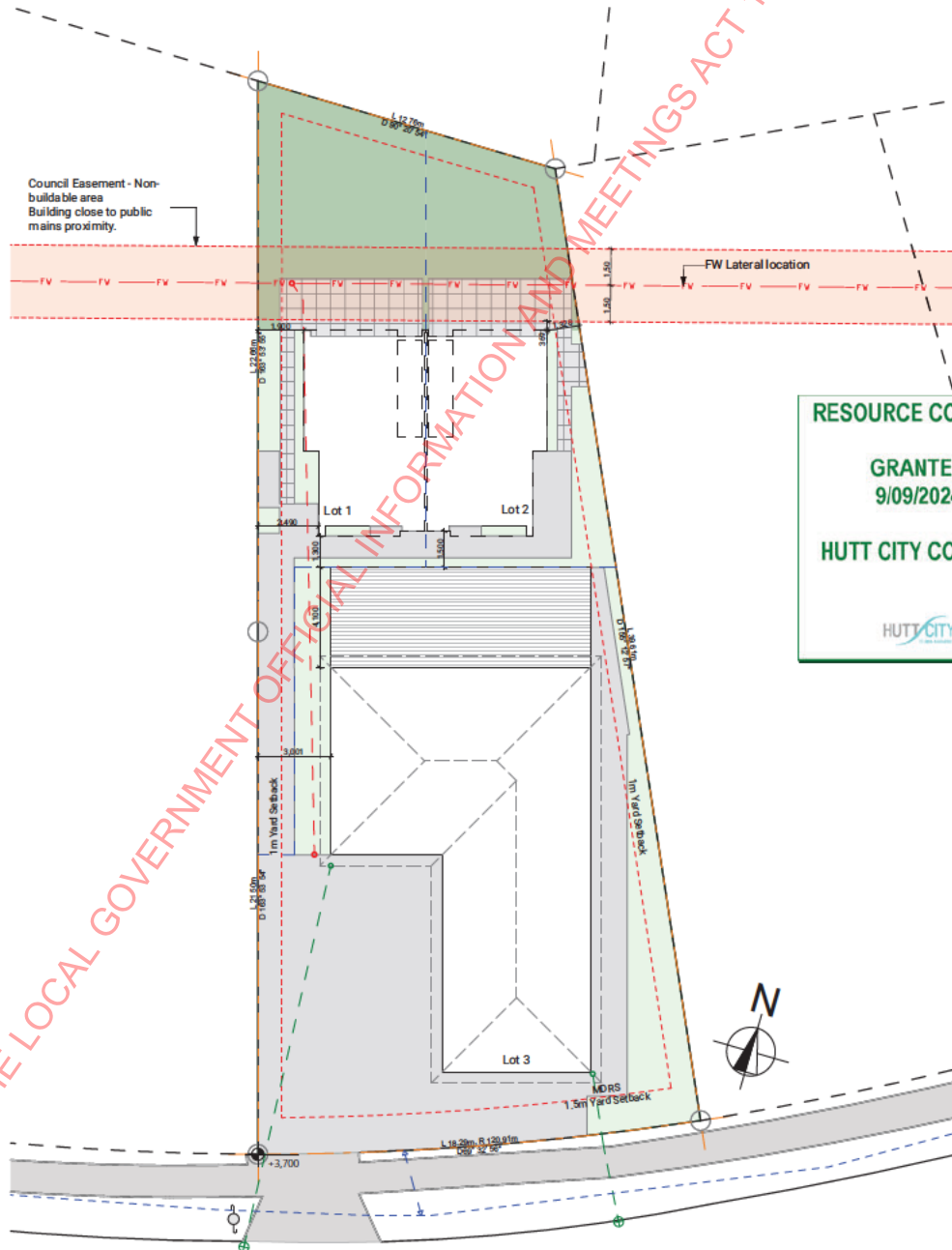
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1 Site Location Plan 1:500

Earthworks
 No significant earthworks - site scrape post removal of existing landscaping and garden shed.

Site Information	
Site Area	635m ²
Site Coverage Area	221.21m ²
Site Coverage Percent	34.84%
Max. Site Coverage	50%
Minimum FFL (to u/s floor)	As per 3604



2 Site Plan 1:200

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Duplex Development
 183 Riverside Drive

Lower Hutt

Client:
 FH Developments
Job No:
 24049
Date:
 27/06/2024

Drawing Set:
 Resource Consent
Drawn By:
 S7(2)(a)















Scale:
 1:200, 1:500
Drawing No:
 102
Drawing Sheet:
 Site Plan

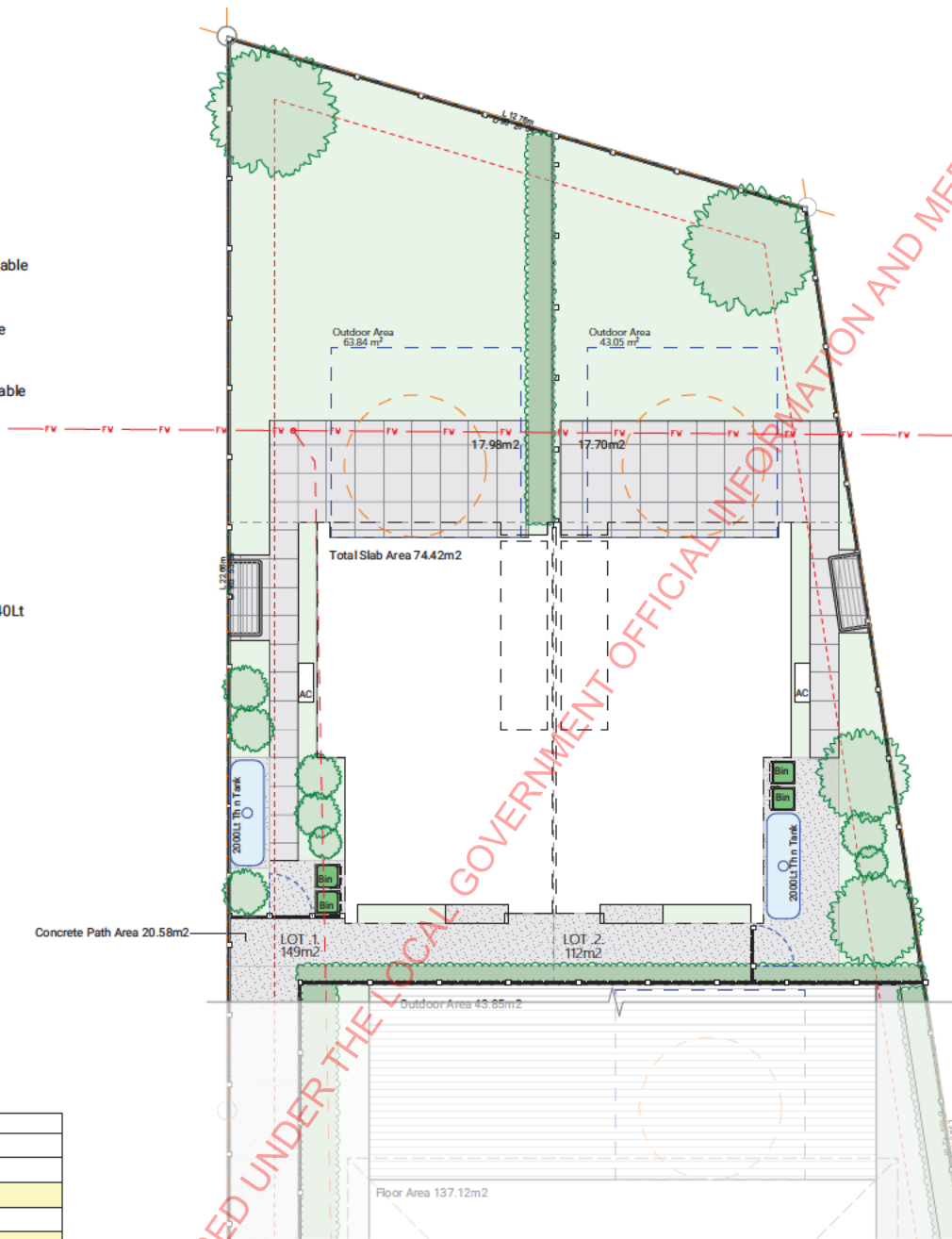


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Landscape Legend

-  Paving - Permeable
-  Concrete Path
-  Existing Concrete
-  Existing Decking - Permeable
-  New Decking - Permeable
-  Landscape Area - Permeable
-  Planting
-  Hedge
-  Fence
-  Council Wheelie Bins - 240Lt
-  Clothesline
-  2000Lt Thin Tank
-  3000Lt Thin Tank
-  Outlook Area 4mx4m



LOT 1.	
Site Area	149m ²
Site Coverage (Including SW Tank)	42.04m ²
	28.21%
Permeable Area	79.59m ²
Permeable %	53.41%
Landscape Area	43.91m ²
Landscape %	29.46%

LOT 2.	
Site Area	112m ²
Site Coverage (Including SW Tank)	42.04m ²
	37.53%
Permeable Area	59.84m ²
Permeable %	53.42%
Landscape Area	42.14m ²
Landscape %	37.62%


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Site Information	
Site Area	635m ²
Site Coverage (Incl Stormwater Tanks)	221.21m ²
	34.84%
Permeable Area	236.35m ²
Permeable %	37.22%
Landscape Area	135.97m ²
Landscape %	21.41%

Landscape Plan - Unit 2 & 3 1:100

Duplex Development
183 Riverside Drive

Lower Hutt

Client:
 FH Developments 
 S7(2)(a)
 Job No:
 24049
 Date:
 27/06/2024

Resource Consent

Drawn By:
 S7(2)(a)

Scale:
 1:100

Drawing No:
 103

Drawing Sheet:
 Site Landscape Plan - Unit 1 & 2

















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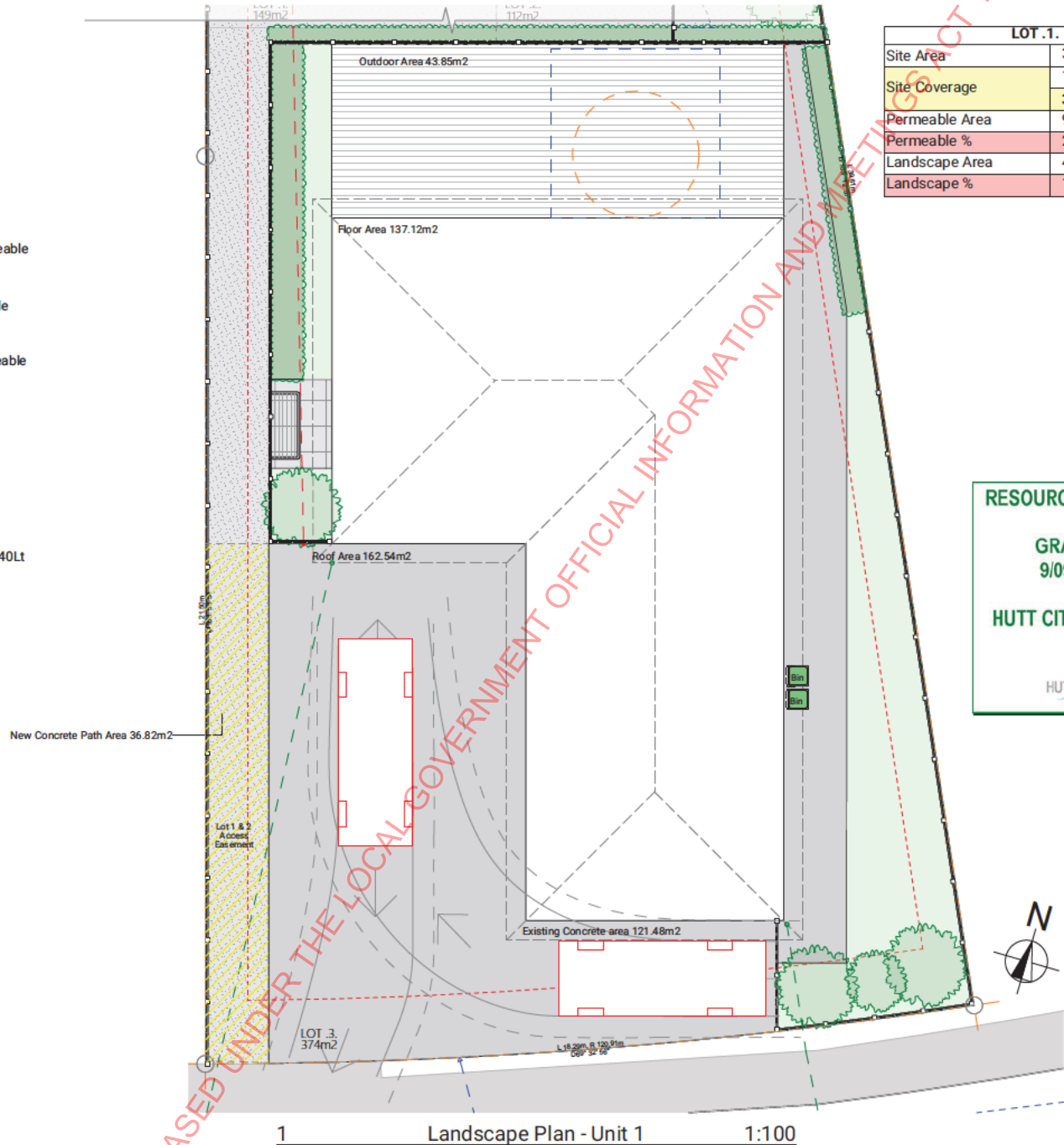
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 3 Jupiter Grove, Upper Hutt

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Landscape Legend

-  Paving - Permeable
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-  Landscape Area - Permeable
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-  Hedge
-  Fence
-  Council Wheelie Bins - 240Lt
-  Clothesline
-  2000Lt Thin Tank
-  3000Lt Thin Tank
-  Outlook Area 4mx4m



LOT 1.	
Site Area	374m ²
Site Coverage	137.12m ²
Permeable Area	96.92m ²
Permeable %	25.91%
Landscape Area	49.92m ²
Landscape %	13.34%

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1 Landscape Plan - Unit 1 1:100

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Duplex Development
183 Riverside Drive


Lower Hutt

Client:
 FH Developments 

Job No:
 24049

Date:
 27/06/2024

Drawing Set:
 Resource Consent

Drawn By:


Scale:
 1:100

Drawing No:
 104

Drawing Sheet:
 Site Landscape Plan - Unit 3



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Front - Unit 1 & 2

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Duplex Development	Client:	FH Developments 57(2)(a)
183 Riverside Drive	Job No:	24049
Lower Hutt	Date:	27/06/2024
admin@primedesigns.co.nz	04 528 8405	3 Jupiter Grove, Trentham, Upper Hutt



Drawing Set:	Resource Consent	<small>All work must comply with relevant NZS & council requirements. All dimensions to be verified on site by contractor prior to commencing work, do not scale from drawings. If there are any inaccuracies with the drawings please contact designer immediately. Copyright for design & drawings retained by Prime Designs Wgtn Ltd.</small>
Drawn By:	57(2)(a) CITY	
Scale:		
Drawing Sheet:	3D Render	
		Drawing No: 105



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9/09/2024

HUTT CITY COUNCIL

RESOURCE CONSENT

Rear - Unit 1

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Duplex Development	Client:	FH Developments 57(2)(a)
183 Riverside Drive	HUTT CITY Job No:	24049
Lower Hutt	Date:	27/06/2024
admin@primedesigns.co.nz	04 528 8405	3 Jupiter Grove, Trentham, Upper Hutt



PRIME DESIGNS
CREATIVE | FUNCTIONAL | ARCHITECTURE

Drawing Set: Resource Consent

Drawn By: 57(2)(a)

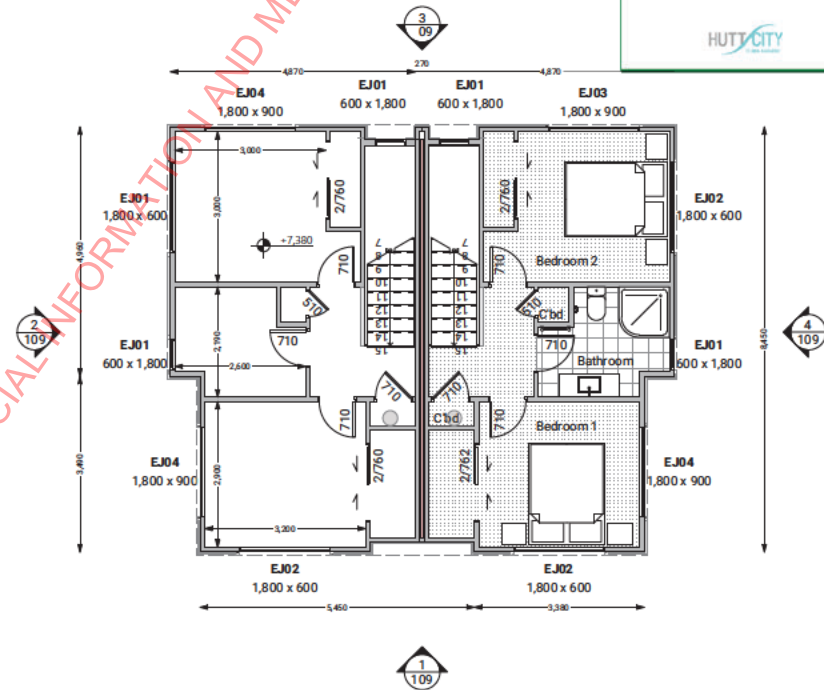
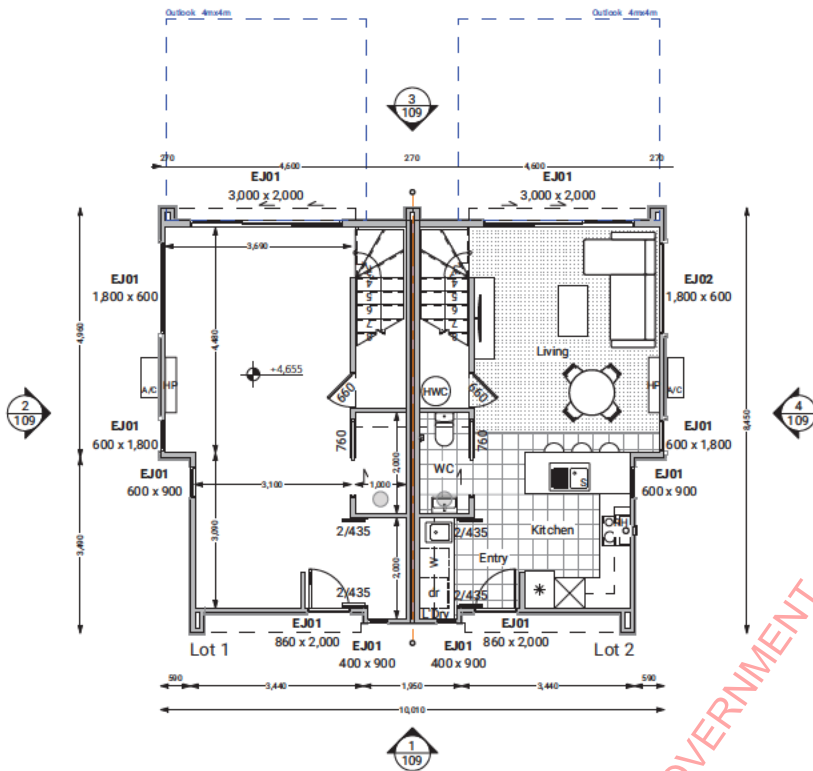
Scale:

Drawing Sheet: 3D Render

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Drawing No: 106

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Floor Area - Unit 1	
Lower Floor Area	37.05m ²
Upper Floor Area	34.90m ²
Total Floor Area	71.95m²

Floor Area - Unit 2	
Lower Floor Area	37.05m ²
Upper Floor Area	34.90m ²
Total Floor Area	71.95m²



Duplex Development	Client: FH Developments 57(2)(a)
183 Riverside Drive	Job No: 24049
Lower Hutt	Date: 27/06/2024
admin@primedesigns.co.nz	04 528 8405 3 Jupiter Grove, Trentham, Upper Hutt

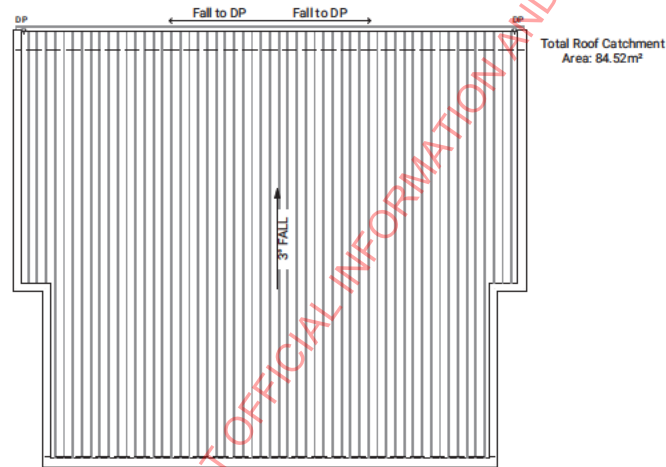


Drawing Set:	Resource Consent
Drawn By:	57(2)(a)
Scale:	1:100
Drawing Sheet:	Floor Plans

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Drawing No: 107

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Total Roof Catchment Area: 84.52m²

1 Roof Plan 1:100

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HUTT CITY COUNCIL

HUTT CITY COUNCIL

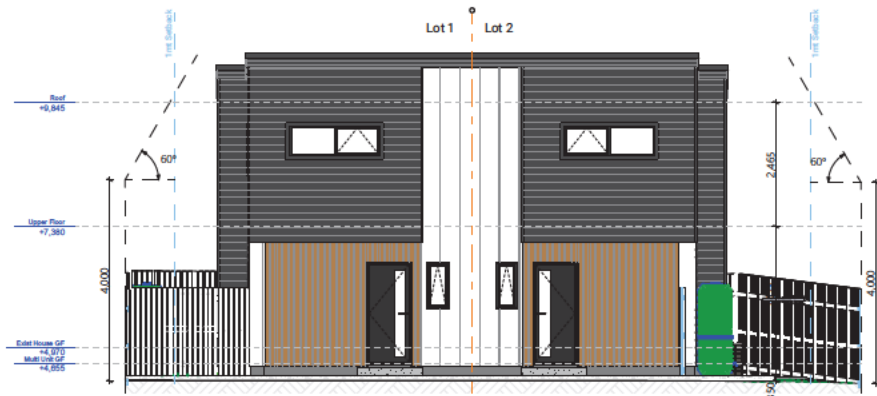
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Duplex Development	Client:	FH Developments 57(2)(a)
183 Riverside Drive	Job No:	24049
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admin@primedesigns.co.nz	04 528 8405	3 Jupiter Grove, Trentham, Upper Hutt

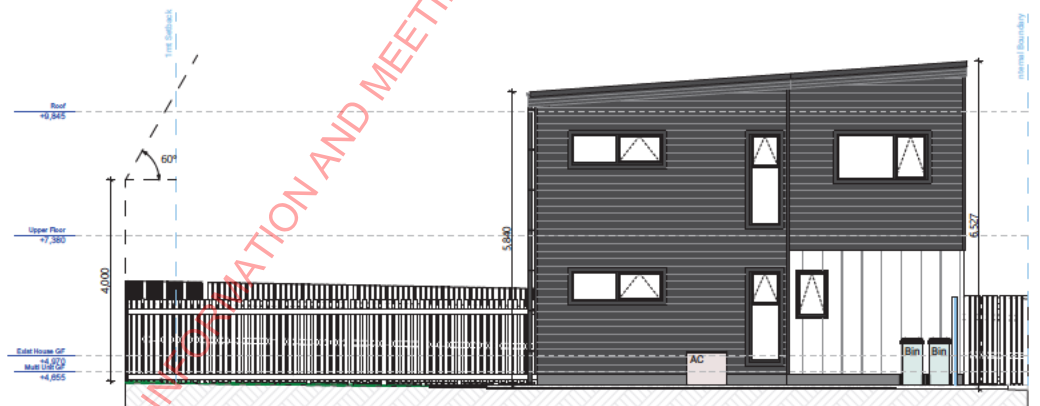


Drawing Set:	Resource Consent	All work must comply with relevant NZS & council requirements. All dimensions to be verified on site by contractor prior to commencing work, do not scale from drawings. If there are any inaccuracies with the drawings please contact designer immediately. Copyright for design & drawings retained by Prime Designs Wgtn Ltd.
Drawn By:	57(2)(a)	
Scale:	1:100	
Drawing Sheet:	Roof Plan	
		Drawing No: 108

Cladding Types
 Stain finished vertical shiplap
 Paint finish Linea Weatherboard
 Paint finish Vertical Stria
Roofing
 Prefinished metal cladding, trapezoidal



1 Elevation 1:100



2 Elevation 1:100



3 Elevation 1:100



4 Elevation 1:100

RESOURCE CONSENT
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 9/09/2024
 HUTT CITY COUNCIL

Duplex Development	Client:	FH Developments 57(2)(a)
183 Riverside Drive	Job No:	24049
Lower Hutt	Date:	27/06/2024
admin@primedesigns.co.nz	04 528 8405	3 Jupiter Grove, Trentham, Upper Hutt



Drawing Set:	Resource Consent
Drawn By:	57(2)(a)
Scale:	1:100
Drawing Sheet:	Elevations

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Drawing No: 109



View - West



View - East



View - North



View - South

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HUTT CITY COUNCIL

Duplex Development	Client: FH Developments 57(2)(a)
183 Riverside Drive	Job No: 24049
Lower Hutt	Date: 27/06/2024
admin@primedesigns.co.nz	04 528 8405 3 Jupiter Grove, Trentham, Upper Hutt



Drawing Set: Resource Consent	<small>All work must comply with relevant NZS & council requirements. All dimensions to be verified on site by contractor prior to commencing work, do not scale from drawings. If there are any inaccuracies with the drawings please contact designer immediately. Copyright for design & drawings retained by Prime Designs Wgh Ltd.</small>
Drawn By: 57(2)(a)	
Scale:	
Drawing Sheet: 3D Views	
Drawing No: 110	



RESOURCE CONSENT
 West Boundary - Recession Plane
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Duplex Development	Client:	FH Developments 57(2)(a)
183 Riverside Drive	Job No:	24049
Lower Hutt	Date:	27/06/2024
admin@primedesigns.co.nz	04 528 8405	3 Jupiter Grove, Trentham, Upper Hutt



PRIME DESIGNS
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Drawing Set:	Resource Consent
Drawn By:	57(2)(a)
Scale:	
Drawing Sheet:	3D Perspective

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Drawing No: 111

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East Boundary - Recession Plane

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Duplex Development	Client:	FH Developments 57(2)(a)
183 Riverside Drive	Job No:	24049
Lower Hutt	Date:	27/06/2024
admin@primedesigns.co.nz	04 528 8405	3 Jupiter Grove, Trentham, Upper Hutt



Drawing Set:	Resource Consent
Drawn By:	57(2)(a)
Scale:	
Drawing Sheet:	3D Perspective