

# APPENDIX RESIDENTIAL 4: RULES APPLYING TO WALLACEVILLE STRUCTURE PLAN AREA B

The following rules apply to Area B until such time as a resource consent under clause 3 below is approved by Upper Hutt City Council:

1. Until such time as subdivision consent is granted under Clause 3 below for Area B, all activities and buildings listed as permitted, controlled, restricted discretionary or discretionary in Table 18.2 of Chapter 18 are Non-Complying.

Exceptions – Subdivision:

- a) Subdivision that creates no more than one allotment site within Area B is provided for under Clause 2 below.
- b) Subdivision that creates two or more allotments sites within Area B is provided for under Clause 3 below.

Explanation:

The inclusion of the above rule is to ensure that development of Area B takes place in accordance with an approved structure plan. For the avoidance of doubt, Residential Zone provisions contained in Chapter 18 will apply when the first subdivision consent is granted under clause 3 below.

2. Subdivision that ~~creates no more than one allotment results in the creation of one lot comprising within~~ Area B in its entirety is a Discretionary Activity under the default discretionary activity rule contained in Table ~~18.2~~ 18.1 of Chapter 18.

Notification:

Notice of applications need not be serviced on affected persons and applications under clause 2 above need not be notified.

3. The first subdivision of Area B that creates more than two allotments sites is a Discretionary Activity provided that, a structure plan for Area B is included in the application and which shall be submitted to, and approved by Council, that covers the criteria listed in Policy 4.4.15. Applicants will have to demonstrate how the criteria listed in Policy 4.4.15 have been met.

Explanation:

The rezoning of Area B follows an application for a Private Plan Change of the Wallaceville site. The rezoning indicates that the land is suitable for residential development, subject to the development occurring in accordance with the approved structure plan.

4. Until such time as subdivision consent is granted under Clause 3 for Area B, Subdivision of Area B that is otherwise listed as permitted, controlled, restricted discretionary or discretionary in table 18.1 or subdivision that does not comply with clause 2 or 3 above is a Non-Complying activity.
5. Once subdivision consent has been granted under clause 3 above, the rules of Chapter 18 will apply to all subdivision, activities and buildings.