

2**GENERAL PROCEDURES**

Section 9 of the Act states that:

No person may use any land in a manner that contravenes a rule in a district plan or proposed district plan unless the activity is –

- (a) expressly allowed by a resource consent granted by the territorial authority responsible for the plan; or*
- (b) an existing use allowed by section 10 or 10A.*

2.1**Resource Consents****2.1.1****Types of Resource Consent**

Two types of resource consent may be required by this Plan in respect of **subdivision** and **land use**.

Resource consents from the Wellington Regional Council may also be required for some activities including discharges to air, water and land, modification to watercourses, soil and vegetation disturbance and the taking of water from water sources. Resource users should consult with the Wellington Regional Council to ascertain whether resource consent is required from them.

Part VI of the Act details the procedures and requirements for making a resource consent application.

2.2**Types of Activities****2.2.1****Permitted activities**

Permitted activities can proceed without a resource consent from the Upper Hutt City Council, provided they comply with all the relevant standards in the Plan.

A person wishing to carry out an activity which may require a building consent under the Building Act 2004 must supply relevant plans and information to the Council. These will be checked to determine whether the proposed activity will comply with the requirements of the Plan and therefore be a permitted activity.

2.2.2 Controlled activities

A controlled activity can proceed only if a resource consent has been obtained. The activity must comply with any conditions specified in the plan; otherwise it will be classified as a discretionary, restricted discretionary, or non-complying activity.

Resource consent for a controlled activity cannot be declined. However, in granting consent for a controlled activity, the Council may impose conditions relating to matters stated in the Plan over which control is reserved.

2.2.3 Discretionary activities

Discretionary activities are those subdivisions or land uses that are identified as such in the Plan. Council will assess the effects the activity will have on the environment and decide either to decline consent or grant it with or without conditions.

2.2.4 Restricted discretionary activities

The Plan classifies certain activities as restricted discretionary activities. These are activities for which the Plan has restricted the Council's discretion to the consideration of specified matters. In these cases, resource consents may be declined or granted with or without conditions, but conditions may only be imposed, in respect of the matters to which discretion has been restricted.

2.2.5 Non-complying activities

A non-complying activity is an activity which:

- Is not provided for in the District Plan; or
- Is not provided for on the relevant site; or
- Does not comply with the standards specified; or
- Is provided for as a non-complying activity.

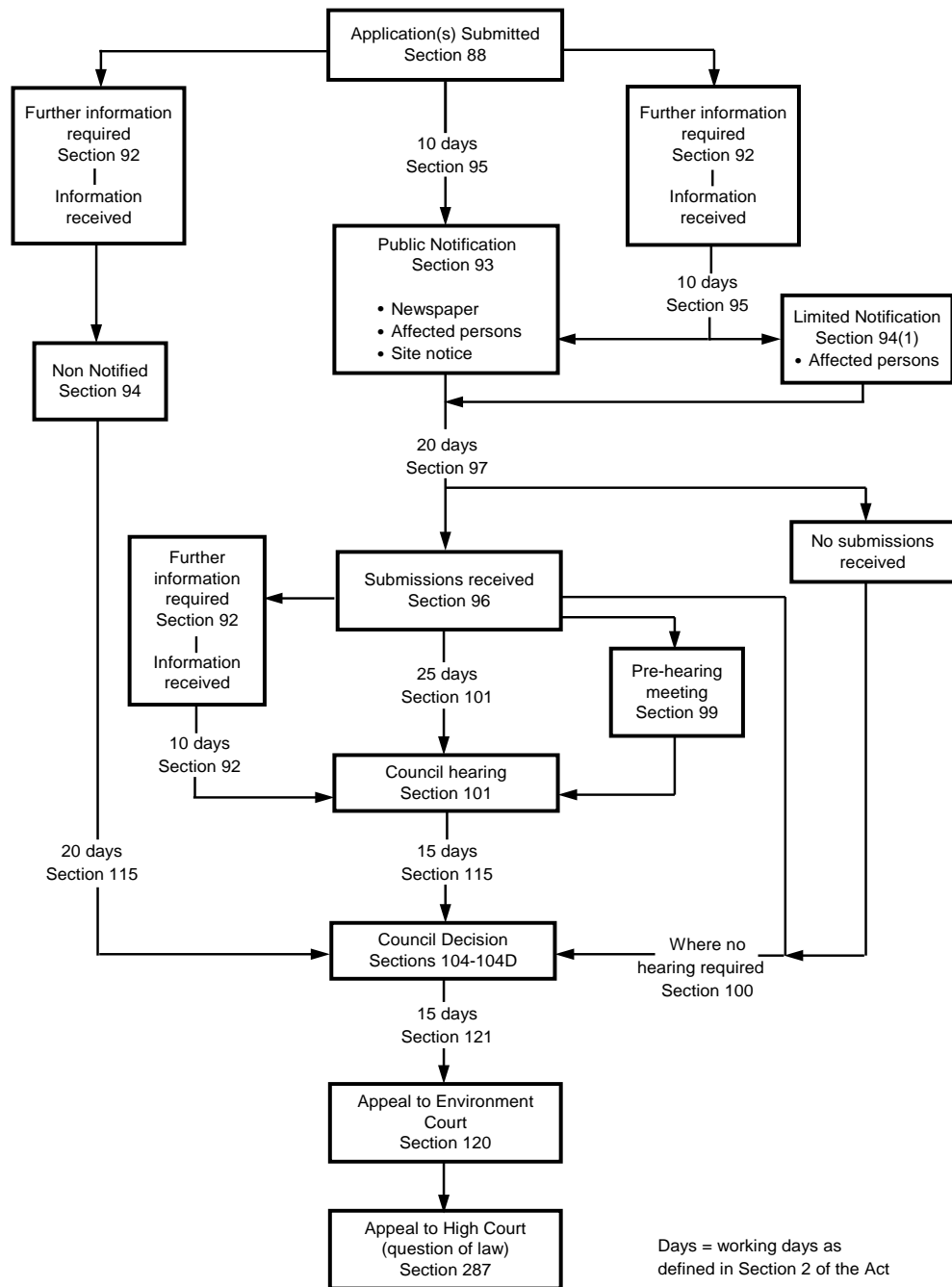
2.2.6 Prohibited activities

A prohibited activity is one which this Plan expressly prohibits and for which no resource consent can be granted.

2.2.7 Interpretation of activities

For the avoidance of doubt, in cases where an application for resource consent proposes an activity with elements which fall into two (or more) application categories, the application as a whole will be considered and determined according to the more restrictive category. For example, if one aspect of an activity is classified as controlled and another aspect is classified as discretionary, the application will be assessed as a discretionary activity.

2.3 Resource Consent Procedure



2.4 Notification

Applications for consent for activities that may have effects on the environment that are more than minor may be publicly notified. This means that they will be advertised and an opportunity given for the public to make submissions to the Council in support of, or opposition to, the proposal.

Section 93 of the Act lists the steps that the Council must take to ensure that interested parties are given an opportunity to understand the nature of applications for resource consent that have been publicly notified.

Section 94 of the Act sets out the general circumstances in which applications for resource consents can proceed without notification.

In determining those parties that may be adversely affected by the granting of a resource consent, the Council will consider the Plan's objectives and policies, the reasons for the rules, and (where appropriate) the effects on:

- Those owners and occupiers of properties adjacent to or near to any application site; and whose use of that land could be detrimentally affected by the granting of consent.
- Those parties whose use or enjoyment of an area could be adversely affected by the granting of consent.
- Any Minister of the Crown with statutory responsibilities in respect of the application site or any adjacent area.
- The Wellington Regional Council.
- Any other party who the Council considers relevant in the circumstances, including the tangata whenua of the area.

2.5 Plan changes

Plan changes may be initiated either by the Council or by any other party upon a request lodged under section 73 of the Act. A Plan change may be proposed because the provisions have become inappropriate or no longer relevant. The process for Plan changes is set out in Part II of the First Schedule to the Act.

2.6	Information required with applications for resource consents
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2.6.1 General information

Section 88 of the Act sets out the general procedure for making an application for resource consent. The information required to be supplied with any application for resource consent should be sufficient for any person to understand:

1. Who is making the application.
2. The location of the site to which the proposed activity relates including the legal description(s) of the property, current copies of Certificates of Title and photographs of any relevant features where appropriate.
3. The nature, staging, and physical extent of the proposed activity.
4. The actual or potential effects that the activity may have on the environment.
5. The ways in which any adverse environmental effects may be avoided, remedied, or mitigated.
6. Any other resource consents that the activity may require, and whether or not such consents have been applied for.
7. In relation to a proposed subdivision, such information as required by the Act and included in 2.6.8.

2.6.2 Further information

In addition to the above information requirements, an application may also require any of the following:

1. An explanation of how the proposed activity is consistent with the relevant objectives and policies.
2. Reports from relevant experts such as a registered engineer or geologist detailing the proposal's suitability.
3. The nature, scale and design of the proposal (including building materials, hours of operation, car parks, access and proposed landscaping).
4. Details of any signage included in the proposal.
5. Details of water supply and effluent disposal.
6. An explanation of how any concerns, recommendations or requirements made by any relevant organisation or affected persons are to be addressed.
7. Any hazard information, including any hazard mitigation measures and whether the proposal will exacerbate the extent or effects of any hazard beyond the site.

8. The nature, extent and effects of any earthworks.
9. The location of any significant areas of indigenous vegetation, water bodies (including streams), ridgelines, and an explanation of any effect of the proposed activity on these resources.
10. The location of any heritage items and the compatibility of any proposed activities with them.
11. Any above-ground utility which is a discretionary activity must provide information on the principal alternative sites assessed as part of the site selection process. If the proposed activity is not to be co-sited with another above-ground utility, the application must demonstrate that co-siting is not a feasible option.

See relevant Chapters of the Plan for 'Matters for Consideration' which will give additional guidance on further information requirements.

Provision of insufficient information may delay the processing of an application, as the Council may stop the process in accordance with section 92 of the Act while waiting for further information that has been requested.

2.6.3 Drawings and plans

In addition to the above information, all applications for resource consent must (unless inappropriate to do so) include a set of drawings to illustrate the proposal.

An application for a land use consent must supply an original to scale, plus two A3 or A4 copies, of each drawing. The drawings must be accurate, readily legible and comprehensible, and shall include where relevant the following information:

1. Site location: with road name, site boundaries, and north point.
2. Site plan at an appropriate scale for detail (as a general guide, a scale of 1:200 would be appropriate for an urban area), showing as applicable:
 - Site dimensions in metres.
 - The location of all existing and proposed buildings and structures.
 - All sealed areas.
 - The position of any easement over the site.
 - The position and dimensions of car parking and loading spaces and access points.
 - Kerb lines adjacent to the site and any adjacent street trees.

- Levels on site boundaries and around any buildings, and, if the site is not level (a uniform grade of less than 1 in 10), ground contours.
 - Proposed retaining walls, excavations and landfills.
 - Existing trees and areas of vegetation and proposed landscaping.
 - Appropriate shadow diagrams or models showing overshadowing of proposed structures on adjacent properties.
 - Water courses, and drainage and sewerage pipes within the site.
 - The means to manage all stormwater and sanitary drainage.
 - Location of power transmission and gas lines, main trunk water supply and sewerage pipes on or in close proximity to the site.
 - Location of any known hazards.
3. Floor plan and elevations of each building (as a general guide, a scale of 1:100 would be appropriate) showing:
- The use of all parts of the building including car parks, storage and service areas.
 - Internal layout of the building and identification of the use of such rooms or parts of a floor. Where several floors are of the same area and use, a standard floor plan may be used.
 - The external appearance of the building (including windows and doors).
 - The number of floors.
 - Building heights and distance to any property boundary and, where relevant, building height envelopes and maximum permitted height.
 - Original and modified ground levels underneath the proposed building(s).

2.6.4

Assessment of environmental effects

The applicant will also be required to include an assessment of environmental effects. In accordance with the Fourth Schedule of the Act, any such assessment must provide sufficient information for any person to understand the actual or potential effects (both beneficial or adverse) of that proposed activity on the environment, and the ways it is proposed to avoid, remedy, or mitigate any adverse effects.

In respect of any application for a controlled activity, the assessment shall only address those matters over which the Council has retained control. In respect of any application for a restricted discretionary activity, the assessment shall only address those matters related to the matters over which the Council has retained discretion.

In respect of other types of applications, the assessment shall address all relevant matters relating to the actual or potential effects of the proposed activity on the environment, and shall be in such detail as corresponds with the scale and significance of those effects.

2.6.5 Consultation

Applicants may be advised to consult any or all of the following persons:

1. The owner(s) and occupier(s) of the subject site.
2. Persons likely to be directly affected by the proposed activity.
3. The City and Regional Councils.
4. The Department of Conservation.
5. The New Zealand Historic Places Trust.
6. Iwi authorities.
7. Transit New Zealand.
8. Other relevant authorities or organisations.

2.6.6 Supplementary information

Council may, subject to section 92 of the Act, require applicants to supply further information relating to the application where such information is necessary to better understand the nature of the proposed activity, the effects it may have on the environment, and the ways in which any adverse environmental effect may be avoided, remedied or mitigated.

Where Council is of the opinion that significant adverse environmental effects may result from a proposed activity, it may also require an explanation of any possible alternative locations or methods for undertaking the activity, the applicant's reasons for making the proposed choice, and the consultation undertaken by the applicant.

2.6.7 Commissioned reports

Where Council is of the opinion that significant adverse environmental effect may result from a proposed activity, under section 92 of the Act it may commission a report on, or a review of, any information provided in that application. The purpose of any review would be to:

1. Audit the information provided in an application in terms of its accuracy, relevance, and comprehensiveness; or
2. Review any technical, scientific, or operational detail pertaining to the proposed activity; or
3. Identify and assess any natural hazard or the use or storage of any hazardous substance pertaining to the proposed activity, including reasonable measures to avoid, remedy or mitigate any potential adverse environmental effects; or
4. Provide information or assessment of other matters pertaining to the application, such as heritage values, amenity values, or cultural considerations.

2.6.8 Subdivision resource consent applications

An application for subdivision consent shall include:

1. A description of the proposal for which the consent is sought.
2. The address and legal description of the site, current copies of all Certificates of Title of the land to be subdivided, and sufficient information for the site to be located easily.
3. A statement specifying whether any other resource consents are required, including any from the Wellington Regional Council, and whether the applicant has applied for such consents.
4. A subdivision design statement which sets out the design principles of the subdivision and assists in assessing the proposal. It shall:
 - (a) Demonstrate how the subdivision contributes to the objectives and policies for the relevant City-wide and zone provisions. This includes the 'Matters For Consideration' from the relevant sections of the district plan.
 - (b) Describe how the subdivision integrates into its surroundings and how it contributes to the overall quality of the environment.
 - (c) Provide an assessment of environmental effects.

5. Subdivision plans of the proposed subdivision, drawn to an identified scale, preferably on either A3 or A4 sized paper, containing sufficient information to adequately define:
 - (a) The position of all new boundaries, including restrictive covenant boundaries for cross-lease applications, and unit, accessory unit and common property boundaries for unit title applications.
 - (b) The areas of all new allotments (except for a subdivision by grant of cross lease or company lease or by the deposit of a unit title).
 - (c) The location and areas of new reserves to be created, including esplanade reserves and esplanade or access strips.
 - (d) The location and areas of any part of the bed of a river or lake, which is required by the Act to be shown on the survey plan as land to be vested in the Crown.
 - (e) The location and areas of land to be set aside as new road.
 - (f) The location and area of any proposed easement, or any existing easement which is to be extinguished, with a memorandum and/or schedule.
 - (g) Abutting and underlying title boundaries, existing building line restrictions and existing subject easements.
 - (h) The balance area of the site to be subdivided showing any proposals for future development.
 - (i) Where appropriate and possible, contours (based on mean sea level) at an interval sufficient for the design of accessways and services or to show the general topography of the area, particularly around proposed house sites.
 - (j) Any features to be protected by covenant or other method.
 - (k) The principal topographic and geological features, including areas of loose fill and faults or fault traces.
 - (l) Areas that may be subject to flooding or inundation, erosion, landslip or subsidence, or that are within a hazard area shown on the planning maps.
 - (m) Areas of wetland and areas of indigenous vegetation equal to or greater than 5000m² on any one site, and trees with a trunk diameter in excess of 0.5m in the Residential Conservation and Residential Hill Sub-zones.
 - (n) All watercourses that have an average width greater than 1m.
 - (o) The provision of existing and proposed utilities necessary to meet the requirements of the Code of Practice for Civil Engineering Works and the District Plan and to effectively service the subdivision.
 - (p) Existing power and telecommunication poles and lines, gas lines, main trunk water supply pipes and sewerage pipes on or in close proximity to the site.
 - (q) Existing structures (including buildings), fences and whether such structures will be retained, relocated or removed.

- (r) Any legal access connections to existing roads (including State Highways), carriageways, and pathways.
- (s) Proposed roads, access points onto the lot(s), accessways, and service lanes with relevant widths, areas and gradients.
- (t) Proposed areas of excavation and fill.
- (u) Any designations applying to all or part of the lot.
- (v) A certification by the surveyor as to the accuracy of the plan.
- (w) Any landscape, ecological or heritage features.

2.6.9 Specific information accompanying applications to waive an esplanade reserve or esplanade strip requirement

An application to reduce or waive an esplanade reserve or esplanade strip requirement shall include the following:

- (a) A description of the ecological characteristics of the water body and the land subject to an esplanade reserve or esplanade strip, including any existing or alternative measures for protecting or enhancing those characteristics;
- (b) Information to demonstrate that the landowner will use the site in an effective and reasonable manner.
- (c) The extent to which the public can still obtain access to the water body.
- (d) The extent to which the natural character and visual quality of the water body and water quality will be preserved.
- (e) The location of any buildings or structures that may influence the width of the reserve or strip.

2.6.9A Specific information accompanying applications for more than one dwelling on a site

- (a) The site plan shall clearly delineate the net site area of each dwelling/unit on the site and will be utilised for determining the Reserves and Leisure Facilities Contribution for a Land Use Resource Consent multiunit development.

2.6.9B Specific information accompanying applications for a Comprehensive Residential Development

- (a) An assessment of the proposed development against the Design Guide for Residential (Centres Overlay) Areas.

2.6.9C Specific information accompanying applications for subdivision or development within a Residential (Centres Overlay) Area that is not a Comprehensive Residential Development where any lot has a minimum net site area of less than 400m²

- (a) An assessment of the proposed development against the section on small site design and development contained in the Design Guide for Residential (Centres Overlay) Areas.

[AMENDMENT 1: INSERT NEW 2.6.9D]

2.6.9D Specific information accompanying applications for subdivision and/or development within the Wallaceville Structure Plan Area

- a) An assessment of the subdivision and/or development proposed against the Wallaceville Structure Plan which includes:
- the Wallaceville Structure Plan Map
 - Wallaceville Precinct descriptions, intentions and outcomes
 - Wallaceville Indicative Road Typologies
 - Wallaceville Stormwater Management Principles
- b) In addition, in relation to Area B, an application for subdivision and/or development shall include the following:
- a spatial layout plan showing roads, pedestrian and cycleway connections, open space areas and utilities and services
- c) In addition, in relation to Area A, an application for subdivision that includes sites where direct vehicle access is proposed from Alexander Road shall include details and plans of the upgrade of Alexander Road including appropriate traffic calming measures in accordance with the Wallaceville Structure Plan Map and the Wallaceville Indicative Road Typologies

2.6.10 Further guidance on information requirements

The information requirements outlined above are not exhaustive and may or may not be relevant in any particular instance. Applicants are advised to discuss with Council staff what information will need to be associated with their applications for resource consent.

2.7	Financial Contributions
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The Council may require, as a condition of a resource consent, money, services or land. These contributions are intended to avoid, remedy or mitigate an identified actual or potential adverse effect on any natural or physical resource from an activity, subdivision or development. Further information on financial contributions is contained in Chapters 10 and 25.

2.8	Designations
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2.8.1 Introduction

Designations refer to land required for certain specified purposes by authorised agencies. Part VIII of the Act authorises the agencies which can notify their requirements to Council.

All designated sites are identified on the Planning Maps and are listed in Chapter 36 of the Plan.

2.8.2 The designation process

The procedures and requirements for making a new designation or altering an existing designation are set out in Part VIII of the Act.

In accordance with the Act, when considering a designation requirement, Council must have particular regard for the following:

- Whether the designation is reasonably necessary for achieving the objectives of the project or work for which the designation is sought.
- Whether adequate consideration has been given to alternative sites, routes or methods of achieving the project or work.
- Whether the nature of the project or work means that it would be unreasonable for the requiring authority to use an alternative site, route or method.
- All relevant provisions of national policy statements, regional policy statements, regional plans and district plans.
- The provisions of Part II of the Act.

After considering a notice of requirement, Council will recommend that the requiring authority either:

- Confirms the requirement and adds any conditions as to duration. This may be with or without modification and subject to any conditions Council considers appropriate; or
- Withdraws the requirement.
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Development that is in accordance with the purpose for which a site was designated does not require resource consent. However, the requiring authority must submit an outline plan of the proposed development to Council so that it can have the opportunity to request changes before construction starts.

2.9

Procedures for addressing cross-boundary issues

Upper Hutt shares boundaries with Kapiti Coast District Council to the north, Porirua City Council to the west, the Hutt City Council to the south and South Wairarapa District Council to the east and is located within the region administered by the Wellington Regional Council.

The City's circumference is 130 kilometres. The boundary is mainly along rugged hill country, typically designated for water catchment purposes. Therefore the potential conflict points for cross territorial boundary issues are limited. There are a few farmland areas where there may be a conflict of zoning provisions.

The major cross-boundary issues could include:

- Airborne pollutants and chemical sprays.
- Noise.
- Effects of forestry operations.

- Standards/quality of cross boundary roads.
- Infrastructure.
- Hazardous substances and site contamination.
- Compatibility of subdivision and land use standards.
- Iwi issues.
- Water quality issues.

The Act requires that a district plan states the processes used to deal with cross territorial boundary issues.

Some of the ways the issues will be addressed include:

1. Consulting the adjoining territorial authorities and the Wellington Regional Council to ensure that cross-boundary issues are dealt with consistently and compatibly.
2. Advising adjoining territorial authorities and the Wellington Regional Council of resource consent matters or requests for District Plan changes which may have potential cross-boundary effects.
3. Consulting with other authorities and organisations whose interests cross the territorial boundaries, for example energy suppliers, Department of Conservation and forestry interests.

2.10 Procedures for Monitoring

Monitoring provisions are contained in the Act, which requires that the Plan include the procedures to be used to review the effectiveness of its objectives, policies, and methods of implementation.

Monitoring will be carried out in accordance with the provisions of the Act to ensure that the Plan is promoting the purpose of the Act. This enables Council to undertake its functions under the Act and to take appropriate action to ensure compliance with its intent. The results of monitoring will be reported to both the Council and the public.

2.10.1 Monitoring the state of the environment in Upper Hutt

Council will monitor the environment by assessing the state of natural and physical resources, and trends in resource use. The results will indicate the effectiveness of Council's environmental management and consider measures to avoid, remedy or mitigate adverse effects.

As the broad definition of the environment includes people and the community, monitoring will involve collecting and reporting on a range

of information. The means used to obtain the information include:

- Community surveys.
- Census information.
- Complaint records.
- Business information.
- Land use surveys and statistics.
- Commercial and industrial surveys.
- Environmental and ecological surveys.

In analysing the information, key indicators will be developed. These will establish trends and determine the City's progress in achieving its anticipated environmental outcomes.

2.10.2 Monitoring the effectiveness of the Plan

The Plan's provisions will be monitored to ensure that they remain appropriate for both Upper Hutt's current environment and in relation to its changing needs and ongoing development. The contents of the Plan will also be monitored to ensure that they are making progress towards the anticipated environmental results, particularly in the delivery of the Plan's objectives and policies.

This will be achieved through consultation with the community, establishing baseline or trend information, and developing appropriate indicators to assist in monitoring anticipated environmental results.

2.10.3 Monitoring the exercise of any functions, powers, or duties delegated or transferred by the Council

The Council will monitor the exercise of any functions, powers and duties that have been delegated to another agency under the Act.

2.10.4 Monitoring effects that occur from the granting of resource consents

To monitor the Plan's administration, Council will collect and review information on:

- Compliance with resource consent conditions, including any enforcement actions.
- The nature and type of resource consents, and any cumulative effects resulting from consents granted.
- The administrative costs to Council of processing applications for resource consents.
- The costs to applicants of obtaining resource consents.
- The effectiveness of consultation with the community.

2.11 Review of the District Plan

The District Plan may be reviewed and changed as a result of the monitoring process. Plan changes go through a similar process to the one followed in the preparation of this Plan. This includes public notification and the opportunity for the public to make submissions on the proposed change.

3 ZONING

3.1 Background

The City is characterised by a number of readily identifiable areas with distinctive characteristics and environmental qualities. These areas have developed over time as a result of the interaction of land use patterns, topographical, infrastructural and other factors, and planning controls.

The community has different expectations and standards for different areas. These relate to such matters as the level of community services and facilities available, particularly in urban areas, amenity and environmental quality. Different areas include a range of resources, including the type and capacity of infrastructure such as water supply, sewerage, waste disposal and roading. Elements such as landforms, vegetation, streets and buildings, historic associations and a sense of community also contribute to an area's character, amenity values and environmental quality.

The character of an area can change over time. The level and rate of change will depend on an area's particular characteristics. Identifying the actual and desired character of an area is the first step towards managing the effects of activities.

At the broadest level, the distinctiveness or difference in character of areas within the City can be defined in terms of:

- The remote undeveloped areas of the City which form its backdrop.
- Rural land, which is largely used for farming, forestry and rural residential activities.
- The urban area.

3.2 Resource Management Issue

The following issue is important for the sustainable management of the environmental character of different areas within the City.

3.2.1 *The potential impacts of development in different areas require management approaches appropriate to each area.*

The Plan applies zoning areas in which the different environmental qualities sought for different areas within the City are defined, and an appropriate management framework developed to control the actual and potential adverse effects of activities on the environment. These areas cover all the land within the City.

The characteristics of some parts of the City are such that particular issues arise that require specific management controls over and above the main City-wide or general zone provisions. The relevant issues relating to these areas are set out in the Plan.

3.3 Objective

3.3.1 *The management of the natural and physical resources of the City in a way that reflects the identified resource management issues and the need to control the actual and potential effects of the use, subdivision and development of resources.*

As environmental characteristics vary throughout the City so do the nature of the effects of activities on natural and physical resources.

3.4 Policies
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3.4.1 *To recognise the different qualities and characteristics of the City's unique environments by managing the adverse effects of the use, development and subdivision of land on an area specific basis.*

Defining areas within the City allows for environmental effects to be categorised and managed appropriately. Zones provide a means of setting standards to maintain and enhance the particular characteristics of different parts of the City. The zones identified within the Plan are:

- Residential
- Rural
- Business
- Open Space
- Special Activity

The Rural Zone contains areas within which rural and rural-based activities can occur. The landscape is intended to remain spacious and uncluttered and generally rural in character and environmental quality. The Rural Zone covers small rural holdings as well as virtually untouched conservation areas at the boundaries of the City. The Rural Zone comprises most of the non-urbanised valley floor and hill areas of Upper Hutt.

The urban areas of the City include the Residential, Open Space, Business and Special Activity Zones.

The primary purpose of the Residential Zone is to provide the opportunity for a range of living environments while maintaining high levels of amenity. This Zone also provides for local amenity facilities and services such as schools and churches.

The Open Space Zone is intended to recognise and protect land already used for open space and recreation purposes. A large amount of the land within this Zone is reserve land vested in the Council and administered by the Council under management plans prepared under the Reserves Act 1977. The Zone includes the Hutt River and its margins.

The Business Zone is in two parts. The Business Commercial Zone provides the management framework for the City Centre and the suburban shopping areas. These areas are intended to be attractive for people to visit and for businesses to operate. The Business Industrial Zone manages the industrial and service areas of the City.

The Special Activity Zone manages those large scale special land uses which have a special character or function. The New Zealand International Campus (former Central Institute of Technology), Trentham Military Camp, Trentham Race Course and Rimutaka Prison are four main activities set in residential and semi rural locations. These activities have developed over many years and make an important contribution to the City and to the nation at large. In addition, the St Patrick's Estate Area covers a large area of land with significant development potential. As these areas have a special character and occupy large areas of land, they are subject to specific management provisions under the Special Activity Zone. Factors that distinguish them include the form and scale of buildings, the nature and intensity of activities, impacts on residential neighbourhoods and development potential.

3.4.2 **To recognise special resource or environmental issues which exist within the City.**

As a result of particular issues arising that require different management techniques, special controls have been established to address specific environments or resource issues within the principal zones. These recognise the special qualities or issues facing an area, and enable more specific techniques to be used to promote sustainable management. Such controls are applied to areas with particular amenity or other environmental qualities. Conservation and Hill Areas cover special environments with high amenity values within the Residential Zone. The Southern Hills Overlay Area (SHOA) is comprised of areas within the Southern Hills which have a high value in at least one of the categories of ecological, visual and/or landscape significance.

[AMENDMENT 2 – INSERT ADDITIONAL EXPLANATION TO POLICY 3.4.2]

In addition to zoning and overlays provided for in the District Plan and District Plan Maps, the Wallaceville Structure Plan Area comprises a number of distinct precincts as described in Chapter 39: Wallaceville. Minor variations to standards are included in both the Residential Zone and Business Zone rules chapters for these precincts in order to address and recognise the particular values, opportunities and constraints of the site and in order to achieve the outcomes of the Wallaceville Structure Plan.

3.5 **Method**

District Plan provisions consisting of zones and zone rules to manage the effects of activities within specific environmental areas.

3.6 **Anticipated environmental results and monitoring**

The following results are expected to be achieved by the objective, policies and method in this Chapter. The means of monitoring whether this Plan achieves the anticipated environmental results are also set out below.

Anticipated environmental results	Monitoring indicators	Data source
A pattern of land use that provides for the sustainable management of the different environments within the City	Resource consent applications Complaint and enforcement proceedings	Council records Complaints register
A pattern of land use in which activities maintain or enhance the environmental qualities of the City,	Resource consent applications Community survey	Council records Complaints register

according to their effects on the environment		
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4 RESIDENTIAL ZONE

4.1 Background

The residential areas within the City are characterised by mainly low-rise dwellings sited on individual allotments. Past architectural styles, settlement patterns and geographical factors have resulted in diverse residential characteristics and form, resulting in a range of individual neighbourhoods.

Demand for higher density residential development is increasing in the City and the manner in which the District Plan provides for higher density residential development is important to the character and amenity of existing established neighbourhoods. Higher density residential development is becoming more desirable to certain sectors of the community and it is also desirable in establishing a variety of housing types and styles, thereby providing a greater variety to the housing stock of the City.

Higher density residential development is best located in close proximity to retail, service and public transport centres specifically near the central business district, neighbourhood centres and major transport nodes. Higher density residential development is provided for in these areas in the form of Comprehensive Residential Development and by way of an increased density for residential development.

Within the Residential Zone the Residential Conservation and Residential Hill areas reflect the particular environmental and topographical characteristics of those areas.

The City's residential areas are also characterised by the presence of non-residential activities and community facilities. These activities tend to provide essential community services, including shops, churches, schools, doctors' surgeries, day care centres and halls. In some areas motels and hotels have been established. Many non-residential activities and community facilities are generally accepted within residential areas provided they do not give rise to significant adverse effects.

4.2 Resource Management Issues

4.2.1 ***The loss of environmental quality within residential areas caused by adverse effects of activities.***

Amenity values are those inherent qualities or characteristics which contribute to people's appreciation or enjoyment of the local environment. Components of amenity include privacy, sunlight admission, open space, visual streetscape, noise and public health and safety.

Factors which could adversely affect the amenity values of the local residential environment include:

- Noise and illumination.
- The presence of non-residential activities and facilities.
- Signs.
- The design, appearance and siting of buildings.
- Toxic, noxious, offensive, dangerous or hazardous elements.

Dwellings and other buildings can block out sunlight, and reduce privacy and amenity in residential areas. Council seeks to minimise these adverse effects while maintaining a choice of dwelling styles and development opportunities.

Operating non-residential activities in residential areas may also have adverse effects including noise, increased traffic flows and the appearance of utilitarian buildings. Council seeks to maintain a high standard of residential amenity in residential environments.

4.2.2 ***The effects on amenity values of infill development, redevelopment and new subdivisions within and adjoining established residential areas.***

The amount of land suitable for urban use is influenced by servicing, topographical, ecological and other constraints. The Residential Zone covers the existing residential areas as well as undeveloped land suitable for residential use in the future. Expansion of existing urban areas will be encouraged in appropriate environments with the existing urban areas being the preferred location for higher density development. Council will promote the maintenance of the general character and amenity values of particular neighbourhoods.

4.3 Objectives

4.3.1 ***The promotion of a high quality residential environment which maintains and enhances the physical character of the residential areas, provides a choice of living styles and a high level of residential amenity.***

The essential components of residential amenity values include adequate daylight and open space, satisfactory design standards, a reasonable degree of privacy and low noise levels.

The primary role of the Residential Zone is to provide opportunities for residential activity. Residents want a range of living styles to reflect their various needs, while maintaining high levels of amenity and residential character. In the Residential Zone, the provisions of the Plan seek to ensure that new development will be provided for in a manner that will respect existing forms. Appropriate activities are provided for as permitted and others will be assessed by way of resource consent applications.

Certain non-residential activities are most appropriately located within the residential zone provided that the effects of these activities, such as noise and traffic, are appropriately managed.

4.3.2 ***The maintenance and enhancement of the special landscape and natural values of the Conservation and Hill Areas.***

Within the Residential Zone of the City are environments with special character. The Residential Conservation Sub-zone includes the areas adjoining Trentham Memorial Park, Palfrey Street, Chatsworth Road and parts of Pinehaven. These areas have a mature landscape and townscape, contain native flora and fauna, natural watercourses, as well as larger sections. They also include residential development on the hills surrounding the urban area. These areas require a lower density of development in order to maintain their important landscape and ecological values.

In contrast, the Residential Hill Sub-zone is characterised by more recent development which recognises the topographical constraints by having a lower density of development. This sub-zone also contains areas undergoing development as well as some earmarked for future development.

Within the Conservation and Hill Areas there are a number of standards and controls which maintain and enhance the special values of those parts of the Residential Zone. These controls are in addition to the provisions relating to the Residential Zone.

4.3.3 *The management of the adverse effects of subdivision within residential areas.*

This objective seeks to provide for subdivision which promotes residential amenity values, creates safe and well-designed housing development and promotes the efficient use of natural and physical resources.

4.3.4 *To provide for higher density residential development by way of Comprehensive Residential Developments and specific net site area standards around the central business district, neighbourhood centres and major transport nodes.*

Providing a choice of living options involves the provision of more intensive types of residential development as well as traditional forms of development in Upper Hutt, which generally comprise standalone dwellings on individual lots. Higher density housing may suit the needs of certain groups of the community.

It is important to locate higher density housing in appropriate areas. The Plan identifies areas where higher density housing is specifically encouraged due to the proximity of these areas to retail and service centres and transport nodes. The Plan provides for this type of development through reduced minimum net site area standards compared to the remainder of the Residential Zone, and through provisions for Comprehensive Residential Development.

To ensure that new higher density residential development, including Comprehensive Residential Development, is well designed and achieves a high degree of amenity, assessment against the Design Guide for Residential Developments will be required.

[AMENDMENT 3 – INSERT NEW OBJECTIVE 4.3.5]

4.3.5 *To promote the sustainable management and efficient utilisation of land within the Wallaceville Structure Plan area, while avoiding, remedying or mitigating adverse effects.*

The Wallaceville Structure Plan Area comprises a mix of residential and commercial zoning and provides opportunity for higher density living. It has a number of site specific values, constraints and opportunities. It is also a very important land resource within the City's urban boundary. Its development should therefore occur in a manner that is consistent with the Wallaceville Structure Plan, in an integrated way that does not compromise the amenity or servicing requirements of future development stages. Particular regard must be paid to the potential for reverse sensitivity issues arising from interfaces within adjoining land uses.

The Wallaceville Structure Plan (Chapter 39: Wallaceville) was developed to provide for the development of the Wallaceville Structure Plan Area in a logical and coherent manner that takes into account the historical,

cultural, environmental and landscape characteristics of the area. The Wallaceville Structure Plan has been adopted by the Council as the guiding document for the development of this area and as such all development should be guided by this document as to what is appropriate. The intentions and outcomes for each of the precincts provide an outline of the development that the Wallaceville Structure Plan is seeking to achieve. These are the key considerations for development in this area.

4.4 Policies

4.4.1 ***To provide for a range of building densities within the residential areas which takes into account the existing character of the area, topography and the capacity of the infrastructure.***

A number of housing density standards are provided for within the Residential Zone to provide choice, and to take into account existing characteristics, topography and infrastructure. These differences were recognised under zoning policies relating to the Residential General and Residential Conservation Zones in the previous District Plan. In addition the Plan makes specific provision for higher density housing through reduced minimum net site area standards and Comprehensive Residential Developments in identified areas of the City within which this form of development is considered to be most appropriate. These locations are called Residential (Centres Overlay) Areas.

Density refers to the amount of built development in a given area, together with the relationship between buildings and open spaces on sites. Density affects the potential number of people living in an area, the area occupied by buildings and the amount of hard surfacing, as well as the available space for gardens. The controls on allowable levels of development provide a degree of certainty to residents on such matters.

Increasing the amount of buildings and hard surfaces on a site also has an impact on infrastructure, in particular on the amount of stormwater runoff. Over time, incremental change can have a significant effect on infrastructure operations. The Plan includes a requirement for new Comprehensive Residential Developments to include a specified amount of on-site stormwater soakage, in order to reduce this impact.

4.4.2

To ensure that the scale, appearance and siting of buildings, structures and activities are compatible with the character and desired amenity values of the area.

Buildings, structures and activities need to be of a scale or type that reflects the character of the neighbourhood. The overall aim of this policy is to promote residential character, and to ensure the compatibility of activities with the surrounding environment. Assessment of new developments may include the degree of integration a proposal achieves with not only the adjoining sites, but with the streetscape and, in some cases, the wider townscape.

The Plan includes visual amenity standards, including controls over the location of residential buildings, and the screening of non-residential buildings. The relocation of residential buildings requires resource consent as it can cause adverse visual effects.

Higher density housing has the potential to affect both existing residential character and amenity. Accordingly the Plan includes standards and design guidelines for higher density housing against which this type of development is assessed in order to ensure that residential character is appropriately managed and that existing amenity values are not adversely affected. The retention of existing trees and vegetation where practical is important in this respect.

Comprehensive Residential Developments may include an existing dwelling on a site, but there may be instances where an existing dwelling requires additional changes to ensure it is compatible with a proposed development. This will be assessed through the resource consent and Design Guide assessment process.

4.4.3 To ensure that non-residential activities within residential areas do not cause significant adverse environmental effects.

Some business activities service or benefit the local community. Changing technology and business practices mean that some non-residential activities can occur without adversely affecting the character or amenity values of the residential environment.

Similarly, many people now work from home, and this creates social and economic advantages. This policy provides the opportunity for home occupations and non-residential activities to establish, provided any adverse effects are avoided, remedied, or mitigated, and the character of residential areas is maintained.

Certain activities such as early childhood centres, can be appropriately located within residential areas provided the adverse environmental effects caused by these activities, primarily noise and traffic effects, are appropriately managed.

To control the adverse effects of such uses on residential amenity, the Plan includes standards on the scale and location of buildings, noise, car parking and use of hazardous substances.

[AMENDMENT 4 – INSERT ADDITIONAL EXPLANATION TO POLICY 4.4.3] **Note: Council officers in disagreement with proposed addition – refer WDL and Council right of replys**

While provided for as a Discretionary Activity, it is recognised that commercial development may take place in the Urban Precinct of the Wallaceville Structure Plan, which may include the commercial redevelopment of the farm management building and dairy building, provided that significant adverse environmental effects on the Business Commercial Zone (the Gateway Precinct), residential activities and other areas of Upper Hutt City can be avoided or mitigated. This does not preclude other potential development options for the Urban Precinct being developed that are compatible with residential activities.

Resource consent applications for any commercial development not consistent with the Wallaceville Structure Plan will need to be carefully assessed against Policies 4.4.3 and 4.4.16 in particular.

4.4.4 *To ensure that the location and design of buildings and earthworks do not significantly detract from the residential amenity of the area.*

There are a number of matters that influence residential amenity. These include:

- The density and topography of sites.
- The closeness of dwellings to boundaries and other buildings.
- The height and orientation of buildings.
- The height or existence of fences, trees or other vegetation.
- The size, location and appearance of earthworks, retaining walls and fill batters.

Private open space is an important factor in the use and enjoyment of a residential site. Open space provides an area for outdoor leisure activities. This policy seeks to provide a reasonably open and private outlook protecting residential sites from being ‘closed in’ by neighbouring buildings.

Access to sunlight and daylight also contribute to the use and enjoyment of a residential site. To avoid excessive shading effects and allow the admission of daylight to a site, the Plan provides daylight controls on all side and rear boundaries. Similarly, to control the size and height of earthworks and associated retaining, the Plan provides for earthworks plane controls along all boundaries in order to avoid or mitigate adverse effects.

[AMENDMENT 5 – INSERT ADDITIONAL EXPLANATION TO POLICY 4.4.4]

In the Wallaceville Structure Plan Area, the intentions and outcomes for each of the Precincts define the particular amenity that is envisaged for development of this area.

4.4.5 *To ensure that sites fronting streets present a pleasant and coherent residential appearance.*

The setback of buildings from the front boundary assists with privacy and provides for landscaping. The front setback provides an open style streetscape which is part of the established residential character of Upper Hutt.

4.4.6 *To mitigate the adverse effects of noise within residential areas to a level consistent with a predominantly residential environment.*

[AMENDMENT 6 – AMEND THE EXPLANATION TO POLICY 4.4.6]

Noise is a particularly important amenity consideration in residential areas as people are living in close proximity to each other. This policy aims to ensure that noise levels experienced are reasonable for a Residential Zone. In the Wallaceville Structure Plan Area, fencing, noise insulation and/or ventilation standards seek to mitigate the reasonable adverse effects of noise arising from adjoining activities. The standards ensure a reasonable level of acoustic amenity within buildings that have their windows closed. Ventilation standards have been developed to avoid the need to open windows.

4.4.7 *To promote a safe and efficient roading network which avoids, remedies or mitigates the adverse effects of road traffic on residential areas.*

Traffic on roads, whether mobile or stationary, can have major impacts on the amenity values of residential areas.

An efficient residential roading network of a high standard will meet the mobility needs of the City's residents, give access to available transport services, provide safety for those using the network and mitigate the adverse effects of traffic on the environment.

4.4.8 *To ensure that signs in residential areas do not adversely affect neighbourhood amenity or traffic safety.*

The Residential Zone is relatively free from signs, which can detract from amenity values. For this reason, controls are needed to prevent the proliferation of signs and to manage the effects of those that are appropriate in the zone.

4.4.9 *To promote a relatively low intensity of development within the Conservation and Hill Areas.*

These areas have a lower level of building density with a corresponding sense of spaciousness compared with other residential areas. They have developed a certain character as a result of past patterns of development. Higher density forms of development such as Comprehensive Residential Development may erode the character and amenity of these areas, and higher density housing is therefore not encouraged. This policy seeks to recognise and protect the existing and potential future levels of amenity.

4.4.10 ***To protect trees and vegetation which contribute to the amenity values of the Conservation and Hill Areas.***

Trees add to the character of residential areas and also have ecological, historical, and cultural values.

The Conservation and Hill Areas have special qualities which merit the protection of trees. They also merit different requirements for development and subdivision to assist in protecting their amenity values and land stability.

4.4.11 ***To provide for new residential development within the City in a sustainable manner.***

The edge of the urban area is defined primarily by a rural interface. Council generally intends to contain new residential development within the existing zoned urban area. Continuous expansion at the City's edge, while large parts of the urban areas remain undeveloped, does not constitute sustainable management.

Greenfield subdivision, for urban residential development outside Residential Zones should be considered by way of a District Plan change to extend the urban area. This enables the full effects of the potential development to be assessed.

4.4.12 ***To promote subdivision and residential development with a high level of amenity and ensure that it has adequate access to infrastructural requirements.***

The Plan provides for the intensification of land use within the urban area to accommodate residential development where adverse effects can be avoided, remedied or mitigated.

Subdivision requires resource consent because Council may need to impose conditions that relate to provision or co-ordination of services and other matters relating to the sustainable management of resources.

4.4.13

To encourage higher density housing through the provision of reduced net site area standards and in the form of Comprehensive Residential Developments in identified areas of the City.

[AMENDMENT 7 – AMEND THE EXPLANATION TO POLICY 4.4.13]

The Plan identifies areas considered suitable for higher density residential development. These areas are located surrounding the central business district, around the Trentham neighbourhood centre located at Camp Street, ~~and~~ near the Wallaceville railway station from Ward Street to Lane Street, ~~and within the Urban Precinct and Grants Bush Precinct of the Wallaceville Structure Plan Area.~~

These areas are in close proximity to retail and service facilities as well as the availability of major transport points, including rail and bus services, and a major bus terminal in the CBD.

The reduction of net site area standards in the Residential (Centres Overlay) Areas recognises a minimum site area Council is prepared to allow for housing development. Any reduction below this minimum net site area is provided for as a discretionary activity and will be assessed against the Design Guide for Comprehensive Residential Development so as to ensure that any subdivision or development below this net site area can still achieve a high quality.

[AMENDMENT 8 – INSERT NEW POLICY 4.4.14]

Note: Wording agreed in forth joint statement dated 4 August 2015

4.4.14

Provide for subdivision and/or Development within the Wallaceville Structure Plan Area that is consistent with the Wallaceville Structure Plan-

The Wallaceville Structure Plan in Chapter 39: Wallaceville includes the following:

- the Wallaceville Structure Plan Map
- Wallaceville Precinct descriptions, intentions and outcomes
- Wallaceville Indicative Road Typologies
- Wallaceville Stormwater Management Principles

The Wallaceville Structure Plan has been based on detailed assessment of site constraints and opportunities and sets out an appropriate response to these. It includes detailed consideration of servicing requirements to ensure that adverse effects of urban development within the Wallaceville Structure Plan Area is appropriately managed while incorporating an element of design flexibility to ensure a suitable level of amenity while responding to housing demand.

[AMENDMENT 10 – INSERT NEW POLICY 4.4.15]

Note: Policy notified as 4.4.16

Wording agreed in forth joint statement dated 4 August 2015

4.4.15

Policy 4.4.15 Subdivision and/or development in the Wallaceville Structure Plan Area, will only be appropriate if it:

- **Is integrated with the development generally anticipated in the Wallaceville Structure Plan**
- **Provides a high level of residential amenity;**
- **Ensures adequate infrastructure and transport provision;**
- **Facilitates the safety of road users;**
- **Provides adequate on-site stormwater management; and**
- **Does not detract from the vitality and vibrancy of the Upper Hutt CBD**

The Wallaceville Structure Plan provides for the development of the Wallaceville Structure Plan Area in a logical and coherent manner that takes into account the historical, cultural, environmental and landscape characteristics of the area. It also establishes outcome expectations based on an analysis of site values, constraints and opportunities. Requiring development to be consistent with this plan will ensure that future development represents sustainable management of the land resource. Subdivision within the Wallaceville Structure Plan Area is a restricted discretionary activity to enable consideration of consistency with the Structure Plan. Subdivision and/or development that is consistent with the Wallaceville Structure Plan will satisfy Policy 4.4.15, and provide for sustainable management of the land resource.

The development of the site will occur over an extended period. During this time opportunities to integrate alternative land uses within the site may arise. This policy provides a framework for the consideration of such alternative land uses and layouts. The policy emphasises the importance of ensuring development ensures adequate infrastructure provisions, minimises potential effects on the Upper Hutt CBD, is integrated with the remainder of the site's development, and that it avoids, remedies or mitigates adverse environmental effects.

4.5 Methods

[AMENDMENT 11 – AMEND METHOD 4.5.1]

4.5.1

District Plan provisions consisting of a Residential Zone identifying the residential environments within the City, including the Conservation and Hill Areas, and Residential (Centres Overlay) Areas and the Wallaceville Structure Plan Area. Rules and standards apply to activities so that adverse effects are avoided, remedied or mitigated. Consent application procedures provide for the consideration of effects on a case-by-case basis and the imposition of appropriate conditions when necessary. Design guidelines provide for assessment of Comprehensive

Residential Developments and subdivision design in Residential (Centres Overlay) Areas.

4.5.2 Code of Practice for Civil Engineering Works.

4.5.3 Abatement notices and enforcement orders may be issued where it is necessary to enforce the Plan rules and mitigate any adverse effects of activities.

4.5.4 Reserve Management Plans.

- 4.5.5** District Plan rules requiring reserve contributions and development impact fees.

4.6 Anticipated environmental results and monitoring

The following results are expected to be achieved by the objectives, policies and methods of this Chapter. The means of monitoring whether this Plan achieves the anticipated environmental results are also set out below.

Anticipated environmental results	Monitoring indicators	Data source
Maintenance of residential amenity and special landscape characteristics, including on-site amenity, streetscape design and appearance	Number of resource consents by type Community Survey Complaints and enforcement proceedings	Council records Council Survey Complaints register
Development of the Residential Zone which reflects the amenity values of the area	Compliance with performance standards within the Residential Zone Number of resource consents by type	Council records

6 BUSINESS ZONE

6.1 Background

Businesses within the City are located in the Central Business District (CBD), commercial and industrial areas, and suburban areas. Some parts of the business areas include hotels, tourist facilities and other activities.

Historically, the location of industry in Upper Hutt has been influenced by two factors, land availability in southern and eastern Upper Hutt and the close proximity of transportation links.

6.2 Resource Management Issues

6.2.1 *Adverse effects on amenity values and environmental quality resulting from business activities.*

Business activities in general, while vital to the well-being of the community, may have a range of adverse effects on the surrounding environment, including residential areas. These effects need to be identified and managed to ensure that amenity values are not diminished. The adverse environmental effects which business activities may have can include increases in traffic density, noise and odour, a decrease in sunlight, and loss of privacy and visual amenity.

6.2.2 *The adverse effects of business activities on the existing infrastructure and resources of the business areas.*

Activities in business areas can result in effects on the infrastructure and resources which have established there.

The efficient use of the existing infrastructure and resources of the business areas, including new development, is considered to be an important resource management matter.

6.2.3 ***Providing for a range of business activities which are readily accessible.***

The variety of activities which exist in the business areas contributes to the vitality and convenience of the City. A number of distinct business areas are found in the City. The CBD has a range of retail activities, community and entertainment facilities, civic and cultural facilities, offices and businesses, and is a focal point for the City. Suburban centres provide for a more limited range of shopping and business needs. Local shops and dairies provide day-to-day convenience shopping.

Business industrial areas provide a wide range of goods and services and opportunities for economic activities.

6.2.4 ***The continued maintenance of an appropriate level of environmental quality within business areas.***

Business activities can generate traffic, smoke, noise, vibration, glare or other nuisances that can adversely affect other nearby activities. They also can have potential adverse effects on the natural environment, such as water bodies and indigenous bush areas.

Some business areas within the City are characterised by pedestrian orientated activities and amenities. Large-scale industrial, warehousing and storage facilities, which are vehicle-orientated, may adversely impact on the pedestrian environment of the CBD. It is therefore important to recognise the particular elements which affect the amenity values of an area.

6.2.5 ***Provision for the development and use of land on Eastern Hutt Road for business and service industrial activities.***

Land on Eastern Hutt Road zoned Business Industrial is suitable for development and use for business industrial activities, taking advantage of its strategic location on the transportation network, provided the risk of flooding from both the Hutt River and Halls Creek is satisfactorily mitigated. The land's location would also allow the larger building heights required by the business and service industry, provided the visual appearance of the buildings can be adequately sited and designed, and the front yard landscaped.

6.3	Objectives
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6.3.1 ***The sustainable management of physical resources within the existing business areas of the City to protect and enhance their amenity values.***

This objective recognises the importance of particular elements and characteristics that define the business areas. Business activities and development can have both positive and adverse environmental effects on the areas that surround them. Any consideration of effects must take account of the need to provide sufficient areas for business development needs, and the maintenance of amenity values and character.

The business areas within the City are divided into two specific Sub-zones to reflect the Plan's policies:

- The Commercial Sub-zone focuses on retail and service functions which support the local community. Within this sub-zone, the CBD accommodates a variety of activities in a compact, convenient layout which is characterised by pedestrian-orientated traffic. Commercial activities are also provided for at Silverstream and other suburban areas. These areas provide for a limited range of shopping and business needs. The smaller neighbourhood shops, including dairies, provide for day-to-day convenience shopping.
- The Industrial Sub-zone incorporates land which is used for a range of business activities, but in particular larger scale industrial, warehousing, storage and commercial activities which are vehicle rather than pedestrian orientated. There are limited retail activities within these areas and the environmental standards are less stringent than those within the Commercial Sub-zone.

[AMENDMENT 12 – INSERT NEW OBJECTIVE 6.3.1A]

6.3.1A ***Provide for the Gateway Precinct of the Wallaceville Structure Plan Area as a neighbourhood centre which:***

- ***Provides local convenience retail and services***
- ***Provides employment opportunities***
- ***Provides residential development where this is compatible with retail, commercial and office land uses***
- ***Makes efficient use of natural and physical resources***

This objective seeks the creation of a local centre that will generate retail and employment opportunities in the Wallaceville Structure Plan Area (Chapter 39: Wallaceville). This area will support the high density residential development and other parts of the site.

6.3.2 *The promotion of a compact, convenient and attractive pedestrian orientated Central Business District.*

The role of the CBD, as a commercial and community focus of the City, relies on the accessibility and attractiveness of the area. Retail activities within the area are sustained by its pedestrian focus.

Council feels that the location of churches in the CBD needs to be controlled, as they may conflict with its retail function.

6.3.3 *The avoidance, remedying, or mitigation of the adverse effects of business activities on the amenity of surrounding neighbourhoods.*

The effects generated by the wide range of activities provided for in the Business Zone, such as smoke, noise, vibration, glare or other nuisances, can have adverse effects on areas beyond the Business Zone boundaries.

6.3.4 *The Business Industrial zone on Eastern Hutt Road is used and developed for business and service activity, while appropriately mitigating the risks from flooding and maintaining the amenity values of the area.*

The site is flat, has good road access, and is not located near potentially sensitive activities. The site therefore has the ability to provide for activities requiring relatively higher heavy vehicle movements and larger buildings. However, this land is currently subject to the risk of flooding from both the Hutt River and Halls Creek; and requires appropriate measures to be implemented to mitigate these flood risks, ensuring that these matters do not exacerbate the risks elsewhere. Given the high visibility of the land and amenity values in the vicinity, appropriate siting, design and landscaping measures are required to maintain these values.

6.4 Policies

6.4.1 ***To promote the location of retail activities in patterns which do not adversely affect the amenity values of the Central Business District, and to limit the establishment of retail activities within the business industrial sub-zone.***

The CBD is the focus of many retail and service activities that, in combination, give this area a special and unique character as the centre of the City. The focusing and clustering of activities within the CBD is an important part of the vitality, character and amenity of the City. This policy seeks to recognise the role of the CBD by promoting its amenity characteristics and recognising its overall economic viability, but this policy does not seek to preclude retail development in other parts of the City such as in neighbourhood centres. This in turn promotes the sustainable management of the CBD.

Yard-orientated retail activities and large format retail activities tend to adversely affect pedestrian amenity values. It is therefore important to encourage them to locate in areas where a lower level of pedestrian amenity is acceptable such as in the business industrial sub-zone. Establishment of retail activity in the business industrial sub-zone is however controlled in order to enable the assessment of the scale and character of retail activity. Retail activity in the business industrial sub-zone can detract from other retail areas of the City and can generate adverse traffic effects. Retail activity can also conflict with other land uses within the business industrial sub-zone. Large format retail development should be located in a manner complementary to the existing retail development of the City and in a manner that is complementary to, and does not detract from, the vitality and viability of the CBD.

Specific provision is made for large format retailing to establish on the former South Pacific Tyres site being a location that is considered to be complementary to the CBD and which can contain a number of large format retail activities in an integrated manner, complementary to established activities on Park Street. The site has been identified as being appropriate for large format retailing through the development of the Upper Hutt Urban Growth Strategy.

The concentration of activities in established areas results in the provision of a wide range of services and the promotion of amenity values of the established business areas. It also encourages better use of community resources such as the City Library or recreation facilities which are more convenient when located centrally.

6.4.2 *To promote a high level of Central Business District amenity, including weather protection in Main Street and the minimisation of conflict with motor vehicles.*

This policy promotes the protection and enhancement of the environmental quality of the CBD, and provision for the needs of pedestrians. A lack of weather protection can detract from the amenity and pleasantness of the area. Verandahs will be required for buildings along Main Street. Council also seeks to enhance the amenity of the CBD by traffic management measures and the provision of street furniture.

6.4.3 *To ensure that activities in the Business Zone do not unduly detract from the character and amenity of neighbouring areas.*

This policy recognises the potential for business activities to impact adversely on adjoining areas and consequently aims to preserve the amenity values of areas adjacent to the Business Zone.

6.4.4 *To control the size and scale of buildings and the visual appearance of sites within the Business Zone.*

[AMENDMENT 13 – INSERT ADDITIONAL EXPLANATION TO POLICY 6.4.4]

This policy aims to preserve amenity values within the Business Zone. Buildings and sites need to be attractive and be of a size or type that is compatible with the neighbourhood.

The scale, nature and effects of industrial activities are not particularly compatible with residential activities. To avoid possible conflicts, the Plan provisions limit residential activity within the Business Industrial Sub-zone to that required for the effective operation of the business activity.

In the Gateway Precinct of the Wallaceville Structure Plan Area all new buildings and significant exterior alterations to existing non-listed heritage buildings require resource consent as a restricted discretionary activity subject to compliance with specific standards. Matters of discretion include the effects of the proposed development on the character and significance of heritage features within the precinct.

6.4.5

To promote the efficient development and use of Business Industrial zoned land on Eastern Hutt Road, which satisfactorily mitigates the flood risks of the area and that does not unduly detract from the amenity of the area.

Bulk, height and location standards for the Business Industrial zone on Eastern Hutt Road provide for the large buildings required for the business and service industry. Building setback standards and the management of landscaping requirements as a controlled activity apply along the Eastern Hutt Road frontage so that an acceptable visual appearance will be achieved on that aspect. Residential activity is a non-complying activity because of the potential for reverse sensitivity effects. Noise standards have been set at a reasonable level reflecting the nature of distribution activities and associated 24-hour truck movements.

As this land is subject to the risk of flooding from both the Hutt River and Hulls Creek, any development of the site shall be designed and built to ensure that buildings and site access will be free of inundation from a flood with a magnitude of 2300 cumecs (including freeboard) in the Hutt River, and a 1 in 100-year (including freeboard) event in Hulls Creek. This level of flood protection shall not be achieved by surrounding the buildings with stopbanks or any other flood protection structure.

The natural and scenic values of Hulls Creek shall be protected and enhanced by discouraging the use of the riparian margins and land to the southeast of the Creek for business industrial activities, and providing for passive recreation and conservation activities in these areas.

[AMENDMENT 14 – INSERT NEW POLICY 6.4.6]

Note: Wording agreed in fourth joint statement dated 4 August 2015

6.4.6

Provide for subdivision and/or development within the Gateway Precinct of the Wallaceville Structure Plan Area that is consistent with the Wallaceville Structure Plan

The Wallaceville Structure Plan identifies the Gateway Precinct as the location of a local centre incorporating retail, commercial and above ground level residential uses. It also establishes intention and outcome expectations based on an analysis of site values, constraints and opportunities. Requiring development to be consistent with the Structure Plan will ensure that future development of the local centre represents sustainable management of the land resource.

[AMENDMENT 15 – INSERT NEW POLICY 6.4.7]

Note: Wording agreed in fourth joint statement dated 4 August 2015

6.4.7

Subdivision and/or development in the Wallaceville Structure Plan Area will only be appropriate if it:

- **Provides a high level of amenity;**
- **Ensures adequate infrastructure and transport provision;**
- **Facilitates the safety of road users;**
- **Does not detract from the vitality and vibrancy of the Upper Hutt CBD; and**
- **Is integrated with the development generally anticipated in the Wallaceville Structure Plan**

The Wallaceville Structure Plan provides for the development of the Wallaceville Structure Plan Area in a logical and coherent manner that takes into account the historical, cultural, environmental and landscape characteristics of the area. It also establishes outcome expectations based on an analysis of site values, constraints and opportunities. Requiring development to be consistent with this plan will ensure that future development represents sustainable management of the land resource. Subdivision, new buildings and significant exterior alterations to existing buildings within the Gateway Precinct of the Wallaceville Structure Plan Area is a restricted discretionary activity to enable consideration of consistency with the Structure Plan. Subdivision and/or development that is consistent with the Wallaceville Structure Plan will satisfy Policy 6.4.7 and provide for sustainable management of the land resource.

The development of the site will occur over an extended period. During this time opportunities to integrate alternative land uses within the site may arise. This policy provides a framework for the consideration of such alternative land uses and layouts. The policy emphasises the importance of ensuring development is integrated with the remainder of the site's development, and that it avoids, remedies or mitigates adverse environmental effects.

6.5 Methods

- 6.5.1** District Plan provisions consisting of the following:
- A Business Zone identifying the business environments within the City. These are the Business Commercial and Business Industrial Sub-zones.
 - Rules and performance standards to avoid, remedy or mitigate adverse effects.
- 6.5.2** Code of Practice for Civil Engineering Works.
- 6.5.3** Abatement notices and enforcement orders may be issued where it is necessary to enforce the performance standards and mitigate any adverse effects of activities.
- 6.5.4** Consultation with businesses and landowners to promote new developments which avoid, remedy or mitigate the potential adverse effects of all activities.
- 6.5.5** Management Plans prepared under relevant legislation.

6.6 Anticipated environmental results and monitoring

The following results are expected to be achieved by the objectives, policies and methods of this Chapter. The means of monitoring whether this Plan achieves the anticipated environmental results are also set out below.

Anticipated environmental results	Monitoring indicators	Data source
Development within the Business Zone which reflects the location, scale and intensity of development in the surrounding environment	Density within the Business Zone Number of resource consents by type	Council records
Management of the Business Zone so that activities do not unduly affect adjacent land users	Number of resource consents by type Complaints and abatement/enforcement proceedings	Council records Complaints register

A CBD which is safe, convenient and attractive	Complaints and abatement/enforcement proceedings	Complaints register Field work
A consolidated Business Zone that continues to maximise resources and existing infrastructure	Density within the Business Zone Number of resource consents by type	Council records
Retail activities are appropriately located to not adversely affect the economic viability of the CBD and to ensure that the industrial land resource of the City is used primarily for industrial purposes	Number of resource consents by type The spatial development of retail activities The use, occupation and vacancy rate of industrial land and buildings	Council records Field work

8 SPECIAL ACTIVITY ZONE

8.1 Background

The main characteristics of the Special Activity Zone are the form and scale of building development, the nature and intensity of activities on the sites and their effects on the environment.

~~[AMENDMENT 15 – DELETE TO WARC FROM BACKGROUND]~~

Major activities in the Zone include Trentham Military Camp, Rimutaka Prison, New Zealand International Campus (the former Central Institute of Technology (CIT) complex), ~~Wallaceville Animal Research Centre~~, St Patrick's College, Trentham Racecourse, Heretaunga Golf Course and the Silver Stream Railway. These activities make an important and positive economic, social and cultural contribution to the City.

The area adjoining and including St Patrick's College covers approximately 65 hectares of land, 45 hectares of which is undeveloped. This land is referred to in the Plan as the St Patrick's Estate Area. The land borders the Hutt River and forms part of the flood plain.

The Hutt City Council have a designation for an excess wastewater flow storage facility adjacent to the Eastern Hutt Road.

8.2 Resource Management Issues

8.2.1 ***The continuing operation of the Trentham Military Camp, Rimutaka Prison and the facilities of the New Zealand International Campus (former Central Institute of Technology site) in a manner which avoids, remedies or mitigates adverse environmental effects.***

The Trentham Military Camp, Rimutaka Prison, and the New Zealand International Campus (former CIT site) are located in close proximity to each other. The scale and nature of activities associated with these uses requires the management of the area in a sustainable manner which avoids, remedies or mitigates any adverse environmental effects on the surrounding residential areas.

Many of the areas are designated, and activities can take place as long as they are in accordance with the designation. The Plan's controls therefore relate mainly to activities not consistent with the designation. The approach of the Plan in relation to the New Zealand International Campus (former CIT site), which is not designated, is similarly to provide for the operation and development of the facility in a sustainable manner that avoids, remedies or mitigates any adverse environmental effects.

8.2.2 *The need to maintain amenity values within the Special Activity Zone and adjoining environments.*

The nature of existing activities is such that their potential adverse impact on adjacent properties needs to be mitigated. Similarly, there will be a need to control the effects of new activities establishing within the Zone.

8.2.3 *Intermittent noise of army activities.*

Activities undertaken at Trentham Military Camp include the use of firing ranges and demolition areas, which have been in existence since 1903. While the Camp is used for Defence Purposes in terms of its designation there is a potential for noise and other effects on the surrounding environment.

8.2.4 *Potential detracting from the visual amenity resulting from development on the St Patrick's Estate Area.*

The St Patrick's Estate Area is currently mainly pasture and is part of the open vista entrance to Upper Hutt. This open character is a feature when entering the City from the south. To recognise and respect the "gateway" function of the area and maintain its visual amenity, building development should be relatively low-profile with an emphasis on landscaping.

8.2.5 *The threat to the St Patrick's Estate Area from potential inundation from the Hutt River and the Mawaihakona Stream.*

As this is a flood plain, a number of restrictions have to be placed on the location and construction of buildings and structures.

8.3	Objectives
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8.3.1 *The promotion of integrated and efficient management of natural and physical resources within the Special Activity Zone.*

The provisions of the Special Activity Zone have been designed primarily to manage specific land uses which would not be appropriate within any other zones. Three of the land uses, the Trentham Military Camp, Rimutaka Prison and the New Zealand International Campus (former Central Institute of Technology), have developed in close proximity to each other and have a similar appearance and scale of building development.

The Plan seeks to allow further development at these sites while protecting the amenity values of the Zone and adjacent residential areas.

8.3.2 *Recognition of the characteristics of activities in the Special Activity Zone and their effects on amenity within the Zone and in nearby areas.*

The amenity within and surrounding the Special Activity Zone is important for those who live and work in the locality. However, the nature of some of the activities in the Zone is such that those living nearby must expect the level of their amenity to be affected by them.

8.3.3 *Provision for a range of activities on the St Patrick's Estate Area which avoids, remedies or mitigates any adverse effects on its visual amenity, on the neighbouring community, services and roading infrastructure, and takes into account the flooding hazards.*

St Patrick's Estate is an area of land with potential for a wide range of development options. This area is dealt with under a specific policy framework within the Special Activity Zone. The St Patrick's Estate contains two distinct areas for future development, which are identified on the Planning Maps:

- The St Patrick's College Area for future education expansion.
- The Managed Development Area for a range of other uses.

Controls are required to prevent development in close proximity to the Hutt River and Mawaihakona Stream.

8.4	Policies
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8.4.1 *To provide for the operation and development of the Trentham Military Camp, Rimutaka Prison and the New Zealand International Campus (former CIT site), as well as the other areas zoned Special Activity.*

These specific uses have existed for a long period of time. The continued use and development of these facilities are provided for by allowing for a range of activities which are related to the primary uses.

8.4.2 *To ensure that the effects of activities within the Special Activity Zone on nearby properties are avoided, remedied or mitigated.*

The effects generated by activities within the Special Activity Zone include noise, light and other nuisances which can have adverse impacts beyond the Zone boundary. Such effects should be contained as far as practicable within the Zone, and should not cause undue nuisance or danger to adjoining land uses.

8.4.3 *To control the adverse effects of the scale, location and appearance of development and buildings.*

Existing development within the Zone is of a form and scale which contrasts with the surrounding residential, rural and open space environments. To ensure that new development, including buildings, is at an appropriate form and scale, the Plan provides site layout, landscaping and bulk and location requirements.

8.4.4 *To provide for a range of activities within the St Patrick's Estate Area which best suit the characteristics and constraints of the existing environment.*

Two distinct areas provide for a range of commercial, open space and educational activities appropriate to the environmental character and constraints of the land and surrounding area. These have been based on previous policies for the land and negotiation with the landowners and other parties. Linkages to the Hutt River walkway and the Silverstream Railway Station may be important components of future development.

The rules for these areas require that any development be serviced with appropriate access to existing services and roads. In a major flood event, structures could impede the flood flow, putting buildings, roads or services in danger and causing additional problems. Accordingly, activities that are relatively free of structures are appropriate for the part of the site in the flood plain. However, special requirements are also included in relation to building floor levels, roads and services, so that structures may be developed as long as they are designed for protection from future floods with a 1 in 100 year return period.

8.4.5 *To promote the visual quality of the land by encouraging development which enhances amenity values.*

In order to promote the environmental amenity of the site and surrounding area, most development will require a resource consent. This allows for an assessment of potential adverse environmental effects to be undertaken.

8.5 Methods

8.5.1 District Plan provisions consisting of the following:

- A Special Activity Zone containing special land uses and environments within the City. Rules and standards reflect environmental standards so that adverse effects can be avoided, remedied or mitigated.
- For the St Patrick's Estate Area two special areas are identified. These are the Managed Development Area, which provides for a range of development options, and the St Patrick's College Area which promotes the development of educational facilities. These areas are identified on the Planning Maps.
- Rules controlling vegetation clearance, setbacks, earthworks, minimum lot size, noise and other nuisances, subdivision and building.

8.5.2 Code of Practice for Civil Engineering Works.

8.5.3 Abatement notices and enforcement orders may be issued where necessary to enforce Plan rules and mitigate any adverse effects.

8.6 Anticipated environmental results and monitoring

The following results are expected to be achieved by the objectives, policies and methods in this Chapter. The means of monitoring whether this Plan achieves the anticipated environmental results are also set out below.

Anticipated environmental results	Monitoring indicators	Data source
The continued use and development of the Zone	Changes in land use	Council records Resource consent information
Mitigation of adverse effects within the Zone and on surrounding residential areas	Effectiveness of conditions of consent and methods used in managing adverse effects	Complaints register Council resource consent records for compliance with conditions
Development on the St Patrick's Estate Area which has due regard to the flood hazards, the environmental characteristics of the site and the compatibility of a diverse range of activities	Change in land cover and use Development in identified natural hazard areas Resource consents by type	Council resource consent records

11 HERITAGE

11.1 Background

This Chapter presents the Council's objectives, policies, and methods for the protection and management of heritage. These are based upon the identification of significant areas or features. This Chapter also addresses how Council will give effect to section 8 of the Act, which requires Council to take into account the principles of the Treaty of Waitangi.

The heritage of the City is essentially evidence from the past that has become the inheritance of present day Upper Hutt. Many buildings, structures, sites and features within the City are significant because they possess historical, scientific, spiritual, architectural, cultural or other values.

Heritage contributes towards community identity. It teaches us about the past and provides variety and contrast.

The Chapter also addresses Council's need to recognise and provide for Maori perspectives of resource management. This is a matter of national importance under the Act. Consultation and dialogue between local government and tangata whenua is one of the key means to address this. An open and positive approach is required from all parties, and this should be made in good faith. Furthermore, it requires the recognition of Maori values about the environment and natural resources, including the concept of kaitiakitanga (the exercise of guardianship over resources) and the protection of places and resources of traditional importance to tangata whenua. Section 8 of the Act requires that the principles of the Treaty are taken into account in promoting the purpose of the Act.

History of Upper Hutt

In the 13th century early Maori explorers Tara and his half brother Tautoki travelled south from the area now known as Hawkes Bay following the earlier exploration by Whatonga. Having arrived in the Hutt Valley they received a visitor from Hawke's Bay who suggested that the river be named Heretaunga after the area in Hawke's Bay. The river was previously known as Te Awa Kairangi having been named that by Kupe.

Others followed from Hawke's Bay, and villages were established along the banks of the river. Rongo who was in one village named it Rongonui, which became Orongomai, the place of Rongonui.

Tribes came from many parts: Ngati Tama from the area now known as Port Nicholson; Chief Taringakuri from Taranaki; Ngati Rangi came from the West Coast; and Ngati Ira migrated from southern Hawke's Bay, invited by Ngai Tara of Wairarapa.

The northern tribes Nga Puhi, Ngati Whatua, Waikato and Ngati Toa came to the area and conquered the Ngati Ira pa Pakikoro, thought to be on the western hills near where the Silverstream Hospital was located (off Reynold's Bach Drive). The village of Haukaretu, now known as Maoribank, was also captured. The northern tribes left as they found the area inhospitable. The Ngati Toa leader Te Rauparaha later completed the raids in the area by capturing the Pa Whakataka at Te Marua, which was the residence of Ngati Kahukuraawhitia, a sub tribe of Ngati Ira. Te Rauparaha wiped out all, before heading back to the north. He returned with the Ngati Toa and settled on the Kapiti Coast.

Te Atiawa from Taranaki were at peace with Te Rauparaha and settled at Waikanae and in Heretaunga. Te Atiawa are now the tangata whenua of Upper Hutt. Members of Orongomai marae can trace their origins back to those many tribes who came to the area as well as to other parts of New Zealand.

There is now very little evidence of Maori settlement in Upper Hutt, either in terms of Maori land holding, waahi tapu, sites with physical taonga or identifiable Maori settlement. The local marae, Orongomai, is representative of many tribal affiliations. The Orongomai Marae Committee is autonomous in that it is able to make recommendations and offer advice pertaining to matters dealing with Maori in Upper Hutt.

Historical records indicate that the first European settlers came to the 'Valley of the Heretaunga River', now known as the Upper Hutt Valley, in the early 1840s. Development was slow in the first decade of settlement due to the poor state of access between the upper and lower valleys of the renamed Hutt River. The Hutt River was given its name by the New Zealand Company as a memorial to Sir William Hutt, the British Member of Parliament and former Chairman of the New Zealand Company. The completion of the first road through the steep Taita Gorge in 1847 led to the progressive settlement of the Upper Valley and the clearing of native vegetation for the establishment of homes and farms.

The opening of the Rimutaka Hill Road for wheeled traffic in 1856 secured Upper Hutt's early function as a staging post for travellers en route northwards. The beginnings of the present City can be traced to the small townships which, in the latter half of the century, sprang up around the hotels on the way to the Wairarapa and later around the sawmills and the railway stations. With the railways came larger scale subdivision of land and the establishment of adjacent townships, Trentham, Mawaihakona and Gower. Urban development continued and in 1966 the City of Upper Hutt was constituted.

11.2 Resource Management Issues

11.2.1 *The need for recognition of the role of tangata whenua in the management of the City's natural and physical resources.*

The Resource Management Act places special responsibility on the Council to do this.

11.2.2 *Inappropriate modification, loss or destruction of heritage resources.*

The preservation of the City's heritage can enhance its character and amenity and provide important links with the past. Significant heritage buildings, structures, features and sites can be susceptible to changes that can alter, diminish or destroy their character or significance. It is important to safeguard features from inappropriate development or total destruction as their loss can reduce the community's understanding of the past, amenity values and the special character of the area.

11.3 Objectives

11.3.1 *The protection of significant heritage features in Upper Hutt to promote continuity with the past.*

Heritage within Upper Hutt is important for community identity and indicates past land uses, activities, aspirations and values. It is an integral part of the City's life and character and must be recognised in its future development.

11.3.2 *The management of natural and physical resources in a manner which takes into account the principles of the Treaty of Waitangi and has particular regard to kaitiakitanga.*

The objective recognises the role of the tangata whenua in the management of natural and physical resources and the implementation of the concept of guardianship.

11.4	Policies
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- 11.4.1** *To protect buildings, structures, features, areas, and sites of significant heritage value within the City from activities which would result in their unnecessary degradation, inappropriate modification or destruction.*

Heritage features include archaeological sites, buildings, structures, features and areas. These provide important links with the past. Their identification and protection through the District Plan assists in developing a greater awareness and understanding of our history and identity.

[AMENDMENT 16 – INSERT AN ADDITIONAL EXPLANATION TO POLICY 11.4.1]

Activities have the potential to compromise, or even destroy, the character and significance of heritage features. Council seeks to manage adverse effects of activities by allowing any repair and maintenance of heritage features as a permitted activity and grouping other activities according to their likely adverse effects on them. In the Gateway Precinct of the Wallaceville Structure Plan Area (Chapter 39: Wallaceville) all new buildings and significant exterior modifications to existing non-listed heritage buildings require resource consent as a Restricted Discretionary activity. Matters of discretion include the effects of the proposed development on the character and significance of heritage features within the precinct.

- 11.4.2** *To promote awareness of the need to take into account the principles of the Treaty of Waitangi.*

Awareness of the principles of the Treaty in so far as they relate to resource management will be promoted amongst agencies responsible for resource management in the City, where appropriate.

- 11.4.3** *To recognise the principle of partnership in managing the use, development and protection of the City's natural and physical resources.*

One of the key principles of the Treaty is the notion of 'partnership' - that tangata whenua and the Crown must work together over matters of mutual concern such as the management of natural and physical resources. The Council, as a representative of the Crown at the local level, will take into account this notion of partnership in the exercise of its resource management functions and powers under the Act.

- 11.4.4** *To avoid, remedy or mitigate any adverse effects of activities on sites of significance to tangata whenua.*

Council seeks to minimise the adverse effects on cultural values by identifying sites in the Plan as significant to tangata whenua. Sites with historical values, such as a pa site, have been identified in Chapter 26.

11.5	Methods
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11.5.1 District Plan Provisions consisting of the following:

1. The Schedule of Significant Heritage Features (26.8) includes New Zealand Historic Places Trust Category I and II buildings and items significant to Maori. These have been identified by the Trust as being of national significance. It also includes sites identified by the New Zealand Archaeological Association. Further features that require protection will be added to the Schedule by way of a Plan change.
2. Rules to implement the policies.
3. Planning Maps which identify the location of significant heritage features.
4. The consideration of possible plan changes to protect heritage features and areas.

11.5.2 The use of Heritage Protection Orders in accordance with the Act, where appropriate. A Heritage Order is particularly useful in a situation where a valuable heritage resource is in danger of destruction.

11.5.3 Promotion of education programmes to increase public knowledge of the existence and importance of sites within Upper Hutt. This could be done through pamphlets, displays, school programmes and talks.

11.5.4 Consultation and liaison with tangata whenua and the Orongomai Marae Committee and the New Zealand Historic Places Trust.

11.5.5 Information will be supplied on listed features to those persons applying for resource consents, project information memoranda and land information memoranda.

11.5.6 Consultation with the liaison person representing tangata whenua, where appropriate.

11.5.7 Observation of protocol to deal with tangata whenua matters.

11.6 Anticipated environmental results and monitoring

The following results are expected to be achieved by the objectives, policies and methods of this Chapter. The means of monitoring whether this Plan achieves the anticipated environmental results are also set out below.

Anticipated environmental results	Monitoring indicators	Data source
Significant heritage features maintain their original character and are protected from the adverse effects of inappropriate activities	Type of resource consents and compliance with conditions Effectiveness of conditions of consent and methods used in managing adverse effects Consultation	Council records including monitoring of scheduled features Council complaints register New Zealand Historic Places Trust
The protection and enhancement of taonga as appropriate to the needs and values of tangata whenua	Consultation with tangata whenua	Council records
The ability for tangata whenua to develop and use the City's natural and physical resources in accordance with traditional values and customs	Consultation Input into resource management policies	Council records
Demonstration of the exercise of partnership in the management of the City's natural and physical resources	Consultation Input into resource management policies	Council records Consultation

18 RESIDENTIAL ZONE RULES

Activities Tables

Policies 3.4.1, 4.4.3, 4.4.11, 4.4.13, 16.4.7

18.1 Subdivision Activities	
Subdivision excluding unit title subdivision	
Subdivision which complies with the standards in rules 18.5 and 18.9 unless specified below	C
[AMENDMENT 17 – INSERT NEW RESTRICTED DISCRETIONARY RULE]	
<u>Subdivision in the Wallaceville Structure Plan Area (Chapter 39: Wallaceville) which complies with the standards in rules 18.5 and 18.9 unless specified below</u>	RD
[AMENDMENT 17A – INSERT NEW DISCRETIONARY RULE]	
<u>Subdivision in the Wallaceville Structure Plan Area that does not comply with the standards of rule 18.5 and 18.9</u>	D
Subdivision which does not comply with the standards specified in rule 18.5	D
Subdivision which complies with the standards of rule 18.5 but not rule 18.9	RD
Subdivision around any existing lawfully established dwelling which does not result in the creation of any new undeveloped site that contains no dwelling Note: this form of subdivision does not need to comply with the minimum net site area requirements of rule 18.5, but does need to meet the access standards of rule 18.9	C
Subdivision around any existing lawfully established dwelling that does not result in the creation of any new undeveloped site that contains no dwelling, that does not comply with the access standards of rule 18.9	RD
Subdivision of land for utilities, reserves or conservation purposes	C
Subdivision of a site identified in Schedules 26.8 or 27.7	D
Creation of a lot that does not have formed legal access to a formed legal road, unless the proposal is for a paper road or other access to be formed as a condition of subdivision approval in accordance with the Code of Practice for Civil Engineering Works	NC
Subdivision which creates building platforms within 20m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps *(refer to the definition of <i>transmission line</i>)	RD
Subdivision within the Residential (Centres Overlay) Area which complies with the standards of rule 18.5 but not rule 18.9	RD
Subdivision within the Residential (Centres Overlay) Area which does not comply with the standards specified in rule 18.5	D
Subdivision of Comprehensive Residential Developments	
Subdivision of a Comprehensive Residential Development applied for concurrently with a Comprehensive Residential Development under Rule 18.28A.	RD

Updates of existing company lease and cross lease, and all unit title subdivision	
Subdivision which is a unit title subdivision or an alteration to a company lease, unit title or cross lease title to include a building extension or alteration or accessory building on the site (excluding an additional dwelling) that has been lawfully established in terms of the Building Act 2004	C
Any subdivision not provided for in this table	D

Key	P Permitted activity which complies with standards for permitted activities specified in the Plan
	C Controlled activity which complies with standards for controlled activities specified in the Plan
	RD Restricted discretionary activity
	D Discretionary activity
	NC Non complying activity

18.2 Land Use Activities	
Residential Activities	
One dwelling per site	P
One family flat in conjunction with a dwelling on any site	P
Two or more dwellings on a site complying with the net site area standard of rule 18.10	C
[AMENDMENT 17B AMEND CONTROLLED ACTIVITY RULE BELOW]	
Two or more dwellings on a site within a Residential (Centres Overlay) Area <u>except on land identified as Pt Section 618 Hutt District</u> complying with the net site area standard of rule 18.5	C
Two or more dwellings on a site within a Residential (Centres Overlay) Area that does not comply with the net site area standard of rule 18.5	D
Comprehensive Residential Development on a site within a Residential Centres Overlay) Area complying with the standards and terms of rule 18.28A	RD
Comprehensive Residential Development on a site within a Residential Centres Overlay) Area not complying with the standards and terms of rule 18.28A	D
Rest homes and community care housing	P
A family flat in conjunction with a dwelling where the family flat does not comply with permitted activity standards	RD
Removal of a building from a site	P
Establishment of a relocated building from another site	C
Buildings accessory to a permitted or controlled activity which do not comply with permitted and controlled activity standards	RD
Non-Residential Activities	
Home occupations ancillary to residential activities carried out on the site	P
Home occupations ancillary to residential activities carried out on the site, which do not comply with permitted activity standards	RD
Work affecting indigenous or exotic trees in the Residential Conservation and Residential Hill Sub-zones	P
Work affecting indigenous or exotic trees in the Residential Conservation and Residential Hill Sub-zones which does not comply with the permitted activity standards	D
Veterinarian, medical and health clinics	D
Early childhood centre(s)	RD
Marae	C
Places of assembly (including places of worship, educational facilities)	D
Visitor accommodation including hotels and motels	D
Passive recreation	P

Buildings accessory to a permitted or controlled activity which do not comply with permitted or controlled activity standards	RD
Signs	P
Signs which do not comply with permitted activity standards	RD
Gang fortifications	Prohibited
Buildings or structures within 12m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps *(refer to the definition of <i>transmission line</i>)	NC
Buildings or structures within 12-20m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps *(refer to the definition of <i>transmission line</i>)	RD
Activities listed as permitted or controlled which do not comply with the relevant standards in this chapter, except as specified below	D
Activities listed as permitted or controlled which do not comply with the access standards in 18.9	RD
Activities which are not listed in this Table unless otherwise covered in the City-wide provisions of the Plan	D

18.3 City-wide provisions

Each activity including subdivision in the Residential Zone shall comply with the relevant permitted activity standards in the City-wide provisions of the Plan as listed below.

Chapter	City-wide provisions
23	Earthworks and Indigenous Vegetation Clearance
24	Esplanade Reserves and Strips
25	Reserves and Leisure Facilities Contributions
25A	Temporary Events
26	Heritage Features
27	Notable Trees
28	Southern Hills Overlay Area and Protected Ridgelines
29	Water Bodies
30	Utilities
31	Car Parking
32	Noise and Vibration
33	Flooding and Fault Band Hazards
34	Hazardous Substances and Contaminated Land

18.4 Controlled activities – restrictions on notification

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application for a controlled activity is precluded from public notification under section 95A and, subject to section 95B(3), is precluded from limited notification under section 95B(2) of the Act.

Standards for Permitted and Controlled Activities

18.5 Minimum requirements for subdivision

Policies 3.4.1, 4.4.1, 4.4.9, 4.4.13

	Front lots	Rear lots	Corner lots	Land Identified in Appendix Residential 1
Residential Areas				
Minimum net site area	400m ² -	400m ² -	450m ² -	600m ² (900m ² average)
Minimum frontage	6m	N/A	6m	N/A
Shape factor	12m	12m	12m	12m
Residential (Centres Overlay) Areas				
Minimum net site area	300m ²	300m ²	350m ²	N/A
Minimum net site area for Comprehensive Residential Developments	No minimum	No minimum	No minimum	N/A
Minimum frontage	6m	N/A	6m	N/A
Shape factor	10m	10m	10m	N/A
Conservation and Hill Areas				
Minimum net site area	750m ² -	900m ² -	750m ² -	900m ² (1500m ² average)
Minimum frontage	6m	N/A	6m	N/A
Shape factor	17m	17m	17m	17m
Exemptions				
These standards shall not apply to any lot for utility, reserve or conservation purposes.				

18.6 Subdivision which complies with the standards in rule 18.5 and 18.9, and subdivision of land for utilities, reserves or conservation purposes

Policies 4.4.2, 4.4.7, 4.4.12, 9.4.3, 10.4.1

Council may impose conditions over the following matters:

- Design, appearance and layout of the subdivision.
- Landscaping.
- Provision of and effects on utilities and/or services.
- Standard, construction and layout of vehicular access.
- Earthworks.
- Provision of esplanade reserves and strips.
- Protection of any special amenity feature.
- Financial contributions.

In relation to the land identified in Appendix Residential 1 Council may impose conditions over the following matters:

- Landscape character and visual amenity.

18.7 Subdivision which is a company lease, cross lease or unit title subdivision

Policy 10.4.1

In addition to the matters listed in rule 18.6, Council may impose conditions over the following matters:

- Allocation of accessory units to principal units and covenant areas to leased areas to ensure compliance with car park provisions and to ensure practical physical access to units.
- Allocation of areas.

18.8 More than one dwelling on a site

Policies 4.4.1, 4.4.2, 4.4.4, 4.4.12, 9.4.3 10.4.1

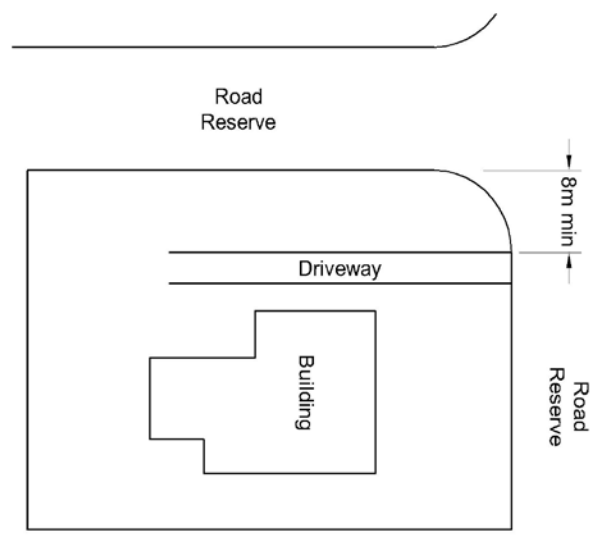
Council may impose conditions over the following matters:

- Design, appearance and layout of the development.
- Landscaping.
- Provision of and effects on utilities and/or services.
- Standard, construction and layout of vehicular access.
- Earthworks.
- Provision of esplanade reserves and strips.
- Protection of any special amenity feature.
- Financial contributions.

18.9**Access standards for subdivision and land use activities****[AMENDMENT 17C – INSERT NEW STANDARDS IN 18.9]**

Policies 4.4.7,
4.4.12, 9.4.3

- Where vehicle access points are shared by three or more dwelling units, for all rear lots and for all sites fronting arterial, or distributor/collector streets (identified in Chapter 37) there must be provision for turning a vehicle on site in order that vehicles do not reverse into the street.
- All accessways and manoeuvring areas shall be formed and surfaced in accordance with the Code of Practice for Civil Engineering Works. The required surfacing must be completed prior to certification of the survey plan. Exemption – the requirement for accessways serving sites solely occupied by unstaffed utilities shall be that the accessway shall be surfaced with permanent all weather surfacing for a minimum length of 5m from the edge of the road carriageway seal.
- All sites shall have practical vehicle access to car parking and loading spaces, in accordance with the Code of Practice for Civil Engineering Works. This requirement does not apply to sites solely occupied by unstaffed utilities, provided that vehicles associated with utilities shall not obstruct the footpath or create a traffic hazard on the road.
- Vehicular access to a corner lot shall be located no closer than 8m from the street corner. Where a site is located on an intersection of a primary or secondary arterial traffic route (identified in Chapter 37) the siting of the vehicular access shall be located as far as practicable from the corner of the street. The 8 metre setback shall be measured from where the two front boundaries of the site (refer to the definition of a corner lot) join, or in accordance with the diagram below.



- Where a corner lot is located at an intersection of a national, primary or secondary arterial traffic route, as identified in Chapter 37, no building, fence or other structure is to be erected and no vegetation allowed to grow so as to obstruct a traffic sight line.
- At the intersection of a road or rail level crossing, no building, fence or other obstructions which block sight lines for trains shall be erected, placed or grown in the hatched area marked in Diagram A in Chapter 38.

- Subdivision and land use activities with direct access to a State Highway shall comply with the access and visibility standards set out in Diagrams B to E in Chapter 38.
- There shall be no private vehicle access to or egress from Alexander Road for any site contained within Area B of the Wallaceville Structure Plan Area.
- There shall be no new private vehicle access to or egress from Alexander Road to land identified as Lot 2 DP 471766, Pt Section 102B Hutt District Wellington or Pt Section 618 Hutt District.

18.10 Minimum net site area for dwellings

Policies 4.4.1,
4.4.2

The minimum net site area required for any dwelling to be erected on a site is the same as the minimum required for subdivision.

Exemption:

Within a Residential (Centres Overlay) Area there is no minimum net site area requirement for a dwelling forming a part of a Comprehensive Residential Development.

18.11 Site coverage

Policies 4.4.1,
4.4.2, 4.4.13

The maximum coverage by buildings on the net area of a site shall not exceed:

- 30% in the Residential Conservation and Residential Hill Sub-zones;
- 35% in the remainder of the Residential Zone; and
- 45% for Comprehensive Residential Development in the Residential (Centres Overlay) Areas.

Exemption:

Non-enclosed and uncovered decks.

18.12 Setbacks from boundaries

Policies 4.4.2,
4.4.4

The setback distance for residential and non-residential buildings (excluding accessory buildings) shall not be less than:

Boundary	Minimum setback
Front boundary along all roads specifically named in Chapter 37 and all roads abutting the Residential Conservation and Residential Hill Sub-zones.	6m
Front boundary along all roads specifically named in Chapter 37 where the site is located within a Residential (Centres Overlay) Area.	4m
Front boundary along all other roads.	4m

Rear boundaries.	3m
Side boundaries except within the Residential Conservation and Residential Hill Sub-zones.	One of 1.5m & one of 3m
Side boundaries within the Residential Conservation and Residential Hill Sub-zones.	3m (both sides)
[AMENDMENT 19 – INSERT NEW SETBACKS IN 18.12]	
<u>For Comprehensive Residential Development within the Urban Precinct of the Wallaceville Structure Plan Area: 1.5m</u>	<u>1.5m</u>
[AMENDMENT 19A – INSERT NEW RAIL CORRIDOR SETBACK]	
<u>Within the Wallaceville Structure Plan Area, rear and side boundaries adjoining rail corridor designation TZR1</u>	<u>5m</u>

Notes:
<ul style="list-style-type: none"> On a rear lot, as defined in Chapter 35, rear boundary setbacks apply to all boundaries.
Exemptions:
<ul style="list-style-type: none"> Eaves, bay windows or similar features may encroach into boundary setbacks by up to 0.7m. Non-enclosed and uncovered decks of 1.0m or less in height above ground level.

18.13**Outdoor living court**

Policy 4.4.2,
4.4.13

One outdoor living court capable of containing a 6m diameter circle shall be provided for each dwelling and be located at its northern aspect, or directly accessible from a living area.

Exemptions:

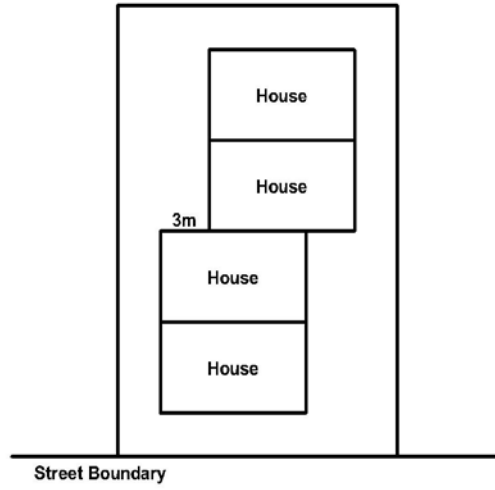
[AMENDMENT 20 – INSERT NEW EXEMPTION IN 18.13]

- For Comprehensive Residential Developments in the Residential (Centres Overlay) Areas, an area of outdoor living space(s) shall be provided for each dwelling on the net site area for that dwelling that meets the following criteria:
 - Able to accommodate a 'principal area' of 4 metres by 4 metres; and
 - Is not required for vehicle access, parking or manoeuvring.
- Non-enclosed verandahs, decks, porches, swimming pools, and a glassed conservatory with a maximum area of 13m² may encroach over or into 25% of the outdoor living court.
- For new residential buildings as part Comprehensive Residential Developments in the Urban Precinct of the Wallaceville Structure Plan Area, any dwelling with no habitable rooms at ground level shall have an outdoor living space (such as a balcony or terrace) that is directly accessible from an internal living room with a minimum depth of 2.2m and a minimum area of 10m².

18.14 Building form

*Policies 4.4.2,
4.4.4*

Where three or more dwellings are attached, a step in plan of at least 3m shall be provided between every second unit, as shown in the following diagram:



18.15 Building height

Policies 4.4.2,
4.4.4

The maximum height of any building shall not exceed 8m.

Exemption:

[AMENDMENT 21 – INSERT NEW EXEMPTION IN 18.15]

Chimneys, flues and minor decorative features may exceed the maximum height by up to 1m.

New buildings as part of a Comprehensive Residential Development in the Urban Precinct of the Wallaceville Structure Plan Area where the maximum height of any building shall not exceed 10m

18.16 Sunlight access

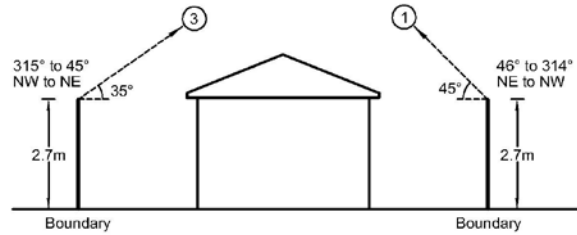
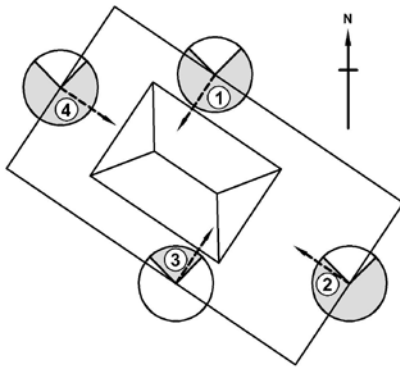
Policies 4.4.2,
4.4.4

Height control planes apply to all buildings:

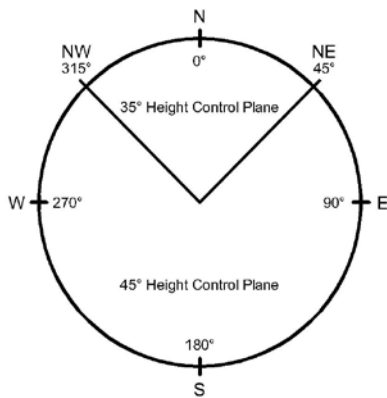
- In, or adjacent to, a Residential Zone.
- On sites smaller than 1500m² in a Rural Zone.

Buildings shall be designed so that they fit within the height control planes defined below:

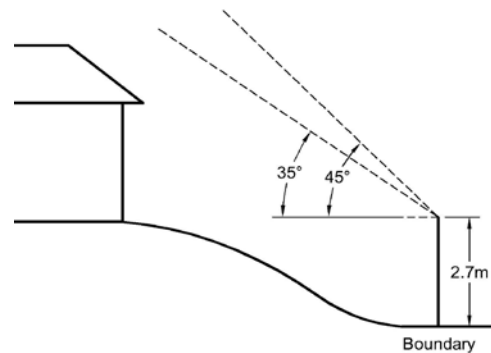
a) Height control planes in relation to site boundaries:



b) Determining which height control plane to use:



c) Application of height control planes to a sloping site:



Exemptions:

[AMENDMENT 22 – INSERT NEW EXEMPTION IN 18.16]

- Chimneys, flues, and minor decorative features may extend beyond the height control plane by up to 1m.
- The top of a dormer or gable, but not the eaves, may extend beyond the height control plane by up to 0.5m provided that the aggregate length of all projections through the plane does not exceed 25% of the total building length.
- Where the boundary involved in the measurement of the height control plane adjoins an access strip or right-of-way to a rear lot, the outside boundary of such an access strip or right-of-way may be substituted for the nearest site boundary.
- In the Urban Precinct of the Wallaceville Structure Plan Area, for semi-detached dwellings the sunlight access provisions shall not apply on the shared common wall

[AMENDMENT 23A – INSERT NEW VENTILATION STANDARD]

18.16A

Ventilation

Within the Wallaceville Structure Plan Area, where:

1. sleeping rooms and studies where openable windows are proposed in dwellings within 20m of the Alexander Road boundary or 50m of the rail corridor (designation TZR1); or
2. sleeping rooms and studies in buildings within 50m of a site designated as MAF1;

a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. For the purposes of this requirement, a sleeping room is any room primarily used for sleeping. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person.

[AMENDMENT 23B – INSERT NEW NOISE INSULATION STANDARD]

18.16B

Noise Insulation

Within the Wallaceville Structure Plan Area, where

1. any sleeping room or study within 12m of the Alexander Road boundary; or
2. any sleeping room or study in dwellings within 30m of a site utilised for railway purposes (Designation TZR1)

shall be protected from noise arising from outside the building by ensuring the external sound insulation level achieves the following minimum performance standard:

D2m,nT,w +Ctr >35

Compliance with this rule shall be achieved by either:

1. Constructing the building in accordance with the minimum requirements set out in [the attached construction schedule]; or
2. Providing to Council’s satisfaction a certificate from an experienced acoustic expert stating that the external sound insulation level of the proposed sleeping room or study will achieve the minimum performance standard of D2m,nT,w +Ctr >35

[insert construction table]

[AMENDMENT 23C – INSERT FENCING STANDARD]

18.16C

Fencing

Within the Wallaceville Structure Plan Area:

- A 1.5m high close boarded fence shall be erected along the boundaries of a site where it adjoins a site designated for railway purposes (Designation TZR1). The fence shall be constructed of materials having superficial mass of not less than 10kg per square

metre and shall be constructed prior to the occupation of dwellings on the site

- A 2m high close boarded fence shall be erected along the boundaries of a site where it adjoins a site designated as MAFL. The fence shall be constructed of materials having superficial mass of not less than 10kg per square metre and shall be constructed prior to occupation of buildings on the site.
- Fences along front yards of sites within the Urban Precinct and Grants Bush Precinct must not exceed a maximum height of 1.5m.
- Within Area B, fences along the boundaries of a site where it adjoins Alexander Road must not exceed a maximum height of 1.8m and the portion of fence over 1.3m must be permeable.

18.17 Accessory buildings

Policies 4.4.2, 4.4.4, 4.4.5

- Accessory buildings shall not be erected within the front boundary setback.
- Any wall closer than 1m from a boundary shall be no longer than 8m, **except** in a Residential (Centres Overlay) Area on a site with a net site area of less than 400m², where any wall closer than 1m from a boundary shall be no longer than 6m.
- The distance between an accessory building and any point of the main window of a habitable room on an adjoining site, measured at right angles to the plane of the window, shall be not less than 3m.

For garages and other accessory buildings which form a part of a dwelling, the standards for accessory buildings shall apply to that dwelling, but only to the area of the dwelling which is an accessory building.

18.18 Water supply, stormwater and wastewater

Policies 9.4.3, 13.4.1

All activities shall comply with the water supply, stormwater and wastewater standards in the Code of Practice for Civil Engineering Works.

18.18A On-site soakage

Policy 4.4.1

Within a Comprehensive Residential Development an outdoor area of 25m² of water-permeable surface per dwelling shall be provided.

18.19 Artificial light

Policies 4.4.3, 15.4.1

- Light emissions from a site shall not exceed a measurement of 8 lux (lumens per m²) measured in both the horizontal and vertical planes, 1.5m above the ground at the site boundary.

- Light emissions from a site shall not spill directly onto roads.
- Light emissions will be measured by an instrument that meets NZSS CP22 (1962) requirements and amendments.

18.20 Dust

*Policies 4.4.3,
15.4.1, 15.4.2*

Activities shall not create a dust nuisance. A dust nuisance may occur if:

- There is visible evidence of suspended solids in the air beyond the site boundary.
- There is visible evidence of suspended solids, traceable from a dust source, settling on the ground, building or structure on a neighbouring property or on water.

18.21 Screening

*Policies 4.4.3,
4.4.5, 15.4.1*

Outdoor storage areas shall be screened by a close-boarded fence, a solid wall or dense planting of vegetation. The screening shall be no less than 1.8m in height

18.22 Home occupations ancillary to residential activities carried out on the site

*Policies 4.4.3,
15.4.1*

- At least one of the persons engaged in the home occupation shall live on the site as their principal place of residence.
- No more than three non-resident persons may be engaged in the home occupation at any one time.
- The repair or maintenance of vehicles or engines, other than those belonging to the residents, is not permitted.
- The site shall not be used as a depot for any heavy vehicle associated with a trade.
- Only goods produced or grown on the site may be sold from the site, provided that no retailing activity shall take place where access is to the State Highway.
- Homestay activities, where accommodation and meals are provided in a family type environment, are permitted provided the total number of persons accommodated on the site at any one time, including persons normally resident on the site, does not exceed twelve.
- Equipment used shall not interfere with radio and television reception.

18.23 Work on trees in the Residential Conservation and Residential Hill Sub-zones

Policies 3.4.2, 4.4.10, 12.4.7, 15.4.1

Any indigenous or exotic tree with a trunk diameter that exceeds 0.2m, measured at a height of 1.5m from ground level, shall not be trimmed, topped or removed except in the following circumstances:

- Trimming in accordance with accepted arboricultural practice which will not alter the form of the tree and will not detrimentally affect its health.
- Removal of part or the entire tree is required because it is dead or has an incurable disease causing a significant decline in its health (Council must be advised in writing of the reasons for the work, no later than 7 days before work starts).
- Work is immediately necessary to avoid injury to persons, damage to property or to maintain or restore essential services.
- Where necessary work is undertaken by, or on behalf of Council, to a tree located within road reserve, except where the tree is identified in the Schedule of Notable Trees in 27.7 of the Plan.
- The tree is listed as a pest plant under the Biosecurity Act 1993 or is subject to an order made under the Property Law Act 1952.
- The above criteria and standards do not apply to any exotic tree within the Residential Hill Sub-zone identified in Appendix Residential 1. The above criteria do apply in respect of work on any indigenous tree within the Residential Hill Sub-zone of Appendix Residential 1.

18.24 Temporary signs

Policies 4.4.8, 15.4.5, 16.4.4

Temporary signs, in all zones, must meet all of the following conditions:

- The sign face shall be no greater than 3m² in area visible from any one direction.
- The sign shall relate to a temporary or one-off activity.
- The maximum period for any temporary sign shall be 2 months, except for signs required to be erected for health and safety reasons, where the maximum period shall be 6 months.
- Any temporary sign shall be removed within 48 hours of the ceasing of the activity to which the sign relates.
- Real estate signs involved in the advertising and sale of properties must relate to the property on which they are erected.
- Any sign shall be located so that it does not obstruct any official traffic sign.
- Any sign must not be flashing, animated or continuously differ in form or detail.

- Any sign directed at the State Highway where the speed limit is 70km/hr or greater shall comply with the following:
 - Have a minimum letter height of 160mm; and,
 - Contain no more than six words and symbols and no more than 40 characters; and,
 - Be located so as to provide an unrestricted view to the motorist for a minimum distance of 180 metres.

18.25 Signs within roads

Policies 4.4.8, 15.4.5, 16.4.4

Road, traffic and advertising signs within roads, in all zones, must be approved by the road controlling authority.

18.26 All other signs

Policies 4.4.8, 15.4.5, 16.4.4

One sign per site with a maximum face area of 1.5m² visible from any one direction.

- Any sign shall be situated on the site to which the sign relates.
- Any sign must not be flashing, animated or continuously differ in form or detail.
- Any sign shall be removed when the activity to which it relates has ceased.
- Any sign shall be located so that it does not obstruct any official traffic sign.
- Any sign directed at the State Highway where the speed limit is 70km/hr or greater shall comply with the following:
 - Have a minimum letter height of 160mm; and,
 - Contain no more than six words and symbols and no more than 40 characters; and,
 - Be located so as to provide an unrestricted view to the motorist for a minimum distance of 180 metres.

18.27 Marae

Policies 4.4.3, 4.4.6

Council may impose conditions over the following matters:

- Bulk, location, appearance and design of the buildings.
- Design and layout of car parking, loading, manoeuvring and access areas.
- Provision of and effects on utilities and/or services.
- Landscaping, including the retention of existing trees.
- Hours of operation.
- Financial contributions.

18.28 Relocated Buildings

Policy 4.4.2

Council may impose conditions on:

- a) Reinstatement works to the condition and appearance of the building relating to:
 - Works to the exterior fabric of the building to repair, replace or renovate damaged, defective or substandard elements;
 - Painting and/or cleaning of the exterior fabric of the building if necessary;
 - Cladding or other means of enclosing open subfloor areas below the building;
 - Alterations required to ensure that the reinstated exterior of any relocated building is not likely to detract from the amenity values of the surrounding area.
- b) The timeframe for the work to be completed;
- c) Landscaping, screening and boundary treatment;
- d) Execution of a performance bond to provide security for exterior reinstatement works required as a condition of resource consent;
- e) Provision of and effects on utilities and/or services;
- f) Standard, construction and layout of vehicular access.

Notes in respect of d):

- A bond is not mandatory. It will only be required when Council considers it necessary in view of the scale and/or nature of exterior reinstatement works required. The requirement for a bond and its value will be determined in the context of the building assessment report submitted at resource consent stage.
- The bond shall be executed at the time application is made for a building consent, and security shall be in the form of either money or a guarantee by an institution approved by Council as guarantor.
- The bond shall be cancelled upon completion of exterior reinstatement works required in the conditions of the resource consent. The verification method for completion of these works shall be the issuing of a full or interim Code Compliance Certificate as defined in the Building Act. In the event that conditions relating to exterior reinstatement works are not complied with, the bond may be used in whole or in part to complete the works.

Restricted Discretionary Activities

18.28A

Comprehensive Residential Development

Policies 4.4.1, 4.4.2, 4.4.4, 4.4.12, 4.4.13

Note: Comprehensive Residential Development within Residential (Centres Overlay) Areas is not subject to the minimum net site area requirements of rule 18.10

Standards and terms for Comprehensive Residential Development:

- Compliance with the access standards of rule 18.9.
- Compliance with the site coverage standard of rule 18.11.
- Compliance with the yard setback standards of rule 18.12 and 18.17 for external boundaries only.
- Compliance with the outdoor living court standard of rule 18.13
- Compliance with the maximum building height standard of rule 18.15.
- Compliance with the sunlight access planes of rule 18.16 for external boundaries only.
- Compliance with the on-site soakage standard of rule 18.18A.

[AMENDMENT 26 – AMEND RESTRICTED DISCRETIONARY RULE 18.28A]

Additional standards and terms for Comprehensive Residential Development within the Wallaceville Structure Plan Area:

- Compliance with noise insulation and ventilation standards of rule 18.16A and 18.16B
- Compliance with the fencing standards of rule 18.16C

For subdivision of a Comprehensive Residential Development under Rule 18.1, Council’s discretion is also limited to the matters specified in this rule, but not the standards and terms.

Council will restrict its discretion to, and may impose conditions on:

- Site layout, design and external appearance.
- Provision of and effects on utilities and/or services.
- Landscaping.
- Standard, construction and layout of vehicular access.
- Protection of any special amenity feature.
- Financial contributions.

In considering a resource consent application, Council’s discretion is also restricted to an assessment against the Design Guide for Residential (Centres Overlay) Areas (refer to Appendix Residential 2) and, where relevant, the Wallaceville Structure Plan (refer Chapter 39: Wallaceville).

Restriction on notification

In respect of rule 18.28A, and subject to sections 95A(2)(b), 95A(4) and 95C of the Act, an application which meets the standards and terms of rule 18.28A will be decided without the need for public notification under section 95A, but limited notification of an application will still be determined in accordance with section 95B. The restriction in respect of public notification does not apply if the application requires land use consent under any other provision of the Plan.

For Comprehensive Residential Development in the Wallaceville Structure Plan Area, in respect of rule 18.28A, and subject to sections 95A(2)(b), 95A(4) and 95C of the Act, an application which meets the standards and terms of rule 18.28A will be decided without the need for public notification under section 95A and any application that is consistent with the Wallaceville Structure Plan will be decided without the need for limited notification under section 95B.

Note: A Comprehensive Residential Development that does not comply with the standards and terms of this rule, will be assessed against the matters set out in Rule 18.37.

[AMENDMENT 26 – INSERT NEW RESTRICTED DISCRETIONARY RULE 18.28B]

18.28B

Subdivision within the Wallaceville Structure Plan Area

Standards and terms for Subdivision in the Wallaceville Structure Plan Area

- Compliance with the access standards of rule 18.9
- Compliance with the minimum requirements for subdivision of rule 18.5

Council will restrict its discretion to, and may impose conditions on:

- The extent to which the subdivision is consistent with the Wallaceville Structure Plan (Chapter 39: Wallaceville)
- The extent to which the subdivision is consistent with the spatial layout plan for Area B required under Section 2.6.9D
- Design, appearance and layout of the subdivision
- Landscaping that complements existing species.
- Standard, construction and layout of roads (including intersections) and vehicular access.
- Provision of and effects on utilities and/or services
- Earthworks and land stability
- Provision of reserves
- Protection of any special amenity feature.
- Provision of pedestrian and cycleway connections
- The alignment of proposed subdivision boundaries with Precinct boundaries as identified in the Wallaceville Structure Plan
- Financial contributions.

Restriction on notification

In respect of rule 18.28B, and subject to sections 95A(2)(b), 95A(4) and 95C of the Act, an application which meets the standards and terms of rule 18.28B will be decided without the need for public notification under section 95A and limited notification under section 95B, and any application that is consistent with the Wallaceville Structure Plan will be decided without the need for limited notification under section 95B.

Notes:

- Failure to comply with this rule will require resource consent as a Discretionary Activity
- A resource consent application for subdivision consent under this rule shall contain the information listed in 2.6.9D in addition to the requirements of the Fourth Schedule of the Resource Management Act 1991. Where relevant, applications may rely upon any spatial layout plan submitted as part of a prior subdivision application that has received consent

18.29

Subdivision which creates building platforms within 20m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps

*Policies 16.4.1,
16.4.7*

In addition to the matters listed in rule 18.6, Council will restrict its discretion to, and may impose conditions on:

- The extent to which the subdivision design manages potential conflicts with existing lines by locating roads and reserves under the route of the line.
- The extent to which maintenance and inspections of transmission lines are affected including access.
- The extent to which potential adverse effects including risk or injury, property damage and visual impact are mitigated through the location of building platforms and landscaping.
- The outcome of any consultation with the affected utility operator.
- Separation distances between trees and conductors and the location and mature size of trees planted near the transmission lines.
- Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34:2001).

- Measures necessary to avoid, remedy or mitigate the potential adverse effects of earthworks, dust generation and construction activities, including provision of appropriate separation distances, managing the risks to structural integrity, and safety risks associated with the use of mobile machinery.

Restriction on notification

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on Transpower New Zealand Limited as the only affected party under section 95B.

18.30 Subdivision and land use activities which do not comply with the access standards in 18.9

Policy 16.4.6

Council will restrict its discretion to, and may impose conditions on:

- The extent to which the activity will adversely affect traffic and pedestrian safety.
- The extent to which the activity will adversely affect the efficient functioning of the roading network.

For subdivision, Council's restriction is also restricted to the matters listed in rule 18.6

18.31 Buildings or structures within 12-20m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps

Policy 16.4.7

Council will restrict its discretion to, and may impose conditions on:

- a) Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34:2001).
- b) The location, height, scale, orientation and use of buildings and structures to ensure the following are addressed:
 - The risk to the structural integrity of the transmission line.
 - The effects on the ability of the transmission line owner to operate, maintain and upgrade the transmission network.
 - The risk of electrical hazards affecting public or individual safety, and risk of property damage.
 - The extent of earthworks required, and use of mobile machinery near the transmission line which may put the line at risk.
 - Minimising the visual effects of the transmission line.
 - The outcome of any consultation with the affected utility operator.

Restriction on notification

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on Transpower New Zealand Limited as the only affected party under section 95B.

18.32 Family flats which do not comply with the permitted activity standards

Policies 4.4.2, 4.4.4

Council will restrict its discretion to, and may impose conditions on:

- Land tenure.
- Location.
- Provision of and effects on utilities and/or services.
- Landscaping.
- Setbacks and coverage.
- Height and sunlight access.
- Standard, construction and layout of vehicular access.
- Effects on character and amenity.
- Financial contributions.

18.33 Home occupations ancillary to residential activities carried out on the site which do not comply with the permitted activity standards

Policies 4.4.3, 4.4.6

Council will restrict its discretion to, and may impose conditions on:

- External storage.
- The number of non-resident workers employed on the site.
- The creation of dust, light, noise, vibration or other nuisance.
- Appearance of buildings.
- Size, number of location and appearance of signs.
- Car parking, traffic and pedestrian safety and the efficient functioning of the roading network.
- Financial contributions.

18.34 Buildings accessory to permitted and controlled activities which do not meet permitted or controlled activity standards

Policies 4.4.2, 4.4.4, 4.4.5

Council will restrict its discretion to, and may impose conditions on:

- Height and sunlight access.
- Setbacks and coverage.
- Landscaping and screening.
- Provision of and effects on utilities and/or services.
- Standard, construction and layout of vehicular access, manoeuvring and traffic safety.
- Streetscape effects.
- Effects on neighbourhood character and amenity.
- Financial contributions.

18.35 Signs which do not comply with the standards for permitted activities

Policies 4.4.8, 15.4.5, 16.4.4

Council will restrict its discretion to:

- Whether the sign is in scale with the associated activities or building development and compatible with the visual character of the area in which it is situated.
- Whether signs are obtrusively visible from any residential area or public space.
- Whether signs will have adverse effects on traffic or pedestrian safety.
- Whether signs detract from the appearance of the building to which they are attached.
- Whether signs will result in additional clutter.

Council may impose conditions on:

- The area of signs.
- The number of signs.
- The colour and materials used.
- The location of signs.
- Sign content.
- Illumination, lighting, reflectorisation and animation.

18.36 Early childhood centre(s)

Policies 4.4.3, 4.4.6, 4.4.7

Council will restrict its discretion to, and may impose conditions on:

- Location of the proposed early childhood centre.
- Bulk, location, appearance and design of the buildings.
- The extent to which the proposal will adversely affect traffic and pedestrian safety, and the efficient functioning of the roading network.
- Design and layout of car parking, loading, manoeuvring and access areas.
- Provision of and effects on utilities and/or services.
- Landscaping, including the retention of existing trees.
- Hours of operation.
- Financial contributions.

Restriction on notification

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application for an early childhood centre will be precluded from public notification under section 95A, but limited notification of an application will be determined in accordance with section 95B.

Matters for Consideration

- 18.37** Matters that may be relevant in the consideration of any resource consent, other than for a restricted discretionary activity, may include the following:

[AMENDMENT 28 – INSERT NEW MATTERS IN 18.37]

Subdivision
<ul style="list-style-type: none"> • The requirements of section 106 of the Act. • Whether the proposed allotments are capable of accommodating a range of activities in compliance with zone standards. • Whether the subdivision compromises future subdivision potential of the land. • The cumulative effect on existing infrastructure as a result of the proposed subdivision. • The extent of compliance with the Council’s Code of Practice for Civil Engineering Works. • For subdivisions with a net site area less than 400m² located in a Residential (Centres Overlay) Area, the extent to which the proposal meets the requirements for ‘small site design and development’ of the Design Guide for Residential (Centres Overlay) Areas; • For subdivisions of a Comprehensive Residential Development, the extent to which the proposal meets the requirements of the Design Guide for Residential (Centres Overlay) Areas.
Site layout, area and coverage
<ul style="list-style-type: none"> • The arrangement of buildings, car parking and vehicle movements on site. • The extent of landscaping and screening. • Whether the topography of the site has been taken into account. • Whether a better standard of development can be achieved by varying the design standards. • The ability to provide adequate outdoor living areas. • The extent to which decreases in site size or increased site coverage would have an adverse effect on the amenity of the area.
Bulk and location of buildings
<ul style="list-style-type: none"> • Whether the buildings will cause a loss of privacy, interfere with sunlight access or create shadows on surrounding allotments. • Whether the building location, design, appearance and scale will detrimentally affect the character of the surrounding area.
Comprehensive Residential Development
<ul style="list-style-type: none"> • The extent to which the proposal meets the guidance for Comprehensive Residential Developments included in the Design Guide for Residential (Centres Overlay) Areas. • Matters listed under ‘Site layout, area and coverage’ in this rule. • Matters listed under ‘Bulk and location of buildings’ in this rule. • Matters listed under ‘Sunlight access’ in this rule. • Matters listed under ‘Traffic generation and access’ in this rule.

Development of two or more dwellings with a net site area less than 400m² in Residential (Centres Overlay) Areas that is not otherwise a Comprehensive Residential Development
<ul style="list-style-type: none"> The extent to which the proposal meets the guidance on small site design and development contained in the Design Guide for Residential (Centres Overlay) Areas.
Traffic generation and access
<ul style="list-style-type: none"> Accessibility for public transport, cyclists and pedestrians. Whether activities which generate significant traffic flows have the necessary access, do not adversely impact upon the street environment, and maintain public safety.
On-site soakage
<ul style="list-style-type: none"> Whether there are any factors that limit or preclude the provision of on-site soakage, and the extent to which any reasonable alternatives to providing on-site soakage have been explored.
Sunlight access
<ul style="list-style-type: none"> Whether the building will adversely interfere with sunlight access or create adverse shading on surrounding sites. Whether the topography of the site or the location of any built features on the site or other requirements, such as easements, impose constraints that make compliance impracticable.
Non-residential activities
<ul style="list-style-type: none"> Whether the buildings, structures or other works are of a compatible scale having regard to the local environment and the nature of the surrounding development. The extent to which the amenity values and the quality of the residential environment can be maintained and enhanced.
Signs
<ul style="list-style-type: none"> Whether the sign is in scale with the associated activities or building development and compatible with the visual character of the area in which it is situated. Whether signs are obtrusively visible from any residential area or public space. Whether signs will have adverse effects on traffic or pedestrian safety. Whether signs detract from the appearance of the building to which they are attached. Whether signs will result in additional clutter.
Work on trees in the Residential Conservation and Residential Hill Sub-zones
<ul style="list-style-type: none"> The contribution the tree makes to the amenity of the area. The health of the tree. The function the tree may have in an ecosystem or habitat. Whether the tree is causing or is likely to cause significant damage to buildings, structures or utilities. Significant adverse environmental effects caused by the tree and the nature of works proposed to avoid, remedy or mitigate them.
Hours of operation
<ul style="list-style-type: none"> The nature, extent and duration of noise and traffic effects from active recreation.

Nuisance
<ul style="list-style-type: none"> The potential impacts of noise, dust, glare, vibration, fumes, smoke, other discharges or pollutants or the excavation or deposition of earth.
Infrastructure
<ul style="list-style-type: none"> The capacity of the infrastructure.
Cumulative effects
<ul style="list-style-type: none"> Whether cumulative effects such as pollution, risk to public safety and nuisances have been assessed.
Subdivision and/or development in the Wallaceville Structure Plan Area
<ul style="list-style-type: none"> <u>Relevant matters in the sections above</u>
<ul style="list-style-type: none"> <u>The extent to which the subdivision and/or development is consistent with the Wallaceville Structure Plan</u>
<ul style="list-style-type: none"> <u>The extent to which any subdivision and/or development that is not consistent with the Wallaceville Structure Plan will avoid, remedy or mitigate adverse effects on other areas of Upper Hutt City, does not detract from the vitality and vibrancy of the Upper Hutt CBD, will adequately provide for stormwater management, will contribute to the safe functioning of the road network and will integrate with adjoining development anticipated through the Structure Plan</u>

Appendix Residential 1

99-105 Blue Mountains Road.



Appendix Residential 2

Residential (Centres Overlay) Area Design Guide

Design Guide for Residential (Centres Overlay) Areas

The Design Guide

The purpose of the design guide is to provide design criteria that will direct the delivery of well designed, good quality higher density housing in an Upper Hutt-specific context. The guide applies specifically to Comprehensive Residential Development and subdivision that produces small lots. These developments, because of their higher density and potential effect on residential amenity, will require resource consents. Applications will be required to demonstrate how the design of the development has addressed the criteria in this Design Guide, in addition to meeting the relevant standards and objectives and policies of the District Plan.

This design guideline is structured in three parts. The first focuses on the specific requirements of Comprehensive Residential Developments and the second concentrates on small site design – most relevant to infill style subdivision, or developments of small scale stand-alone dwellings. The two parts should be read as a whole, and the guidance provided should be considered to achieve improved urban outcomes for all forms of residential development.

The third part of the Design Guide contains Character Statements for the Residential (Centres Overlay) areas, to assist in understanding the elements of character in those areas and responding positively to the Design Guide with these in mind.

What is Comprehensive Residential Development?

Comprehensive residential development is a way of providing a greater degree of choice in housing in Upper Hutt. It involves developing sites in a planned and efficient way with a greater density of housing than has been done in the past. It delivers an alternative to traditional development patterns of houses on large sections, and is a way to make efficient use of land while still providing houses that are attractive, private and often, more affordable to buy and through improved design, providing lower cost of living. Different forms of housing also provide choice for those who do not want or need larger houses or sections, especially if they wish to remain in a community they have come to like.

Across the residential areas of Upper Hutt, several areas called Residential (Centres Overlay) Areas have been specifically identified as suitable locations for this sort of development to occur. These areas are in proximity to local amenities and public transport, and are ideal locations for housing developments at a greater density

As density increases, more thought needs to be given to creating good quality living spaces alongside pleasing streets and townscape. Higher density housing is often thought to lead to poor urban quality, overcrowding and reduced space standards. However, poor quality outcomes are often a result of poorly conceived or inflexible design rather than just increased density. The best sorts of outcomes are achieved by examining context and designing a carefully considered, specific solution for each site.

The design of higher density residential development needs to respond to the qualities of the street and the area, and to provide for the needs of the inhabitants. Good quality housing will meet current and future demand, and cater for the needs of the city's changing population.

Aims for comprehensive residential developments:

- Houses and open space are located and arranged on the site in an integrated and comprehensive manner.
- New development contributes positively to the character of the neighbourhood.
- Reasonable privacy for the residents and neighbours is provided through well considered siting and design of buildings.

- Housing provides a high quality and efficient living environment (both internal and external) for occupants.

Note: Where a development incorporates an existing house(s) the requirements of this Guide shall apply equally to that house(s).

What is a ‘small site’?

Within the Residential (Centres Overlay) Areas, the District Plan provides for a lower minimum net site area than in other residential areas.

Such small lots present design challenges, and simply ‘miniaturising’ more commonly seen forms of development may not produce the best outcomes for amenity either on-site or for the wider area. A careful approach is needed to ensure that small lots continue to create sites that are both developable, and able to accommodate houses that are well-designed and afford good amenity to occupants.

Aims for small site design:

- Lots are of an adequate width and suitable shape to accommodate a residential dwelling.
- Lots are oriented for access to sunlight and to take advantage of solar gain to internal spaces.
- Lots are designed to ensure that useable outdoor space will be readily accessible from future dwelling sites.
- Lots are laid out and designed, and building sites identified, so as to provide for the retention of significant trees and vegetation.
- Access to lots is designed so as to minimise its visual impact and dominance.
- Lots and dwelling sites are located and shaped to minimise adverse impact on existing development surrounding the site, and potential future development.

COMPREHENSIVE RESIDENTIAL DEVELOPMENTS

Integrated Buildings and Spaces

As housing density increases there is a corresponding need to make sure that buildings are arranged carefully across sites and that spaces around them fulfil useful and sensible functions. In Upper Hutt, the sense of space around buildings is valued as part of the townscape, so new developments should aim to enhance this wherever possible.

However, this does not mean that all houses need to be physically separate and have space on all sides. Well-designed attached housing can provide both on-site amenity and value to the wider area, by employing careful consideration of how buildings are arranged and outdoor spaces are allocated from the outset of the design process. The ability to accommodate landscaping on-site (particularly vegetation that grows to a mature height above fence level) will also have an impact on both the sense of spaciousness around houses and the character of the wider neighbourhood.

How vehicles are accommodated on sites also has an impact on amenity outcomes. Site design should aim to consider buildings, the spaces surrounding them, vehicles and landscaping as part of a comprehensive whole at the outset of the design process.

Guidelines

- The siting of buildings and open space should be designed in an integrated way so that buildings can connect with useful outdoor space that has reasonable privacy, good access to sunlight, and a sense of openness. (See figure 1)

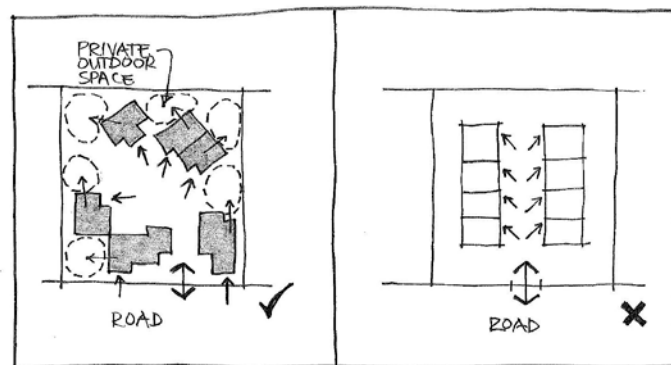


Figure 1: Carefully considered layout of buildings on sites helps to contribute to a more pleasant living environment.

- Each unit should have its own private outdoor space, for use exclusively as outdoor recreational space. Shared spaces as the principal means of providing outdoor living areas will only be considered in special circumstances.

Outdoor space within the site needs to be planned for at the design stage to ensure it is useable rather than residual to the buildings. It also needs to be easily accessible and connected to main living areas, and should not have any part of its area used for any other required function for the site i.e. as part of the on-site parking or manoeuvring requirements.

Shared spaces may be considered in situations such as for comprehensively planned elderly persons' housing, sheltered/community housing or papakainga. Such instances will be individually assessed to ensure the space provided is of the best quality possible and will meet the specific needs of residents, while also ensuring reasonable privacy to interior living spaces.

- The outdoor living area allocated to each dwelling should have within it a 'principal area' that is:
 - Directly accessible from the main indoor living area of that dwelling;
 - Positioned to have regard to shelter from the prevailing wind, or be detailed so as to minimise the worst effects of that wind;
 - Oriented with a northerly aspect to take advantage of natural sunlight;
 - Able to accommodate a square of 4m x 4m;
 - Nominally flat, with a gradient of no greater than 1 in 12;
 - Not located between the dwelling and any public street.

The allocation of a 'principal area' within the overall requirement of outdoor living space ensures that a minimum amount of the outdoor space for a dwelling is carefully considered, and of the highest quality for usability, access and privacy. Although one larger space is preferred, two or more smaller spaces will be considered acceptable where it is possible to demonstrate that this leads to a better outcome in terms of providing quality, useable outdoor living space. (See figure 2)

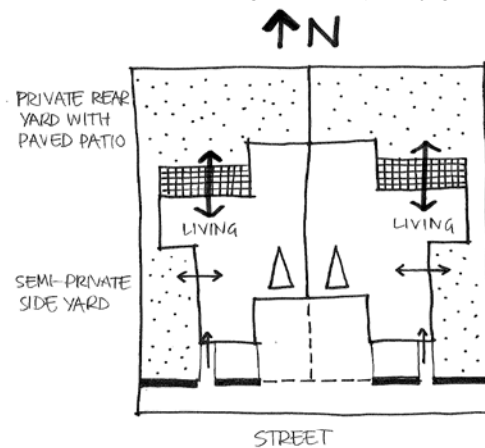


Figure 2: Different types of spaces can all contribute to creating a pleasant outdoor living environment.

- Landscaping of outdoor spaces should be comprehensively planned as part of the overall site design from an early stage.

Landscaping can play a role in helping to define spaces on a site. Landscaping plans should ideally be submitted as part of a resource consent application so the outcomes can be considered as part of a comprehensive whole.

- Where units are at first floor level or above, balconies or roof terraces may be appropriate to provide for outdoor space, subject to careful consideration of privacy. If adequate privacy cannot be obtained by orientation of the spaces or the placement of windows, screening should be used.
- Where there are common outdoor areas on a site, these should connect with the built development by ensuring windows overlook the space, doors to units open on to the space and the dominance of the area by garage doors or parked cars is avoided.

Common areas or shared spaces can contribute positively to the enjoyment of a development. They can be used for meeting places, barbeque areas and a place to kick a ball around. These spaces can be made more enjoyable and safe if people inside units can oversee activity in them. The dominance of cars within these areas will detract from their ability to be used for these activities and the amenity of the development.

- Outdoor rubbish, clothes drying, recycling and storage space should be located so that these facilities are not visually obtrusive, are not located within the 'principal area', do not dominate the entry to residences and are easily accessible to the unit which they serve.

Rubbish enclosures and storage can detract from the appearance of the development and the neighbourhood as well as the amenity of outdoor spaces and as with most existing houses, is most appropriately located in less visible areas and away from locations used for outdoor living.

Outdoor rubbish areas should be screened if they are located within sight of the principal outdoor area.

For terraced houses, where front yard rubbish/recycling storage may be the most appropriate to avoid the need to move these items through the interior of the house, a carefully designed enclosure with adequate ventilation, incorporated into the overall landscaping plan, will usually be the best solution.

Fitting in with the neighbourhood

Many areas of Upper Hutt have a well-developed sense of character. Much of the city's residential area (and the locations in which redevelopment is most likely to occur) is located on the flat valley floor. Older housing stock is often single storey, set back from the street edge and located near the centre of a large rectangular site. Housing displays a wide variety of architectural styles, and mature vegetation contributes to the sense of established neighbourhoods.

Comprehensive residential developments will introduce housing at a greater density into established neighbourhoods. In order for this to be successful, the essential elements of character in a neighbourhood must be understood, and where those elements create a positive contribution, they should be respected (but not necessarily replicated) in the new design. Understanding the key building patterns of the area will help guide new development so that it can sit comfortably within an established area and retain the amenity enjoyed by the neighbourhood and its residents.

Guidelines

- The siting and layout of buildings should respect the existing character and building patterns of the neighbourhood. This pattern may consist of the distance of elements such as front yard setbacks, the spacing between buildings, height and width of buildings, materials used, and types of buildings.

Respecting existing patterns in new development can be demonstrated by adopting similar patterns while not necessarily exactly replicating the detailed design of buildings in the neighbourhood. (See figure 3).



Figure 3: New houses respect the patterns set by existing ones.

- Where the development is in an area of single houses on single sites, the greater building bulk associated with comprehensive residential development should be arranged in terms of layout and form to relate to the scale of the neighbouring housing. This may be achieved by:
 - Modulating the appearance of larger buildings by using setbacks in alignment;
 - Varying the roof design to reduce the perception of bulk;
 - Varying the size of units to reflect the variation of house size in the neighbourhood, where this exists;
 - Varying the height and form of units to avoid a large or dominant form at the boundary;
 - Using complementary/contrasting materials or colours on exteriors to relieve the appearance of bulk;
 - Retaining existing mature trees and vegetation on the site, where possible, to assist the integration of the new development within the site and the neighbourhood.

New developments can fit into existing neighbourhoods by paying attention to existing details and patterns.

Mature trees benefit neighbourhood amenity beyond the development site and are often highly valued by the community. Unless they unreasonably hinder development or are in poor health they should be retained.

- Dwellings within a larger development should be designed and detailed to provide a sense of individuality, and provide opportunities for personalisation.

Most people like to identify their homes by some sense of individuality and this also adds to the visual interest of the development. Where design elements are replicated across a development, providing opportunities for individualisation of houses is important.

- Sites with wide frontages should have more than one connection to the adjoining road.

Vehicle and pedestrian access to sites in most established neighbourhoods is provided at regular intervals along the street edge. The benefits of this are providing good access to and from the street, and creating interesting and active 'fronts' along the street edge. Sites with wide frontages (or amalgamated sites) with shared/fewer driveways need to be carefully considered to ensure that the design will continue to provide these benefits. (See figure 4).

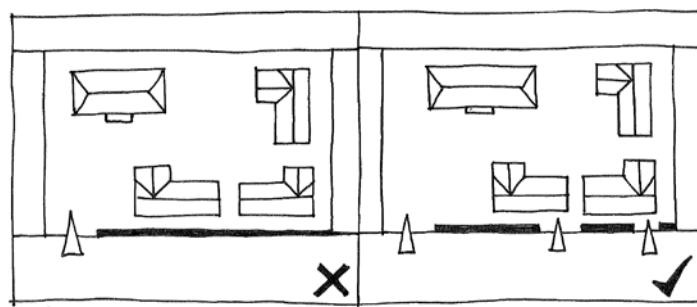


Figure 4: Multiple entrances activate site edges

- Houses on corner lots with frontage to two roads should be designed to provide interest and opportunities for passive surveillance on both facades.

Buildings on corner sites should have one front/primary façade facing the street. Attention should be given to ensuring that the other street-facing façade does not present a blank wall to a public space. Secondary facades could include things like bedroom or dining room windows.

- Dwellings and garages should be designed so that blank walls do not face the street. Any other large surfaces facing the street (e.g. fences) should be either minimised or suitably modulated.

Large blank walls usually have a detrimental effect on streetscape. While being generally unattractive to look at, they also restrict opportunities for passive surveillance of public spaces.

- Where an existing dwelling is proposed to form a part of a Comprehensive Residential Development, consideration should be given to the integration of the existing dwelling into the development through the specific consideration of the factors outlined in this section.

Whilst an existing dwelling can form a part of a Comprehensive Residential Development, this may not always be desirable where the existing dwelling cannot be adequately integrated into the proposed development. Factors such as architectural style, bulk and form, and the use of particular materials may affect the ability of a dwelling to be integrated.

Accommodating vehicles on sites

The accommodation of vehicles on sites can have a significant impact on external amenity. Driveways and paving, garages and garage doors all have the potential to dominate if not carefully considered with the view to minimising visual impact.

Driveways and paved areas within larger developments should be designed and detailed so that they are able to function more like ‘shared spaces’, where vehicles and people have equal priority. This will ensure that both visual amenity and vehicle and pedestrian safety are enhanced.

Note: The Code of Practice for Civil Engineering Works gives the specific technical requirements relating to the length, width, gradient and other geometric and construction aspects of driveways and parking spaces. Once these have been met, consideration should be given to the following guidelines.

Guidelines

- Accessways and vehicle manoeuvring spaces should be designed to ensure cars enter and leave the site slowly.

To ensure the safety of people within the development, it is important that the layout and landscaping requires vehicles to move slowly within the area and when coming and going. Areas used by cars should be designed so that it is clear to drivers that the spaces are shared with other activities.

- Open parking or vehicle manoeuvring areas should be designed and landscaped as an integral part of the development.
- Expanses of driveway and access areas should be relieved by contrasting patterns and materials to give interest, moderate the apparent scale of paving and add to the visual quality of the development.

Reducing the dominance of vehicle paving is particularly important on larger sites, and on narrow sites where a greater proportion of the width of the site must be dedicated to access and manoeuvring. Long driveways should be detailed with contrasting paving to break up the expanse of hard surfacing.

- The layout of buildings on the site should ensure that garages and car parking spaces are not visually dominant on either the street frontage or within the site.



Figure 5: Eliminating blank walls and rows of garages creates a more pleasant streetscape.

A row of garages at the street edge tends to block visibility between the buildings and the street. This usually has a negative impact on a site’s attractiveness and reduces the

ability of the residents to oversee the street and thereby contribute to the safety and liveliness of the area. The monotony of a line of garages can also conflict with the pattern of existing development. (See figure 5).

- The design and materials of carports and garages should be integrated into the design of the overall development.

Garages should not be regarded as separate from the development or of lesser design importance.

- Car parking spaces and garages should be conveniently located for the dwelling they serve.
- Any open parking spaces not allocated to a dwelling should have adequate passive surveillance.

Open parking areas and visitor parking needs to be both convenient and safe.

- Access and circulation paths around the site should take into account the need to accommodate rubbish and recycling on collection days, without creating danger or nuisance to either pedestrians or vehicles.

Privacy and Safety

Residential privacy is a valued commodity in Upper Hutt. Past development patterns characterised by single-storey houses located near the centre of large flat sites, with outdoor space to the rear means that many houses enjoy high levels of both visual and acoustic privacy within both the dwelling and typically, for the rear yard.

Medium density housing can be well-designed to protect privacy both within the development site and to adjacent sites. Careful consideration of the placement of doors, windows and internal uses within the dwelling can continue to maintain highly reasonable levels of privacy while still allowing a pleasant outlook, opportunities for passive surveillance and adequate opportunities for solar gain.

Guidelines

- Front doors should be oriented to face the street where possible, or to face common areas within the development.
- Position windows adjacent to common areas so that they provide an outlook while maintaining privacy within the dwelling.

While privacy is important, locating entrances and windows adjacent to public or shared space means that residents can contribute to making the space active and safe. (See figure 6)

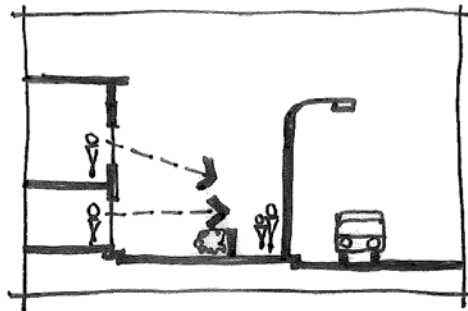


Figure 6: Window placement can enhance passive surveillance of public spaces.

- For dwellings that have a ground-floor level, position the main living areas on the ground floor. This will help maintain privacy to the outdoor areas of adjoining sites.
- Wherever possible, each unit should have its own entry that provides a sheltered threshold. It should be well lit and highly visible as the entrance to the unit. The entry should be able to provide for personalisation by the occupant, and should not be dominated by service areas.

Particularly, rubbish or wheelie bin storage should not be located adjacent to the front door due to potential smell, leakage or pest nuisance.

- Position windows or otherwise restrict or direct outlook so that the short-range view from the main indoor living area of one dwelling is not directly into the main indoor living area of any adjacent dwelling, either within the site or on adjacent sites.

Internal living rooms within dwellings are the most frequently used spaces and should have the highest consideration of privacy afforded to them (See figure 7).

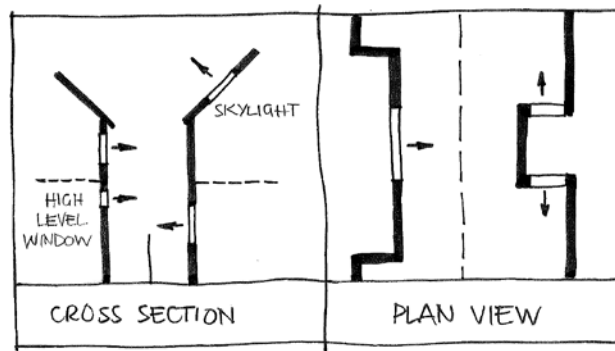


Figure 7: Window positioning can help maintain privacy

- The design and siting of buildings should take into account the potential for development on adjacent sites. The design of a development should therefore aim to maintain privacy and amenity on the site and at the boundaries taking into consideration possible future comprehensive residential development on adjacent sites.

It is important to consider what is permitted or could be developed on adjacent sites. They too could be redeveloped and the same issues of sunlight and privacy will be relevant.

- Housing should be clearly numbered both from the public street and within the site, to assist legibility for both visitors and emergency services.
- Front fences and walls should be designed of materials compatible with the overall development and should ideally incorporate opportunities for visual connection with the adjacent street.

Fences can enhance both the attractiveness of developments, and the ability to provide passive surveillance. The design of fences adjacent to the public street is particularly important (See figure 8).

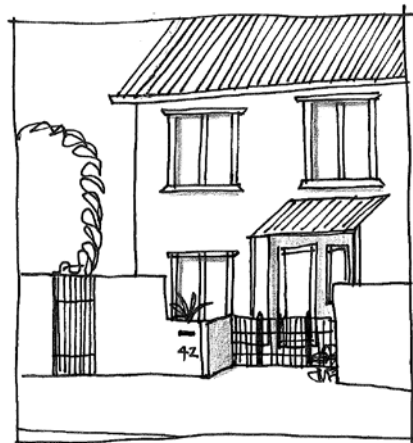


Figure 8: The front entry of a dwelling should be clearly visible.

- Provide lighting as required for night-time way finding and in situations where personal safety is likely to be important.

Lighting for night-time visibility should be energy-efficient, low-glare lighting along paths and accessways within the development and around shared areas. The design and placement of lighting should be included at the stage of developing a landscape plan.

- Mail boxes should be located in accordance with the requirements of NZ Post. Where houses do not have frontage to a public road, the mail boxes should be grouped in a visible location (See figure 9).

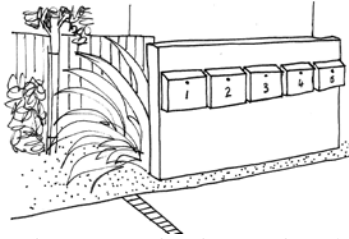


Figure 9: Grouped letter boxes at the front of a site can help strengthen the visibility of an entrance.

Sustainable Development

The inclusion of Overlay Areas in the District Plan aims to ensure that new higher-density housing will be located in the most efficient locations, close to local amenities and public transport. New housing design can also contribute to local infrastructure efficiency by being designed in a way that reduces service infrastructure requirements.

The topography and existing development pattern of much of Upper Hutt provides good opportunities for designing housing that is site-responsive and takes advantage of solar gain, energy efficiency measures and promoting alternative forms of transport such as walking and cycling.

Guidelines

- The orientation and construction methodology of new houses should maximise opportunities for passive solar gain in winter and adequate shade in summer, particularly to the main living areas and private outdoor spaces.

The main indoor living area of a dwelling should ideally receive midwinter sun for at least four hours per day, ideally falling on an interior surface that incorporates thermal mass.

- Opportunities for on-site disposal/soakage of stormwater should be included in the landscaping design.

Developments of multiple units often increase the amount of hard surfacing over a site area by a significant amount. On-site soakage of stormwater reduces the impact of multiple sites on stormwater infrastructure. On-site soakage can be provided by garden areas and lawns, or by using materials such as water-permeable paving or loose chip.

- Noise-sensitive areas of dwellings (such as bedrooms) should be located away from noise generating activities on adjacent sites (i.e. major roads, railway lines or non-residential uses).
- Attached dwellings should employ appropriate noise-resistant wall, ceiling and floor materials and construction details.
- The principles of Crime Prevention through Environmental Design should be applied to all developments.

Refer to Upper Hutt City Design Guidelines for Crime Prevention through Environmental Design, July 2009).



SMALL SITE DESIGN AND DEVELOPMENT

Within the Residential (Centres Overlay) Areas, the District Plan provides for a lower minimum net site area than in other residential areas. As part of the resource consent process for the subdivision of sites in these areas, or for the development of more than one dwelling on a site in these areas, some basic design considerations should be made and assessed against the criteria of this design guide.

Smaller sites require greater care and attention in the design of developments to ensure appropriate standards of on-site, streetscape and townscape amenity are maintained.

These guidelines can also be considered in other areas as a means to ensure fundamental 'good practice' aspects of site design are addressed.

Guidelines

Lot shape and size

- Lots should be designed to be predominantly square or rectangular in shape, and following this, avoiding the creation of areas and shapes that do not contribute to the usability of the lot.
- Lots should be designed to consider the location of outdoor living spaces and to ensure that these will be easily accessible from future buildings.

Site context

- The design and siting of buildings should take into account the existing and future potential for development on adjacent sites. The design of a development should therefore aim to maintain privacy, sunlight access and amenity on the site and at the boundaries taking into consideration existing and possible future residential development on adjacent sites.

It is important to consider what is permitted or could be developed on adjacent sites. They too could be redeveloped and the same issues of sunlight and privacy will be relevant.

On-site amenity

- Small site design and development should meet the matters contained in the guidelines for Comprehensive Residential Developments in respect of:
 - Outdoor living areas (qualitative attributes only);
 - Landscaping, including retention of existing trees, fences, walls, and planting;
 - Servicing and storage facilities;
 - Accommodating vehicles on site;
 - Privacy and safety;
 - Sustainable development.

Many of the quality issues relating to residential development are common to proposals irrespective of whether they are Comprehensive Residential Development or small site development. The same guidelines can be applied for both the sake of consistency, and to ensure that an equally high standard of development and amenity is achieved by small site proposals as is expected of Comprehensive Residential Development.

**Character Assessment:
CENTRAL AREA**

The Central Residential (Centres Overlay) Area surrounds the CBD of Upper Hutt and represents a key opportunity for higher density redevelopment.

Residential development at an increased density around the Central Business District would create a variety of housing types close to the city centre, attracting and supporting a wide cross-section of the population to live and work in Upper Hutt.

The CBD offers a good range of attractions, from shops and bars to businesses and public services. Increasing the density of housing in the surrounding area would contribute to enlivening the CBD and providing a thriving centre to Upper Hutt.

The Central Area has a number of existing character elements that any new development should seek to maintain and enhance through good design and planning:

- Connection
- Dwelling Types
- Avenues
- Public spaces



Connection

The Central Area surrounds the CBD of Upper Hutt City and is therefore close to the numerous businesses and services located in the city centre.

The area is well-served by local bus connections and Upper Hutt Railway Station is within walking distance, connecting the city to Lower Hutt and Wellington.

The roadways in the Central Area are flat and wide and provide ample room for cycling and on street parking. The openness and spaciousness of the streets is an attractive element of the City Centre.

Many of the streets in the Central Area are tree-lined and this quality should be maintained and amplified through any new development.

Development should also seek to improve connections and promote sustainable methods of transport.



Streets & Open Space & Public Space

The Central area has a strong grid pattern of streets, with many short streets, parks and walking links enhancing the area's walkability and ease of access. New development should capitalise on these links and assist with providing passive surveillance.

Double-Storey Development

Two storey houses are frequently seen in the Central Area. This element of the existing character presents an opportunity to develop 1.5 or 2 storey development on smaller building footprints.

Dwelling Type

The Central Area is comprised of a range of different housing types from small cottage style development to large double-storey detached houses, multi-dwelling units and estate style development, mostly for the elderly and vulnerable.



Existing 1.5 & 2 storey development in the Central Area

The range of housing types is an important quality of the CBD and new development should seek to maintain this in order to offer a wide range of housing options. It also offers options for diversity in the style of new developments.



CBD Avenues

The roads leading into the CBD are an important aspect of the 'sense of arrival' in the CBD, and present an opportunity to develop multi-unit apartment dwellings close to the amenities of the city centre. Development here could be more 'urban' in appearance, with buildings creating a more positive street edge, use of more contemporary materials and of a similar scale to the retail and light industrial buildings that are present in the area.

**Character Assessment:
TRENTHAM**



Trentham is a suburb located 3km southwest of the CBD. The area comprising the Residential (Centres Overlay) Area is located directly north of the railway station between Stafford Street and Fergusson Drive, from Ranfurly Street in the east to Bathurst Street in the west.

The general character of Trentham is a pleasant suburb with good local amenities such as Trentham Memorial Park, Trentham Racecourse and convenient access to public transport services.

Further to these amenities, Trentham has a number of existing character elements that any new development should seek to maintain and enhance through good design and planning:

- Connection
- Dwelling Style / Materials
- Layout
- Dwelling Type
- Boundaries

Connection

The train connects Trentham to Upper Hutt CBD in 5 minutes and southern connections to Lower Hutt and Wellington are regular, with travel times of around 30mins and 40mins respectively.

To the south of the train line is the Trentham Racecourse, and to the north of Fergusson Drive is Trentham Memorial Park which provides both local landscape amenity, sports grounds and local recreation activities.

The streets around Trentham are tree-lined, wide and open, which allows for good views to the north and south and visual links to the park and the racecourse. Opportunities exist to improve these links and the quality of public space with high quality developments and good street design.

Style Materials

There are a number of well-maintained cottage-style properties in the area that could inform a general style for any future development in Trentham. This style' incorporates timber construction clad in weatherboards, with pitched roofs, bargeboards and carved detailing.



Example of timber cottage detailing

Site boundaries

A large number of existing properties along Ararino Street have a high fence adjacent to the street boundary. This is a feature that should be discouraged in future as it creates an inactive edge to the public space and reduces the opportunity for passive surveillance of the street.



Dwelling Type

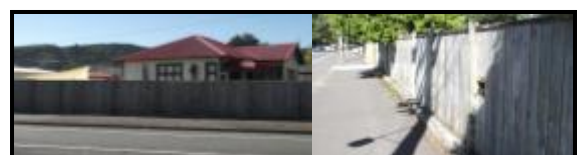
Variety in the type of housing in Trentham is not great and any new development should seek to provide a range of housing types to encourage a wider diversity of people to live in Trentham.

Layout

The main Trentham shops are located on Camp Street but there are additional shops and businesses on Ararino Street and along Fergusson Drive, interspersed with housing. Any future development of the area should seek to encourage and support one of these areas to develop into a more coherent centre. A key opportunity would be to provide a greater density of housing within the walking catchment of shops.



Local shops on the corner of Islington St. and Fergusson Dr. (left) and on Camp St. (right)



Inactive edges along Ararino St.

**Character Assessment:
WALLACEVILLE**



The Wallaceville Residential (Centres Overlay) Area is located to the south of the Upper Hutt CBD on the south side of the train line. The area is comprised of a mix of residential and industrial uses.

Assessment of Wallaceville has identified a number of local characteristics that should influence future development.

The assessment identified the following elements as having particular qualities that are important to the character of Wallaceville:

- Setting
- Connections
- Housing

Any future development of sites in this area should seek to retain the following qualities through good design and planning.

Setting

Physical features play an important part in the character of Wallaceville. Views of the hillsides are prominent to the north and, even more so, the south. Seddon Street and Wilford Street are long, straight roads that run east-west with clear sight lines and minimal signage.

Views of the hills to the south of Wallaceville are visible between the houses on Seddon Street and through and over the dwellings on Wilford Street. This is an important part of the character and amenity of the area and any future development should seek to maximise this aspect from both public and private locations.



View of Southern Hills from Wilford St



Seddon Street and Ward Street, lined with trees

Connections

The area is well served by public transport links and is within walking distance of the Upper Hutt CBD. The road layout is simple and legible, with street trees and a wide carriageway and footpaths. Development should seek to improve connections and encourage sustainable methods of travel within the area such as walking and cycling.



Style and Materials

There is no particular architectural style that can be attributed to the Wallaceville area. The housing stock is varied in scale, style, type, material and detailing. The variation of styles and materials allows for individuality within the street scene which should be retained.

The proximity to the industrial zone and the former AgResearch site give an opportunity for a more contemporary design style to be introduced in this area.

Dwelling Type

Current housing stock includes many small to medium sized one-storey dwellings, some of which have been converted into flats. Smaller dwellings are therefore common in the area and this housing type can be encouraged in new forms in the future.

Setbacks

The large majority of properties have generous building setbacks from the front boundary, which has given rise to a prevalence of activity occurring in front yards. This gives the streets in this area a unique sense of vitality and should be encouraged in any future development. Front boundaries are generally marked with low level wooden fences, which allow for surveillance and further contribute to a general feeling of openness and space.



Front yard uses in Wallaceville

20**BUSINESS ZONE RULES****Activities Tables**

Policies 3.4.1, 6.4.1, 16.4.7

20.1 Subdivision Activities	
Subdivision excluding unit title subdivision	
Subdivision which complies with the standards in rules 20.5 and 20.8 unless specified below	C
[AMENDMENT 31 – INSERT NEW RESTRICTED DISCRETIONARY SUBDIVISION RULE]	
<u>Subdivision in the Wallaceville Structure Plan Area that does not comply with the standards in rules 20.5 and 20.8 unless specified below</u>	RD
Subdivision which does not comply with the standards specified in rule 20.5	D
Subdivision which complies with the standards of rule 20.5 but not 20.8	RD
[AMENDMENT 31A – INSERT NEW DISCRETIONARY SUBDIVISION RULE]	
<u>Subdivision in the Wallaceville Structure Plan Area that does not comply with the standards of rule 20.5 and 20.8</u>	D
Subdivision around any existing lawfully established dwelling or commercial unit which does not result in the creation of any new undeveloped site that contains no dwelling or commercial unit Note: this form of subdivision does not need to comply with the minimum net site area requirements of rule 20.5, but does need to meet the access standards of rule 20.8	C
Subdivision around any existing lawfully established dwelling or commercial unit which does not result in the creation of any new undeveloped site that contains no dwelling or commercial unit, that does not comply with the access standards of rule 20.8	RD
Subdivision of land for utilities, reserves or conservation purposes	C
Subdivision of a site identified in Schedules 26.8 or 27.7	D
Creation of a lot that does not have formed legal access to a formed legal road, unless the proposal is for a paper road or other access to be formed as a condition of subdivision approval in accordance with the Code of Practice for Civil Engineering Works	NC
Subdivision which creates building platforms within 20m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps *(refer to the definition of <i>transmission line</i>)	RD

Updates of existing company lease and cross lease, and all unit title subdivision	
Subdivision which is a unit title subdivision or an alteration to a company lease, unit title or cross lease title to include a building extension or alteration or accessory building on the site (excluding an additional dwelling) that has been lawfully established in terms of the Building Act 2004	C
Any subdivision not provided for in this table	D

Key	P	Permitted activity which complies with standards for permitted activities specified in the Plan
	C	Controlled activity which complies with standards for controlled activities specified in the Plan
	RD	Restricted discretionary activity
	D	Discretionary activity
	NC	Non complying activity

20.2 Land Use Activities	Business Commercial	Business Industrial
All activities other than those identified below are permitted provided they meet the standards specified in the Plan for permitted activities	P	P
Large format retail activities on land identified in Appendix Business 1	-	P
Any other retail activity on land identified in Appendix Business 1, unless otherwise provided for below	-	D
Any retail activity unless otherwise provided for below	P	D
<p>The following retail activities:</p> <ul style="list-style-type: none"> • The sale and maintenance of heavy machinery; • Garden centres; • Building improvement centres; • Yard oriented retail activities; • The sale of goods manufactured on the site, provided that the retail component is ancillary to the manufacturing activity; • The sale of kit-set buildings and framing. 	P	P
Retail activity, restaurants, offices, early childhood centres, and residential accommodation (including at ground level) on land identified in Appendix Business 2	P	-
[AMENDMENT 32 – INSERT NEW PERMITTED ACTIVITY RULE]		
<u>Retail activity, restaurants, offices, early childhood centres, and residential accommodation above ground level on land identified in Appendix Business 4 in the Gateway Precinct of Wallaceville Structure Plan</u>	<u>P</u>	-
Garden centres and all activities other than retail activity, restaurants, offices, early childhood centres and residential accommodation (including at ground level) on land identified in Appendix Business 2	D	-
[AMENDMENT 33 – INSERT NEW DISCRETIONARY ACTIVITY RULE]		
<u>Garden centres and all activities other than retail activity, restaurants, offices, early childhood centres, and residential accommodation above ground level and not otherwise provided for as non-complying in Table 20.2 in the Gateway Precinct of the Wallaceville Structure Plan Area</u>	<u>D</u>	-
Visitor accommodation	P	NC
Warehouses	D	P
Service stations and motor vehicle garages	D	C
Motor vehicle wrecking	NC	D
Public car parks	D	D

Every activity listed as an offensive trade in the third schedule of the Health Act 1956	NC	D
20.2 Land Use Activities	Business Commercial	Business Industrial
The sale and hire of motor vehicles, boats, caravans, motor homes and accessories and motor vehicle spare parts	D	P
Churches	C	P
Establishment of a relocated building from another site	C	C
Residential accommodation at ground floor level	D	D
Residential accommodation for a caretaker, where the caretaker is required to live on the site	P	P
Residential accommodation not otherwise provided for in this table	P	D
Signs	P	P
Signs which do not comply with permitted activity standards	RD	RD
[AMENDMENT 34 – INSERT NEW RESTRICTED DISCRETIONARY SIGN RULE]		
<u>Signs in the heritage covenant in the Gateway Precinct of the Wallaceville Structure Plan Area</u>	RD	-
Buildings which do not comply with permitted or controlled activity standards	RD	RD
[AMENDMENT 35 – INSERT NEW RESTRICTED DISCRETIONARY BUILDINGS RULE]		
<u>In the Wallaceville Structure Plan Area all new buildings or significant exterior alterations to existing buildings not listed as significant heritage feature in Chapter 26</u>	RD	-
[AMENDMENT 36 – INSERT NEW PERMITTED DEMOLITION RULE]		
<u>In the Wallaceville Structure Plan Area demolition of buildings not listed as a significant heritage feature in Chapter 26</u>	P	-
Any activity other than conservation and passive recreation in the area identified as “Hulls Creek Overlay” within the Business Industrial zone on Eastern Hutt Road as shown in Appendix Business 3	-	NC
Initial landscaping of the front boundary setback required by rule 20.9 within the Business Industrial zone on Eastern Hutt Road	-	C
Residential activity (except for caretaker accommodation) within the Business Industrial zone on Eastern Hutt Road	-	NC
Gang fortifications	Prohibited	
Activities otherwise permitted or controlled which do not comply with the access standards in 20.9	RD	RD
Activities otherwise permitted or controlled, which do not comply with the relevant standards in this Chapter, except where otherwise specified in this table or in the City-wide provisions of the Plan	D	D

20.3 City-wide provisions

Each activity including subdivision in the Business Zone shall comply with the relevant permitted activity standards in the City-wide provisions of the Plan as listed below.

Chapter	City-wide provisions
23	Earthworks and Indigenous Vegetation Clearance
24	Esplanade Reserves and Strips
25	Reserves and Leisure Facilities Contributions
25A	Temporary Events
26	Heritage Features
27	Notable Trees
28	Southern Hills Overlay Area and Protected Ridgelines
29	Water Bodies
30	Utilities
31	Car Parking
32	Noise and Vibration
33	Flooding and Fault Band Hazards
34	Hazardous Substances and Contaminated Land

20.4 Controlled activities – restrictions on notification

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application for a controlled activity is precluded from public notification under section 95A and, subject to section 95B(3), is precluded from limited notification under section 95B(2) of the Act.

Standards for Permitted and Controlled Activities

Note:

The following standards for Permitted and Controlled Activities apply to all properties in the respective Sub-Zone throughout the Business Zone unless otherwise specified in the text of the standard in question.

20.5 Minimum requirements for subdivision

Policies 3.4.1, 6.4.1

Business Sub-Zone	Minimum net site area	Shape factor
Business Commercial	300m ²	7.5m
Business Industrial	500m ²	20m
Exemptions		
These standards shall not apply to any lot for utility, reserve or conservation purposes.		

20.6 Subdivision which complies with the standards in rule 20.5 and 20.8, and subdivision of land for utilities, reserves or conservation purposes

Policies 6.4.3,
6.4.4, 9.4.3

Council may impose conditions over the following matters:

- Design, appearance and layout of the subdivision.
- Landscaping.
- Provision of and effects on utilities and/or services.
- Standard, construction and layout of vehicular access.
- Earthworks.
- Provision of esplanade reserves and strips.
- Protection of any special amenity feature.
- Financial contributions.

20.7 Subdivision which is a company lease, cross lease or unit title subdivision

Policies 6.4.3, 6.4.4, 9.4.3

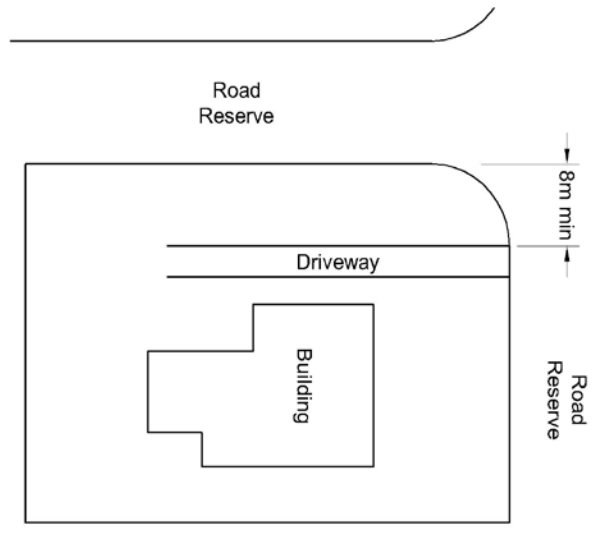
In addition to the matters outlined in rule 20.6, Council may impose conditions over the following matters:

- Allocation of accessory units to principal units and covenant areas to leased areas to ensure compliance with car park provisions and to ensure practical physical access to units.
- Allocation of areas.

20.8 Access standards for subdivision and land use activities

Policies 6.4.1, 6.4.2, 9.4.3

- All accessways and manoeuvring areas shall be formed and surfaced in accordance with the Code of Practice for Civil Engineering Works. Exemption – the requirement for accessways serving sites solely occupied by unstaffed utilities shall be that the accessway shall be surfaced with permanent all weather surfacing for a minimum length of 5m from the edge of the road carriageway seal.
- All sites shall have practical vehicle access to car parking and loading spaces, in accordance with the Code of Practice for Civil Engineering Works. This requirement does not apply to sites solely occupied by unstaffed utilities, provided that vehicles associated with utilities shall not obstruct the footpath or create a traffic hazard on the road.
- Adequate vehicular access shall be made available to the rear of every new building in accordance with the Code of Practice for Civil Engineering Works.
- Vehicular access to a corner lot shall be located no closer than 8m from the street corner. Where a site is located on an intersection of a primary or secondary arterial traffic route (as identified in Chapter 37) the siting of the vehicular access shall be located as far as practicable from the corner of the street. The 8 metre setback shall be measured from where the two front boundaries of the site (refer to the definition of a corner lot) join, or in accordance with the diagram below.



- Where a corner lot is located at an intersection of a national, primary or secondary arterial traffic route, as identified in Chapter 37, no building, fence or other structure is to be erected and no vegetation allowed to grow so as to obstruct a traffic sight line.
- At the intersection of a road or rail level crossing, no building, fence or other obstructions which block sight lines for trains shall be erected, placed or grown in the hatched area marked in Diagram A in Chapter 38.
- Subdivision and land use activities with direct access to a State Highway shall comply with the access and visibility standards set out in Diagrams B to E in Chapter 38.

20.9 Setbacks from boundaries

Policies 6.4.3, 6.4.4

The setback distance for buildings from boundaries shall be not less than:

	Business Commercial Sub-zone	Business Industrial Sub-zone
Front boundary	8m	8m
Side and rear boundaries except where adjoining a Residential or Open Space Zone	0m	0m
Side and rear boundaries adjoining a Residential or Open Space Zone	3m	5.5m
Front boundary on land identified in Appendix Business 2	4m	-

Front boundary setback on land identified in Appendix Business 2 for residential accommodation at ground floor level	6m	-
Side boundaries on land identified in Appendix Business 2	0m	-
Minimum building setback from the power pylon and electricity transmission lines on land identified in Appendix Business 2	12m	-
Rear boundaries on land identified in Appendix Business 2 except where the rear boundary adjoins a Reserve in which case an exemption from the rear boundary setback applies.	3m	-
Exemptions:		
<ul style="list-style-type: none"> • Service station canopies are exempt from the front boundary setback requirement. 		
<ul style="list-style-type: none"> • Pole signs are exempt from the front boundary setback requirement. 		
<ul style="list-style-type: none"> • Properties within the CBD are exempt from all boundary setback requirements, except where sites adjoin a Residential or Open Space Zone, then the setback requirements shall apply along the adjoining boundary. 		
<ul style="list-style-type: none"> • Within the Business Industrial zone located on Eastern Hutt Road, buildings shall be set back from the front boundary with Eastern Hutt Road by 6m, and this setback area shall be landscaped prior to the construction of any buildings. <p>Note: the setback area may also be developed for flood protection purposes if necessary.</p>		

20.10 Building height

Policy 6.4.4

The maximum height of any building in the following areas shall not exceed:

Business Commercial (except CBD)	8m
CBD (except for northern side of Main Street)	40m
CBD (northern side of Main Street only)	20m
Business Industrial	12m
Business Industrial zone located on Eastern Hutt Road	15m

Exemption:

Chimneys, smoke stacks and similar structures in the Business Industrial Sub-zone shall not exceed 30m in height.

20.11 Sunlight access

*Policies 4.4.4,
6.4.3, 6.4.4*

All buildings on sites adjoining, or separated by a road from a site in the Residential or Open Space Zone, shall comply with the height control planes defined in rule 18.16 along the adjoining boundary or the boundary or boundaries separated by a road.

For sites within the CBD, all buildings shall comply with the height control planes defined in rule 18.16 along all boundaries adjoining a Residential or Open Space Zone, or along all boundaries which face and are within 25 metres of a site within the Residential or Open Space Zone.

20.11A Site coverage on land identified in Appendix Business 2

The maximum coverage by buildings on the net area of a site shall not exceed 20% for land identified in Appendix Business 2.

20.12 Loading provisions

*Policies 6.4.2,
6.4.3*

The number of loading spaces needed for any building in the Business Zone shall be as follows:

Floor area	Loading spaces required
Between 100m ² and 1000 m ²	1 space
Between 1001m ² and 2000m ²	2 spaces
More than 2000m ²	2 spaces or 4 spaces if the building is used as a retail store
Notes	
<ul style="list-style-type: none"> Every loading space requires a manoeuvring space for ingress and egress. The extent of the manoeuvring space is to be in accordance with the Code of Practice for Civil Engineering Works. 	
<ul style="list-style-type: none"> Loading areas must be kept clear and must be available at all times for vehicles used in association with the building during which time the building is being used for the activity to which the car parking and loading spaces relate. 	
<ul style="list-style-type: none"> Direct access to each loading space may be allowed from any vested service lane. 	

- All loading spaces are required to be formed and surfaced in accordance with the Code of Practice for Civil Engineering Works.

[AMENDMENT 37 – INSERT A NEW NOTE IN STANDARD 20.12]

- Loading spaces required do not apply to the floor area of residential activities located in the Gateway Precinct of the Wallaceville Structure Plan Area

20.13 Water supply, stormwater and wastewater

Policies 9.4.3,
13.4.1

All activities shall comply with the water supply, stormwater and wastewater standards in the Code of Practice for Civil Engineering Works.

20.14 Artificial light

Policies 6.4.3,
15.4.1

- Light emissions from a site which adjoins a Residential or Open Space Zone shall not exceed a measurement of 8 lux (lumens per m²) measured in both the horizontal and vertical planes, 1.5m above the ground at the site boundary.
- Light emissions from a site shall not spill directly onto roads.
- Light emissions will be measured by an instrument that meets NZSS CP22 (1962) requirements and amendments.

[AMENDMENT 40 – INSERT NEW VENTILATION STANDARD 20.14A]

20.14A Ventilation

Within the Wallaceville Structure Plan Area, habitable rooms must have a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person.

For the purposes of this standard a habitable room means a space used for activities normally associated with domestic living, but excludes any bathroom, laundry, watercloset, pantry, walk-in wardrobe, corridor, hallway, lobby, clothes-drying room, or other space of a specialised nature occupied neither frequently nor for extended periods.

20.15 Dust

Policies 6.4.3,
15.4.1, 15.4.2

Activities shall not create a dust nuisance. A dust nuisance may occur if:

- There is visible evidence of suspended solids in the air beyond the site boundary.

- There is visible evidence of suspended solids, traceable from a dust source, settling on the ground, building or structure on a neighbouring property or on water.

20.16

Screening

Policies 6.4.3,
15.4.1

Sites adjoining a Residential or Open Space Zone shall be fenced on the common boundary by a solid 2m high fence.

[AMENDMENT 38 – AMEND EXEMPTION OF STANDARD 20.16]

Exemption:

The land identified in Appendix Business 2 and in the Gateway Precinct of the Wallaceville Structure Plan Area is exempt from the screening specified above, but outdoor storage areas on land identified in Appendix Business 2 shall be screened as follows:

- Outdoor storage areas shall be screened by a close-boarded fence, a solid wall or dense planting of vegetation. The screening shall be no less than 1.8m in height.

20.17

Landscaping

Policies 6.4.2,
6.4.3, 6.4.4

- If a building is required to be set back from the road boundary, the set back area between the road boundary and the building shall be landscaped unless it is used for access or car parking purposes. If car parking or accessways are provided between the road boundary and the building, a landscape strip with a minimum width of 0.6m shall be provided within the site along the road boundary.
- Where a site adjoins a non-Business Zone (excluding road boundaries) or is within 25m of a Residential or Open Space Zone, a landscape buffer with a minimum width of 0.6m shall be provided within the site between the zone boundary and the buildings.

Exemption:

[AMENDMENT 39 – AMEND THE EXEMPTION OF STANDARD 20.17]

The land identified in Appendix Business 2 and in the Gateway Precinct of the Wallaceville Structure Plan Area is exempt from the landscaping specified in the second bullet point above except that it shall apply to the common rear boundary of the land identified in Appendix 2 and Lots 8 to 11 DP 399832 of the Cosgrove Rise subdivision.

[AMENDMENT 41 – INSERT NEW FENCING STANDARD 20.17A]

20.17A

Fencing

Within the Wallaceville Structure Plan Area a 2m high close boarded fence shall be erected along the boundaries of a site where it adjoins a site designated as MAFI. The fence shall be constructed of materials having superficial mass of not less than 10kg per square metre and shall be constructed prior to occupation of dwellings on the site.

20.18

Requirements for buildings on sites adjoining Main Street

*Policies 6.4.2,
6.4.4*

- All buildings on sites adjoining Main Street shall provide continuous building frontage onto the boundary with Main Street.
- All yards, outdoor storage, outdoor retail areas, or other unbuilt areas on a site shall not be located adjoining the boundary with Main Street.
- All buildings fronting Main Street shall ensure that at least 50% of the ground floor frontage is glazed.
- For sites fronting onto Main Street, all vehicle access or egress shall be via alternative streets or service lanes or other accesses which do not connect on to Main Street.

20.19

Main Street verandahs

*Policies 6.4.2,
6.4.4*

Buildings fronting Main Street shall provide verandahs for pedestrian cover, meeting the following standards:

- The lowest part of a verandah, not including signage, shall be at least 2.9m above the footpath.
- The verandah shall extend for the full length of the frontage of the site.
- The verandah shall cover the full width of the footpath less 500mm.
- Any new or refurbished verandah shall provide in its design for a visual continuity between any existing adjoining verandah(s) and the proposed verandah.

20.20 Car parking areas

*Policies 6.4.2,
6.4.3*

Any car parking provided on a site shall be primarily for the purposes of meeting the car parking demand generated by the use of that site.

20.21 Hours of operation for activities adjoining the Residential Zone

Policy 6.4.3

Any activity which is open to the public (including licenced premises, places of assembly, shops, restaurants and takeaway food outlets) and adjoins a site which is zoned Residential, shall not be open to the public outside the hours of 7am - 11pm Sunday to Thursday (inclusive) and until 1am the following day on Friday, Saturday, Christmas Eve and New Year's Eve.

20.22 Initial landscaping of the front yard setback of the Business Industrial zone located on Eastern Hutt Road required under rule 20.9

Policy 6.4.5

Council may impose conditions over the following matters:

- Design, appearance and layout of the landscaping, and its ongoing management and maintenance.
- The extent to which the landscaping will screen buildings and structures viewed from Eastern Hutt Road.
- The extent to which the landscaping can contribute to the provision of an ecological corridor between the eastern and western Hutt hills.
- Effects on flood protection works.

20.23 Service stations and motor vehicle garages

*Policies 6.4.3,
6.4.4*

Council may impose conditions on:

- Traffic generation, car parking, access arrangements and on-site vehicle movements.
- Bulk, location, design and appearance of buildings.
- Hours of operation.
- Landscaping and screening.
- Health and safety issues.
- Noise.
- Lighting.
- Signage.
- Provision of and effects on utilities and/or services.
- Financial contributions.

20.24 Churches

*Policies 6.4.3,
6.4.4*

Council may impose conditions on:

- Avoiding, remedying or mitigating adverse effects on the business function of the area.
- Location and nature of activities within the site.
- Traffic generation, car parking, access arrangements and on-site vehicle movements.
- Bulk, location, design and appearance of buildings.
- Hours of operation.
- Landscaping and screening.
- Noise.
- Lighting.
- Signage.
- Provision of and effects on utilities and/or services.
- Financial contributions.

20.24A Relocated Buildings

Policy 6.4.4

Council may impose conditions on:

- a) Reinstatement works to the condition and appearance of the building relating to:
 - Works to the exterior fabric of the building to repair, replace or renovate damaged, defective or substandard elements;
 - Painting and/or cleaning of the exterior fabric of the building if necessary;
 - Cladding or other means of enclosing open subfloor areas below the building;
 - Alterations required to ensure that the reinstated exterior of any relocated building is not likely to detract from the amenity values of the surrounding area.
- b) The timeframe for the work to be completed;
- c) Landscaping, screening and boundary treatment;
- d) Execution of a performance bond to provide security for exterior reinstatement works required as a condition of resource consent.
- e) Provision of and effects on utilities and/or services.
- f) Standard, construction and layout of vehicular access.

Notes in respect of d):

- A bond is not mandatory. It will only be required when Council considers it necessary in view of the scale and/or nature of exterior reinstatement works required. The requirement for a bond and its value will be determined in the context of the building assessment report submitted at resource consent stage.
- The bond shall be executed at the time application is made for a building consent, and security shall be in the form of either money or a guarantee by an institution approved by Council as guarantor.
- The bond shall be cancelled upon completion of exterior reinstatement works required in the conditions of the resource consent. The verification method for completion of these works shall be the issuing of a full or interim Code Compliance Certificate as defined in the Building Act. In the event that conditions relating to exterior reinstatement works are not complied with, the bond may be used in whole or in part to complete the works.

20.25 Temporary signs

*Policies 15.4.5,
16.4.4*

Temporary signs, in all zones, must meet all of the following conditions:

- The sign face shall be no greater than 3m² in area visible from any one direction.
- The sign shall relate to a temporary or one-off activity.

- The maximum period for any temporary sign shall be 2 months, except for signs required to be erected for health and safety reasons, where the maximum period shall be 6 months.
- Any temporary sign shall be removed within 48 hours of the ceasing of the activity to which the sign relates.
- Real estate signs involved in the advertising and sale of properties must relate to the property on which they are erected.
- Any sign shall be located so that it does not obstruct any official traffic sign.
- Any sign must not be flashing, animated or continuously differ in form or detail.
- Any sign directed at the State Highway where the speed limit is 70km/hr or greater shall comply with the following:
 - Have a minimum letter height of 160mm; and,
 - Contain no more than six words and symbols and no more than 40 characters; and,
 - Be located so as to provide an unrestricted view to the motorist for a minimum distance of 180 metres.

20.26 Signs within roads

*Policies 15.4.5,
16.4.4*

Road, traffic and advertising signs within roads, in all zones, must be approved by the road controlling authority.

20.27 All other signs

*Policies 15.4.5,
16.4.4*

Note: The land identified in Appendix Business 2 is exempt from the following signs standards. The signs standards that apply to the property at land identified in Appendix Business 2 are contained in rule 20.27A.

- There is no limit on the number of signs attached to buildings, provided that:
 - They do not encroach into any required setback.
 - They do not protrude beyond the roof line of the building to an extent greater than 10% of the face area of the sign.
 - The total face area of signage on the site does not exceed 1m² per metre of street frontage up to a maximum of 35m² visible from any one direction.
- One freestanding sign per site, provided that no part of the sign shall be more than 9m above ground level and the total face area visible from any one direction shall be no greater than 7.5m².

- Additional signs on a site where they are for the purposes of directing traffic, provided that:
 - The maximum vertical dimension of the sign face shall not exceed 1m.
 - The total face area of the sign visible in any one direction does not exceed 0.5m².
 - Content of directional signs is restricted to directional arrows and “entry” or “exit” or equivalent terminology.
- Sandwich board signs, provided that:
 - No part of the sign shall be more than 1m above ground level.
 - The width of the sign is no greater than 0.6m.
 - The location of the sign does not affect pedestrian or traffic safety.
- Any sign (except sandwich boards) shall be situated on the site to which the sign relates.
- Any sign which is located within 50m of, and visible from, a Residential Zone must not be flashing, animated or continuously differ in form or detail.
- Any sign shall be removed when the activity to which it relates has ceased.
- Any sign shall be located so that it does not obstruct any official traffic sign.
- Any sign must not be flashing, animated or continuously differ in form or detail.
- Any sign directed at the State Highway where the speed limit is 70km/hr or greater shall comply with the following:
 - Have a minimum letter height of 160mm; and,
 - Contain no more than six words and symbols and no more than 40 characters; and,
 - Be located so as to provide an unrestricted view to the motorist for a minimum distance of 180 metres.
- Within the Business Industrial zone on Eastern Hutt Road, no signs shall be permitted within 6m of Eastern Hutt Road or on the façade of any building facing Eastern Hutt Road, except that one freestanding sign shall be permitted, which shall be located at the road entrance to the Business Industrial zone, provided that no part of the sign shall be more than 9m above ground level and the total face area visible from any one direction shall be no greater than 20m².

20.27A

Signs on land identified in Appendix Business 2

- One Sandwich board sign, provided that:
 - No part of the sign shall be more than 1m above ground level.
 - The width of the sign is no greater than 0.6m.
 - The location of the sign does not affect pedestrian or traffic safety.

- Sign board(s) attached to buildings provided that the total area of signboards does not exceed 7.5m².
- One free standing sign per site, provided no part of the sign shall be more than 9m above ground level and the total face area visible from any one direction shall be no greater than 7.5m².
- Any sign must not be flashing, animated or continuously differ in form or detail.
- Additional signs on a site where they are for the purposes of directing traffic, provided that:
 - The maximum vertical dimension of the sign face shall not exceed 1m.
 - The total face area of the sign visible in any one direction does not exceed 0.5m².
 - Content of directional signs is restricted to directional arrows and 'entry' or 'exit' or equivalent terminology.

Restricted Discretionary Activities

20.28

Subdivision which creates building platforms within 20m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps

*Policies 16.4.1,
16.4.7*

In addition to the matters listed in rule 20.6, Council will restrict its discretion to, and may impose conditions on:

- The extent to which the subdivision design manages potential conflicts with existing lines by locating roads and reserves under the route of the line.
- The extent to which maintenance and inspections of transmission lines are affected including access.
- The extent to which potential adverse effects including risk or injury, property damage and visual impact are mitigated through the location of building platforms and landscaping.
- The outcome of any consultation with the affected utility operator.
- Separation distances between trees and conductors and the location and mature size of trees planted near the transmission lines.
- Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34:2001).
- Measures necessary to avoid, remedy or mitigate the potential adverse effects of earthworks, dust generation and construction activities, including provision of appropriate separation distances, managing the risks to structural integrity, and safety risks associated with the use of mobile machinery.

Restriction on notification

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on Transpower New Zealand Limited as the only affected party under section 95B.

[AMENDMENT 42 – INSERT NEW SUBDIVISION RESTRICTED DISCRETIONARY RULE 20.28A]

20.28A

Subdivision in the Wallaceville Structure Plan Area

Standards and terms for Subdivision in the Wallaceville Structure Plan Area

- Compliance with the minimum requirements for subdivision of rule 20.5
- Compliance with the access standards of rule 20.8

Council will restrict its discretion to, and may impose conditions on:

- The extent to which the subdivision is consistent with the Wallaceville Structure Plan (Chapter 39: Wallaceville)
- Design, appearance and layout of the subdivision
- Landscaping that complements existing species.
- Standard, construction and layout of roads (including intersections) and vehicular access.
- Provision of and effects on utilities and/or services
- Earthworks and land stability.
- Provision of reserves
- Protection of any special amenity feature.
- Provision of pedestrian and cycleway connections
- The alignment of proposed subdivision boundaries with Precinct boundaries as identified in the Wallaceville Structure Plan
- Financial contributions.

Restriction on notification

In respect of rule 20.28A, and subject to sections 95A(2)(b), 95A(4) and 95C of the Act, an application which meets the standards and terms of rule 18.28B will be decided without the need for public notification under section 95A and any application that is consistent with the Wallaceville Structure Plan will be decided without the need for limited notification under section 95B.

Note:

Failure to comply with this rule will require resource consent as a Discretionary Activity

20.29 Subdivision and land use activities which do not comply with the access standards in 20.8

Policy 16.4.6

Council will restrict its discretion to, and may impose conditions on:

- The extent to which the activity will adversely affect traffic and pedestrian safety.
- The extent to which the activity will adversely affect the efficient functioning of the roading network.

For subdivision, Council's discretion is also restricted to the matters listed in rule 20.6.

20.30 Buildings which do not comply with the standards for permitted and controlled activities.

Policies 6.4.2, 6.4.3, 6.4.4

Council will restrict its discretion to, and may impose conditions on:

- Height, boundary setbacks and sunlight access.
- Provision of and effects on utilities and/or services.
- Landscaping and screening.
- Standard, construction and layout of vehicular access.
- Car parking.
- Effects on adjoining residential properties.
- Effects on the amenity of the surrounding area.
- Requirements for buildings on sites adjoining Main Street.
- Financial contributions.

[AMENDMENT 43 – INSERT BUILDINGS RESTRICTED DISCRETIONARY ACTIVITY 20.30A]

20.30A

New buildings and significant exterior alteration to existing non-heritage listed buildings in the Gateway Precinct of the Wallaceville Structure Plan Area that comply with the standards for permitted and controlled activities

Council will restrict its discretion to, and may impose conditions on:

- The extent to which the development is consistent with the Wallaceville Structure Plan (Chapter 39: Wallaceville)
- Height, proportion, materials, boundary setbacks and sunlight access
- Effects on significant heritage features included in Schedule 26.8
- Provision of and effects on utilities and/or services.
- Landscaping and screening.
- Standard, construction and layout of roads (including intersections) and vehicular access.
- Car parking.
- Effects on adjoining properties.
- Provision for retail buildings to have an active street frontage
- Financial contributions.

Restriction on notification

In respect of rule 20.30A, and subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, an application which meets the standards and terms of rule 20.30A will be decided without the need for public notification under section 95A and any-application that is consistent with the Wallaceville Structure Plan without the need for limited notification under Section 95B and for new buildings within the heritage covenant area limited notification will only be served on Heritage New Zealand (unless affected party approval is provided) under section 95B of the Act.

Note:

Failure to comply with this rule will require resource consent as a Discretionary Activity

20.31 Signs which do not comply with the standards for permitted activities

Policies 15.4.5,
16.4.4

Council will restrict its discretion to:

- Whether the sign is in scale with the associated activities or building development and compatible with the visual character of the area in which it is situated.
- Whether signs are obtrusively visible from any residential area or public space.
- Whether signs will have adverse effects on traffic or pedestrian safety.
- Whether signs detract from the appearance of the building to which they are attached.
- Whether signs will result in additional clutter.

Council may impose conditions on:

- The area of signs.
- The number of signs.
- The colour and materials used.
- The location of signs.
- Sign content.
- Illumination, lighting, reflectorisation and animation.

AMENDMENT 44 – INSERT RESTRICTED DISCRETIONARY ACTIVITY FOR SIGNS 20.31A]

20.31A

Signs in the heritage covenant area within the Gateway Precinct of the Wallaceville Structure Plan Area

Council will restrict its discretion to, and may impose conditions on:

- Sign design, location and placement
- Area, height and number of signs proposed and already located in the covenant area
- Illumination
- Fixing and methods of fixing
- The extent to which any sign including supporting structure detracts from any significant heritage feature in Schedule 26.8

Exemptions:

- Signs within roads are subject to compliance with Standard 20.26
- Temporary signs are subject to compliance with Standard 20.25

Restriction on notification

In respect of rule 20.30B, and subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, an application which meets the standards and terms of rule 20.30A will be decided without the need for public notification under section 95A and any-application that is consistent with the Wallaceville Structure Plan without the need for limited notification under Section 95B and for new buildings within the heritage covenant area limited notification will only be served on Heritage New Zealand (unless affected party approval is provided) under section 95B of the Act.

Matters for Consideration

20.32

Matters that may be relevant in the consideration of any resource consent, other than for a restricted discretionary activity, may include the following:

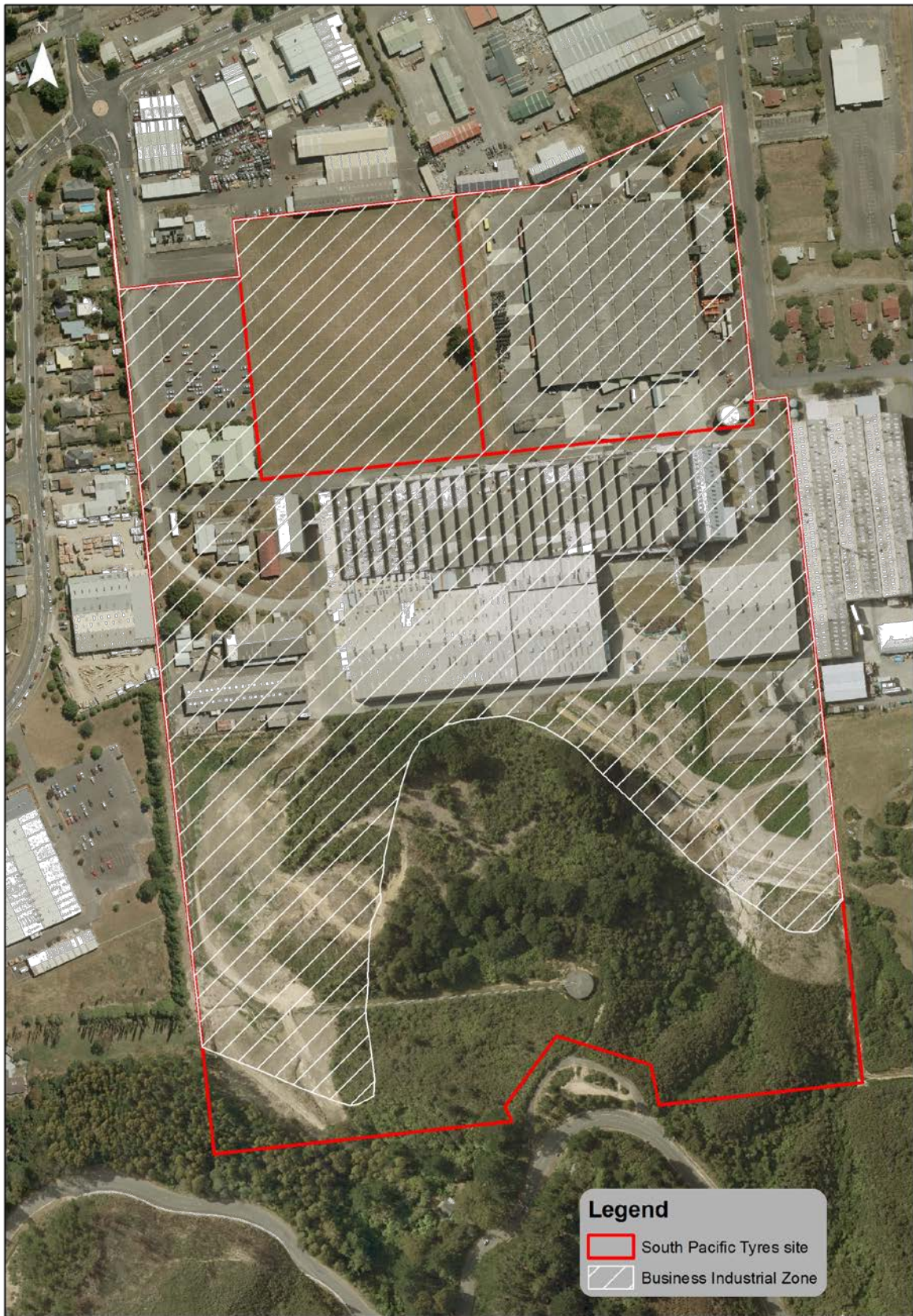
Subdivision
<ul style="list-style-type: none"> • The requirements of section 106 of the Act. • Whether the proposed allotments are capable of accommodating a range of activities in compliance with zone standards. • Whether the subdivision compromises future subdivision potential of the land. • The cumulative effect on existing infrastructure as a result of the proposed subdivision. • The extent of compliance with Council's Code of Practice for Civil Engineering Works.
Access
<ul style="list-style-type: none"> • Accessibility for public transport, cyclists and pedestrians. • Compliance with the Code of Practice for Civil Engineering Works. • Whether the topography, size or shape of the site or the location of any natural or built feature(s) on the site or other requirements such as easements, rights-of-way or restrictive covenants impose constraints that make compliance impracticable. • Whether the activities proposed will not generate a demand for servicing facilities. • Whether suitable alternative provision for servicing can be made. • Whether the nature of adjacent roads is such that the entry, exit and manoeuvring of vehicles can be conducted safely.

Site layout
<ul style="list-style-type: none"> • The arrangement of buildings, car parks and vehicle movements on site. • The nature and extent of landscaping and screening. • Whether the topography of the site has been taken into account. • Whether a better standard of development can be achieved by varying the design.
Bulk and location of buildings
<ul style="list-style-type: none"> • Whether the buildings will cause a loss of privacy, interfere with sunlight access or create shadows on dwellings on adjoining Residentially zoned sites. • Whether the building design, appearance and scale will detrimentally affect the character of the surrounding area.
Traffic generation
<ul style="list-style-type: none"> • Whether activities which generate significant traffic flows have the necessary access, do not adversely impact upon the street environment, and maintain public safety.
Signs
<ul style="list-style-type: none"> • Whether the sign is in scale with the associated activities or building development and compatible with the visual character of the area in which it is situated. • Whether signs are obtrusively visible from any residential area or public space. • Whether signs will have adverse effects on traffic or pedestrian safety. • Whether signs detract from the appearance of the building to which they are attached. • Whether signs will result in additional clutter.
Non-business activities
<ul style="list-style-type: none"> • Whether the buildings, structures or other works are of an appropriate scale having regard to the local amenity. • The extent to which the amenities and the quality of the business environment can be maintained and enhanced.
Nuisance
<ul style="list-style-type: none"> • The potential impacts of noise, dust, glare, vibration, fumes, smoke, other discharges or pollutants or the excavation or deposition of earth.
Infrastructure
<ul style="list-style-type: none"> • The existing capacity of the infrastructure.
Cumulative effects
<ul style="list-style-type: none"> • Whether cumulative effects such as pollution, risks to public safety and nuisances have been assessed.
Retail activities
<ul style="list-style-type: none"> • The effects of retail activities on the vitality and economic viability of the Central Business District, and neighbourhood centres. • Whether the nature and scale of retail activities compliments activities occurring on surrounding sites.
[AMENDMENT 45 – INSERT NEW MATTERS FOR CONSIDERATION]
<u>Subdivision and/or Development in the Gateway Precinct of the Wallaceville Structure Plan Area</u>
<ul style="list-style-type: none"> • <u>The extent to which the subdivision and/or development is consistent with the Wallaceville Structure Plan</u>

- The nature of the activity to be carried out within the building and its likely generated effects.
- The extent to which the area of the site and the proposed activities thereon are in keeping with the scale and form of the existing built environment and activities in the surrounding area
- The extent to which the protection and/or sustainable use of existing listed heritage buildings will be achieved
- The extent to which adjacent properties will be adversely affected in terms of visual obtrusiveness, overshadowing, and loss of access to sunlight and daylight.
- The extent of the building area and the scale of the building and the extent to which they are compatible with both the built and natural environments in the vicinity.

Appendix Business 1

Former South Pacific Tyres site.



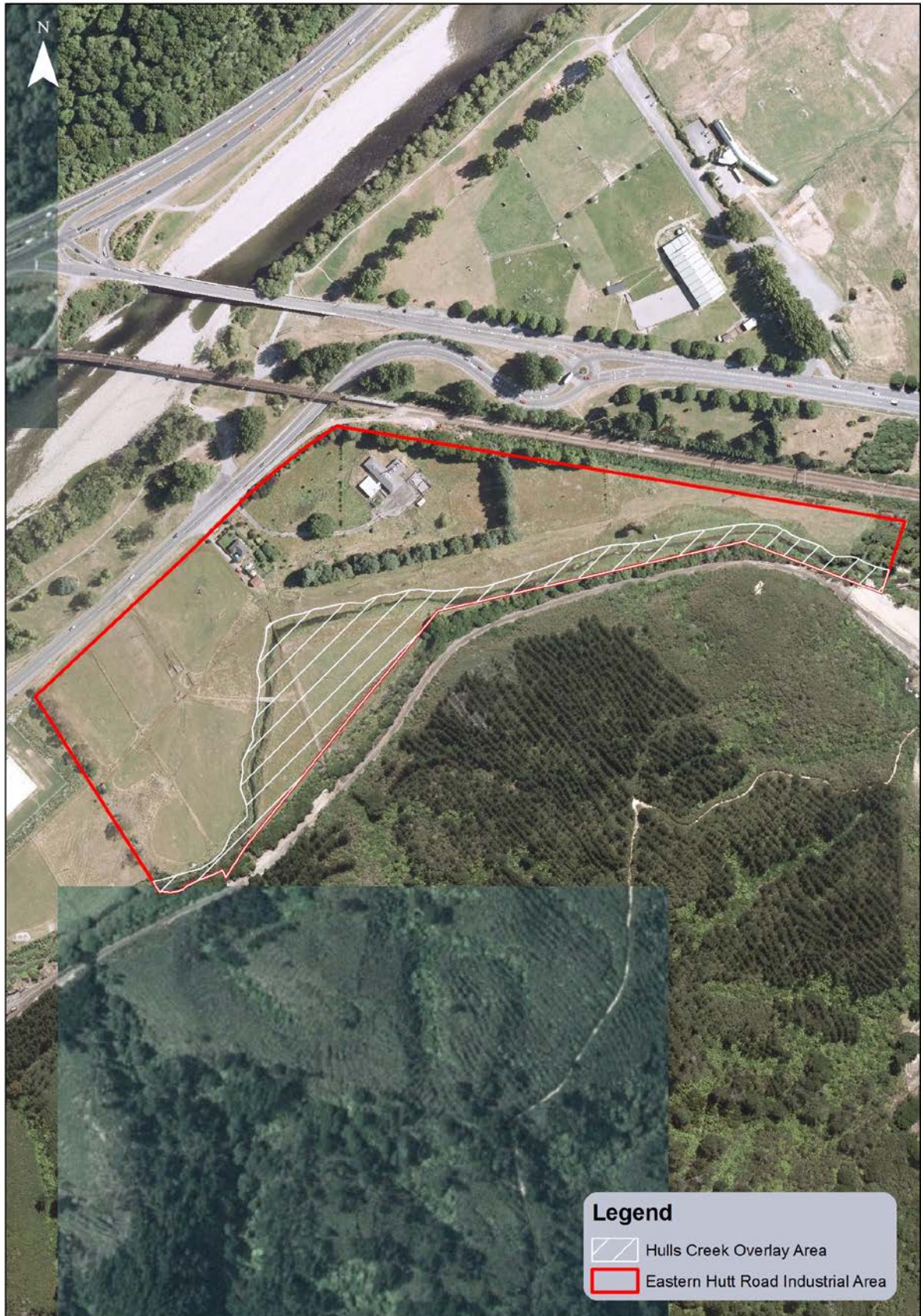
Appendix Business 2

Riverstone Terraces site.



Appendix Business 3

Eastern Hutt Road site.



22**SPECIAL ACTIVITY ZONE RULES****Activities Tables**

Policies 3.4.1, 8.4.1, 8.4.4, 16.4.7

22.1 Subdivision Activities	
Subdivision excluding unit title subdivision	
Subdivision which complies with the standards in rules 22.6 and 22.9 unless specified below	C
Subdivision which does not comply with the standards specified in rule 22.6	D
Subdivision which complies with the standards in rule 22.6 but not rule 22.9	RD
Subdivision around any existing lawfully established dwelling or commercial unit which does not result in the creation of any new undeveloped site that contains no dwelling or commercial unit Note: this form of subdivision does not need to comply with the minimum net site area requirements of rule 22.6, but does need to meet the access standards of rule 22.9	C
Subdivision around any existing lawfully established dwelling or commercial unit which does not result in the creation of any new undeveloped site that contains no dwelling or commercial unit, that does not comply with the access standards of rule 22.9	RD
Subdivision of land for utilities, reserves or conservation purposes	C
Subdivision of a site identified in Schedules 26.8 or 27.7	D
Creation of a lot that does not have formed legal access to a formed legal road, unless the proposal is for a paper road or other access to be formed as a condition of subdivision approval in accordance with the Code of Practice for Civil Engineering Works	NC
Subdivision which creates building platforms within 32m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps *(refer to the definition of <i>transmission line</i>)	RD
Updates of existing company lease and cross lease, and all unit title subdivision	
Subdivision which is a unit title subdivision or an alteration to a company lease, unit title or cross lease title to include a building extension or alteration or accessory building on the site (excluding an additional dwelling) that has been lawfully established in terms of the Building Act 2004	C
Any subdivision not provided for in this table	D

Key	P	Permitted activity which complies with standards for permitted activities specified in the Plan
	C	Controlled activity which complies with standards for controlled activities specified in the Plan
	RD	Restricted discretionary activity
	D	Discretionary activity
	NC	Non complying activity

**Special Activity Zone
(except for the St Patrick's Estate Area)**

22.2	Land Use Activities
Activities relating to the institutional functions of the Rimutaka Prison	P
Activities relating to the military functions of the Trentham Military Camp	P
Activities relating to educational functions on the site of the New Zealand International Campus (former Central Institute of Technology)	P
Visitor accommodation, tourist facilities, active and passive recreation, restaurants and licensed premises on the site on Lot 1, Lot 6 and Pt Lot 8 DP 28647	P
[AMENDMENT 47 – DELETE PERMITTED ACTIVITY RULE] Animal research and development and ancillary buildings and activities (including field days and open days) on Lot 1 DP 29238, Lot 1 DP 80342, Sec 102B 619, Pt Sec 618 HD Blk 1 Rimutaka SD + DP 79577, and Pt Sec 98B Hutt District	P
Activities relating to the Police Dog Training Facility	P
Railway museum and ancillary facilities	P
Active and passive recreation and ancillary activities and buildings	P
Signs	P
Signs which do not comply with permitted activity standards	RD
Removal of a building from a site	P
Establishment of a relocated building from another site	C
Buildings or structures within 12m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps *(refer to the definition of <i>transmission line</i>)	NC
Buildings or structures within 12-32m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps *(refer to the definition of <i>transmission line</i>)	RD
Activities which do not comply with the permitted and controlled activity	D

standards, unless otherwise specified	
---------------------------------------	--

Activities listed as permitted or controlled which do not comply with the access standards in 22.9	RD
Gang fortifications	Prohibited
Activities which are not listed in this table unless otherwise covered in the City-wide provisions of the Plan	NC

Special Activity Zone (St Patrick's Estate Area only)

22.3	Land Use Activities	Managed Development Area*	St Patrick's College Area*
	Car parks (not including buildings)	C	C
	Commercial development, excluding retailing	C	C
	Business and professional offices	C	C
	Educational facilities, early childhood centres	C	P
	Residential and visitor accommodation	C	P
	Passive recreation	P	P
	Active recreation and places of entertainment	C	C
	Medical facilities	C	NC
	Places of assembly (including community facilities), and conference centres	C	C
	Garden centres	C	C
	Retailing excluding garden centres	NC	NC
	Signs	P	P
	Signs which do not comply with permitted activity standards	RD	RD
	Removal of a building from a site	P	P
	Establishment of a relocated building from another site	C	C
	Gang fortifications	Prohibited	Prohibited
	Activities which do not comply with the permitted or controlled activity standards or which are not listed in this table unless otherwise covered in the City-wide provisions of the Plan	NC	NC
* Identified on the Planning Maps			

22.4 City-wide provisions

Each activity including subdivision in the Special Activity Zone shall comply with the relevant permitted activity standards in the City-wide provisions of the Plan as listed below.

Chapter	City-wide provisions
23	Earthworks and Indigenous Vegetation Clearance
24	Esplanade Reserves and Strips
25	Reserves and Leisure Facilities Contributions
25A	Temporary Events
26	Heritage Features
27	Notable Trees
28	Southern Hills Overlay Area and Protected Ridgelines
29	Water Bodies
30	Utilities
31	Car Parking
32	Noise and Vibration
33	Flooding and Fault Band Hazards
34	Hazardous Substances and Contaminated Land

22.5 Controlled activities – restrictions on notification

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application for a controlled activity is precluded from public notification under section 95A and, subject to section 95B(3), is precluded from limited notification under section 95B(2) of the Act.

**Zone-wide provisions
(including St. Patrick's Estate Area)**

Standards for Permitted and Controlled Activities

22.6 Minimum requirements for subdivision

Policies 3.4.1, 8.4.3

	Minimum net site area	Shape factor
All areas	1000m ²	25m
Exemptions		
These standards shall not apply to any lot for utility, reserve or conservation purposes.		

22.7 Subdivision which complies with the standards in rule 22.6 and 22.9, and subdivision of land for utilities, reserves or conservation purposes

*Policies 8.4.3,
9.4.3*

Council may impose conditions over the following matters:

- Design, appearance and layout of the subdivision.
- Landscaping.
- Provision of and effects on utilities and/or services.
- Standard, construction and layout of vehicular access.
- Earthworks.
- Provision of esplanade reserves and strips.
- Protection of any special amenity feature.
- Financial contributions.

22.8 Subdivision which is a company lease, cross lease or unit title subdivision.

*Policies 8.4.3,
9.4.3*

In addition to the matters outlined in rule 22.7, Council may impose conditions over the following matters:

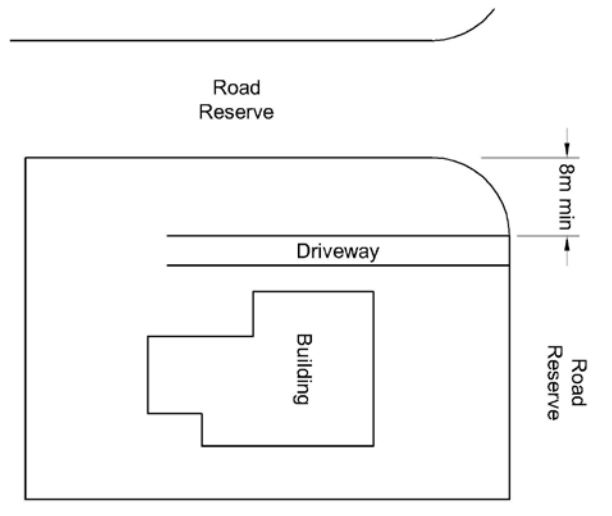
- Allocation of accessory units to principal units and covenant areas to leased areas to ensure compliance with car park provisions and to ensure practical physical access to units.
- Allocation of areas.

22.9

Access standards for subdivision and land use activities

Policy 9.4.3

- All accessways and manoeuvring areas shall be formed and surfaced in accordance with the Code of Practice for Civil Engineering Works. Exemption – the requirement for accessways serving sites solely occupied by unstaffed utilities shall be that the accessway shall be surfaced with permanent all weather surfacing for a minimum length of 5m from the edge of the road carriageway seal.
- All sites shall have practical vehicle access to car parking and loading spaces, in accordance with the Code of Practice for Civil Engineering Works. This requirement does not apply to sites solely occupied by unstaffed utilities, provided that vehicles associated with utilities shall not obstruct the footpath or create a traffic hazard on the road.
- Adequate vehicular access shall be made available to the rear of every new building in accordance with the Code of Practice for Civil Engineering Works.
- Vehicular access to a corner lot shall be located no closer than 8m from the street corner. Where a site is located on an intersection of a primary or secondary arterial traffic route (as identified in Chapter 37) the siting of the vehicular access shall be located as far as practicable from the corner of the street. The 8 metre setback shall be measured from where the two front boundaries of the site (refer to the definition of a corner lot) join, or in accordance with the diagram below.



- Where a corner lot is located at an intersection of a national, primary or secondary arterial traffic route, as identified in Chapter 37, no building, fence or other structure is to be erected and no vegetation allowed to grow so as to obstruct a traffic sight line.
- At the intersection of a road or rail level crossing, no building, fence or other obstructions which block sight lines for trains shall be erected, placed or grown in the hatched area marked in Diagram A in Chapter 38.
- Subdivision and land use activities with direct access to a State Highway shall comply with the access and visibility standards set out in Diagrams B to E in Chapter 38.

22.10 Sunlight access

*Policies 4.4.4,
8.4.2, 8.4.3*

All buildings on sites adjoining, or separated by a road from a site in the Residential or Open Space Zone, shall comply with the height control planes defined in rule 18.16 along the adjoining boundary or the boundary or boundaries separated by a road.

22.11 Artificial light

*Policies 8.4.2,
15.4.1*

- Light emissions from a site shall not exceed a measurement of 8 lux (lumens per m²) measured in both the horizontal and vertical planes, 1.5m above the ground at the site boundary.
- Light emissions from a site shall not spill directly onto roads.
- Light emissions shall be measured by an instrument that meets NZSS CP22 (1962) requirements and amendments.

22.12 Dust

*Policies 8.4.2,
15.4.2*

Activities shall not create a dust nuisance. A dust nuisance may occur if:

- There is visible evidence of suspended solids in the air beyond the site boundary.
- There is visible evidence of suspended solids, traceable from a dust source, settling on the ground, building or structure on a neighbouring property or on water.

22.13 Screening

*Policies 8.4.3,
15.4.1*

Outdoor storage areas shall be screened by a close-boarded fence, a solid wall or dense planting of vegetation. The screening shall be no less than 1.8m in height.

22.14 Temporary signs

*Policies 8.4.5,
15.4.5, 16.4.4*

Temporary signs, in all zones, must meet all of the following conditions:

- The sign face shall be no greater than 3m² in area visible from any one direction.
- The sign shall relate to a temporary or one-off activity.
- The maximum period for any temporary sign shall be 2 months, except for signs required to be erected for health and safety reasons, where the maximum period shall be 6 months.
- Any temporary sign shall be removed within 48 hours of the ceasing of the activity to which the sign relates.

- Real estate signs involved in the advertising and sale of properties must relate to the property on which they are erected.
- Any sign shall be located so that it does not obstruct any official traffic sign.
- Any sign must not be flashing, animated or continuously differ in form or detail.
- Any sign directed at the State Highway where the speed limit is 70km/hr or greater shall comply with the following:
 - Have a minimum letter height of 160mm; and,
 - Contain no more than six words and symbols and no more than 40 characters; and,
 - Be located so as to provide an unrestricted view to the motorist for a minimum distance of 180 metres.

22.15 Signs within roads

Policies 8.4.5, 15.4.5, 16.4.4

Road, traffic and advertising signs within roads, in all zones, must be approved by the road controlling authority.

22.16 All other signs

Policies 8.4.5, 15.4.5, 16.4.4

- There is no limit on the number of signs attached to buildings, provided that:
 - They do not encroach into any required setback.
 - They do not protrude beyond the roof line of the building to an extent greater than 10% of the face area of the sign.
 - The total face area of signage on the site does not exceed 1m² per metre of street frontage up to a maximum of 35m² visible from any one direction.
- One freestanding sign per site, provided that no part of the sign shall be more than 9m above ground level and the total face area visible from any one direction shall be no greater than 7.5m².
- Additional signs on a site where they are for the purposes of directing traffic, provided that:
 - The maximum vertical dimension of the sign face shall not exceed 1m.
 - The total face area of the sign visible in any one direction does not exceed 0.5m².
 - Content of directional signs is restricted to directional arrows and “entry” or “exit” or equivalent terminology.

- Sandwich board signs, provided that:
 - No part of the sign shall be more than 1m above ground level.
 - The width of the sign is no greater than 0.6m.
 - The location of the sign does not affect pedestrian or traffic safety.
- Any sign (except sandwich boards) shall be situated on the site to which the sign relates.
- Any sign which is located within 50m of, and visible from, a Residential Zone must not be flashing, animated or continuously differ in form or detail.
- Any sign shall be removed when the activity to which it relates has ceased.
- Any sign shall be located so that it does not obstruct any official traffic sign.
- Any sign must not be flashing, animated or continuously differ in form or detail.
- Any sign directed at the State Highway where the speed limit is 70km/hr or greater shall comply with the following:
 - Have a minimum letter height of 160mm; and,
 - Contain no more than six words and symbols and no more than 40 characters; and,
 - Be located so as to provide an unrestricted view to the motorist for a minimum distance of 180 metres.

22.17

Relocated Buildings

Council may impose conditions on:

- a) Reinstatement works to the condition and appearance of the building relating to:
 - Works to the exterior fabric of the building to repair, replace or renovate damaged, defective or substandard elements;
 - Painting and/or cleaning of the exterior fabric of the building if necessary;
 - Cladding or other means of enclosing open subfloor areas below the building;
 - Alterations required to ensure that the reinstated exterior of any relocated building is not likely to detract from the amenity values of the surrounding area.
- b) The timeframe for the work to be completed;
- c) Landscaping, screening and boundary treatment;
- d) Execution of a performance bond to provide security for exterior reinstatement works required as a condition of resource consent.
- e) Provision of and effects on utilities and/or services.
- f) Standard, construction and layout of vehicular access.

Notes in respect of d):

- A bond is not mandatory. It will only be required when Council considers it necessary in view of the scale and/or nature of exterior reinstatement works required. The requirement for a bond and its value will be determined in the context of the building assessment report submitted at resource consent stage.
- The bond shall be executed at the time application is made for a building consent, and security shall be in the form of either money or a guarantee by an institution approved by Council as guarantor.
- The bond shall be cancelled upon completion of exterior reinstatement works required in the conditions of the resource consent. The verification method for completion of these works shall be the issuing of a full or interim Code Compliance Certificate as defined in the Building Act. In the event that conditions relating to exterior reinstatement works are not complied with, the bond may be used in whole or in part to complete the works.

Restricted Discretionary Activities

22.18 Subdivision which creates building platforms within 32m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps

*Policies 16.4.1,
16.4.7*

In addition to the matters listed in rule 22.7, Council will restrict its discretion to, and may impose conditions on:

- The extent to which the subdivision design manages potential conflicts with existing lines by locating roads and reserves under the route of the line.
- The extent to which maintenance and inspections of transmission lines are affected including access.
- The extent to which potential adverse effects including risk or injury, property damage and visual impact are mitigated through the location of building platforms and landscaping.
- The outcome of any consultation with the affected utility operator.
- Separation distances between trees and conductors and the location and mature size of trees planted near the transmission lines.
- Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34:2001).
- Measures necessary to avoid, remedy or mitigate the potential adverse effects of earthworks, dust generation and construction activities, including provision of appropriate separation distances, managing the risks to structural integrity, and safety risks associated with the use of mobile machinery.

Restriction on notification

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on Transpower New Zealand Limited as the only affected party under section 95B.

22.19 Buildings or structures within 12-32m of high voltage (110kV or greater) electricity transmission lines as shown on the Planning Maps

Policy 16.4.7

Council will restrict its discretion to, and may impose conditions on:

- a) Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 2001 (NZECP 34:2001).
- b) The location, height, scale, orientation and use of buildings and structures to ensure the following are addressed:
 - The risk to the structural integrity of the transmission line.
 - The effects on the ability of the transmission line owner to operate, maintain and upgrade the transmission network.
 - The risk of electrical hazards affecting public or individual safety, and risk of property damage.
 - The extent of earthworks required, and use of mobile machinery near the transmission line which may put the line at risk.
 - Minimising the visual effects of the transmission line.
 - The outcome of any consultation with the affected utility operator.

Restriction on notification

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on Transpower New Zealand Limited as the only affected party under section 95B.

22.20 Subdivision and land use activities which do not comply with the access standards in 22.9

Policy 16.4.6

Council will restrict its discretion to, and may impose conditions on:

- The extent to which the activity will adversely affect traffic and pedestrian safety.

- The extent to which the activity will adversely affect the efficient functioning of the roading network.

For subdivision, Council's discretion is also restricted to the matters listed in rule 22.7.

22.21 Signs which do not comply with the standards for permitted activities

*Policies 15.4.5,
16.4.4*

Council will restrict its discretion to:

- Whether the sign is in scale with the associated activities or building development and compatible with the visual character of the area in which it is situated.
- Whether signs are obtrusively visible from any residential area or public space.
- Whether signs will have adverse effects on traffic or pedestrian safety.
- Whether signs detract from the appearance of the building to which they are attached.
- Whether signs will result in additional clutter.

Council may impose conditions on:

- The area of signs.
- The number of signs.
- The colour and materials used.
- The location of signs.
- Sign content.
- Illumination, lighting, reflectorisation and animation.

**Zone-wide provisions
(outside St. Patrick's Estate Area only)**

Permitted and Controlled Activities

22.22 Site coverage

Policy 8.4.3 The coverage by buildings on a site shall not exceed 40% of the net site area.

22.23 Setbacks from boundaries

Policy 8.4.3 The setback distance for buildings shall not be less than:

Boundary	Minimum setback
Front boundary	6m
Side and rear boundaries	3m
Boundaries directly adjoining a Residential Zone	3m + 0.5m for every 1m the building is over 5m in height

22.24 Building height

Policy 8.4.3 The maximum height of any building shall not exceed 15m.

22.25 Landscaping

Policies 8.4.3, 8.4.5 All sites shall be landscaped according to the following:

- If a building is required to be set back from the road boundary, the set back area between the boundary and the building shall be landscaped, provided that where it is used for access or parking purposes, then a landscape strip with a minimum width of 0.6m shall be provided within the site along the road boundary.
- If parking or accessways are provided between the road boundary and the building, a landscape strip with a minimum width of 0.6m shall be provided within the site along the road boundary.
- Where a site adjoins a non-Open Space Zone (excluding road boundaries), a landscape buffer with a minimum width of 0.6m shall be provided between the zone boundary and the buildings.
- Car park areas for more than 25 vehicles shall be landscaped.

Provisions for the St Patrick's Estate Area only

Permitted Activities

In addition to compliance with the zone-wide provisions and the City-wide rules, all permitted activities within the St Patrick's Estate Area shall also comply with the following standards.

22.26 Bulk and location requirements

Policies 8.4.3, 8.4.4

	Managed Development Area*	St Patrick's College Area*
Setbacks:		
Front boundary - Fergusson Drive	10m	10m
Any other front boundary	5m	5m
Side boundary	5m	10m
Rear boundary	10m	10m
Maximum site coverage	40%	10%
Maximum building height	8m	8m
*Identified on Planning Maps		

22.27 Screening

*Policies 8.4.3,
8.4.5*

Outdoor storage areas shall be screened by a close-boarded fence, a solid wall or dense planting of vegetation. The screening shall be no less than 1.8m in height.

22.28 Landscaping

*Policies 8.4.3,
8.4.5*

- Front boundary setback areas along Fergusson Drive and County Lane shall be landscaped into a partial screen through earth shaping and permanent plantings of trees and shrubs.
- If parking or accessways are provided between the road boundary and the building, a landscape strip with a minimum width of 0.6m shall be provided within the St Patrick's Estate site along the road boundary.

22.29 Building restriction

*Policies 14.4.1,
14.4.2*

No building, structure or earthworks shall be located or undertaken within 200m of the southern bank of the Hutt River and to the north of the Mawaihakona Stream.

Controlled Activities

22.30 Council may impose conditions over the following matters:

*Policies 8.4.2,
8.4.3*

- Bulk, location and design of the buildings.
- Design and layout of car parks, loading, manoeuvring, pedestrian links and access.
- Provision of and effects on utilities and/or services.
- Landscaping.
- Flood mitigation measures.
- Screening.
- Financial contributions.

Matters for Consideration

22.31 Matters that may be relevant in the consideration of any resource consent other than for a restricted discretionary activity may include the following:

Subdivision

- | |
|---|
| <ul style="list-style-type: none"> • The requirements of section 106 of the Act. • Whether the proposed allotments are capable of accommodating a range of activities in compliance with zone standards. • Whether the subdivision compromises future subdivision potential of the land. • The cumulative effect on existing infrastructure as a result of the proposed subdivision. • The extent of compliance with the Council's Code of Practice for Civil Engineering Works. |
|---|

Access
<ul style="list-style-type: none"> • Accessibility for public transport, cyclists and pedestrians. • Compliance with the Code of Practice for Civil Engineering Works. • Whether the topography, size or shape of the site or the location of any natural or built feature(s) on the site or other requirements such as easements, rights-of-way or restrictive covenants impose constraints that make compliance impracticable. • Whether the activities proposed will not generate a demand for servicing facilities. • Whether suitable alternative provision for servicing can be made. • Whether the nature of adjacent roads is such that the entry, exit and manoeuvring of vehicles can be conducted safely.
Traffic generation
<ul style="list-style-type: none"> • Whether activities which generate significant traffic flows have satisfactory access arrangements. • Impacts on public safety.
Site layout
<ul style="list-style-type: none"> • The arrangement of buildings, car parks and vehicle movements on site. • The extent of landscaping and screening particularly where sites adjoin Residential or Open Space Zones. • Whether the topography of the site has been taken into account. • Whether a better standard of development can be achieved by varying the design.
Bulk and location of buildings
<ul style="list-style-type: none"> • Whether the buildings will cause a loss of privacy, interfere with sunlight access or create shadows on dwellings on adjoining allotments. • Whether the building location, design, appearance and scale will detrimentally affect the character of the surrounding area.
Signs
<ul style="list-style-type: none"> • Whether the sign is in scale with the associated activities or building development and compatible with the visual character of the area in which it is situated. • Whether signs are obtrusively visible from any residential area or public space. • Whether signs will have adverse effects on traffic or pedestrian safety. • Whether signs detract from the appearance of the building to which they are attached. • Whether signs will result in additional clutter.
Sunlight access
<ul style="list-style-type: none"> • Whether the building will adversely interfere with sunlight access or create adverse shading on adjoining sites. • Whether the topography of the site or the location of any built features on the site or other requirements, such as easements, impose constraints that make compliance impracticable.
Nuisance
<ul style="list-style-type: none"> • The potential impacts of noise, dust, glare, vibration, fumes, smoke, odour, other discharges or pollutants or the excavation or deposition of earth.

Infrastructure
<ul style="list-style-type: none"> • The capacity of the infrastructure.
Cumulative effects
<ul style="list-style-type: none"> • Whether cumulative effects such as pollution, any risk to public safety and nuisances have been assessed to avoid, remedy or mitigate adverse effects.
Additional matters for the St Patrick’s Estate Area
<ul style="list-style-type: none"> • Whether flooding effects have been adequately addressed. • Whether the proposal maintains a landscaped gateway to the City, a low density, open development and contains screening from residential areas and Fergusson Drive. • Whether the landscaping will maintain and enhance the amenity of the area. • Whether pedestrian linkages to the Hutt River walkway and Silverstream Railway Station are provided.

25	RULES FOR RESERVES AND LEISURE FACILITIES CONTRIBUTIONS
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25.1 A Reserve and Leisure Facilities Contribution is required where:

Policy 10.4.1

- Any additional site is created as part of a subdivision;
- Two or more dwellings/units are erected on a vacant site;
- One or more additional dwellings/units are erected on a site.

A Reserves and Leisure Facilities Contribution will be required in the form of money, land or a combination of money and land in accordance with the following table:

Reserves and Leisure Facilities Contribution (All Zones)
Money
4% of market value of each additional allotment created
4% of market value of the net site area identified for each additional dwelling on a site
Land in lieu of money (if applicable)
Council will only accept land in lieu of money in accordance with the matters identified in Rule 25.3
Notes:
For clarity, the amount of Reserves and Leisure Facilities Contribution will always be based on 4% of the market value of each additional allotment or where a dwelling is created without subdivision, 4% of the market value of the net site area identified for the dwelling, regardless of whether money, land, or a combination of money and land is accepted.
Where the market value of the land to be accepted is less than the money contribution due, then the balance shall be paid to Council. Conversely, if the land accepted is of greater market value than the money contribution due, Council will compensate the developer/subdivider the balance.

25.2 Requirements for financial contributions

Policy 10.4.1

- All financial contributions on subdivisions are payable prior to the release of the completion certificate for the subdivision.
- All financial contributions for any additional dwelling/unit or multiple dwelling/unit development, where a subdivision has not taken place, are payable prior to the issuing of the Building Consent(s) for the second or more dwelling/unit.

- The valuation shall apply to the land only. For the purposes of the valuation, where the size of the site is larger than 1000m² the valuation will be based on a hypothetical 1000m² building site.
- Where staged and further development takes place within 10 years, then a credit will apply against the reserves and leisure facilities contribution for the earlier payment, but no refunds will be given.
- Contributions in accordance with the above are exclusive of GST.

Exemptions:

The following forms of subdivision will not be required to provide financial contributions:

- Subdivision around any existing principal buildings lawfully established prior to 4 August 2006 that do not create any vacant sites.
- Lots set aside as reserves or for conservation purposes.
- Access lots.
- Rural lots where there is a legal instrument preventing use of the lot for residential purposes (eg – a forestry lot).
- Lots created for unstaffed utility services up to 200m² in area.
- Boundary adjustments or amalgamation of lots with no resulting increase in titles.

25.3

Guidelines for accepting land

Policy 10.4.1

Generally, the contribution will be required in the form of money, however Council, at its complete discretion, may consider accepting a contribution of land instead of money, or a combination of land and money. Land may be accepted if it is designated for a reserve or if the land furthers Council's objectives relating to the City's open space network. Council may also accept land for the protection of ecological, scenic, historical or scientific values or to provide for the active or passive recreational needs of the community.

[AMENDMENT 48 – INSERT NEW MATTER FOR COUNCIL ACCEPTING LAND]

In determining whether land will be accepted by Council, a number of matters may be taken into account, including but not limited to the following:

- The size and nature of the land.
- The topography of the land.
- Whether the land contributes to Council's objectives for the City's open space network.

- Whether the land is designated for proposed reserve purposes.
- Whether the land has been identified as a Council reserve in a structure plan.
- The accessibility of the land for users.
- The ecological, recreational, historic, scenic or scientific values associated with the land.
- The cost of acquiring and maintaining the land.

26**RULES FOR HERITAGE FEATURES****Activities Table**

Policy 11.4.1

26.1	Activities	All Zones
	Any repair or maintenance to the exterior of a significant heritage feature listed in Schedule 26.8.	P
	Any alteration or additions to any significant heritage feature listed in Schedule 26.8, other than the partial or total demolition, destruction or removal of any such heritage feature.	C
	The partial or total demolition, destruction or removal of any heritage feature listed in Schedule 26.8.	D
Notes:		
Repair or maintenance means any repair of a structural element of a significant heritage feature (including the facade, exterior wall, roof and internal load bearing walls), using building materials similar to the existing ones.		
Alteration or addition means any work on a significant heritage feature which involves the addition, alteration or removal and replacement of walls, windows, ceilings, floors or roofs, either internally or externally.		
Partial or total demolition means the removal, destruction or taking down of any significant heritage feature, either in total or in part, except, in the case of a building, where permitted for “repair or maintenance” or within the definition of “addition or alteration.”		

Key	P	Permitted activity which complies with standards for permitted activities specified in the Plan
	C	Controlled activity which complies with standards for controlled activities specified in the Plan
	D	Discretionary activity

26.2 Controlled activities – restrictions on notification

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4), and 95C of the Act, a resource consent application for a controlled activity is precluded from public notification under section 95A and, subject to section 95B(3), is precluded from limited notification under section 95B(2) of the Act.

Standards for Permitted Activities

- 26.3** In any repair or maintenance to the exterior of a significant heritage feature listed in Schedule 26.8, only materials in keeping with those employed in the original structure shall be used.

Policy 11.4.1

Controlled Activities

- 26.4** Council may impose conditions over the design and appearance of the additions or alterations.

Policy 11.4.1

Matters for Consideration

- 26.5** Matters that may be relevant in the consideration of any resource consent may include the following:

Heritage features

- The nature, form and extent of the development, alteration or change.
- The significance of the building, site or feature.
- The need for and importance of the works.
- Whether alternative works or methods have been considered.
- Adverse effects the proposal will have on the building, site or feature and its significance.
- Measures to mitigate adverse effects.
- Consideration of any conservation plan, iwi management plan and Heritage Protection Authority consent.
- Outcome of any consultation with the Historic Places Trust.
- Whether the main determinants of the style and character of the building are retained.
- Whether the addition or alteration respects the scale of the original building and is not visually dominant.
- Where the building has been listed to include the whole or any part of the building's interior, whether the original plan form of the building is respected and whether any significant architectural elements are conserved.

Features of relevance to tangata whenua

- Whether adequate consultation has taken place.
- The importance of the feature to tangata whenua.

Criteria for Features to be added to the Schedule

26.6

Policy 11.4.1

In determining those areas or features to be included on the schedule by way of a Plan Change, the following assessment criteria may be used:

- Whether a building, feature or site has strong historic associations with significant events or notable people or groups.
- Whether a building, feature or site reflects the skills, style or workmanship of educational, architectural, landscape, engineering and technical value.
- Whether a building, feature or site is unique or rare.
- Whether a building, feature or site provides or is likely to reveal important physical evidence of earlier human occupation, activities or events.
- Whether a building, feature or site demonstrates the continuity or distinctive characteristics of a way of life, philosophy, religious or other beliefs, customs or practices.

Removal of Features from the Schedule

26.7

Features listed on the schedule may be removed by way of a Plan Change.


Schedule of Significant Heritage Features

26.8

Policy 11.4.1

The features in this Schedule have been identified as being worthy of protection in the context of the criteria listed in 26.6. Listing them in the District Plan recognises their value or significance and encourages protection.

The Schedule includes buildings, structures, features and sites. These have been obtained from the Council's report on 'Ecology and Heritage Assessment'. A brief description of each has been included to indicate its value or significance.

All heritage features are identified on the Planning Maps by a  symbol and the number in this Schedule.

Ref No	Map Ref	Heritage feature	Description	Status	Significance
1	R27	Rimutaka Rail Trail - Pakuratahi Rail Tunnel	Notable for first use of on site cast cement block construction	NZHPT Historic Area (No. 7511) NZAA recorded site	International National Regional Local
2	R27	Rimutaka Rail Trail - Pakuratahi River Bridge	Wooden Truss with steel bracing	NZHPT Historic Area (No. 7511) NZAA recorded site	International National Regional Local
3	R28	Rimutaka Rail Trail - Ladle Bend Bridge	Cement block and wooden construction	NZHPT Historic Area (No. 7511) NZAA recorded site	International National Regional Local
4	U25	Redoubt Blockhouse with buried earthworks McHardie Street	Redoubt/blockhouse built 1861 for settler protection during Taranaki land wars. Also first police station. Earthworks (trenches) buried.	NZHPT Cat. 1 (No.207) NZAA recorded site	National/ Regional/ Local
5	R12	Oven site (Maymorn Ridge area)	Two umu (oven) dated to approximately 1300 AD	NZHPT recorded NZAA recorded site	National/ Local
6	U35	St. John's Church and church yard, cnr Moonshine Road & Fergusson Drive	Significant 1863 architecture. Burial place of Richard Barton, first European settler in Trentham.	NZHPT Cat II (No.1330)	National/ Regional/ Local
7	U37	Wallaceville Animal Research Centre 62 Ward Street	Research centre main building constructed c1905	NZHPT Cat I (No.3573)	National/ Local
8	U43	Trentham Military Camp clock tower, ANZAC Drive	Four faced wooden clock tower built in 1917.	NZHPT Cat II (No.4150)	National/ Local
9	U34	Tweed House, 5 Brentwood Street	Dwelling house	NZHPT Cat I (No.4152)	National/ Local
10	U42	Restormel, 53 Chatsworth Road	Dwelling house	NZHPT Cat II (No.4149)	National/ Local
11	U42	Woodhill, 71 Chatsworth Road	Dwelling house	NZHPT Cat I (No.4153)	National/ Local
12	U26	Golder's Cottage and outbuildings, 707 Fergusson Drive	Historic Place and Museum	NZHPT Cat II (No.2891)	National/ Local

Ref No	Map Ref	Heritage feature	Description	Status	Significance
13	U26	Golder's Cottage Food Store, 707 Fergusson Drive	Historic Place and Museum	NZHPT Cat II (No.5402)	National/ Local
14	U6	Earthquake fault feature, California Park	Lots 2 & 3, DP 31603		Regional/ Local
15	U7	Earthquake fault terrace sequence, Harcourt Park	Pt Lot 1 DP 7230		Regional/ Local
16	U8	Earthquake fault terrace feature, Emerald Hill	Lots 13 & 14 DP 83099		Regional/ Local
17	R19	Earthquake fault terrace sequence, Te Marua	Pt Sec 172 and Lot 2 DP 17413		Regional/ Local
18	R28	Rimutaka Rail Trail - Rimutaka Railway Summit Tunnel	576.5m long tunnel, in good condition. Relic of original Wellington to Masterton railway. Part of Fell engine section. Most successful application of this technological innovation anywhere in the world. Good example of Vogel's public works. Built between 1874 - 1877 by Collie, Scott & Wilkinson, contractors.	NZHPT Historic Area (No. 7511)	International National Regional Local
19	-	Rimutaka Rail Trail - Rimutaka Railway - original line. Cutting, embankments and retaining walls Note - Not shown on maps due to physical extent	7 large cuttings, concrete culvert under road/track, concrete wall and several embankments still clearly evident. Remnants of 64 embankments and 65 cuttings made by original contractor Oakes, between 1874 and 1878.	NZHPT Historic Area (No. 7511)	International National Regional Local

Ref No	Map Ref	Heritage feature	Description	Status	Significance
20	U40	Pumpkin Cottage site	Colonial cottage built 1860's. Waggoners' residence, then from 1894, centre for artists, especially James Nairn, Nugent Welch, Fred Sedgwick. Important as site stimulus for local painters who created 'Silverstream School' - uncompromising impressionist renderings of local landscape. Photo of cottage in Kelleher ('91) p190. Cottage demolished 1980, land now a roadside reserve.		Regional/ Local
21	R19	Whakataka pa	Pa site and lookout on prominent cliff top above Hutt river, opposite first hole green, Te Marua golf course. Kelleher ('91) states pa site was fortified by three rows of stakes. Occupied by Ngati Ira sub tribe Ngati Kahukuraawhitia. Sacked by Te Rauparaha in heke 1819/20. No evidence of the pa remains and the lookout is probably no longer in existence due to persistent erosion. Nevertheless, well known site, local landmark.		Local
22	U1	Akatarawa Cemetery	Early residents to present day. Earliest grave 1903. Includes carved wooden headstone marking grave of J W Chapman-Taylor.		Local
23	R28	Rimutaka Rail Trail - Fell Railway Summit rail yard and station remnants	Scattered remnants of rail yards and station including remains of houses (chimney bases), also signal tower chimney, coal or water tower foundations, engine inspection pit. Remains of engine and wagon in bush nearby.	NZHPT Historic Area (No. 7511)	International National Regional Local

Ref No	Map Ref	Heritage feature	Description	Status	Significance
24	U1	Tea Bureau Rotunda	Very unusual facility, donated by international consortium of tea producers, to the Ministry of Works and Development, 1949. Multiple fireplaces (x8) in which people are meant to brew tea to protect local forests from fire damage.		National/ Local
25	R28	Cairn and Plaque	Commemorative feature of the first European crossing of the Rimutaka Ranges in 1841.		Regional/ Local
[AMENDMENT 49 – INSERT HOPKIRK BUILDING INTO SCHEDULE]					
<u>26</u>	<u>U37</u>	<u>Hopkirk Building</u>	<u>Wallaceville Animal Research Centre Hopkirk Building. Significant 1940s architecture</u>	<u>NZHPT heritage covenant</u>	<u>National / Local</u>
[AMENDMENT 50 – INSERT INCINERATOR INTO SCHEDULE]					
<u>27</u>	<u>U37</u>	<u>Incinerator</u>	<u>Significant remnant of Wallaceville Ag-research Centre</u>	<u>NZHPT heritage covenant</u>	<u>National / Local</u>

27 RULES FOR NOTABLE TREES

Activities Table

Policies 12.4.7, 12.4.9

27.1	Activities	All Zones
	Any work or activity proposed within the dripline of a tree listed in Schedule 27.8, which meets the standards specified in rules 27.2 to 27.4	P
	Any work or activity proposed within the dripline of a tree listed in Schedule 27.8, which does not meet the standards specified in rules 27.2 to 27.4	D
	The partial or total destruction or removal of any tree listed in Schedule 27.7	D

Key	<p>P Permitted activity which complies with standards for permitted activities specified in the Plan</p> <p>D Discretionary activity</p>
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Standards for Permitted Activities

- 27.2** Only trimming or maintenance in accordance with accepted arboricultural practice required to maintain the tree in a healthy state may be undertaken.
Policies 12.4.7, 12.4.9
- 27.3** Supervision by a qualified arborist, approved by the Council or a Requiring Authority, is required when trimming, felling or destruction of a tree is necessary for emergency work to maintain or restore essential services, or to safeguard life or property.
Policies 12.4.7, 12.4.9
- 27.4** Supervision by a qualified arborist, approved by the Council or a Requiring Authority, is required when the disturbance of ground or root systems under the dripline of a tree is necessary for installing essential services underground, to ensure that the work undertaken does not affect the long-term health of the tree.
Policies 12.4.7, 12.4.9

Matters for Consideration

27.5 Matters that may be relevant in the consideration of any resource consent may include the following:

*Policies 12.4.7,
12.4.9*

Notable trees

- The extent of the works/activity.
- The necessity for the works.
- Whether there are alternative methods which preserve the tree while still meeting the objectives of the applicant.
- The existing health or state of the tree.
- The extent to which the tree contributes to the amenity of the neighbourhood.
- Whether the work would be likely to damage the tree or endanger the health of the tree.
- Whether the tree can be relocated.

Criteria for trees to be added to the Schedule

27.6 In determining those trees to be included on the Schedule by way of a Plan Change the trees shall be assessed by a qualified arborist against the assessment criteria set out in the Standard Tree Evaluation Method 1996 (STEM).

*Policies 12.4.7,
12.4.9*

Schedule of Notable Trees

27.7 The Standard Tree Evaluation Method 1996 (STEM) has been used to assess trees in the City that have local amenity value. Trees with a score of 100 points or more have been included.

*Policies 12.4.7,
12.4.9*

All notable trees are identified on the Planning Maps by a tree symbol and the number in this Schedule.

No	Map Ref	Location	Common name	Latin name	STEM Score
1	U7	Road reserve - Akatarawa Road	Bunya Bunya	Araucaria bidwillii	162
2	U7	Road reserve – Akatarawa Road	Bunya Bunya	Araucaria bidwillii	174
3	U34	90 Barton Avenue	Totara	Podocarpus totara	126
4	U18	Road reserve - California Dr Roundabout	Totara	Podocarpus totara	111
5	U18	Road reserve - California Dr Roundabout	Totara	Podocarpus totara	132
6	U26	803-805 Fergusson Drive	Pin Oak	Quercus palustris	108
7	U27	803-805 Fergusson Drive	English Elm	Ulmus procera	114
8	U28	9 Kashmir Avenue	Totara	Podocarpus totara	117
9	U26	73 Martin Street	European Beech	Fagus sylvatica	123
10	U26	Martin Street (Upper Hutt Primary School)	English Oak	Quercus robur	120
11	U26	Martin Street (Upper Hutt Primary School)	English Oak	Quercus robur	114
12	U26	Martin Street (Upper Hutt Primary School)	Himalayan Cedar	Cedrus deodara	102
13	U27	Martin Street (Upper Hutt Primary School)	English Oak	Quercus robur	102
14	U26	Martin Street (Upper Hutt Primary School)	English Oak	Quercus robur	120
15	U26	Martin Street (Upper Hutt Primary School)	English Oak	Quercus robur	108
16	U26	Martin Street (Upper Hutt Primary School)	English Oak	Quercus robur	114
17	U27	Martin Street (Upper Hutt Primary School)	English Oak	Quercus robur	114
18	U27	Martin Street (Upper Hutt Primary School)	English Oak	Quercus robur	156
19	U33	2 Palmer Crescent	English Oak	Quercus robur	147

No	Map Ref	Location	Common name	Latin name	STEM Score
20	U33	2 Palmer Crescent	English Oak	Quercus robur	111
21	U27	Pine Avenue (roadside)	Wellingtonia	Sequoiadendron giganteum	220
22	U35	10 Racecourse Road	Small-leaved Lime	Tilia cordata	141
23	U18	13 Rosina Street	Totara	Podocarpus totara	129
24	U27	Royal Street (Pak 'n Save)	Bluejack Oak	Quercus glauca	114
25	U27	19-21 Main Street (Corner of Royal Street & Main Street)	Totara	Podocarpus totara	102
26	U34	21 Tararua Street	Kahikatea	Podocarpus dactyloides	126
27	U34	5 Tawai Street	European Beech	Fagus sylvatica	153
28	U27	Corner of Wakefield Street & Main Street (McDonald's)	Deodar Cedar	Cedrus deodara	118
29	U25	33 Whakatiki Street	European Beech	Fagus sylvatica	147
30	U27	Corner of Wilson St & Fergusson Dr	Totara	Podocarpus totara	114
31	U27	Corner of Wilson St & Fergusson Dr	Totara	Podocarpus totara	120
32	U26	3 Wood Street	Californian Redwood	Sequoia sempervirens	123
33	U7	144 Akatarawa Road	Red Oak	Quercus rubra	126
34	U7	14 Rata Street	Pin Oak	Quercus palustris	120
35	U7	26 Birch Terrace	Black Beech	Nothofagus solandri var solandri	105
36	U7	10 Black Beech Street	English Oak	Quercus robur	114
37	U20	1266 Fergusson Drive	Wellingtonia	Sequoiadendron giganteum	114
38	U29	27 Cruickshank Road	White Peppermint Gum	Eucalyptus pulchella	135
39	U29	60 - 66 Montgomery Crescent	Tasmanian Blue Gum	Eucalyptus Globulus	102
40	U29	60 - 66 Montgomery Crescent	Tasmanian Blue Gum	Eucalyptus Globulus	102
41	U29	60 - 66 Montgomery Crescent	Tasmanian Blue Gum	Eucalyptus Globulus	102

No	Map Ref	Location	Common name	Latin name	STEM Score
42	U29	60 - 66 Montgomery Crescent	Tasmanian Blue Gum	Eucalyptus Globulus	102
43	U29	60 - 66 Montgomery Crescent	Tasmanian Blue Gum	Eucalyptus Globulus	102
44	U29	60 - 66 Montgomery Crescent	Tasmanian Blue Gum	Eucalyptus Globulus	114
45	U29	60 - 66 Montgomery Crescent	Tasmanian Blue Gum	Eucalyptus Globulus	108
46	U11	86 Plateau Road	Californian Redwood	Sequoia sempervirens	117
47	U11	86 Plateau Road	Californian Redwood	Sequoia sempervirens	123
48	U7	55 Bridge Road	Atlantic Cedar	Cedrus atlantica	159
49	U10	617 Main Road North	Purple Beech	Fagus sylvatica 'purpurea'	102
50	U10	617 Main Road North	Californian Redwood	Sequoia sempervirens	159
51	U10	617 Main Road North	Matai	Podocarpus spicatus	171
52	U28	5 Oxford Crescent	Pin Oak	Quercus palustris	120
53	U28	5 Oxford Crescent	Pin Oak	Quercus palustris	114
54	U28	5 Oxford Crescent	Horse Chestnut	Aesculus hippocastanum	126
55	U17	24 Hudson Avenue	Purple Beech	Fagus sylvatica 'purpurea'	138
56	U18	55 Kashmir Avenue	Totara	Podocarpus totara	123
57	U37	Ward St AgResearch frontage	Pin Oak	Quercus palustris	102
58	U37	Ward St AgResearch frontage	Scarlet Oak	Quercus coccinea	108
59	U37	Ward St AgResearch frontage	Tulip Tree	Liriodendron tulipifera	111
60	U37	Ward St AgResearch frontage	English Oak	Quercus robur	102
61	U37	Ward St AgResearch frontage	English Oak	Quercus robur	114
62	U37	Ward St AgResearch frontage	English Oak	Quercus robur	102
63	U37	Ward St AgResearch frontage	English Oak	Quercus robur	108
64	U37	Ward St AgResearch frontage	Himalayan Cedar	Cedrus deodara	102

No	Map Ref	Location	Common name	Latin name	STEM Score
65	U37	Ward St AgResearch frontage	Himalayan Cedar	Cedrus deodara	132
66	U37	Ward St AgResearch frontage	English Oak	Quercus robur	120
67	U37	16-22 Lane Street	Wellingtonia	Sequoiadendron giganteum	126
68	U37	40 Wilford Street	European Beech	Fagus sylvatica	138
69	U26	12 Golders Road	Black Beech	Nothofagus solandri var solandri	102
70	U26	73 Martin Street	European Beech	Fagus sylvatica	141
71	U37	25 Wallaceville Road (Wallaceville House)	Wellingtonia	Sequoiadendron giganteum	114
72	U37	25 Wallaceville Road (Wallaceville House)	Wellingtonia	Sequoiadendron giganteum	102
73	U37	25 Wallaceville Road (Wallaceville House)	English Elm	Ulmus procera	108
74	U34	1 Totara Street	English Oak	Quercus robur	126
75	U23	11 Moehau Grove	Totara	Podocarpus totara	126
76	U23	11 Moehau Grove	Matai	Podocarpus spicatus	132
77	U23	19 Holdsworth Avenue	Totara	Podocarpus totara	120
78	U34	10 Racecourse Rd	Ash	Fraxinus excelsior	147
79	U34	58 Granville Street	Oak	Quercus nigra or phellos	126
80	U24	45 Moonshine Road	Pin Oak	Quercus palustris	126
81	U35	50 Ararino Street	Totara	Podocarpus totara	102
82	U35	50 Ararino Street	Totara	Podocarpus totara	102
83	U34	5 Brentwood Street	Totara	Podocarpus totara	105
84	U23	7 Patutu Grove	Totara	Podocarpus totara	138
85	U33	366 Fergusson Drive	Pin Oak	Quercus palustris	126
86	U33	26 Golf Road	English Oak	Quercus robur	120
87	U33	26 Golf Road	English Oak	Quercus robur	120
88	U33	26 Golf Road	English Oak	Quercus robur	126
89	U33	26 Golf Road	European Beech	Fagus sylvatica	114
90	U33	26 Barton Road	Totara	Podocarpus totara	102
91	U33	26 Barton Road	Totara	Podocarpus totara	108
92	U33	26 Barton Road	Red Oak	Quercus rubra	120

No	Map Ref	Location	Common name	Latin name	STEM Score
93	U34	82 Barton Avenue	English Oak	Quercus robur	147
94	U34	82 Barton Avenue	Kahikatea	Podocarpus dacrydiodes	144
95	U33	4 Golf Road	Douglas Fir	Psuedotsuga menziesii	132
96	U33	11 Golf Road	Narrow-leaved Ash	Fraxinus angustifolia	141
97	U33	18 Golf Road	Himalayan Cedar	Cedrus deodara	120
98	U33	23 Golf Road	Himalayan Cedar	Cedrus deodara	132
99	U33	5 Blundell Way	Totara	Podocarpus totara	114
100	U33	5 Blundell Way	European Beech	Fagus sylvatica	141
101	U33	27 Barton Road	Pin Oak	Quercus palustris	102
102	U42	305 Fergusson Drive	Small-leaved Lime	Tilia cordata	108
103	U42	305 Fergusson Drive	Small-leaved Lime	Tilia cordata	108
104	U42	305 Fergusson Drive	Small-leaved Lime	Tilia cordata	108
105	U42	305 Fergusson Drive	Small-leaved Lime	Tilia cordata	102
106	U42	305 Fergusson Drive	Small-leaved Lime	Tilia cordata	102
107	U33	339 Fergusson Drive	Pin Oak	Quercus palustris	120
108	U20	16A Hillside Drive	Californian Redwood	Sequoia sempervirens	126
109	U48	128 Pinehaven Road	Kahikatea	Podocarpus dacrydiodes	108
110	U46	107 Pinehaven Road	Himalayan Cedar	Cedrus deodara	108
111	U46	114 Pinehaven Road	Tulip Tree	Liriodendron tulipifera	102
112	U46	114 Pinehaven Road	Tulip Tree	Liriodendron tulipifera	102
113	U46	114 Pinehaven Road	Tulip Tree	Liriodendron tulipifera	102
114	U45	32 Wyndham road	Kauri	Agathis australis	102
115	U45	32 Wyndham road	Kahikatea	Podocarpus dacrydiodes	102
116	U46	36 Forest Road	Black Beech	Nothofagus solandri var solandri	144

No	Map Ref	Location	Common name	Latin name	STEM Score
117	U46	36 Forest Road	Black Beech	Nothofagus solandri var solandri	120
118	U41	30 Gloucester Street	English Oak	Quercus robur	114
119	U42	28 & 30 Pempsey Street	Totara	Podocarpus totara	126
120	U42	30 Pempsey Street	Totara	Podocarpus totara	114
121	U33	60 Barton Road	Tulip	Liriodendron tulipifera	180
122	U33	60 Barton Road	Totara	Podocarpus totara	153
123	U33	60 Barton Road	Totara	Podocarpus totara	102
124	U26	117 Martin Street	Tulip	Liriodendron tulipifera	126
125	U46	40 Jocelyn Crescent	Californian Redwood	Sequoia sempervirens	120
126	U34	Flat 3, 37 Tararua Street	Totara	Podocarpus totara	102
127	U33	64 Barton Road	Totara	Podocarpus totara	156
128	U33	42 Barton Road	Red Oak	Quercus rubra	207
129	U42	16 York Avenue	Black Beech	Nothofagus solandri var solandri	153
130	U41	207 Fergusson Drive (St Patrick's College Estate – along frontage)	White Ash Gum	Eucalyptus fraxinoides	120
131	U41	207 Fergusson Drive (St Patrick's College Estate –along frontage)	White Gum	Eucalyptus viminalis	108
132	U41	207 Fergusson Drive (St Patrick's College Estate – along frontage)	White Gum	Eucalyptus viminalis	120
133	U41	207 Fergusson Drive (St Patrick's College Estate – along frontage)	White Gum	Eucalyptus viminalis	126
134	U41	207 Fergusson Drive (St Patrick's College Estate – along frontage)	White Gum	Eucalyptus viminalis	114
135	U39	207 Fergusson Drive (St Patrick's College Estate – along frontage)	Pin Oak	Quercus palustris	102

No	Map Ref	Location	Common name	Latin name	STEM Score
136	U39	207 Fergusson Drive (St Patrick's College Estate – along frontage)	Pin Oak	Quercus palustris	102
137	U39	207 Fergusson Drive (St Patrick's College Estate – along frontage)	Pin Oak	Quercus palustris	108
138	U40	207 Fergusson Drive (St Patrick's College Estate – along frontage)	Pin Oak	Quercus palustris	102
139	U40	207 Fergusson Drive (St Patrick's College Estate – along frontage)	Pin Oak	Quercus palustris	108
140	U40	207 Fergusson Drive (St Patrick's College Estate – along frontage)	Pin Oak	Quercus palustris	102
141	U40	207 Fergusson Drive (St Patrick's College Estate – along frontage)	Pin Oak	Quercus palustris	102
142	U40	207 Fergusson Drive (St Patrick's College Estate – along frontage)	Tulip Tree	Liriodendron tulipifera	114
143	U41	207 Fergusson Drive (St Patrick's College Estate – located in the grassed area adjacent to two driveways)	Black Beech	Nothofagus solandri var solandri	126
144	U41	207 Fergusson Drive (St Patrick's College Estate – located in the grassed area adjacent to two driveways)	Totara	Podocarpus totara	126
145	U41	207 Fergusson Drive (St Patrick's College Estate – on the main lawn in front of tennis courts)	Totara	Podocarpus totara	144

No	Map Ref	Location	Common name	Latin name	STEM score
146	U41	207 Fergusson Drive (St Patrick's College Estate – one of two Totara growing in raised bed north of the College entrance)	Totara	Podocarpus totara	114
147	U41	207 Fergusson Drive (St Patrick's College Estate – located to the north of the main College entrance beside the driveway)	Totara	Podocarpus totara	114
148	U41	207 Fergusson Drive (St Patrick's College Estate – located next to the covered walkway in front of the main College entrance)	Totara	Podocarpus totara	120
149	U27	Road reserve- Corner of Seddon & Lane Street	Black Beech	Nothofagus solandri var solandri	132
150	U26	Road reserve - Adjacent to 1A Palfrey Street	Totara	Podocarpus totara	108
151	U1	Road reserve - Adjacent to 4 Bridge Road	English Elm	Ulmus procera	126
[AMENDMENT 51]					
<u>152</u>	<u>W1</u>	<u>70 Ward Street (Gateway Precinct)</u>	<u>Totara</u>	<u>Podocarpus totara</u>	<u>105</u>
<u>153</u>	<u>W2</u>	<u>70 Ward Street (Gateway Precinct)</u>	<u>Totara</u>	<u>Podocarpus totara</u>	<u>105</u>
<u>154</u>	<u>W3</u>	<u>70 Ward Street (Urban Precinct)</u>	<u>Tulip</u>	<u>tulipifera</u>	<u>105</u>
<u>155</u>	<u>W5</u>	<u>70 Ward Street (Gateway Precinct)</u>	<u>Pin Oak</u>	<u>Quercus palustris</u>	<u>135</u>
<u>156</u>	<u>W6</u>	<u>70 Ward Street (Gateway Precinct)</u>	<u>Totara</u>	<u>Podocarpus totara</u>	<u>111</u>
<u>157</u>	<u>W7</u>	<u>70 Ward Street (Gateway Precinct)</u>	<u>Totara</u>	<u>Podocarpus totara</u>	<u>117</u>
<u>158</u>	<u>W8</u>	<u>70 Ward Street (Gateway Precinct)</u>	<u>Totara</u>	<u>Podocarpus totara</u>	<u>105</u>
<u>159</u>	<u>W9</u>	<u>70 Ward Street (Gateway Precinct)</u>	<u>Totara</u>	<u>Podocarpus totara</u>	<u>111</u>
<u>160</u>	<u>W10</u>	<u>70 Ward Street (Gateway Precinct)</u>	<u>Totara</u>	<u>Podocarpus totara</u>	<u>123</u>

No	Map Ref	Location	Common name	Latin name	STEM score
161	W11	70 Ward Street (Gateway Precinct)	Totara	Podocarpus totara	105
162	W12	70 Ward Street (Gateway Precinct)	Totara	Podocarpus totara	105
163	W13	70 Ward Street (Gateway Precinct)	Totara	Podocarpus totara	105
164	W14	70 Ward Street (Gateway Precinct)	Totara	Podocarpus totara	135
165	W16	70 Ward Street (Gateway Precinct)	Lawsons Cypress	Lawsoniana	117
166	W17	70 Ward Street (Gateway Precinct)	Totara	Podocarpus totara	129
167	W18	70 Ward Street (Gateway Precinct)	Totara	Podocarpus totara	123
168	W19	70 Ward Street (Gateway Precinct)	Totara	Podocarpus totara	105
169	W20	70 Ward Street (Gateway Precinct)	Totara	Podocarpus totara	105
170	W21	70 Ward Street (Gateway Precinct)	Totara	Podocarpus totara	111
171	W22	70 Ward Street (Urban Precinct)	English Oak	Quercus robur	111
172	W23	70 Ward Street (Urban Precinct)	English Oak	Quercus robur	105
173	W24	70 Ward Street (Urban Precinct)	English Oak	Quercus robur	111
174	W25	70 Ward Street (Urban Precinct)	Holm Oak	Quercus ilex	111
175	W26	70 Ward Street (Urban Precinct)	Pin Oak	Quercus palustris	105
176	W27	70 Ward Street (Urban Precinct)	Totara	Podocarpus totara	111
177	W28	70 Ward Street (Urban Precinct)	Totara	Podocarpus totara	117
178	W29	70 Ward Street (Urban Precinct)	Totara	Podocarpus totara	123
179	W31	70 Ward Street (Urban Precinct)	Totara	Podocarpus totara	111
180	W32	70 Ward Street (Urban Precinct)	Wellingtonia	Sequoiadendron giganteum	147
181	W38	70 Ward Street (Wallaceville Living)	Totara	Podocarpus totara	111
182	W39	70 Ward Street (Wallaceville Living)	Totara	Podocarpus totara	105

No	Map Ref	Location	Common name	Latin name	STEM score
<u>183</u>	<u>W41</u>	<u>70 Ward Street (Urban Precinct)</u>	<u>Totara</u>	<u>Podocarpus totara</u>	<u>117</u>
<u>184</u>	<u>W41A</u>	<u>70 Ward Street (Urban Precinct)</u>	<u>Totara</u>	<u>Podocarpus totara</u>	<u>111</u>
<u>185</u>	<u>W41 B</u>	<u>70 Ward Street (Urban Precinct)</u>	<u>Totara</u>	<u>Podocarpus totara</u>	<u>117</u>
<u>186</u>	<u>W41 C</u>	<u>70 Ward Street (Urban Precinct)</u>	<u>Totara</u>	<u>Podocarpus totara</u>	<u>123</u>
<u>187</u>	<u>W41 D</u>	<u>70 Ward Street (Urban Precinct)</u>	<u>Totara</u>	<u>Podocarpus totara</u>	<u>111</u>
<u>188</u>	<u>W42</u>	<u>70 Ward Street (Wallaceville Living)</u>	<u>Totara</u>	<u>Podocarpus totara</u>	<u>123</u>
<u>189</u>	<u>W45A</u>	<u>70 Ward Street (Wallaceville Living)</u>	<u>Totara</u>	<u>Podocarpus totara</u>	<u>111</u>
<u>190</u>	<u>W45 B</u>	<u>70 Ward Street (Wallaceville Living)</u>	<u>Totara</u>	<u>Podocarpus totara</u>	<u>111</u>
<u>191</u>	<u>W46</u>	<u>70 Ward Street (Wallaceville Living)</u>	<u>Totara</u>	<u>Podocarpus totara</u>	<u>111</u>
<u>192</u>	<u>W47</u>	<u>70 Ward Street (Wallaceville Living)</u>	<u>Totara</u>	<u>Podocarpus totara</u>	<u>111</u>
<u>193</u>	<u>W48</u>	<u>70 Ward Street (Wallaceville Living)</u>	<u>Totara</u>	<u>Podocarpus totara</u>	<u>111</u>
<u>194</u>	<u>W49</u>	<u>70 Ward Street (Wallaceville Living)</u>	<u>Totara</u>	<u>Podocarpus totara</u>	<u>105</u>
<u>195</u>	<u>W15</u>	<u>70 Ward Street (Gateway Precinct)</u>	<u>Atlantic Cedar</u>	<u>Cedrus atlantica</u>	<u>102</u>

35**DEFINITIONS**

For the purposes of the Plan, unless the context requires otherwise, the following definitions apply:

the Act	the Resource Management Act 1991 including any amendments thereto.
Access lot	any separate lot, owned in common undivided shares, and used primarily for access to one or more lots that have no legal frontage.
Accessory building	a building which is accessory to the main use of the site. On residential sites, this includes garages, carports, workshops, garden sheds, swimming pools, spa pools and glasshouses that are not used for commercial purposes other than home occupations. It also includes walls, fences and retaining walls defined as buildings. For the purposes of the Southern Hills Overlay Area, accessory buildings do not include any building in the Residential Zone or Residential Hill which exceeds 36m ² in floor area and/or 3 metres in height. (See definition of “building”)
Active recreation	recreation activities that are active in nature. It includes motorised activities and gun clubs which have an intermittent noise component but excludes all temporary events, such as organised competitive sporting events.
Activity	the use of a site including the construction, operation, maintenance, minor upgrading, replacement and refurbishment of buildings, structures, plant and equipment.
Allotment	has the same meaning as in section 218 of the Resource Management Act 1991.
Amenity values	has the same meaning as in section 2 of the Resource Management Act 1991.
Ancillary	in relation to an activity means an activity serving a supportive function to, and located on the same site as a primary activity, and which is small in scale.
Antenna	any telecommunication or radio-communication apparatus, including satellite dishes and aerials, used for transmission or reception, including the antenna mounting but not any supporting mast.
Boundary	the legal boundary of a site, unless otherwise specified.

Building

any structure whether temporary or permanent, movable or immovable, which, in addition to its ordinary and usual meaning, includes the following:

- Any structure of over 5m² in area with a height of more than 1.2m.
- Any fence or wall with a height of more than 2m.
- Any retaining wall with a height of more than 1.5m above the finished ground level.
- Any tank or pool, and any structural support:
 - (i) Which has a capacity of not less than 25,000 litres and is supported directly by the ground.
 - (ii) Which has a capacity of 2,000 litres or more and is supported at a height of more than 2.0 metres from the base of its structure.
 - (iii) Which has a capacity of 500 litres or more and is supported at a height of more than 4.0 metres from the base of its supporting structure.

This definition does not apply to utilities as defined in this chapter.

Building improvement centres

are premises used for the storage, display and sale of goods and materials used in the construction, repair, alteration, improvement and renovation of buildings and includes building supply, electrical supply and plumbing supply centres, building recyclers and home and building display centres.

Cleanfill

an activity involving the depositing of exclusively inert, non decomposing material into or onto land, including materials such as clay, soil, rock, concrete or brick, that are free of combustible or putrescible components or hazardous substances or materials likely to create a hazardous leachate by means of biological or chemical breakdown.

Code of Practice for Civil Engineering Works

a document prepared by the Council which sets out performance criteria, standards and procedures for engineering works within Upper Hutt.

Commercial unit

any land or buildings designed to be self-contained for individual or separate commercial activities, companies or businesses.

Community care housing

special care housing used for the rehabilitation or care of any group of persons.

Community facilities

any land or building used, or intended to be used, for public indoor or outdoor recreation, meetings, or social or cultural events, and includes the provision of information, advice and training associated with the use of the facility.

Comprehensive residential development

a residential development of at least three dwellings, on a site within a Residential (Centres Overlay) Area, at a density greater than the minimum net site area requirement for the Residential zone.

Note: A Comprehensive Residential Development may include an existing dwelling.

Conservation

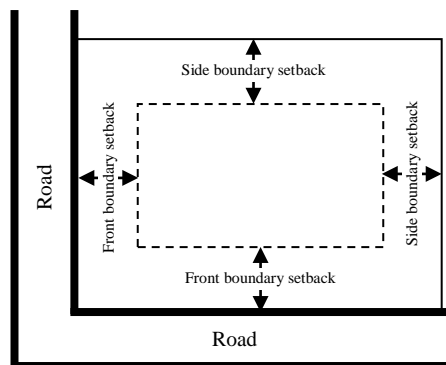
the maintenance or enhancement of environmental and heritage values.

Contaminated site

a site at which hazardous substances are present above local background levels and are likely to pose an immediate or long-term hazard to human health or the environment.

Corner lot

any site adjoining two or more contiguous roads with two or more contiguous frontages that each comply with the relevant subdivision standard (for the minimum frontage) of a corner lot in the relevant zone, but excludes any rear lot.



Corner lot

Council

the Upper Hutt City Council or any committee, subcommittee or person to whom the Council's powers, duties and discretions have been lawfully delegated.

Dripline (of a tree)

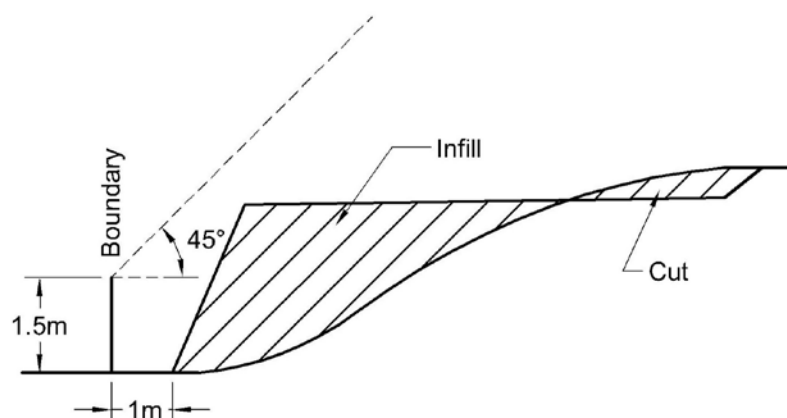
the shape defined on the ground by a series of vertical lines formed around the outer most extent of the tree, branches and foliage.

Dwelling a building or buildings, including detached habitable rooms, designed as self-contained accommodation for one or more persons on any site.

Early childhood centre means premises used for the care or education of four or more children under the age of seven, including but not limited to Kindergartens, Playcentres, Kohanga Reo, Licensed Childcare Centres, Day Nurseries and Creches.

Earthworks the removal, relocation or depositing of soil, earth or rock from, to or within a site, including quarrying or mining and the deposition of cleanfill, but excluding land disturbance resulting exclusively from domestic gardening and planting, cropping or drainage of land in connection with farming and forestry operations.

Earthworks plane means a height control plane applied at the ground level at a boundary from a height of 1.5 metres above any point along that boundary and entering the site at an angle of 45°



Ecosystem a dynamic complex of plant, animal and micro-organism communities and their non-living environment, interacting as a functional unit.

Effect has the same meaning provided in section 3 of the Resource Management Act 1991.

Environment has the same meaning provided in section 2 of the Resource Management Act 1991.

Esplanade reserve and esplanade strip have the same meaning provided in section 2 of the Resource Management Act 1991.

[AMENDMENT 52B – INSERT DEFINITION OF EXTERNAL SOUND INSULATION LEVEL]

External sound insulation level

External sound insulation level means the standardised level difference (outdoor to indoor) and is a measure of the airborne sound insulation provided by the external building envelope (including windows, walls, ceilings and floors where appropriate) using insulation spectrum No.2 (A-weighted traffic noise spectrum) described in units of D_{2m,nT,w} +Ctr as defined in the following Standard:

ISO 717-1:2013 Acoustics - Rating of sound insulation in buildings and of building elements - Part 1: Airborne sound.

The term “external sound insulation level” is used in this Plan primarily as a calculated value to demonstrate compliance with the stated minimum standard of acoustic isolation against sounds arising from outside the building. If field testing of built structures is employed to verify predictions, these tests shall be carried out using ISO 140-5:1998 Acoustics - Measurement Of Sound Insulation In Buildings And Of Building Elements, Part 5: Field Measurements Of Airborne Sound Insulation Of Facade Elements And Facades.

Family flat

a self-contained dwelling unit no more than 55m² in floor area, on the same property and in the same ownership as the principal dwelling (and not leased to another party), for the purpose of providing ancillary accommodation.

Note: For clarity, a family flat which exceeds the 55m² limit will be considered as a dwelling and will be assessed against the appropriate rules.

Farming activity

an activity with the primary purpose of commercially producing livestock or vegetative matter. It includes horticulture but does not include forestry, veterinary hospitals, boarding kennels, catteries, aviaries or farm products processing industries. It also includes the sale of goods produced on the site, except where sale takes place via access to a State Highway.

Forestry

the management of forests for:

Soil conservation.

Forest protection.

Regulation of water.

Production of timber or other forest products.

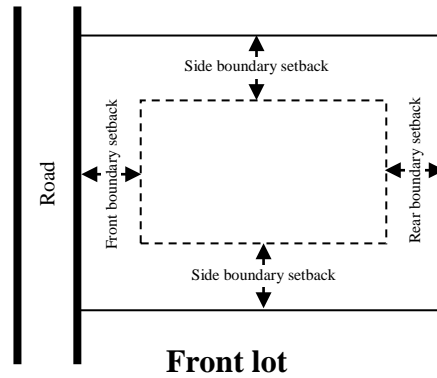
Recreational, aesthetic or scientific purposes.

It does not include forest products industries or on-site milling.

Front lot

any site abutting a road that complies with the relevant

subdivision standard (for the minimum frontage) of a front lot in the relevant zone, but excludes any rear or corner lot.



Gang fortification

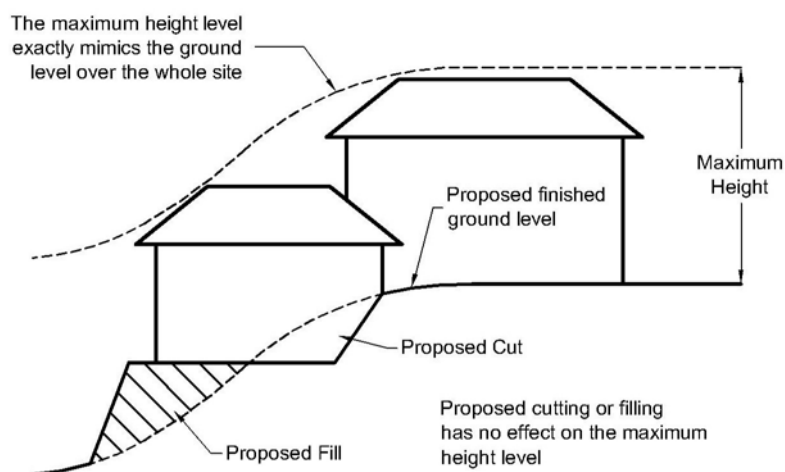
any building or site which is used by groups for accommodation as a base or headquarters, and which is typified by high fencing and other fortification.

Garden centre

any land and/or buildings used principally for the storage, display and sale of shrubs, plants, seedlings, and associated home garden supplies.

Ground level	the natural level of the ground before any excavation or filling has taken place. It also means the finished level of the ground after earthworks have been carried out in an approved subdivision.
Habitable building	any building where people live, work or may assemble, but does not include buildings associated with the storage or use of dangerous goods on the site.
Habitable room	a room used for activities normally associated with domestic living, but excludes any bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, clothes-drying room, or other space of a specialised nature occupied neither frequently nor for extended periods.
Hazardous substance	has the same meaning provided in section 2 of the Hazardous Substances and New Organisms Act 1996.
Home occupation	an occupation, art, craft, business, trade or profession which is ancillary to residential activities on a site.
Indigenous vegetation	a plant community of any species or genetic variants of plants found naturally in New Zealand.
Indigenous vegetation clearance	<p>the removal, damage or destruction of indigenous vegetation, but excluding where such work is undertaken solely in relation to any one or more of the following:</p> <ul style="list-style-type: none"> • Clearance of diseased, dead or dying vegetation; • Clearance undertaken for the purpose of flood control undertaken or approved by local authorities; • Clearance where necessary to maintain or restore existing essential services or for emergency work to avoid injury to persons or damage to property; • Clearance of regenerating vegetation under the canopy of a plantation forest; • Clearance of indigenous vegetation that has been planted and managed specifically for the purposes of harvesting.
Industrial unit	any building or buildings or land designed to be self contained for individual or separate industrial activities, companies or businesses.
Intensive animal farming	any farming operation where animals are kept and/or fed in a building or outdoor enclosures, where the stocking density precludes the maintenance of pasture or vegetative ground cover.

Kaitiakitanga	has the same meaning provided in section 2 of the Resource Management Act 1991.
Kohanga reo	premises where pre-school children are taught and cared for in accordance with tikanga Maori (Maori customs).
Land	has the same meaning provided in section 2 of the Resource Management Act 1991.
Landscaping	the provision of tree and shrub planting, and may include ancillary lawn, rocks, paved areas or amenity features.
Large format retail	is a retail activity or activities, located within a standalone building or complex of buildings, where the gross floor area of each retail activity is no less than 750m ² .
Loading	the loading and unloading of a vehicle including adjusting, covering or tying its load.
Lot	has the same meaning as allotment.
Marae	customarily means the open space in front of a meeting house upon which various ceremonial occasions are centred, but for the purpose of the District Plan a marae also consists of a Maori meeting house and/or hall together with the associated area of open ground.
Mast	any mast, pole, tower or similar structure which is used to facilitate the operation of a utility.
Maximum height	in relation to a building means the vertical distance between the ground level at any point along the building and the highest part of the building immediately above that point.



Minor upgrading

any work necessary to continue or improve the operation and/or functioning of an existing activity where, as a result of the work, the activity concerned would have effects that are the same or similar in character, intensity, and scale as those that existed before the work was carried out.

In respect of above ground cables and lines, minor upgrading includes the provision of one new or additional connection per site within existing developed areas already serviced by existing above ground lines.

Minor upgrading for the purposes of electricity transmission lines includes the following:

- (i) the addition of circuits and conductors;
- (ii) the reconductoring of the line with higher capacity conductors;
- (iii) the resagging of conductors;
- (iv) the addition of longer or more efficient insulators;
- (v) the addition of earthwires which may contain telecommunication lines, earthpeaks and lightning rods;
- (vi) an increase in the voltage of the line where the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage.

Motor vehicle wrecking

any land and/or building used for the dismantling and storage of wrecked motor vehicles for private or commercial purposes.

Natural and physical resources

has the same meaning provided in section 2 of the Resource Management Act 1991.

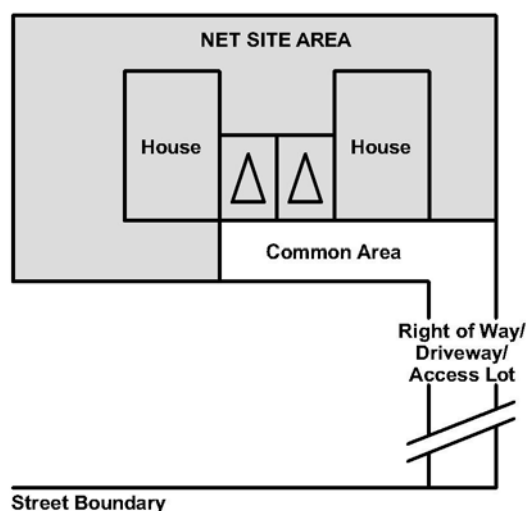
Net floor area

the superficial floor area of the actual room, rooms or spaces used for the particular activity and excludes areas such as hallways, ablutions, storage areas, stairwells and loading spaces.

Net site area

the area of a site excluding:

- Any access lot, driveway or right of way in the case of a rear lot.
- Any common area, access lot, driveway or right of way where there is more than one dwelling on a site.

**Notional boundary**

a line 20m from the façade of any rural dwelling or the legal boundary where this is closer to the dwelling.

Organised fireworks display

The public display of fireworks conducted by a suitably qualified person.

Outdoor living court

an area located on the net site area of a site set aside for outdoor activities in association with a dwelling.

Passive recreation

comprises all forms of informal recreational activity that are passive in nature, including the use of walkways, bridle paths and picnic areas, swimming and fishing activities, cycling and outdoor education. It excludes facilities for organised, competitive sports.

Places of assembly

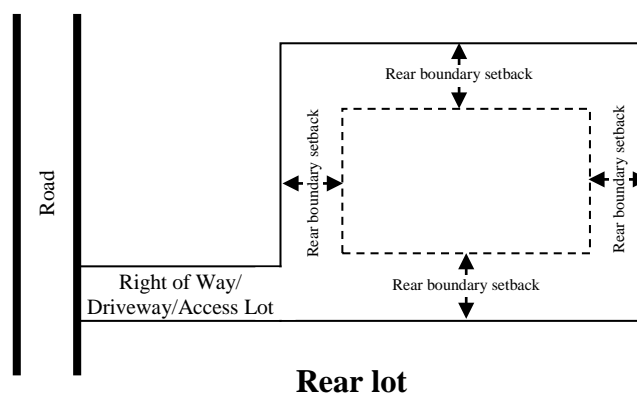
land and/or buildings used for the public and/or private assembly of people primarily for worship, religious, educational, recreational, social and cultural purposes. This definition includes marae, churches and associated halls and grounds.

Property

all of that land held in one ownership.

Rear lot

any site situated generally to the rear of another site, which does **not** comply with the relevant subdivision standard (for the minimum frontage) for a front or corner lot in the relevant zone. It also includes any site, the net site area of which is accessed from a road by an access strip (i.e. right of way, access leg or access lot) that is **less** than the relevant subdivision standard (for the minimum frontage) for a front or corner lot.



Regional park	land which is managed and administered by the Wellington Regional Council in accordance with a Regional Park management plan.
Relocated building	any building or other structure, over two years old or which has been occupied for more than two years, which is intended to be removed and re-erected on another site.
Residential	the use of land, buildings, or any other facility, for domestic living purposes by people living alone or in family or non-family groups, and includes dwelling units and accessory buildings.
Residential (Centres Overlay) Area	an area identified on the planning maps as a Residential (Centres Overlay) Area.
Restaurants	the use of land and/or buildings for the sale of food, mainly prepared on the premises, to the public. The food may be consumed on or off the premises. Cafes, coffee bars and take away food places are included. The premises may or may not be licensed under the Sale of Liquor Act.
Rest home	any nursing or convalescent home for aged and infirm persons or similar facility.
Retail	refers to any land, building or part of a building where goods, merchandise, equipment or services are sold, displayed or offered for sale or direct hire to the public. The definition does not include the sale and hire of motor vehicles, boats, caravans, motor homes and accessories and motor vehicle spare parts, home occupations, restaurants or service stations.
Road	has the same meaning provided in section 43 of the Transit New Zealand Act 1989 and section 315 of the Local Government Act 1974.
Roading hierarchy	the classification of roads according to their intended function within the City's roading network (see Chapter 37).

Service station	<p>any land and buildings where the predominant activity is the retail sale of motor vehicle fuels (including petrol, LPG, CNG and diesel) and may also include, as ancillary activities:</p> <ul style="list-style-type: none"> • The mechanical repair and servicing of motor vehicles (other than panelbeating, trimming or spray painting, heavy engineering such as engine restoring and crankshaft grinding). • The sale or hire of any goods, including the preparation and sale of food and beverages. • Car wash facilities. • The hire of light trailers and motor vehicles.
Setback	the minimum distance from a particular boundary of a site.
Sewage	liquid wastes (including matter in solution or suspension therein) discharged from residential premises, or wastes of the same character discharged from other premises.
Shape factor	a square with sides of the specified dimension which can be fitted within the net site area.
Sign	<p>a device or facility that displays information and which is visible from outside the site. It includes sandwich boards, shop frontages and every advertising device or advertising matter.</p> <p>[AMENDMENT 52 – INSERT DEFINITION OF SIGNIFICANT EXTERIOR ALTERATION]</p>
<u>Significant Exterior Alteration</u>	<p><u>In the Gateway Precinct of the Wallaceville Structure Plan Area, any horizontal or vertical extension to, or demolition of, a wall(s) or roof of a building and any. It does not include the recladding, repair or maintenance of a building, or the replacement of windows or doors (including their framing) where the new materials are not the same or similar in appearance to the existing materials. It does not include or any works to existing, or installation of new, mechanical structures relating to ventilation, or means of ingress and egress for the building (including lift shafts).</u></p>
Site	<p>means:</p> <p>a. an area of land comprised in:</p> <ol style="list-style-type: none"> i. a single computer freehold register; or ii. a single allotment for which a separate computer freehold register could be issued without further involvement of, or prior consent from, the Council; <p>whichever is the smaller.</p> <p>b. an area of land comprised in two or more allotments:</p> <ol style="list-style-type: none"> i. that are subject to a certificate issued under section

- 75(2) of the Building Act 2004, section 37(2) of the Building Act 1991, section 643(2) of the Local Government Act 1974, or any equivalent legislation; or
- ii. that cannot be transferred or leased independently of each other without the Council's prior consent.

- c. an area of land:
 - i. comprised in two or more computer freehold registers; or
 - ii. for which two or more separate computer freehold registers could be issued without further involvement of, or prior consent from, the Council;

where the land will be amalgamated into a single computer freehold register as part of the resource consent process.

- d. in the case of land that is subject to a unit title, cross-lease, or company lease development, the area of land comprising the original parcel that was subdivided, leased or licenced (as the case may be) to create the unit title, cross-lease or company lease development.

Site coverage that portion of the net site area, expressed in percentage terms, which may be covered by buildings, including accessory buildings (excluding fences and retaining walls).

Subdivision has the same meaning provided in section 218 of the Resource Management Act 1991.

Tangata whenua has the same meaning provided in section 2 of the Resource Management Act 1991.

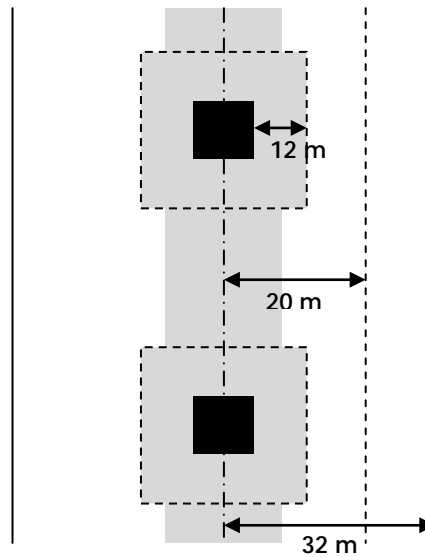
Taonga treasure or valued highly by Maori.

Temporary event an organised event that is of a temporary nature, has a limited duration and that includes public entertainment events, cultural events and organised competitive sporting and recreational events, but excludes commercial promotional events.

Topsoil removal the removal, relocation or stockpiling of topsoil for purposes other than in conjunction with conventional domestic gardening or the planting, cropping or drainage of land in connection with farming and forestry operations.

Tourism facilities land and/or structures used for ventures, features, events and services primarily intended to attract tourists, visitors and travellers.

Transmission line has the same meaning as in section 3 of the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009.



■ = Tower support structure

Note: The measurement of setback distances from electricity transmission lines shall be taken from the centre line of the electricity transmission line and from the outer edge of any support structure. The centre line at any point is a straight line between the centre points of the two support structures at each end of the span. The diagram above depicts setback distances.

Vehicle movement

a movement of a vehicle between a road and a site, with the number of movements per day being calculated over a 24 hour period as follows:

- 1 car to and from a site = 2 vehicle movements
- 1 truck to and from a site = 6 vehicle movements
- 1 truck and trailer to and from a site = 10 vehicle movements

Utility

one or more of the following:

- The distribution or transmission by pipeline of natural or manufactured gas, petroleum or geothermal energy;
- Networks for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001 or radio-communication as defined in section 2(1) of the Radiocommunications Act 1989;
- The distribution or transmission of electricity by an electricity operator or electricity distributor as defined in section 2 of the Electricity Act 1992;
- The collection, treatment, distribution or transmission by pipeline of water for supply (including irrigation);
- The development, operation and maintenance of a drainage or sewerage system;
- The construction, operation and maintenance of a road

or railway line;

and includes all structures in relation to the operation of the utility.

Verandah

a permanent structure, constructed of weatherproof material, which is either cantilevered or supported on posts or pillars, which extends from a building facade, usually on the street frontage and at first floor level, and overhangs a footpath or other similar public pedestrian accessway or space.

Visitor accommodation

any land or building or other facility used to provide accommodation for visitors and backpackers. It includes hotels, motels, hostels and camping grounds but excludes homestays covered by the rules relating to home occupations.

Waahi tapu

a place which is particularly sacred or spiritually meaningful to tangata whenua. It includes burial grounds, tribal altars and locations where significant events have taken place.

[AMENDMENT 52C – INSERT DEFINITION OF WALLACEVILLE STRUCTURE PLAN AREA]

Wallaceville Structure Plan Area

The area of land defined in the Wallaceville Structure Plan Map (refer Chapter 39: Wallaceville)

Water body

has the same meaning provided in section 2 of the Resource Management Act 1991.

Water catchment

land managed and administered by the Wellington Regional Council for water supply purposes, protection and enhancement of native vegetation, forestry, and passive recreation uses, according to any management plan adopted by the Wellington Regional Council.

Warehouse

any building or part of a building, or land, where materials, articles or goods are stored. A warehouse may include offices and showrooms. Wholesale outlets may be included if incidental to, and a part of, the principal use of the site as a warehouse.

Wetland

has the same meaning provided in section 2 of the Resource Management Act 1991.

Yard oriented activities

are activities where the goods sold are sold in bulk and where internal retail (being retailing undertaken entirely from within a building but does not include goods stored outside under cover) does not occupy more than 20% of the area occupied by the activity. Yard oriented retailing is primarily for the sale of natural materials such as gravel, sand, shingle, rock, concrete, coal, fire wood and timber for construction

purposes.