

1

INTRODUCTION TO THE PLAN

1.1

Setting the Scene

1.1.1

What is a District Plan?

The District Plan (the Plan) must be prepared, implemented and administered to assist the Council in meeting its responsibilities under the Resource Management Act 1991 (RMA).

It is intended to meet the objectives of the community with the principle of sustainable management at its core. Consultation with the public is required for any changes or updates to the Plan's content or objective.

Under Section 79 of the RMA, the Plan maintains its relevance with monitoring provisions throughout the life of the Plan, while the entire Plan must be reviewed within 10 years of being publicly notified.

1.1.2

District Context

Upper Hutt City is in the Greater Wellington Region, covering 43,400 hectares. Approximately 92% of land is rural zoned, with about 90% of that owned by Greater Wellington Regional Council and the Department of Conservation.

The urban environment of Upper Hutt predominantly lies within the valley floor, surrounded by forested hills along the eastern and western aspects. The Hutt River travels through the valley, flowing towards the Wellington Harbour. The natural features of the Hutt Valley contribute to the District's overall identity, creating recreational opportunities and establishing ecological value.

These natural environment qualities are a major drawcard for the over 42,000 people who call Upper Hutt home.

1.2

Planning under the Resource Management Act

1.2.1

Resource Management Act 1991 and sustainable management

The purpose of the Plan is to enable the Council to carry out its functions under the RMA. The purpose of the Act is to promote the sustainable management of natural and physical resources. Sustainable management is defined in the RMA as:

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

The RMA establishes a framework for integrated management that addresses the effects of activities on the environment. Section 31 of the RMA delegates Territorial Authorities with the responsibility to mitigate the adverse effects of development, hazardous substances and natural hazards. The Plan is one of the key documents in achieving these sustainable management responsibilities within the Upper Hutt District.

1.2.2

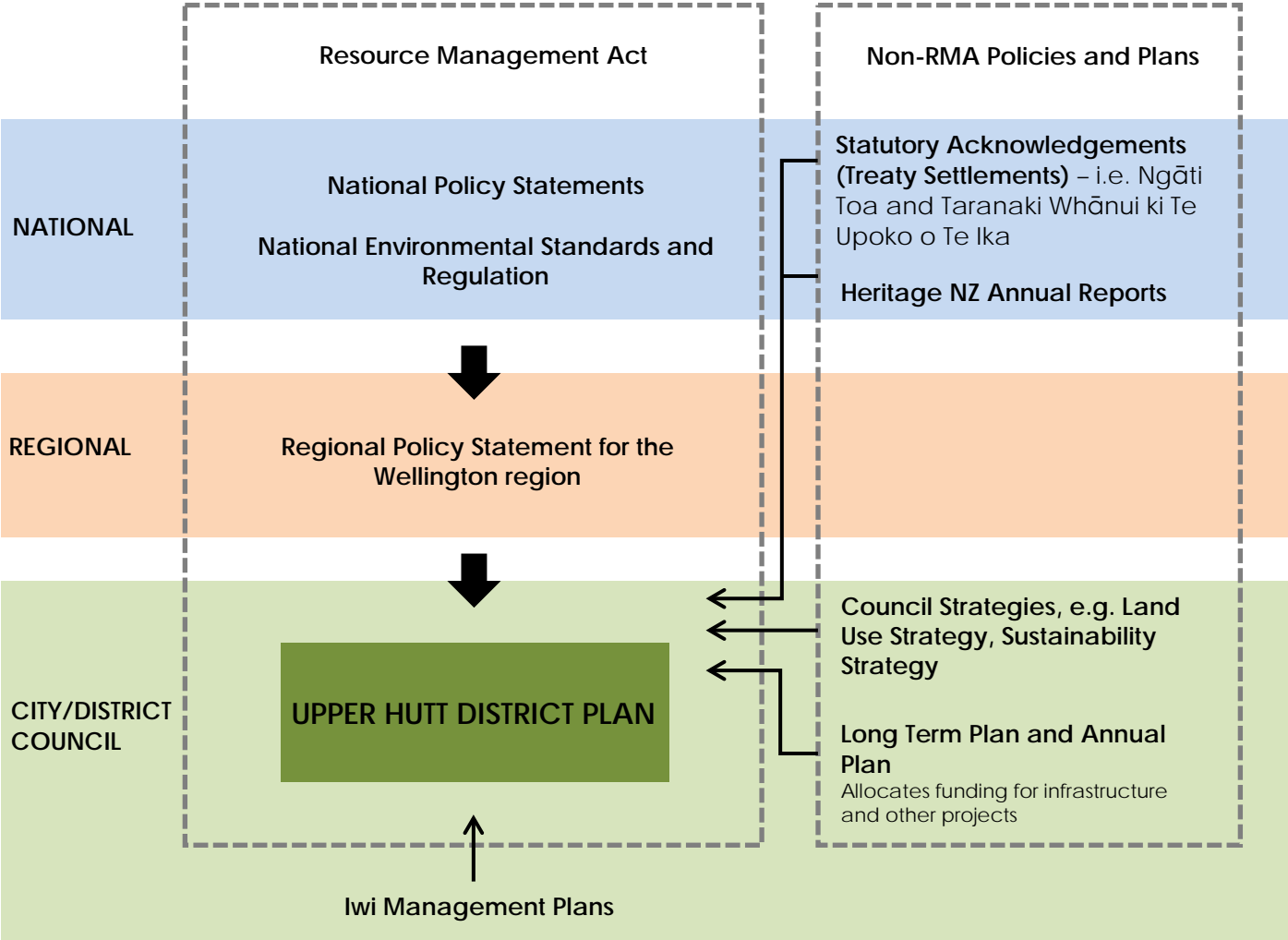
Relationship with other Resource Management Act documents

The RMA provides for a hierarchy of planning and policy instruments to give national, regional and district planning direction. A District Plan must give effect to, and have regard to, several other statutory planning mechanisms and documents. Table 1 below summarises these obligations:

Must give effect to:	Must have regard to:
<ul style="list-style-type: none">• any national policy statement;• any New Zealand coastal policy statement; and• any operative regional policy statement.	<ul style="list-style-type: none">• any proposed regional policy statements;• management or strategy plans prepared under other Acts;• obligations under the Heritage New Zealand Pouhere Taonga Act 2014;• any requirements to be consistent with adjoining proposed or operative District Plans;

Diagram 1, below, details how these plans create a hierarchy of documentation which guide development of the District Plan.

Diagram 1 – Relationship between RMA and non-RMA documents and the District Plan



Central government may provide policy direction on resource management issues of national importance. This is achieved through National Policy Statements and National Environmental Standards, which the District Plan must give effect to. The Plan must also not be inconsistent with any regional plan or water conservation order.

Iwi management plans are a resource management plan prepared by an iwi, iwi authority, rūnanga or hapū. They reflect iwi/hapū aspirations as local kaitiaki and highlight resources of importance. The RMA requires that iwi management plans are taken into account when preparing Plans. At the time of preparing this chapter, there were no relevant iwi management plans for Upper Hutt.

1.2.3

Relationship with other non-RMA documents

Outside of the RMA, there are other pieces of legislation, policies and plans that influence the District Plan, as outlined above (see Diagram 1).

Statutory Acknowledgements from Treaty Settlements

Treaty Settlements are an agreement between the Crown and a Māori claimant group (usually an iwi or large hapū) to settle all of that claimant group's historical claims against the Crown. The Statutory Acknowledgements relevant to Upper Hutt are with Ngāti Toa Rangatira and Taranaki Whānui ki to Upoko o Te Ika. These relationships are detailed further in the Tangata Whenua section below.

Pouhere Taonga - Heritage New Zealand:

The New Zealand Heritage List/Rārangi Kōrero is prepared under the Heritage New Zealand Pouhere Taonga Act 2014. The Heritage List includes buildings, places and sites that are of social or outstanding historical or cultural significance or value. The heritage items listed in the District Plan come from this list, as well as additional items that have been deemed to be worth protecting from a local perspective.

Other Council policies and plans:

Although the Plan is the primary method of fulfilling Council's resource management obligations, the Plan has also been influenced by other Council policies and plans that are produced under various Acts. The relevant documents that have been considered during the development of this Plan include:

- The 2016-2043 Land Use Strategy;
- The 2015-2025 Long Term Plan and any Annual Plans;
- The 2012-2022 Sustainability Strategy;
- The 2014 Arts, Culture and Heritage Strategy; and
- Any Council Code of Practice.

The Land Use Strategy was adopted in September 2016 and is of particular importance as it represents the community's objectives over the next 30 years. It highlights the growth expected within this period and establishes a strategy based on these estimates. The strategy is reflective not only of local council plans, but also with national and regional strategic direction, further increasing its relevance to this Plan.

As the Upper Hutt City Council continues to monitor and review its various strategies and plans, there may be a requirement for the Plan to be reviewed to maintain consistency across Council documentation. Therefore, the above list only represents documents relevant at the time of writing.

1.2.4 Relationships with neighbouring Councils

Upper Hutt shares boundaries with Kāpiti Coast District Council to the northwest, Porirua City Council to the west, the Hutt City Council to the south and South Wairarapa District Council to the east. Therefore, developments may straddle jurisdictional boundaries. These districts are located within the region administered by the Greater Wellington Regional Council. To ensure cross boundary issues are addressed the following actions will be undertaken:

1. Consult with the adjoining territorial authorities and the Greater Wellington Regional Council, where appropriate, to ensure that cross-boundary issues and relevant roles and responsibilities are dealt with consistently and compatibly.
2. Advise adjoining territorial authorities and the Greater Wellington Regional Council of resource consent applications or District Plan changes which may have potential cross-boundary or obligatory statutory effects.
3. Consult with other authorities and organisations whose interests cross the territorial boundaries, and are potentially affected by plan changes or resource consent application for example utility providers, and the Department of Conservation.

1.3 Tangata Whenua

1.3.1 The Resource Management Act and Tangata Whenua

Under the RMA, local authorities must recognise and provide for the relationship with Māori and recognise their ancestral rights to land and cultural traditions. The Regional Policy Statement recognises and provides for matters of significance to tangata whenua. As such, the Plan must remain consistent with these principles.

The Plan must also have particular regard to local kaitiakitanga principles. Section 2 of the RMA defines this as:

“...the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Maori in relation to natural and physical resources; and includes the ethic of stewardship.”

This section of the Plan is intended to acknowledge the requirement to represent these cultural values in the Upper Hutt District Plan. Chapter 11 (Heritage) of the Plan identifies cultural heritage issues and objectives within Upper Hutt. Both this section and Chapter 11 will be reviewed and updated as required during the rolling review of the Plan.

1.3.2

Te Tiriti o Waitangi – Treaty of Waitangi

The RMA emphasises the principles of the Treaty of Waitangi in planning for sustainable management. There are two Treaty settlements that relate to iwi in the Wellington Region (and Upper Hutt). These are the Ngāti Toa Rangitira settlement and the Taranaki Whānui ki Te Upoko o Te Ika settlement.

Ngāti Toa Rangitira

The Ngati Toa Rangitira Deed of Settlement was signed in 2012. Ngāti Toa’s area of interest covers the lower North Island, including the Hutt Valley, as well as large areas of the upper South Island.

The Statutory Acknowledgement of Ngāti Toa Rangitira requires the Crown (including councils) to recognise certain areas within Ngāti Toa Rangitira’s area of interest in Upper Hutt.

Taranaki Whānui ki Te Upoko o Te Ika

Taranaki Whānui ki Te Upoko o Te Ika (Taranaki Whānui) is a collective that comprises of Te Ātiawa, Taranaki, Ngāti Ruanui, Ngāti Tama and others whose ancestors migrated to Wellington in the 1820s and 30s and who signed the Port Nicholson Block Deed of Purchase in 1839.

The Statutory Acknowledgement of Taranaki Whānui requires the Crown (including councils) to recognise certain areas within Taranaki Whānui area of interest in Upper Hutt.

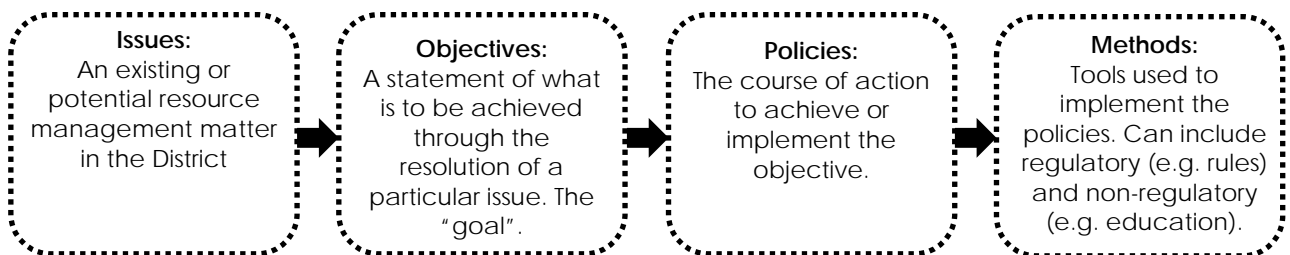
These settlements include Statutory Acknowledgements which register the special association an iwi may have with an area or site. They enhance the iwi's ability to participate in specified RMA processes.

1.4 Structure of the District Plan

1.4.1 Plan formation

The District Plan identifies issues that highlight existing or potential resource management problems. These then form objectives, policies, and methods to resolve identified issues (e.g., rules). This flow of information is detailed in Diagram 2 below:

Diagram 2: Plan formation



Issues may be specific to zones, or may be found across the District and therefore are relevant for multiple zones. Examples of such issues which may be relevant to multiple zones are those related to earthworks, natural hazards, heritage, landscape and ecology.

1.4.2 Zones

The technique of zoning is used as the principle method for managing the effects of activities to enable sustainable management of resources. Zoning recognises the different environments within the City and the effects that different activities have on those environments.

The District Plan contains the following core zones:

- Residential Zone
- Rural Zone
- Business Zone
- Open Space Zone
- Special Activities Zone

1.4.3

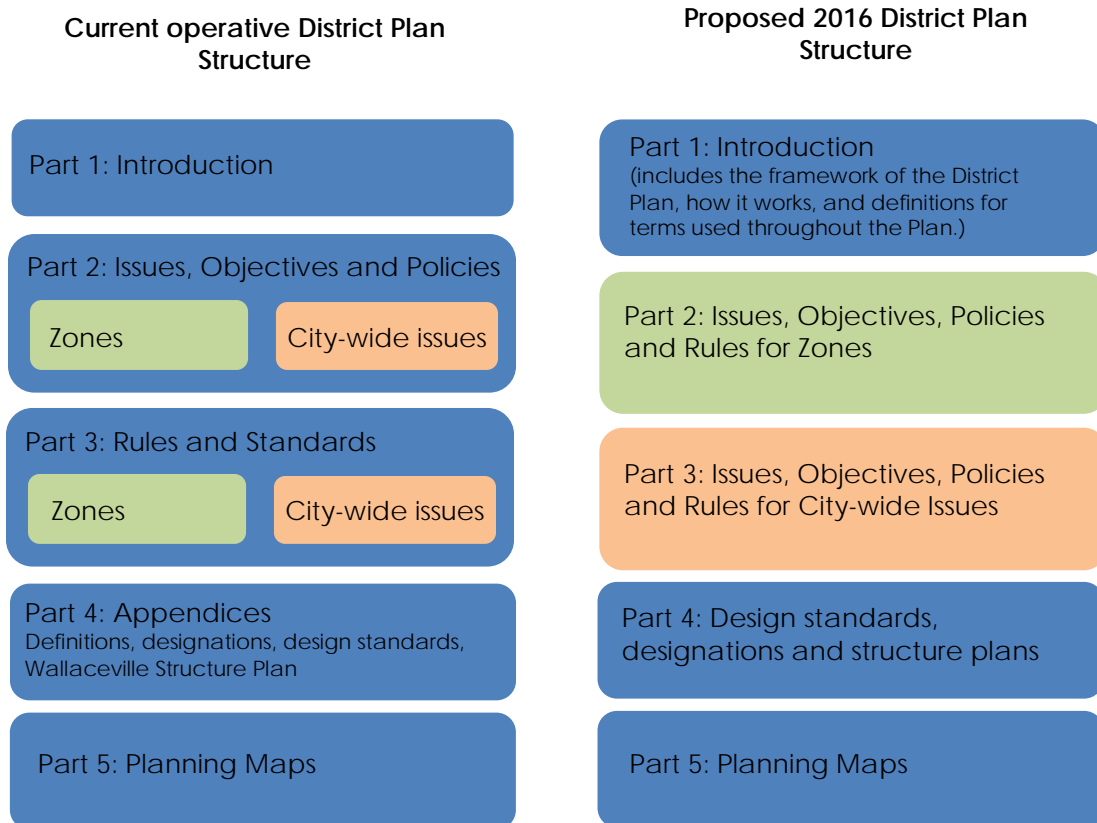
Rolling review of District Plan

The Plan is undergoing a review which will modify its structure. The RMA requires all provisions in a District Plan to be reviewed every 10 years. Rather than a comprehensive review of the Plan, which would see the entire Plan reviewed through a single Plan Change process, Upper Hutt City Council has elected to review the Plan through a “rolling review”. This will be through successive Plan Changes to the Plan over a 10 year period, addressing individual chapters in each Plan Change.

As part of this rolling review, the format of the Plan will also change. This will principally combine the objectives, policies, and rules for each zone or city wide issue into a single chapter, rather than dividing these over two separate chapters. This amendment is intended to improve the usability and readability of the Plan.

The order of the Rolling Review Plan Changes will be based on their priority and importance, and also to enable this new structure. The proposed structure of the District Plan is shown in Diagram 3, below.

Diagram 3: Current operative and proposed District Plan Structure



1.5 Non-regulatory methods

Non-regulatory methods may be employed by the Council to inform and educate the public on resource management and planning matters. This can be an effective means to achieve resource management goals for the community. As such, Council will provide:

- Pamphlets and brochures will be produced summarising the Plan rules and expected environmental outcomes
- Educational programmes on the effects of land use practices
- Technical advice on the use of appropriate NZ Standards and industrial codes of practice
- Information on sites of ecological, cultural and historical importance by listing and identifying these on the planning maps
- Public reports on the results of the monitoring process
- A Hazards Register listing the location of sites prone to natural and other hazards
- Consultation with developers and other parties in relation to particular proposals.

1.6 How to use this District Plan

The following provides a reference guide on how to use the Plan. These steps will provide guidance for the likely activity status for your proposal. In using the Plan, it is important to check whether any defined terms are applicable. Chapter 2 contains a list of definitions that are used throughout the Plan which should be read alongside District Plan text.

1.6.1 Step 1 – Planning Maps

Locate the site you are interested in on the Planning Maps. The maps are also available through the UHCC website.

The planning maps (including online version) will show you what zone the site is located in, and key features including, for example:

- A heritage feature or protected trees(s)

- A natural hazard such as a fault line or a floodplain
- A designation.

1.6.2 Step 2 – Zoning

The district has been divided into a number of zones to control the location of compatible activities. Zones are generally categorised as Residential, Business, Rural, Open Space (i.e. Parks) and Special Activity zones.

Once the zoning has been determined, the next step is to check the rules for that zone to find out what the permitted zone standards for your activity are. If all permitted zone standards have been met, you should also check to see whether there are any city-wide provisions applicable to the activity. Applications where no permitted standard is available, or where permitted standards are breached, will require resource consent. Refer to 1.7.1 for more detail on activity classes.

1.6.3 Step 3 – City-wide provisions

Activities must comply with the relevant zone rules, as well as the city-wide provisions. City-wide provisions cover activities such as earthworks, esplanade reserves and strips, temporary events, heritage features, trees, noise and natural hazards. Check the city-wide provisions to see if the activity is permitted. If so both the permitted zone and city-wide provisions can be met, no resource consent is required the District Plan. Applications where no permitted standard is available or where permitted standards are breached will require resource consent.

1.7 Status of resource consent applications

1.7.1 Activity Classes

Under the RMA, activities are categorised into the following activity classes based on their zoning and the nature of the activity: permitted, controlled, restricted discretionary, discretionary, non-complying, or prohibited.

Permitted Activities

Where certain activities are anticipated within a zone, for example the construction of a house within a residential zone, a permitted activity status would typically be applicable. Permitted activities do not require resource consent, provided the appropriate permitted standards of the Plan or the RMA are met, where relevant.

Controlled Activities

Controlled activities have their standards for resource consents described within the District Plan. Resource consent applications which meet these standards must be granted, however granted consents may include conditions of consent appropriate for the nature of the application.

Other Activity Statuses

Activities which fall into any other activity status require resource consent, and the Council has varying levels of discretion regarding the granting (or declining) of resource consent. When assessing applications for restricted discretionary activities, Council's discretion is limited to matters identified in the Plan. An application for a discretionary activity must assess how the application meets the objectives of the Plan, specific to the application. Council's discretion in assessing non-complying activities is unlimited and should seek to assess how the application integrates within the wider planning framework. Applications for all of these activities may be granted or refused, with appropriate conditions of consent imposed. The level of detail required for each resource consent application must correspond to the scale of the activity and its activity status.

No resource consent may be granted for prohibited activities as these activities are prohibited by the Plan.

1.7.2 Conflicting Classes

In cases where an application for resource consent proposes an activity with elements which fall into two (or more) activity classes, 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.

1.7.3

Notification

Under the RMA, Council must decide whether notification of an application is required. Assessments for public notification will be made on a case-by-case basis and will be reflective of provisions within the District Plan, any applicable National Environmental Standard, and the RMA. Publicly notified applications will be advertised, with an opportunity for the public to make submissions to the Council in support of, or opposition to, the proposal.

If an application is not publically notified, Council may determine that there are certain people who are adversely affected by a proposal in accordance with the statutory requirements of the RMA (for example, neighbours). In this instance, if these identified parties have not given their written consent to a proposal, the application may be limited notified to only those parties the Council deems affected, pursuant to the RMA.

1.7.4

Existing Use Rights

Section 10 of the RMA allows the continuation of existing activities that do not comply with the Plan, as long as these activities were lawfully established before the rule became operative or the proposed Plan/Plan Change was notified. For the activity to continue under existing use rights, the effects of the activity need to be the same or similar in character, intensity and scale as when they were lawfully established. Under the RMA, an existing use certificate can be requested from the Council.

If the character, intensity or scale of the existing activity has altered, resource consent must be obtained (unless it is a Permitted Activity).

1.8

Information required with applications for resource consents

1.8.1

General information

Schedule 4 of the RMA sets out information that is required in all resource consent applications. In addition, Council may also require

applicants to supply further information to better understand the nature of the proposed activity, the effects it may have on the local environment, and the ways in which any adverse environmental effect may be avoided, remedied or mitigated.

1.8.2 Assessment of environmental effects

An assessment of environmental effects is required for all resource consent applications. This assessment must provide sufficient information for any person to understand the actual or potential effects (both positive and adverse) of that proposed activity on the environment, and the ways it is proposed to avoid, remedy, or mitigate any adverse effects.

For controlled activities, the assessment shall only address those matters over which Council has retained control. In respect of any application for a restricted discretionary activity, the assessment shall only address those matters over which Council has retained discretion. These matters of control and discretion are detailed within the Plan.

For all other types of activities, the assessment shall address all relevant matters relating to the actual or potential effects of the proposed activity on the environment.

1.8.3 Drawings of proposal

All applications for resource consent must include 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:
 - a. Site dimensions
 - b. The location of all existing and proposed buildings and structures
 - c. Proposed areas of excavations and fill
 - d. Position of any existing and proposed easements
 - e. Trees and large areas of vegetation
 - f. Levels at site boundaries or contours (based on mean sea level) to show the general topography of the area

- g. Areas that may be subject to inundation, flooding, landslips, or fault lines
 - h. Any designations
 - i. Any wetlands, landscape, ecological or heritage features
 - j. Existing power, transmission, gas lines, main trunk and water supply pipes, sewerage pipes
 - k. The means to manage all stormwater and sanitary drainage
 - l. If applicable, position of car parking, loading spaces, servicing areas, and access points.
3. For land use resource consents, floor plan and elevations of each building (as a general guide, a scale of 1:100 would be appropriate) showing:
- a. Internal layout of the building and identification of the use of such rooms or parts of a floor
 - b. The external appearance of the building (including windows and doors)
 - c. Building heights and distance to any property boundary and, where relevant, building height envelopes and maximum permitted height.

1.8.4

Information requirements for subdivision 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, and current copies of all Computer Freehold Registers of the land to be subdivided.
- 3. An assessment of the environmental effects associated with the proposal, which addresses the Plan requirements.
- 4. A site plan including the information required for site plans, as listed above. In addition to this, site plans for subdivision consents, must also include:
 - a. The position of all new boundaries, including restrictive covenant boundaries for cross lease applications, and principal unit, accessory unit and common property boundaries for unit title applications
 - b. Areas of all new allotments
 - c. Location and areas of new reserves to be created, including esplanade reserves and access strips
 - d. Location and areas of any 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. Abutting and underlying title boundaries, and existing building line restrictions
- f. The balance area of the site to be subdivided showing any proposals for future development
- g. Any features to be protected by covenant
- h. Location of utilities to effectively meet the Code of Practice for Civil Engineering Works and the District Plan to effectively service the subdivision
- i. Legal access connections to existing roads, carriageways and pathways
- j. Proposed roads, access points, accessways, service lanes, with relevant widths, areas, and gradients.

1.8.5 Specific information requirements to waive esplanade reserve or esplanade strip requirements

An application seeking waiver of esplanade reserve or esplanade strip requirements must include:

1. 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
2. Explicit provisions for public access to the water body
3. The extent to which the natural character and visual quality of the water body and water quality will be preserved
4. The location of any buildings or structures that may influence the width of the reserve or strip.

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

Where an application is seeking permission for more than one dwelling on a single site, the site plan shall clearly delineate the net site area of each dwelling/unit on the site.

1.8.7 Specific information accompanying applications for a Comprehensive Residential Development

An application under the Comprehensive Residential Development provisions of the Plan must include an assessment of the proposed

development against the Design Guide for Residential (Centres Overlay) Areas. The design guide is detailed within the Residential Chapter.

1.8.8 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

Where the proposed development includes a lot under a minimum net site area of less than 400m², an assessment of the proposed development must be provided using the section on small site design and development contained in the Design Guide for Residential (Centres Overlay) Areas. The design guide is detailed within the Residential Chapter.

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

1. An assessment of the subdivision and/or development proposed against the Wallaceville Structure Plan which includes:
 - a. the Wallaceville Structure Plan Map
 - b. Wallaceville Precinct descriptions, intentions and outcomes
 - c. Wallaceville Indicative Road Typologies
 - d. Wallaceville Stormwater Management Principles
2. In addition, in relation to Area B, an application for subdivision and/or development shall include a spatial layout plan showing roads, pedestrian and cycleway connections, open space areas and utilities and services
3. 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

1.8.10 Specific information accompanying applications for subdivision or development within the Erosion Hazard Area of Mangaroa River catchment

- (a) Provision of a report by a suitability qualified and experienced person is required to determine the erosion risk to the proposed building platform or area of works in order to determine the effect of the proposal in accordance with Schedule 4 of the RMA;

1.8.11

Specific information accompanying applications for subdivision or development within the Pinehaven Catchment Overlay

Provision of a report by a suitably qualified and experienced person assessing the ability for the site to achieve hydraulic neutrality including;

Either;

- Full catchment hydrological and hydraulic analysis using the GWRC baseline information to demonstrate hydraulic neutrality for the 1 in 10 year and 1 in 100 year flood event including climate change. This would include;
 - Existing pre-development situation calibrated to GWRC baseline information;
 - Design of mitigation infrastructure;
 - Future development scenario model with mitigation infrastructure to demonstrate no increase in downstream flood flows at any point in the catchment.

Site Based Assessment, which would include;

- Hydrological analysis for existing pre-development scenario;
- Post-development scenario to mitigate design flows to 80% of pre-development flows for 1 in 10 and 1 in 100 year event including climate change.

Note 1: The full catchment approach would generally only be expected for large comprehensive developments.

Note 2: Reducing floods flow to 80% of the pre-development flood flows is to mitigate risks associated with changing the timing and coincidence of peak and recession flows from sub-catchments which, without mitigation could result in net increases in downstream peak flows.

Note 3: The 2012 Wellington Regional Standard for Water Services and the Wellington Regional Hydrological Guidelines shall be applied to the hydrological analysis.

1.8.102

Further guidance on information requirements

Depending on the nature and scale of the proposal, consultation may be required with the following parties:

- a. Persons likely to be adversely affected by the proposed activity
- b. The Department of Conservation
- c. Pouhere Taonga – Heritage New Zealand
- d. Iwi authorities
- e. New Zealand Transport Agency
- f. Other relevant authorities or organisations

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.

Anemometer

means a mast and supporting sensors for the purpose of wind resource measurement. This includes guy wires and various meteorological instruments to be erected at varying heights, including:

- Anemometers to measure the average wind speed, wind gust speeds, turbulence intensity and wind shear;
- wind vanes to measure wind direction; and
- other meteorological instruments to measure temperature, air pressure, humidity and rainfall.

Antenna

means antenna as defined in the Resource Management (National Environmental Standard for Telecommunications Facilities) Regulations 2008.

An antenna does not include:

- Devices used in amateur radio configurations
- Devices used only for television reception; and
- Any other device not otherwise defined above that is less than 1.5m² in area

Advice note: The mountings of any antenna and any radiofrequency equipment or similar device shall not be included in the measurement of area or diameter of each antenna, provided that the radiofrequency unit or similar device is smaller in area or diameter than the antenna itself. Any antenna only need meet the area or diameter measurement, as appropriate to the type of antenna and the measurement is of each individual antenna and is not a cumulative measurement.

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 network 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.
Cabinet	means a box-shaped structure which houses radio and telecommunication equipment, electrical equipment, equipment associated with the continued operation of network utilities and includes single transformers and associated switching gear distributing electricity at a voltage up to, and including, 110KV.
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 scale renewable energy generation activities	means the land, buildings, substations, turbines, structures, underground cabling earthworks, access tracks and roads associated with the generation of electricity from a renewable energy source and the operation of the renewable energy generation activity. It does not include: <ul style="list-style-type: none"> • Small scale wind turbines of less than 5kW • Community scale renewable energy generation activities • Any cabling required to link the wind energy facility to the point of entry into the electricity network, whether transmission or distribution in nature.
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 scale renewable energy generation	means renewable energy generation for the purpose of supplying electricity to a whole community which is not connected to the distribution network ('off grid'); or to supplying an immediate neighbourhood in an urban area with some export back into the distribution network.
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.

Construction and Commissioning activities:

in respect of renewable electricity generation activities includes those activities directly involved with the building and operation of a new renewable electricity generation activity. This includes site preparation, earthworks, quarrying, concrete batching, plant construction, road construction and widening, traffic generation, reservoir formation, clearance or inundation of vegetation, but specifically excludes investigative activities such as geological sampling, surveys and geotechnical investigations.

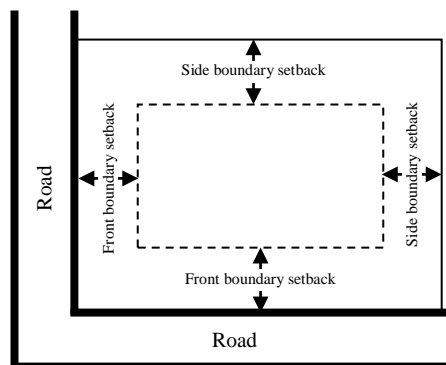
Activities associated with “construction and commissioning” includes rapid and temporary population increases and the associated effects on infrastructure and community facilities; the need to reroute or relocate network utilities and community facilities;; the need to construct new infrastructure including the system of electricity conveyance transmission (including substations) required to convey electricity to the distribution network and/or the national grid as provided for in the definition of ‘renewable electricity generation activity.

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.

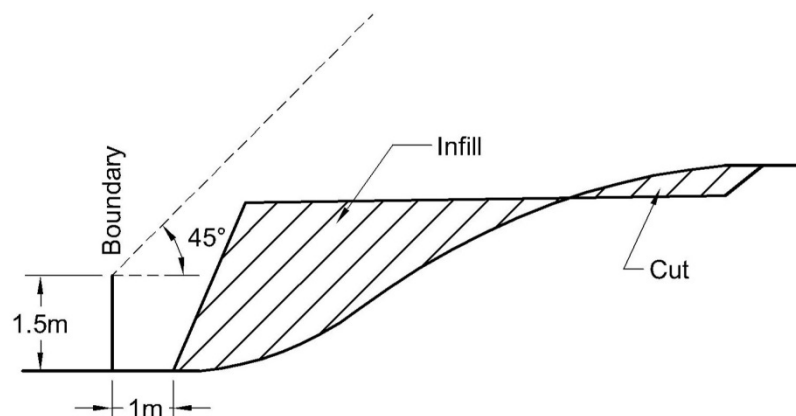
Corner lot

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.
Distribution network	For the purpose of Chapter 30A, has the same meaning as in the National Policy Statement for Renewable Electricity Generation and means a distributor's lines and associated equipment used for the conveyance of electricity on lines other than lines that are part of the national grid.
Distributor	for the purpose of Chapter 30A, has the same meaning as in the National Policy Statement for Renewable Electricity Generation and means a business engaged in distribution of electricity.
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.
Erosion Hazard Area	<u>The area identified within the District Plan (Part 5) Hazard Maps that are at risk from erosion caused by the flood hazard.</u>
Esplanade reserve and esplanade strip	have the same meaning provided in section 2 of the Resource Management Act 1991.
External sound insulation level	<p>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 D2m,nT,w +Ctr as defined in the following Standard:</p> <p>ISO 717-1:2013 Acoustics - Rating of sound insulation in buildings and of building elements - Part 1: Airborne sound.</p> <p>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 <i>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</i>.</p>
Family flat	<p>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.</p> <p>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.</p>
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.

Flood Hazard Extent

The area identified within the District Plan (Part 5) Hazard Maps. This identifies the area susceptible to the average flood return interval of 100 years (1 in 100-year flood), incorporating climate change to 2090. The Flood Hazard Extent comprises a High and Lower Hazard Area;

- High Hazard Area comprises the stream and river corridor, overflow paths and some part of the Erosion Hazard Area.
- Lower Hazard Area comprises the ponding area and some parts of the Erosion Hazard Area.

Flood mitigation works

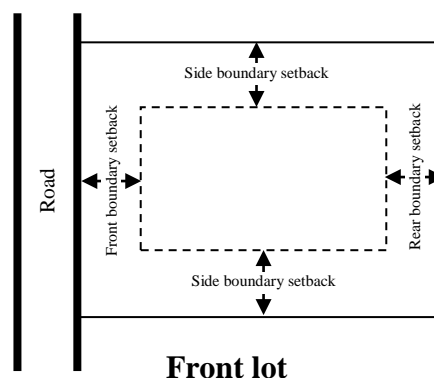
Work undertaken by local and regional authorities such as Greater Wellington Regional Council and Upper Hutt City Council or their nominated contractors where the primary purpose is to improve the ability and capacity of a stream or river to convey flood flows or reduce flooding across land, often in accordance with a relevant adopted Floodplain Management Plan.

Forestry

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

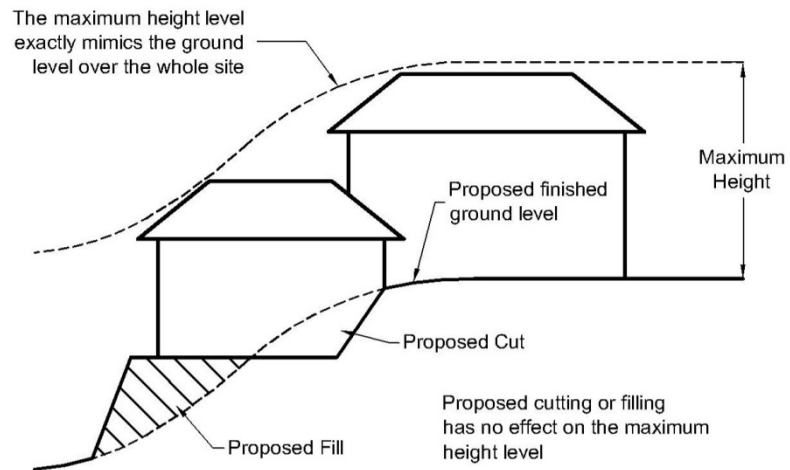
any building or site which is used by groups for accommodation as a base or headquarters, and which is typified by high fencing and other fortification.

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.
Hydraulic neutrality	<u>the principle of managing stormwater runoff from all new lots or development areas through disposal or stored on-site and released at a rate that does not exceed the peak stormwater runoff when compared to the pre-development or subdivision situation.</u>
Indigenous vegetation	a plant community of any species or genetic variants of plants found naturally in New Zealand.
Indigenous vegetation clearance	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: <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 .
Line	means 'line' as defined in Section 5 of the Telecommunications Act 2001 or Section 2 of the Electricity Act 1992.
Loading	the loading and unloading of a vehicle including adjusting, covering or tying its load.
Lot	has the same meaning as allotment.
Maintenance	as it applies to network utilities, means the replacement, repair or renewal of existing network utilities and where the effects of that utility remain the same or similar in character, intensity and scale, and excludes 'minor upgrading' and 'upgrading'.
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 pole, tower or similar structure which is fixed to the ground specifically designed to carry an antenna to facilitate the transmission of telecommunication and radiocommunication signals.
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 above ground line

means a line that provides an above ground connection to a site, including any connection to a building within that site, from an existing or permitted new above ground line provided that no more than one new support structure is required for that connection.

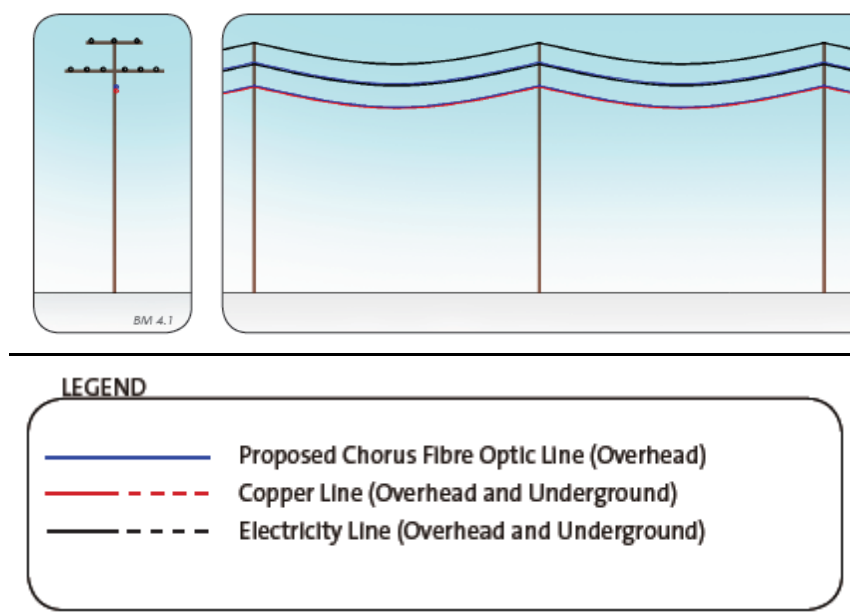
Minor upgrading

means an increase in the carrying capacity, efficiency or security of electricity and telecommunication lines, which utilise the existing or replacement support structures and includes:

- (1) the reconductoring of the line with higher capacity conductors; and
- (2) the resagging of conductors; and
- (3) the addition of longer and more efficient insulators; and
- (4) A support structure replacement within 5 metres of the support structure that is to be replaced; and
- (5) The addition of earthwires, which may contain telecommunication lines, earthpeaks and lightning rods; and
- (6) The addition of electrical or telecommunication fittings; and
- (7) Support structure replacement in the same location or within the existing alignment of the transmission line corridor; and
- (8) The replacement of existing cross arms, including with cross arms of an alternative design; and
- (9) An increase in tower height to achieve compliance with the clearance distances specified in NZECP34:2001; and
- (10) an increase in the height of replacement poles in the road reserve by a maximum of 1m, for the purpose of achieving road controlling authority clearance requirements, provided the permitted height in Rule 30.4 is not exceeded;
- (11) an increase in voltage of electricity lines from 11kV to no more than 33kV.and
- (12) the addition of a new overhead telecommunication fibre optic line provided that:
 - (i) the maximum number of fibre optic lines on existing support structures does not exceed two lines;
 - (ii) the diameter of new fibre optic lines does not exceed 25mm; and
 - (iii) the location of the new fibre optic line is consistent with

the following figure

Figure X: Location of new fibre optic line



Minor upgrading shall not include:

- (i) Any increase in the voltage of the line unless the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage, or
- (ii) Any increase in any individual wire, cable, or other similar conductor to a diameter that exceeds 35mm, or
- (iii) The bundling together of any wire, cable, or other similar conductor so that the bundle exceeds 43mm in diameter, or
- (iv) The addition of any new circuits, lines or utility structures, where this results in an increase in the number of circuits, lines or utility structures except as provided for in (12) above.

Note: The Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 applies to the existing National Grid, transmission lines that were operational, or able to be operated, on 14 January 2010.

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.

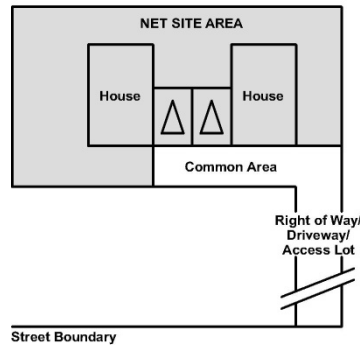
Net floor area

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.

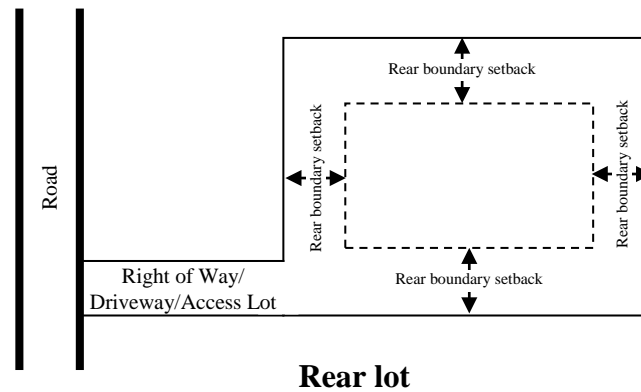
**Network Utility**

means any activity undertaken by a network utility operator as defined in s166 of the RMA, relating to:

- (i) Distribution or transmission by pipeline of natural or manufactured gas, petroleum, biofuel or geothermal energy, or
- (ii) Telecommunication as defined in section 5 of the Telecommunications Act 2001; or radiocommunications as defined in section (2)(1) of the Radiocommunications Act 1989, or
- (iii) works as defined in section 2 of the Electricity Act 1992 for the conveyancing of electricity, or
- (iv) The distribution of water for supply including irrigation, or
- (v) Sewerage or drainage reticulation, or
- (vi) Construction-and operation of roads and railway lines, or
- (vii) The operation of an airport as defined by the Airport Authorities Act 1966, or
- (viii) the provision of any approach control service within the meaning of the Civil Aviation Act 1990, or
- (ix) Undertaking a project or work described as a 'network utility operation' by regulations made under the Resource Management Act 1991 and includes:
 - Lighthouses, navigation aids, beacons, signal and trig stations and natural hazard emergency warning devices,
 - Meteorological services,
 - all associated structures; and
 - regionally significant network utilities

Network utility structure	means any structure associated with a network utility and includes, but is not limited to, pipes, valves, meters, regulator stations, support poles and towers for lines, transformers (other than pole mounted transformers), substations (other than overhead substations), compressor stations, pumping stations, navigational aids, meteorological installations, containers, cabinets, and similar structures. It does not include lines, antennas and masts.
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.
<u>Overflow path</u>	<u>the area defined on the District Plan Part 5 Hazard Maps. The overflow paths are areas identified as conveying moving flood water across land during a flood event and may be fast and/or deep.</u>
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.
<u>Pinehaven Catchment Overlay</u>	<u>the area encompassing the upper sub-catchments of the Pinehaven stream catchment.</u>
Pest species of plant	Any species of plant that has been specifically identified as being a pest for the Wellington Region in the Wellington Regional Pest Management Strategy.
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.
<u>Ponding area</u>	<u>the area defined on the District Plan Part 5 Hazard Maps comprising areas of still or slow moving water during a flood event.</u>
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.



Regionally significant network utilities

includes:

- pipelines for the distribution or transmission of natural or manufactured gas or petroleum
- the National Grid, as defined by the National Policy Statement on Electricity Transmission
- facilities for the generation and transmission of electricity where it is supplied to the network, as defined by the Electricity Governance Rules 2003
- the local authority water supply network and water treatment plants
- the local authority wastewater and stormwater networks, systems and wastewater treatment plants
- the Strategic Transport Network, detailed in Appendix 1 to the Wellington Regional Land Transport Strategy 2010-2040

Regional park

land which is managed and administered by the Wellington Regional Council in accordance with a Regional Park management plan.

Renewable electricity generation

means generation of electricity from solar, wind, hydro, geothermal, biomass, tidal, wave, or ocean current sources.

Renewable electricity generation activities

has the same meaning as under the National Policy Statement for Renewable Electricity Generation and means the construction, operation and maintenance of structures associated with renewable electricity generation. This includes small and community-scale distributed renewable generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity.

Renewable energy

is defined in section 2 of the Resource Management Act 1991

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.
River Corridor	The area as defined on the District Plan (Part 5) Hazard Maps as 'River Corridor' comprising the open river channel and land immediately adjacent to the river.
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	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: <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	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.
Significant Exterior Alteration	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 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 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).
Site	<p>means:</p> <p>a. an area of land comprised in:</p> <ul style="list-style-type: none">i. a single computer freehold register; orii. 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> <ul 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; orii. that cannot be transferred or leased independently of each other without the Council's prior consent. <p>c. an area of land:</p> <ul style="list-style-type: none">i. comprised in two or more computer freehold registers; ororii. for which two or more separate computer freehold registers could be issued without further involvement of, or prior consent from, the Council; <p>where the land will be amalgamated into a single computer</p>

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).

Stream corridor

the area as defined on the District Plan Part 5 Hazard Maps as 'Stream Corridor' comprising the open stream channel.

Small Scale Renewable Energy Generation

means small scale renewable energy generation development for the purpose of using or generating electricity on a particular site (single household or business premise) with or without exporting back into the distribution network.

Small scale wind turbines

means wind turbines that are capable of generating up to 10kW of electricity.

Solar Panel

means a panel exposed to radiation from the sun, used to heat water or, when mounted with solar cells, to produce electricity direct

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.

Temporary renewable energy assessment and research structures

means structures for the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation by existing and prospective generators and includes the following activities:

- Erecting an anemometer mast.
- Digging test pits, drilling boreholes, constructing investigation drives and removing samples to investigate geological conditions.
- Installing instruments into drill holes for monitoring groundwater levels and land movement.
- Erecting survey monuments and installing instruments

to monitor land movement.

- Erecting telemetry stations for the transmission of instrument data.
- Installing microseismic stations to measure microseismic activity and ground noise.
- Erection of signs or notices giving warning of danger

Topsoil removal

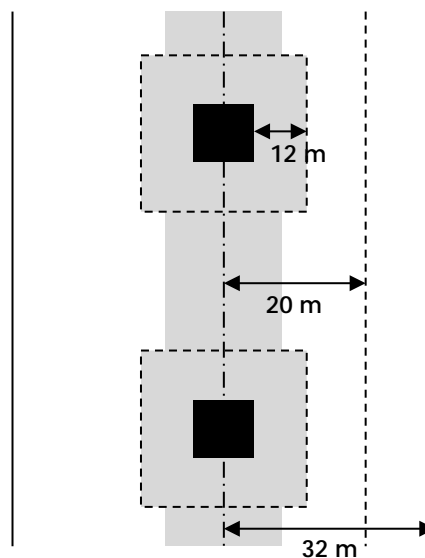
the removal, relocation or stockpiling of topsoil for purposes other than in conjunction with conventional domestic gardening or the planting, cropping or drainage of land in connection with farming and forestry operations.

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

Urban Environmental Allotment

urban environment allotment or **allotment** means an allotment within the meaning of section 218

- a. that is no greater than 4 000 m²; and
- b. that is connected to a reticulated water supply system and a reticulated sewerage system; and
- c. on which there is a building used for industrial or commercial purposes or as a dwelling house; and
- d. that is not reserve (within the meaning of section 2(1) of the Reserves Act 1977) or subject to a conservation management plan or conservation management strategy prepared in accordance with the Conservation Act 1987 or the Reserves Act 1977.

Upgrading

as it applies to network utilities, upgrading means the improvement or physical works that result in an increase in carrying capacity, operational efficiency, security or safety of existing network utilities but excludes:

- 'maintenance' (as it relates to network utilities); and
- 'minor upgrading'; and
- any other activity specifically otherwise provided for under Rule 30.1

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.

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.

9**SUBDIVISION AND EARTHWORKS****9.1****Background****Subdivision**

The principal purpose of subdivision is to provide a suitable framework for land ownership to facilitate development and activities. Subdivision itself is a procedural and legal function which creates constraints and opportunities for subsequent development. Therefore, even though the legal process itself may be environmentally neutral, the end product provides the framework for the generation of environmental impacts and resource use constraints.

In addition, the subdivision process is often closely associated with engineering works and a demand for services and utilities to make the land suitable for development. Thus, the subdivision process can generate immediate or indirect effects that could have implications for the sustainable management of the City's resources. Accordingly, the Plan adopts such controls as are necessary to avoid, remedy or mitigate actual or potential future adverse effects that subdivision may generate. The Chapters of the Plan dealing with zones set out the rationale for the different controls, including minimum site sizes that apply in each zone.

Earthworks

Earthworks and land disturbance may be required for subdivision or other activities. The undertaking of these activities in areas with natural hazards, active geological and geomorphological processes, watercourses, or where future urban growth will be directed may have adverse effects on the environment.

9.2**Resource Management Issues****9.2.1*****The potential adverse effects of subdivision on infrastructure and development.***

One of the major potential impacts of subdivision is adverse effects on infrastructure and development. Subdivision may add to the demands on the City's transport and roading system, telecommunications and utilities (such as water supply, sewage disposal, and electricity). Such demands should be monitored and responded to as appropriate, with controls to ensure that each developer contributes towards the cost of that additional demand and to ensure that cumulative effects are recognised.

9.2.2 *The potential effects of earthworks and vegetation removal on the stability of the land.*

Earthworks and land disturbances have the potential to cause or aggravate land instability. This may result in subsidence, erosion or slippage if undertaken in areas which have topographical constraints, are subject to active geological processes or have a geological or subsoil structure that is susceptible to land displacement. Because subdivision can create expectations that land can be used more intensively, any subsequent development may increase exposure to risk from natural hazards.

Land instability can be a significant hazard. Depending on the location and type of earthworks, and the intended or potential use of the site, earthworks will need to be undertaken subject to standards to avoid a potential hazard to the community, buildings or the environment.

Due to the City's geological and topographical characteristics, there are large areas of steep slopes vulnerable to erosion and slope instability. Removal of vegetation from these areas increases risks of erosion and there is the possibility of downstream hazards as a result of sedimentation of streams increasing the flood risk.

9.2.3 *That subdivision, earthworks and vegetation removal do not adversely affect significant natural landforms, areas of significant indigenous natural vegetation or significant habitats of indigenous fauna or areas of landscape and/or visual value as identified within the Southern Hills Overlay Area.*

Land disturbance in sensitive locations can seriously damage or denigrate the visual amenity of the environment. In the case of Upper Hutt, the eastern, southern and western hills are an important component of the landscape and visual appeal of the City. The scarring of land, whether urban or rural, detracts from the visual quality of the City.

Land disturbance in sensitive locations can also seriously damage or destroy the ecological values of the environment.

9.2.4 *That the needs of future generations are met.*

Land to be subdivided should be suitable for the anticipated land use, and be serviceable and clear of unacceptable hazards or limitations. Subdivision within a Flood Hazard Extent should avoid high hazard areas and ensure appropriate mitigation measures can be implemented in lower hazard areas to provide for suitable future development. Furthermore, the subdivided land should, where practical, also allow for a range of appropriate land uses so that the potential of the land for use by future generations is not significantly diminished. Thus, the pattern of subdivision within the City should provide future generations with a choice of lifestyles and living and working environments. It is important

that indigenous vegetation, which is a finite resource, is protected for future generations, and for intrinsic ecological reasons.

9.2.5 ***The potential of earthworks to alter the natural flow of surface water and to adversely affect the visual amenity of the City.***

Land disturbance can create visual effects beyond the area of development that may be visible for a long period of time. This affects the amenity of an area, neighbouring properties or the wider valley floor where earthworks are undertaken on hillsides or other visually prominent areas such as ridgelines.

Earthworks may alter the natural flow of surface water and hence can cause effects on lower lying land. This issue becomes particularly significant for the City as more development occurs along the surrounding hillsides.

9.2.6 ***Earthworks within identified Flood Hazard Extents can increase the flood hazard risk.***

Earthworks can adversely affect the function of the floodplain and therefore increase the flood risk to people and property.

Earthworks can obstruct or divert flood and surface water flow paths as well as increase erosion risk. Sediment loss from areas of work can affect the stream channel and have an impact on the function of the stream during times of flood.

9.2.7 ***Subdivision within identified Flood Hazard Extents could potentially create lots susceptible to flooding hazards.***

Subdivision creates an opportunity for further development within the new lot and therefore when proposed within an identified Flood Hazard Extent, the suitability of the proposed lot for future development needs to be considered to avoid exposing future development to unacceptable risk. Subdivision within the Flood Hazard Extent should avoid creating new lots in high hazard areas and ensure mitigation measures can be implemented in lower hazard areas to provide suitable future development opportunities that do not expose people and property to unacceptable risk.

9.2.8 ***Subdivision within the upper sub-catchment of Pinehaven Stream provides further development opportunities which can increase stormwater runoff and flood risk.***

The flood risk in the Pinehaven Flood Hazard Extent is influenced by

activities in the upper Pinehaven Catchment. Subdivision would provide for further development potential in the upper catchment which could result in increased stormwater runoff exacerbating the flood risk to the community in the lower Pinehaven floodplain.

9.3 Objectives

9.3.1 ***The promotion of subdivision and development that is appropriate to the natural characteristics, landforms, and visual amenity of the City, significant areas of indigenous vegetation and habitats of indigenous fauna, is consistent with the sustainable use of land, and has regard for walking, cycling and public transport.***

Subdivision is usually a precursor to a change or intensification in land use, and the size and shape of the new sites can influence the effects of activities that can occur on the subdivided land.

Earthworks and land disturbance can create hazards such as land slippage, subsidence and falling debris. It is in the interest of the community that the adverse effects of earthworks are avoided, remedied or mitigated.

Earthworks undertaken in order to promote the development of land may affect the visual amenity of the City and hence the visual amenity enjoyed by surrounding residents and the wider community. It is essential that the adverse visual effects resulting from earthworks are avoided, remedied or mitigated.

Earthworks which alter the natural flow of surface water also generate adverse effects which need to be avoided, remedied or mitigated. Particularly, earthworks should be constructed in such a way to not concentrate stormwater generated from the development onto adjoining properties.

Subdivision, and the consequent development of land, creates a demand for travel. It is important that new development considers access for public transport, pedestrians and cycles.

Subdivision and land development have the potential to affect finite indigenous vegetation. Effects on this should be avoided, remedied or mitigated.

9.3.2

To control subdivision within identified Flood Hazard Extents and Erosion Hazard Area to ensure the risk from flood hazards to building platforms and access in high hazard areas are avoided and the flood risk to people and property can be appropriately mitigated in the lower hazard areas.

Where subdivision is proposed within a Flood Hazard Extent, the natural hazard constraints will be considered, with development avoided in the high hazard areas, and mitigated in the lower hazard areas. The impact of development on the flood hazard will also need to be managed to ensure it does not increase the level of risk to other people and property.

Subdivision in a Flood Hazard Extent can also mean that any development or activity on the subdivided site is prone to flood hazards. By controlling subdivision within identified flood hazard extents, this risk to people and property can be managed

9.3.3

To control earthworks within identified Flood Hazard Extents and Erosion Hazard Areas to ensure that the function of the floodplain is not reduced and unacceptable flood risk to people and property is avoided or mitigated.

Earthworks can result in unacceptable risk for future development or obstruct or divert flood flow paths. Where earthworks are proposed within the Flood Hazard Extent or Erosion Hazard Area, the natural hazard constraints should be considered and areas subject to high hazards are avoided or earthworks managed to protect the integrity of the high hazard area.

9.3.4

To control subdivision within the upper areas of the Pinehaven Catchment Overlay to ensure that peak stormwater runoff during both a 1 in 10-year and 1 in 100-year event does not exceed the existing run off and therefore minimise the flood risk to people and property within the Flood Hazard Extent.

Development in the Pinehaven Catchment Overlay needs to be controlled to ensure that stormwater runoff does not exacerbate the impact of flooding in the lower catchment. Most of the upper catchment is currently undeveloped and any new development has the potential to affect the land use and peak stormwater runoff. This policy seeks to ensure that the peak stormwater runoff does not increase, thereby

increasing the flood risk downstream.

9.4 Policies

9.4.1 ***To ensure that earthworks are designed and engineered in a manner compatible with natural landforms, significant areas of indigenous vegetation and habitats of indigenous fauna, the amenity of an area, and the mitigation of natural hazards.***

Earthworks can leave unnatural forms or unsightly scars which in some cases can permanently detract from the amenities of an area. They can also alter stormwater and floodwater flows, cause potential for subsidence or erosion, or significantly affect the ecology of the area. For these reasons, Council considers that controls on such activities are necessary.

Earthworks are also essential for building development, which in some cases can have no more than minor environmental effects. Plan provisions have been designed to accommodate earthworks for building development whilst ensuring that adverse effects that may result from such earthworks on the amenity of an area are avoided, remedied or mitigated.

9.4.2 ***To avoid, remedy or mitigate the contamination, degradation and erosion of soil from earthworks or vegetation removal through advocating responsible land use practices.***

It is important that activities on land are managed and monitored in such a way as to prevent the depletion of resources. This is particularly important in areas that are susceptible to this for a combination of reasons, including:

- Erosion prone areas, due to geological and topographical conditions.
- Climatic conditions, such as frequency and level of rainfall.
- Vegetative conditions, such as an absence of vegetative cover.
- Proximity of property or features that could be damaged by landslip, erosion or other events.
- Proximity of streams that could be affected by sediment from runoff.

Although the Regional Council has primary responsibility in these areas, the City Council needs to address the potential effects of land use on the quality and life-supporting capacity of the City's land resources, and to employ such methods as are appropriate for encouraging good land use practice to complement the responsibilities of the Regional Council. The Council will also seek to be involved with the Regional Council on such matters.

9.4.3

To promote a sustainable pattern of subdivision and development that protects environmental values and systems, protects the potential of resources, and has regard for walking, cycling, public transport and transportation networks.

The subdivision process is often a precursor to engineering works and a demand for services and utilities to make the land suitable for development. Thus, it can generate immediate or indirect effects on the environment. Accordingly, the Plan includes such controls as are necessary to avoid, remedy or mitigate adverse effects.

The effects of subdivision of land which is already developed can differ from the effects of subdividing undeveloped land. The degree to which undeveloped land may be serviced varies in terms of road access, sewage disposal, water supply, electricity and other requirements. The question of servicing is thus often an important consideration of the subdivision process, and needs careful management to ensure that all effects and costs are taken fully into account. The importance of ensuring the safe and efficient use and development of the transportation network is addressed in Chapter 16. It is also important to protect the limited areas of indigenous vegetation that remain in Upper Hutt.

9.4.4.

To avoid subdivision where building platforms would be located within high hazard areas of the identified Flood Hazard Extents and Erosion Hazard Areas.

This policy seeks to avoid subdivisions that result in building platforms being located within the high hazard areas of the relevant Flood Hazard Extent or Erosion Hazard Area. This is due to the risk that these high hazard areas present to people and property, characterised by the stream or river corridor, erosion hazard area and overflow paths. The high hazard areas can contain both fast and deep flowing water in a 1 in 100-year flood event, or are potentially subject to erosion, which have the potential to damage buildings and threaten lives.

9.4.5.

To control subdivision where building platforms would be located within lower hazard areas of identified Flood Hazard Extents and Erosion Hazard Areas by requiring mitigation to minimise the risk to people and property.

This policy recognises that there are areas within the Flood Hazard Extent and Erosion Hazard Area that are outside the high hazard areas and therefore represent a lower level of flood or erosion hazard to people and property. As such, some development within these areas may be appropriate providing appropriate mitigation measures are incorporated into developments to reduce the risk (for example floor levels above the 1 in 100-year flood extent or being setback from the riverbank). These lower hazard areas are characterised by still or slow moving water and do not present the same threat to people and property as the higher hazard areas subject to the risk being appropriately mitigated.

9.4.6

Limit earthworks in the high hazard areas within identified Flood Hazard Extents and Erosion Hazard Areas to avoid an increase in risk from flood hazards to people and property.

Earthworks in high hazard areas are generally inappropriate and can result in the diversion of flood waters, blocking of water flow, or reduce bank stability, which can increase the risk to surrounding properties. To maintain the function of the floodplain it is important that the passage of flood waters is not impeded or blocked.

9.4.7.

To manage earthworks in the low hazard areas within identified Flood Hazard Extents and Erosion Hazard Areas to reduce the flood risk to people and property.

Earthworks in lower hazard areas may be acceptable as there is less risk of the earthworks blocking water flow or diverting flood flows. Furthermore, earthworks are likely to be required to ensure that future building platforms (and in the case of the Mangaroa Flood Hazard Extent, the access routes) are above the 1 in 100-year flood level. Managing earthworks in these lower hazard areas will support the necessary mitigation and reduce the flood hazard threat to people and property, within the identified Flood Hazard Extents.

9.4.8

Require earthworks within identified Flood Hazard Extents and Erosion Hazard Area to be designed to minimise erosion and loss of sediment from the area of work to streams and rivers

Earthworks in the Flood Hazard Extent and Erosion Hazard Area need to be undertaken in a manner to ensure that sediment runoff is minimalised. Sediment runoff has the potential to reduce the capacity of the river channel and exacerbate the flood risk. Furthermore, while not within the scope of the plan change, it is recognised that there are amenity, ecological and water quality benefits that are derived from controlling sediment runoff from earthworks

9.4.9

Enable earthworks within identified Flood Hazard Extents and Erosion Hazard Areas that are directly associated with specific and planned flood mitigation works or floodplain management that are designed to reduce the flood risk to people and property or maintain the function of the floodplain.

Earthworks that are undertaken for the express purpose of reducing the flood risk through mitigation works have wider community benefits and therefore it is appropriate that these are supported and encouraged through the policy framework. These works are often undertaken by Greater Wellington Regional Council (or an associated approved contractor) and will be identified in approved floodplain management plans (if one exists).

9.4.10

To ensure subdivision within the Pinehaven Catchment Overlay area is designed so that the stormwater runoff, during both a 1 in 10-year and 1 in 100-year event, from all new lots and future building areas shall be at a rate no greater than when compared to the pre-development situation.

Subdivision in the Pinehaven Catchment Overlay needs to be controlled to ensure that stormwater runoff does not exacerbate the impact of flooding in the lower catchment. The upper catchment is currently mostly undeveloped and any new development has the potential to affect the land use and peak runoff.

9.5	Methods
------------	----------------

9.5.1

District Plan provisions consisting of:

1. Rules to promote the subdivision of land which reflects the objectives and policies of the District Plan.
2. Rules to control the density of development through zone requirements for minimum site areas.
3. ***Rules to control the location of building platforms, earthworks, and accessways in the identified Flood Hazard Extents and Erosion Hazard Area.***
3. Performance standards and consent conditions to minimise the adverse effects of subdivision and earthworks. These relate to:
 - Provision of utilities, supply of water and disposal of

effluent.

- Landscape values, native vegetation, heritage and cultural sites.
 - Managing dust, water body siltation, soil erosion, effects on ground stability and other natural hazards.
4. Allowing activities permitted by the District Plan or those granted resource consent, to be undertaken on newly created allotments.
 5. Encouraging recognition of landscape character in the design and layout of subdivisions.
 6. Financial contributions for reserves and community facilities.
 7. Management of the effects of earthworks and clearing of native vegetation by using:
 - Zone performance standards to establish thresholds for resource consents.
 - Management plans and monitoring of ongoing operations.
 8. The ability to impose conditions on resource consents to avoid, remedy or mitigate any adverse effects.

9.5.2 Liaison with service providers and network utility operators.

9.5.3 The Code of Practice for Civil Engineering Works.

9.5.4 To record known sites of potential instability on a hazard register and to supply this information, in response to requests for project information memoranda and land information memoranda and for processing resource consents.

9.6 Anticipated environmental results and monitoring

The following results are expected to be achieved by the objective, policies, methods and rules 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 sustainable pattern of urban development	Number of applications for activities to establish out of zone	Council records

A pattern of subdivision that enhances opportunities for the sustainable use of resources and provides for walking, cycling and public transport as viable and convenient transport alternatives	Activities located in the urban area of the City Infill development	Council records
Minimal adverse effects on the environment from subdivision and earthworks	Effectiveness of conditions of consent and methods used in managing adverse effects Complaints received about adverse effects	Council complaints register Council resource consent records and monitoring compliance
The maintenance of a safe and efficient roading network	Accidents caused by poorly sited or designed access points	Vehicle accident records
<u>Prevention of development which increases the level of risk in areas identified as being at high risk from natural hazards</u>	<u>Number of resource consent applications approved or declined in areas identified in the District Plan as being susceptible to natural hazards and whether these numbers change with time.</u> <u>The economic and insured costs from flood hazard events and whether these decrease in time, allowing for changes in inflation.</u> <u>The number of section 74 certificates imposed on the titles of properties at the time of building consent and whether these decrease in time.</u>	<u>Council flood hazard modelling</u> <u>Council resource consent records for compliance with conditions</u>

14 NATURAL HAZARDS

14.1 Background

The particular geology, hydrology and topography of the Hutt Valley make Upper Hutt vulnerable to a variety of natural hazards. Earthquakes and flooding are the most important natural hazards that threaten Upper Hutt's communities.

Natural hazards cannot be prevented, but the effects they have on people and the environment can be mitigated. Flood protection measures and land use planning are two ways to minimise risks.

The Council's function is to manage the actual and potential effects of the use, development or protection of land. This includes the use of controls to avoid, remedy, or mitigate the effects of natural hazards.

14.2 Resource Management Issues

14.2.1 *The potential damage, disruption and threats to the safety of the community and property as a result of activities located on or near an area prone to seismic hazard.*

Within Upper Hutt, the Wellington Fault occupies the north-western margin of the Upper Hutt/Te Marua basins. The north west side of the valley is the eroded fault scarp of the Wellington Fault. In many parts of Upper Hutt the exact location of the active fault is unknown. The level of accuracy ranges from +/-5m within Totara Park, to more than +/-50m between the Silverstream Bridge and south of Totara Park. The variation in accuracy is due to the lack of surface evidence like active faulting and other surface obstructions.

The adverse effects of earthquakes impact on both physical resources and people. Fault ruptures are the most obvious cause of damage but ground shaking is more widespread. The severity of the effect depends upon factors like distance from the fault, local topography, geological conditions and ground water conditions. Showing the active fault on the Planning Maps assists in identifying areas most likely to be affected by earthquakes.

A major earthquake in Upper Hutt is likely to damage resources and injure people. Buildings and infrastructure that straddle the fault may be severely damaged. The severity of damage in other areas of Upper Hutt will vary depending on the location. Conditions such as soil structure, ground water, and local topography as well as geological conditions will either attenuate or amplify the earthquake. There are also areas that may be prone to liquefaction and seismically induced slope failure.

14.2.2 *Inappropriate development and activities located within floodplains that may result in damage to infrastructure and property and the obstruction of flood flow paths.*

Upper Hutt is dissected by several tributary rivers which flow into the main Hutt River.

The area most at risk is the Hutt River floodplain. Recognising this, the Wellington Regional Council has undertaken protection works, such as stopbanks and river bank stabilisation. These stopbanks run parallel to the developed urban area from Totara Park to Trentham Memorial Park. During a large flood the stopbanks may be breached, causing severe damage and disruption to the City. The stopbanks have a maximum design flood capacity so that it is possible in a significant flood event that they could be overtopped or a breach could occur causing significant damage and disruption to the City.

In addition, the Heretaunga Flood Detention Embankment and outlet control structure (referred to as the Heretaunga Retention Dam) has been designed to reduce the frequency and severity of flooding in the downstream urban areas along the Heretaunga Drain. A line defining the predicted maximum extent of ponding behind the Heretaunga Dam has been identified on the Planning Maps. So that the ponding capacity of the Heretaunga Dam is not compromised, earthworks, buildings or structures should not be undertaken within the area encompassed by the Retention Line as shown on the Planning Maps.

Subdivision in the rural areas is likely to increase the potential for development close to rivers and will require careful consideration.

It is recognised that there are varying levels of risk within an identified Flood Hazard Extent. High hazard areas include stream and river corridors, overflow paths, designated building setback areas and erosion hazard areas. In these higher risk areas flood waters can be both deep and fast moving and the risk of erosion is high. In some cases, parts of the erosion hazard area may be less susceptible due to the characteristics of the location and thus represent a lower risk to people and property. Lower hazard areas within identified flood hazard extents predominately comprise ponding areas but can also include lower risk parts of the erosion hazard area. Development should avoid higher hazard areas, with sufficient mitigation applied to lower hazard areas.

Certain upstream activities can increase the frequency and magnitude of flood events. For example, removal of vegetation can result in increased water run off, sedimentation and debris blockages, thus creating significant risks.

14.2.3 *The need for on-going river management activities and development of flood protection works along the Hutt River.*

The Hutt River's water levels are subject to wide and sudden fluctuations. In order to avoid, remedy or mitigate the potential adverse effects of inundation, there is a need to manage activities on and near the Hutt River, and to provide for flood protection work.

14.2.4 *The existing community in the Pinehaven catchment are susceptible to flood hazards*

The Pinehaven Stream flows through an urbanised community. The development around the stream has limited the natural function of the stream and its floodplain. The stream corridor, overflow paths and land along the stream banks are the most sensitive areas to inappropriate development that can adversely affect the function of the floodplain and exacerbate the risk from flooding.

14.3	Objective
-------------	------------------

14.3.1 *The avoidance, remedying or mitigation of the adverse effects of natural hazards on the environment.*

The Council has the responsibility under the Act to protect all aspects of the environment, not just people and property, from the adverse effects of natural hazards. Amenity values of an area and its ecological systems should also be protected against natural hazards.

It is not always feasible or practicable to avoid, remedy, or mitigate all potential effects of natural hazards at all times for all aspects of the environment. Some priority must be placed on human life and property, but preferably this can be achieved in conjunction with achieving other goals. The goal in managing the effects of natural hazards within the City, therefore, is the avoidance, remedying or mitigation of the adverse effects of natural hazards on the environment as appropriate to the circumstances, with priority on community protection.

14.3.2. *Identify Flood Hazard Extents and Erosion Hazard Areas in order to avoid or mitigate the risk to people and property and provide*

for the function of the floodplain.

The extent of the threat from flood hazards and erosion hazards must be identified within the Pinehaven Stream and Mangaroa River catchments. The types of hazards within an identified Flood Hazard Extent can vary, with high hazard areas and lower hazard areas that need to be considered when planning for future development.

High hazard areas within the Flood Hazard Extent comprise the stream and river corridor, overflow paths and the Erosion Hazard Area. These are characterised by areas of moving flood water which may also be deep or fast and includes areas most at risk to erosion during a flood event. These are identified on the Hazard Maps. Subdivision within high hazard areas should be avoided given the threat these areas represent to people and property.

Outside the high hazard areas, but still within the Flood Hazard Extent, are lower hazard areas generally comprising the ponding areas and some parts of the erosion hazard area. These areas are generally characterised by still or slow moving flood water and a lower risk of erosion. These areas are identified on the Hazard Maps. Subdivision or development may be possible in these areas subject to appropriate mitigation (such as raising the floor levels above the 1 in 100-year flood level).

All development should be undertaken in a manner that provides for the function of the floodplain to discharge flood waters and thereby ensure that the effects from flooding are not exacerbated on the site, adjacent properties or the wider environment.

14.4	Policies
-------------	-----------------

14.4.1 ***To identify and mitigate the potential adverse effects of natural hazards that are a potentially significant threat within Upper Hutt.***

Adequate information is necessary to make informed decisions on developments that may be affected by natural hazards. The main objective relating to natural hazards is knowing where they can occur so that the effects can be avoided, or the appropriate management strategies can be put in place.

The Council will co-ordinate the provision of information identifying these hazards and the areas at risk. This can be used by developers, the community and the Council to consider the potential risks when making decisions on developments and deciding on possible mitigation measures where natural hazards are involved.

The Council will recognise the high and low hazard areas within the

identified Pinchaven Stream and Mangaroa River Flood Hazard Extents.

High hazard areas comprise moving water that can also be deep and are the areas most at risk from erosion during a flood event. Accordingly, subdivision and development within high hazard areas should be avoided given the threat they have to people and property.

Lower hazard areas are generally characterised by still or slow moving flood water and a lower risk of erosion. In these areas, it may be possible to undertake development provided appropriate mitigation is implemented (for example floor levels above the 1 in 100-year flood extent or being setback from the stream or river bank).

Some parts of the identified Erosion Hazard Area within the Mangaroa Flood Hazard Extent may represent a lower risk depending on the characteristics of the site and its location in relation to the river. Where a site specific assessment identifies there is a lower threat then the erosion hazard may be considered a lower hazard area and assessed in accordance with the lower hazard policies.

14.4.2

In areas of known susceptibility to natural hazards, activities and buildings are to be designed and located to avoid, remedy, or mitigate, where practicable, adverse effects of natural hazards on people, property and the environment.

This policy lessens the risk factor by restricting developments in hazard prone areas. These controls include appropriate separation distances from a river or fault, or designing structures and site development to meet acceptable levels of safety. This also enables applicants to consider the potential risks when making decisions on developments.

The effects of permitting more intensive subdivision (and subsequent development and infrastructure) could be substantial and controls on subdivision can reduce these.

14.4.3

Avoid development within high hazard areas of identified Flood Hazard Extents and Erosion Hazard Areas.

The high hazard areas present a threat to people and property as they can contain both fast and deep flowing water in a 1 in 100-year flood event, or are at risk of bank collapse which has the potential to damage buildings and threaten lives.

The policy provides directive for careful consideration of development within the high hazard areas, with a strong directive to avoid development in these high hazard areas.

14.4.4

To control development (including buildings) within the lower hazard areas of identified Flood Hazard Extents and Erosion Hazard Areas by requiring mitigation to minimise the risk to people and property.

The policy recognises that there are lower hazard areas within the identified Flood Hazard Extent and some parts of the Erosion Hazard Areas. The lower hazard areas are characterised by still or slowly moving water and a lower risk of erosion. As such, development within these lower hazard areas can be appropriate provided measures are incorporated to mitigate the risk.

14.4.5

Enable planned flood mitigation works within identified Flood Hazard Extents that decrease the flood risk to people and property or maintain the function of the floodplain.

Flood mitigation works are undertaken to reduce the flood risk to people and property. This policy supports flood mitigation works as they are consistent with the purpose of providing for the continued function of the floodplain.

14.4.6

Within the Pinehaven Flood Hazard Extent, reduce blockage potential from fences, buildings and driveways in high hazard areas through design controls on development.

Driveway crossings and structures over the stream channel within the flood hazard extent can impede flood flows. The flood risk and damage to people and property can be exacerbated by blockages of debris accumulating against fences, buildings and driveways crossing the stream. The blockage potential is compounded by the character of the catchment being urbanised and confined. This policy encourages fences, buildings and driveways to be appropriately designed.

14.4.7

Development within the Pinehaven Catchment Overlay is designed to ensure that the peak stormwater runoff, during both a 1 in 10-year and 1 in 100-year event, shall be at a rate no greater than when compared to the pre-development situation.

Development in the Pinehaven Catchment Overlay needs to be controlled to ensure that stormwater runoff does not exacerbate the impact of flooding in the lower catchment. The upper catchment is currently mostly undeveloped and any new development has the potential to increase peak stormwater runoff.

14.4.8

Within the Mangaroa Flood Hazard Extent enable accesses

positioned above the 1 in 100-year level to serve dwellings where located within the lower hazard areas and avoid locating accesses when located within high hazard areas to serve dwellings.

This policy enables access way and driveways to dwellings in the Mangaroa Flood Hazard Extent to be above the 1 in 100-year flood level when located in the lower hazard areas. It discourages access routes being located in high hazard areas where access ways could be compromised and properties become isolated during a 1 in 100-year flood event. The policy encourages access ways to be safely located as they assist with evacuation, if required, during a flood event.

14.4.9

Within the Mangaroa Flood Hazard Extent, enable non-habitable accessory buildings within the lower hazard areas.

This policy recognises that the Mangaroa Flood Hazard Extent is predominantly rural. Rural activities are often supported by accessory buildings, therefore it is appropriate to provide for these in lower hazard areas where they are unlikely to present a blockage issue, or are less likely to be structurally compromised during a flood event.

14.5

Methods

14.5.1

District Plan provisions consisting of the following:

1. Control of the location, and design of subdivisions through standards for subdivision and building design to avoid or mitigate the risk from natural hazards.
2. Management of the location and use of buildings in close proximity to earthquake faults and areas susceptible to inundation.
3. Restriction of activities and structures within the river berms of the Hutt River.
4. Management of activities involving the removal of vegetation and earthworks located on unstable slopes.
5. Information on Planning Maps. These indicate the type and extent of the flooding and fault band hazards.

14.5.2

To maintain an up-to-date Hazard Register which will record areas and sites of known or potential hazards. The information will be used in the building consent process, as well as for land information memoranda, project information memoranda, and resource consent processes.

14.5.3

Information on liquefaction and slope failure hazards, which is held by

the Council, will be supplied to persons applying for land information memoranda and project information memoranda.

14.5.4 The use of sections ~~72 – 76~~ ~~36~~ of the Building Act ~~1991~~ ~~2004~~ and compliance with the New Zealand Building Code in the Council's building consent process for the structural safety of buildings to withstand wind, inundation, earthquakes and unstable ground.

14.5.5 The continued civil defence emergency management role of the Council, and its staff, under the relevant legislation.

14.6 Anticipated environmental results and monitoring

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

Anticipated environmental results	Monitoring indicators	Data source
<p>The avoidance, remedying, or mitigation of adverse environmental effects of natural hazards on communities, including mitigation measures in place in areas identified as being of high risk</p>	<p>Effectiveness of conditions of consents and methods used in managing adverse effects</p> <p>Development in areas subject to natural hazards</p> <p>Reduction of downstream effects caused by flooding events.</p> <p><u>Number of resource consent applications approved or declined in areas identified in the District Plan as being susceptible to natural hazards and whether these numbers change with time.</u></p> <p><u>The economic and insured costs from flood hazard events and whether these decrease in time, allowing for changes in inflation.</u></p> <p><u>The number of section 74 certificates imposed on the titles of properties at the time of building consent and whether these decrease in time.</u></p>	<p>Council complaints register</p> <p>Council resource consent records for compliance with conditions</p>
<p>Prevention of development which increases the level of risk in areas identified as being at high risk from natural hazards</p>	<p>Development in areas subject to natural hazards</p>	<p>Council and Wellington Regional Council records</p>
<p>Communities informed about, and prepared for, the occurrence of natural hazards</p>	<p>Consultation and community initiatives</p>	<p>Various</p>

This chapter outlines the provisions of the District Plan that relate to network utilities within Upper Hutt City. Network utilities provide the infrastructure which enables a community to undertake its everyday activities and functions and allows people to provide for their social and economic wellbeing, and their health and safety. Network utilities which are managed through this Chapter include those defined through reference in section 166 of the Resource Management Act 1991. A definition of network utilities is included in Chapter 35, Definitions.

The City has a range of network utilities that serve an important function locally, regionally and nationally, some of which are critical and life-supporting. In particular, State Highway 2 and the Wairarapa Railway Line provide the link from Wellington and Hutt City to Upper Hutt and the Wairarapa. There are also a number of transmission assets associated with the National Grid located within the City.

The Regional Policy Statement for the Wellington Region recognises the importance of regionally significant infrastructure within the Region, as forming part of national or regional networks that enable communities to provide for their social, economic and cultural wellbeing and their health and safety. There are a number of network utilities within Upper Hutt City that are identified as being regionally significant infrastructure in the Regional Policy Statement. The Regional Policy Statement requires that the benefits of such regionally significant infrastructure be recognised and protected in the District Plan.

The Council is required to give effect to any National Policy Statement. The National Policy Statement on Electricity Transmission came into force in 2008 and applies to effects on and effects of the transmission network". The National Policy Statement on Electricity Transmission's objective is to recognise the national significance of the National Grid by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations while: managing the adverse environmental effects of the network; and managing the adverse effects of other activities on the network.

There are many providers of network utilities within Upper Hutt City including the Council, Crown agencies, the Greater Wellington Regional Council, State Owned Enterprises, trading enterprises and private companies. The Council is in itself a major provider of network utilities and services, supplying water, sewage and stormwater reticulation, waste disposal and roads.

Other utilities that are managed through this Chapter because of their

nature and function are navigation aids, beacons, signal stations and natural hazard warning devices and meteorological services¹. These other utilities are owned and / or operated by Maritime New Zealand, local authorities or the Meteorological Service in order to provide for the health, safety and wellbeing of the local community, region and nation.

The successful functioning of the City depends on network utilities. It is therefore very important that construction, maintenance, upgrade and operation of these services be effectively provided for, technical and geographical constraints on the operation of network utilities are acknowledged and that the benefits that derive from them are adequately recognised. Network utilities can be vulnerable to reverse sensitivity effects when new buildings or structures and activities (that are sensitive to the effects of the existing network utility) are established nearby, leading to constraints on the operation of the network utility. However, network utilities can also have adverse environmental effects resulting from their construction, operation or associated maintenance activities.

For example, network utilities may typically include buildings, poles, overhead wires, pylons, pipes or antennas, which may have an adverse visual impact depending on their location and proximity to other land use activities. The installation and upgrading of network utilities will also typically involve earthworks. However, network utilities may also involve few structures and have limited visual impact, such as underground power and telecommunication lines. Network utilities are also often seen as a necessary and normal part of the environment, such as a road.

The network utility rules apply where network utility operators do not hold a designation for their activities under the designation procedures of the Act. They may, however, also be used by Council to help assess any notices of requirement for new designations.

The provisions in this Chapter apply to network utilities throughout all zones of the City. The underlying zone objectives, policies and rules do not apply to network utilities, including roads, unless specifically referred to. City wide rules, such as those relating to earthworks, notable trees, flooding and fault band hazards, the Southern Hills Overlay and Protected Ridgelines, historic heritage and hazardous substances will still apply. As identified in Council's Planning Maps, all activities that take place within roads are subject to the relevant zone rules which pertain to the area in which the road is situated, as well as the City-wide rules. Where a road separates different zones on opposite sides of the road, the centre line of the road defines the boundary of the two zones.

¹ The Meteorological Service is a requiring authority for its network operation of a system comprising telecommunication links to permit telecommunication and radiocommunication. Therefore, these aspects of meteorological service activities and facilities are network utilities.

16.2

Resource Management Issues

16.2.1

Balancing the national, regional and local benefits of network utilities with effects on the local environment.

An important issue is managing the actual and potential adverse environmental effects arising from network utilities while also recognising the key role they play and benefits they have locally, regionally and nationally, and to ensure the technical and operational requirements of the network utility concerned is not unreasonably restricted. Failing to adequately provide for network utilities may result in the desired level of well-being and quality of life not being achieved within the City. This is because network utilities provide essential services to people's homes and businesses, such as water, transport means, electricity, gas and telecommunications, and are critical for the effective functioning and liveability of the City.

The high voltage electricity transmission lines that form part of the national grid play a vital role in the well-being of the community. The adverse effects of the high voltage electricity transmission lines are often local, while the benefits may be in a different locality and/or extend beyond the local to the regional and national.

However, the construction, operation and/or maintenance of network utilities can have adverse effects and adversely affect the amenity of areas of the City, as a result of, for example, noise, emissions, and visual dominance. Some network utilities are relatively large, visually prominent and capable of generating significant adverse effects on the surrounding environment. They may also have potential or perceived adverse effects on public health and safety. Adverse effects may only occur at the time of construction or installation of the network utility, but in some instances may continue throughout its operation or during maintenance and upgrade works. In some cases, it might not be entirely possible to avoid, remedy or mitigate all adverse effects associated with a network utility, meaning there may be some level of residual adverse effect on the surrounding environment. In such circumstances, there is a need to carefully consider both the benefits the network utility will provide and the significance of the adverse effects on the surrounding environment.

Network utilities and their on-going functioning can be affected by flood hazards. It is also possible for network utilities to increase the impact of flood hazards, particularly where linear infrastructure crosses stream or river corridors. The effect of flood hazards on new network utilities and the impact of new network utilities on the flood hazards needs to be avoided or mitigated.

16.2.2

Managing adverse effects including reverse sensitivity effects on regionally significant network utilities.

Inappropriate subdivision, use and development in the vicinity of regionally significant network utilities may lead to adverse effects including reverse sensitivity effects that have the potential to impact upon the effective and efficient operation of such utilities. Inappropriate subdivision, use and development may result in adverse effects on regionally significant network utilities and / or restrict access to such network utilities including the ability to undertake maintenance or upgrade work. Reverse sensitivity can occur when sensitive or inappropriate activities locate near to or intensify by existing network utilities and seek to or constrain the operation or expansion of these utilities. This may mean that the local, regional and national benefits of those regionally significant network utilities may be compromised. The City has a lot of well-established regionally significant network utilities located in close proximity to existing land use activities. The Council is predominantly concerned with new more intensive land use activities establishing in proximity to existing regionally significant network utilities that may lead to reverse sensitivity effects on those utilities.

16.2.3

The efficient, convenient and safe movement of people, vehicles and goods in the City.

The location, design and characteristics of activities, subdivision and development can adversely affect the safety, accessibility and efficiency of the roading network and the quality of the environment. Appropriately located activities, and well-designed subdivision and development, can contribute to the convenience and viability for access by walking, cycling and public transport. Roads themselves (including the State Highway network) contribute to the convenience, viability, and access to activities enjoyed by City residents.

16.2.4

The limits that rural roading places on subdivision and development.

Mangaroa Hill Road, Blue Mountains Road, Akatarawa Road, and parts of Moonshine Hill Road and Mount Cecil Road require major upgrading to be able to accommodate further significant development. Such upgrading may have significant adverse environmental effects.

The limits that the rural roading system places on further development not only apply to formed and sealed roads, but also to the large number of 'paper roads' within the City. The pressure to subdivide with access to these paper roads can pose a public interest issue. Council could be placed in a position where it may have to spend public money on road upgrading where the community would receive little benefit in return. The limited access provisions applying to State Highway 2 and the nature of other roads in the Kaitoke area impose limits on further development in this part of the City.

16.2.5 ***The potential adverse effects generated by subdivision and development in close proximity to high voltage (110kV or greater) electricity transmission lines.***

There can be a risk to the health and safety of nearby people and property when development occurs within close proximity to high voltage electricity transmission lines. Equally, development located under or in close proximity to high voltage electricity transmission lines can pose a risk to the efficient operation of the national grid.

Additionally, development in close proximity to high voltage electricity transmission lines generally does not provide a good level of amenity, particularly in the case of residential development or other sensitive activities.

16.3	Objectives
-------------	-------------------

16.3.1 ***To recognise and protect the benefits of regionally significant network utilities and ensure their functions and operations are not compromised by other activities.***

This objective seeks to identify the importance of regionally significant network utilities within the City and to give effect to the Regional Policy Statement. The objective and supporting policies are focused on recognising the benefits that these regionally significant network utilities have locally, regionally and nationally and ensuring that they are protected from incompatible subdivision, use and development.

16.3.2 ***The sustainable, secure and efficient use and development of the high voltage (110kV or greater) electricity transmission lines which avoids, remedies or mitigates adverse effects on the environment and recognises the technical and operational requirements and constraints of the network.***

The efficient transmission of electricity on the national grid plays a vital role in the social, economic and cultural well-being of people. Technical, operational and security requirements associated with high voltage electricity transmission lines can limit the extent to which it is feasible to avoid or mitigate all adverse environmental effects.

16.3.3 ***To recognise and provide for the sustainable, secure and efficient use, operation, maintenance and upgrading and development of network utilities within the City.***

This objective requires that the benefits of network utilities including

those that are not identified as regionally significant be recognised and provided for. Network utility services form an essential part of the City's physical resource and provide for the community's social, cultural and economic well-being. They provide essential services to people's homes and businesses, such as water, transport means, electricity, gas, radiocommunications and telecommunications and are critical for the functioning and liveability of the City. Natural hazards such as flooding can threaten the continued security and operation of the network utilities. Failing to adequately provide for network utilities and protect them from natural hazards may result in the desired level of well-being and quality of life not being achieved within the City.

16.3.4

To manage any adverse effects on the environment resulting from the design, location, construction, operation, upgrading and maintenance of network utilities.

This Objective recognises that the construction, operation, upgrade and maintenance of network utilities can adversely affect the environment and amenity, and seeks to manage potential adverse effects, particularly through design and location. This recognises that some network utilities are relatively large, visually prominent and capable of generating significant effects on the environment. They may also have adverse effects on public health and safety. Adverse effects may only occur at the time of construction or installation of the utility, but in some instances may continue throughout its operation or during maintenance and / or upgrade works. For new lineal infrastructure, adverse effects are often best able to be mitigated through the route selection process. However, in some cases, it might not be entirely possible to avoid, remedy or mitigate all adverse effects associated with a network utility, meaning there may be some level of residual adverse effect on the surrounding environment. In such circumstances, there is a need to consider both the benefits the network utility will provide and the significance of the adverse effects on the surrounding environment.

16.3.5

To ensure the continued operation of network utilities, and the development and operation of new network utilities, in flood hazard extents and to maintain the function of the floodplain to convey flood waters.

Network utilities have the potential to impede or block water during a flood event and increase the risk to surrounding people and properties. This is particularly so, when linear structures cross a river or stream corridor and have not been designed to take into account the 1:100 year flood height.

Network utilities play a critical role in the functioning of community. Network utilities that are damaged or destroyed during flood event may slow the ability for the community to recover or worsen the effects from flooding (for example sewerage in floodwaters).

16.4

Policies

16.4.1

Identify regionally significant network utilities within the City on Council planning maps, as practicable.

The Council has identified regionally significant network utilities within the City on its planning maps. The majority of any new and extensions to existing regionally significant network utilities are expected to be identified on Council planning maps by network utility operators through a notice of requirement for designation process. In the case of the National Grid, which is not designated, this network is specifically recognised and mapped, as required by the National Policy Statement on Electricity Transmission. Due to the scale of the planning maps and the extensive nature of some regionally significant network utilities, it is however not feasible to identify all regionally significant network utilities on Council planning maps, particularly the local gas distribution lines.

16.4.2

Recognise the national, regional and local benefits of regionally significant network utilities.

Regionally significant network utilities provide benefits within the City, regionally and nationally. These are benefits that are to be considered in respect of any matter relating to regionally significant network utilities. Some of the benefits are:

- That people and goods can travel to, and from and around the City and Region efficiently and safely;
- That community well-being and public health and safety is maintained through the provision of essential services including supply of potable water and the collection, transfer and appropriate treatment of sewage and stormwater; and
- People have access to electricity and gas to meet their needs.

16.4.3

Avoid, or as appropriate, remedy or mitigate, the potential for any adverse effects including reverse sensitivity effects on regionally significant network utilities from inappropriate new subdivision, use and development occurring under, over, or adjacent to regionally significant network utilities.

Any potential adverse effects including reverse sensitivity effects, on regionally significant network utilities are to be appropriately managed, with priority given to avoiding adverse effects, where practicable, on those utilities. The location of inappropriate new subdivision, use or development in proximity to existing regionally significant network utilities has the potential to compromise the efficient operation and use of the network utility including restricting access and result in the benefits of that network utility being reduced. In addition, the safety and amenity values of the community may be adversely affected by locating in too close proximity to regionally significant network utilities. The potential for adverse effects including reverse sensitivity effects may arise when the pattern and density of land use activities changes through the subdivision or rezoning of land. At the time of rezoning, the Council will seek to introduce new provisions to manage those potential adverse effects on existing or designated regionally significant network utilities. Any applications for subdivision that involve potential intensification located in proximity to regionally significant network utilities will require assessment in terms of the potential effects on those utilities as well as consultation with the relevant network utility operator.

16.4.4

To promote the safe and efficient use and development of the transportation network.

The transportation network is a major physical resource in the City. The land and other resources used for transportation need to be sustainably managed.

There are a number of reasons for promoting a safe and efficient transportation network, including:

- The land and associated resources required by the existing transport system represent a significant level of investment and commitment. To promote the purpose of the Act, it is desirable that existing systems are used and developed efficiently.
- The efficient use of energy and resources in the design, management and use of transportation systems should be promoted.
- Efficiency would be promoted through the integration of different modes and types of transport and by improving the network. The beneficial effects of any development such as increases in safety or reduction in travel times must also be taken into account.

The transport system also needs to be maintained and developed without creating significant adverse effects on the environment.

Minor changes to the transport system can be undertaken without the need for stringent controls, although they may need monitoring to identify and manage their cumulative effects. However, large-scale transportation projects, or developments within areas of environmental sensitivity, require careful assessment to identify potential effects and possible mitigation measures.

Rural roads place limits on further development in certain areas of the City because of their condition or potential capacity. Closer subdivision in these areas may be restricted because of the demand that it would place on these roads and the likely costs incurred by the Council. Other rural activities can cause damage to roads or create dangerous situations where roads are not designed to accommodate such traffic. The upgrading of such roads can place a heavy financial burden on the community and have significant adverse environmental effects. Therefore, a requirement for financial contributions and/or limitations on development is an appropriate response.

16.4.5

To promote accessibility within the City and between the City and neighbouring areas.

Access into and around the Central Business District, suburban shopping areas and industrial areas is important for both businesses and the community. This is facilitated by the availability of adequate car parking facilities and the close proximity of railway stations and the bus interchange.

In certain circumstances, car parking can have an adverse effect on the environment of an area. The proliferation of on-street car parking can adversely affect the visual and amenity values of an area, generate noise and make manoeuvring of vehicles difficult and unsafe. It may be necessary to require that sufficient on-site car parking is provided for any proposed activity, or that a financial contribution is made so that it can be developed by Council to avoid problems. The car parking requirements of the Plan have been developed on the basis of anticipated car parking demand and availability of car parking facilities.

The ability of people to have access to a variety of transport modes enables greater choice and means that transportation services can be used in a more efficient manner.

Comprehensive Residential Developments in the Residential (Centres Overlay) Areas provide for a reduced level of car parking requirement, in order to build on the availability of a range of transport modes and encourage increased use of public transport, and in recognition of the ability of certain roads to accommodate excess parking demand.

Most of Upper Hutt is well suited to cycling because of its topography. The bicycle is a useful, efficient and environmentally friendly form of transport. Although cycling is catered for within the present roading system, conflict can arise between cyclists, pedestrians and vehicular traffic. These conflicts need to be minimised or avoided to promote safety and encourage people to use dedicated cycling facilities. Convenient cycling and walking routes to community focal points need to be provided by linking streets, reserves, car parking areas and shopping centres.

16.4.6

To ensure that the subdivision, use and development of land is served by safe and adequate access from the roading network

The roading network provides access to a wide range of activities. It is important to ensure that connections to the network are located, designed and maintained so as to provide for the safety of all road users.

16.4.7 *To manage subdivision and development within close proximity to existing high voltage (110kV or greater) electricity transmission lines to protect both:*

- (a) the safe, secure and efficient use and development of the electricity transmission network; and*
- (b) the safety and amenity values of the community.*

A corridor management approach involves setting minimum buffer distances from high voltage electricity transmission lines to manage development both in the immediate proximity of and adjacent to the lines.

16.4.8 *To recognise and provide for the:*

- need for new and the maintenance and upgrading of existing network utilities; and*
- technical and operational requirements and constraints of network utilities in assessing their location, design, development, construction and appearance; and*
- benefits that network utilities provide to the economic, social and cultural functioning of the City, Region and Nation.*

The provision of new and the upgrading of existing network utilities is necessary to meet the needs of City, both now and into the future. In considering any proposals for new or upgrades to existing network utilities, the technical and operational requirements that may constrain where and how they can locate and be designed need to be recognised. In some cases, some level of adverse effects may need to be accepted to recognise the necessity for and benefits derived from, some network utilities and meet their operational requirements. This policy also recognises the benefits that all network utilities have.

16.4.9 *Enable the efficient construction, installation, operation, upgrading and maintenance of network utilities.*

Network utilities have an important role in providing for the wellbeing of the City's community and beyond. Network utilities form an essential part of the efficient functioning of the City and their maintenance and development allows their benefits to be realised. There are a range of network utilities that enable communities to undertake everyday activities and functions and provide essential services to people's homes and businesses. It is therefore important that the District Plan provides for network utilities to be constructed, installed, operated, upgraded and maintained.

16.4.10 ***Ensure that the provision and operation of utilities that cross jurisdictional boundaries is managed in an integrated manner.***

Most network utilities cross jurisdictional boundaries between councils. Cross boundary issues can result for network utility providers and for the community, particularly where different councils have different rules or processes for how they recognise and provide for network utilities and manage their effects. It is important that councils work together in an integrated manner both when developing plan provisions and when dealing with proposals for new or upgrades to existing network utilities.

16.4.11 ***Encourage the appropriate use of designations for new network utilities and extensions to existing network utilities that are not designated.***

Network utility operators, particularly those who operate regionally significant network utilities, should use the notice of requirement for designation process, where appropriate when they seek to develop new or extend existing network utilities. This is particularly encouraged for operators where such new or extended network utilities involve restrictions on the use of privately owned land and may require land acquisition. It is recognised that not all network utility operators use designations, particularly those that do not operate linear infrastructure.

16.4.12 ***Ensure that network utilities are designed, developed, constructed, located, upgraded, operated and maintained to avoid, remedy or mitigate any actual or potential adverse effects on the environment.***

There are a range of different network utilities with different potential adverse effects on the environment. For instance, above ground network utilities can have adverse effects including visual, noise, traffic, odour and amenity, depending on their size, location, frequency and their scale in comparison with the character of a particular environment. A different activity status applies to some network utilities in the Southern Hills Overlay Area, Open Space and Residential Zones, to reflect that these zones have special environments that are more vulnerable to adverse effects and associated loss of amenity.

16.4.13 ***Manage effects on health and safety by ensuring network utilities, in particular those emitting electric and magnetic fields, are designed, located, upgraded, operated and maintained to comply with relevant national environmental standards and to meet other nationally recognised standards and guidelines.***

Some network utilities may adversely affect health and safety. For example, telecommunication facilities generate radio frequency

emissions which may have detrimental effects on health. Any potential health effects arising from radiofrequency emissions are addressed by Regulation 4 of the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008. Electricity transmission/distribution activities can present a risk to health and safety, primarily through the risk of electrocution from direct contact with conductors or as a result of a flashover. The National Policy Statement on Electricity Transmission, and the National Environmental Standard for Electricity Transmission require that the exposures be limited to the guidelines of the International Commission on Non-Ionising Radiation Protection (ICNIRP) to prevent the potential for public health effects. Other possible health and safety risks are accidental spillage or leakage of hazardous substances from gas or petroleum pipelines, explosions from gas or petroleum pipelines, accidental overflow from sewage pump stations, and flooding from damaged/inoperative stormwater systems. Chemicals used in conjunction with some network utilities, such as water treatment plants for example, also pose a risk if an accidental spill occurs. There are a number of relevant national and international standards and guidelines addressing health and safety matters that are external to the District Plan but that must be complied with, including the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008, and the New Zealand Electrical Code of Practice. The International Commission on Non-Ionising Radiation Protection (ICNIRP) Guidelines provide best practice guidance.

16.4.14

Enable the co-location or multiple use of network utilities where this is efficient, technically feasible and practicable and assists with avoiding, remedying or mitigating adverse effects on the environment.

The co-location and co-siting of network utilities may provide environmental benefits in terms of reduced visual impacts and consolidation of network utilities in existing areas thereby reducing adverse effects on amenity by reducing the need for more network utility structures. While co-location is encouraged it needs to be understood that technical requirements will generally mean that associated structures may need to be taller or bulkier to avoid interference between the two or more providers, such as radio-frequency bands. It is also recognised that co-location is not always possible due to operational issues such as radiofrequency interference, electrical interference, lease arrangements, safety and structural capacity.

16.4.15

Require the underground placement of new network utilities unless

- ***there are natural or physical features or structures, or technological and operational constraints that makes underground placement impractical or unreasonable;***
- ***they are of a temporary nature and required for emergency purposes or critical events; and***
- ***they are of a nature that they can only operate aboveground.***

The adverse visual effects of certain network utilities can often be managed by putting the services underground. With some exceptions, this is the required approach for those network utilities, such as those with cables that can be located underground. For those network utility structures that need to be located aboveground, particular attention should be given to their design, location and minimising of any adverse visual effects as outlined in Policy 16.4.12. This can be achieved in a number of ways including, where practical, through screening, careful placement, size and appearance and applying different activity status. With the exception of Protected Ridgelines and the Southern Hills, new overhead lines, including electricity lines below 110kV, are provided for as a permitted activity in the Rural and Open Space Zones, recognising the more visual absorptive capacity of those locations, and the practicality of needing to provide for a cost effective means of enabling service development and maintenance in remote less densely populated areas.

New customer connections to existing lines and minor upgrading of existing lines are provided for within the City in recognition that this is an efficient use of an existing resource. However, new above ground lines and their associated supporting structures in areas that do not have existing above ground lines are generally considered to be unacceptable within the City. However it is recognised The policy recognises that particular consideration needs to be given to the efficient use of resources and that there are situations where placing lines underground is, or may be, impracticable or unreasonable.

16.4.16 ***Encourage the use of roads as network utility corridors in accordance with the National Code of Practice for Utility Operators' Access to Transport Corridors.***

Locating network utilities in the road corridor can assist to minimise the adverse effects of network utilities on amenity and other values as these locations generally have a range of existing network utilities and are less sensitive to new network utilities. However, the effects of these activities require some management to ensure conflicts with the primary function of the road corridor and with each other are avoided.

16.4.17 ***Encourage network utility providers to consult with local communities on the appropriate placement, location and design of new network utilities.***

In some cases, engaging early with the community about a proposed new network utility may result in an alternative more appropriate location to be identified that both meets the needs of the network utility operator and addresses any concerns that the community may have. In encouraging consultation, the Council recognises that it cannot require network utility operators to consult on permitted activities.

16.4.18 ***Network utility structures crossing streams within identified Flood Hazard Extents must be installed in a way to avoid contributing to blockages or restricting flood flows or***

compromising flood mitigation works.

This policy ensures that network utility structures that cross river and stream corridors do not contribute to blockages or exacerbate the effects from flooding on people or property.

This policy also recognises the need for Network Utility Structures to be designed in a manner that does not compromise flood mitigation works. This is to ensure that the installation of Network Utility Structures does not inadvertently increase the risk to the local community by lowering an existing level of protection that may be provided by the flood mitigation works.

It is also recognised that attaching Network Utility Structures to existing lawfully established structures crossing a stream or river will not increase the effect on flooding as long as the Network Utility Structure is not positioned any closer to the stream or river than the existing structure.

16.4.19

To control/manage the design and location of network utilities in identified Flood Hazard Extents to ensure their resilience to the effects of operation is not compromised during a flood events.

It is important that network utilities are able to continue to operate during and after a flood event to help the community respond and recover. This policy ensures directive for the network utilities in Flood Hazard Extents to ensure they are appropriately located and designed.

16.5

Methods

16.5.1

District Plan provisions consisting of the following:

1. Planning Maps that identify the location of both designated and undesignated regionally significant network utilities within the District to the extent practicable.
2. Encourage designations for new network utilities and extensions to existing network utilities that are not currently designated.
3. Management of the location of traffic generating uses through zoning rules and the resource consents process to avoid, remedy or mitigate adverse effects on the safety and efficiency of the transport system.
4. Regulatory Assessment Framework that includes rules and matters of control and discretion to guide assessment of the construction, operation, upgrading and maintenance of network utilities, and inappropriate subdivision, use and development within Electricity Transmission Corridors and subdivision that occurs in proximity to regionally significant network utilities. The framework utilises permitted, controlled, restricted discretionary, discretionary and non-complying activity status and specific matters of control and discretion to assess and manage the actual and potential adverse effects.
5. Plan change(s) to introduce new provisions to manage reverse sensitivity effects on regionally significant network utilities where there are pressures for new or intensification of existing development in proximity to regionally significant infrastructure.
6. Provision of appropriate infrastructure at the time of subdivision.
7. Financial contributions for the upgrading or extension of public infrastructure, or the avoidance, remedying, or mitigation of any adverse effects on public infrastructure.
8. Identification of designations on the Planning Maps and the inclusion of their details in Chapter 36.
9. Identification of high voltage (110kV or greater) electricity transmission lines on the Planning Maps.
10. Management of buildings, structures, earthworks and vegetation within a determined transmission corridor either side of the centreline of high voltage (110kV or greater) electricity transmission lines.
11. Administer, monitor and enforce compliance with the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2008 and the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009.
12. Information requirements for certificates of compliance and resource consents for network utilities.
13. Advice notes identifying the relevant national and international codes and standards that also apply to network utilities in addition to the District Plan's Regulatory Assessment Framework.

14. Monitoring and review of the District Plan network utility provisions to assist in assessing the effectiveness of the network utilities provisions in the Plan.

- 16.5.2** Planning for the efficient development of infrastructure by liaison and consultation with requiring authorities.
- 16.5.3** Council provision and maintenance of transportation infrastructure through its Annual and Strategic Plans and the strategies of roading infrastructure providers.
- 16.5.4** The Code of Practice for Civil Engineering Works.
- 16.5.5** Efficient management of Council's works and utilities. This would include Council demonstrating a leadership role in the sustainable management and use of its infrastructure.
- 16.5.6** Consultation with Transpower when applying policies relating to the transmission network within the City with the potential to adversely affect transmission assets.
- 16.5.7** Compliance with relevant national and international codes and standards that also apply to network utilities within the City.
- 16.5.8** Education of and building relationships with network utility providers.
- 16.5.9** Encouraging network utility providers to engage with the local community when considering new network utilities within the City.
- 16.5.10** Where appropriate, hold joint hearings with adjacent territorial authorities in instances where network utilities cross territorial boundaries and undertake joint plan changes to achieve consistency.

16.6

Anticipated environmental results and monitoring

The following results are expected to be achieved by the objective, 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 sustainable management of network utilities throughout the City	Complaints and enforcement procedures Types of network utility development System failures Consultation with regional and national organisations to ensure utilities management is co-ordinated and consistent	Council complaints register Council records
The avoidance, remedying, or mitigation of the adverse effects of developing and maintaining the City's network utilities	Complaints and enforcement procedures Assessment of the effectiveness of selected methods in implementing policies relating to network utilities	Council complaints register Council resource consent records
The avoidance of potential conflicts between regionally significant network utilities and incompatible development, use and subdivision	Complaints and enforcement procedures Assessment of the effectiveness of selected methods in implementing policies relating to regionally significant network utilities	Council complaints register Council resource consent records
<u>The avoidance of the potential for network utilities to increase flood hazard risk or impacting on flood hazard structures.</u>	<u>System failures in flood events.</u> <u>Number of resource consent applications approved or declined in areas identified in the District Plan as being susceptible to natural hazards and whether these numbers change with time.</u>	<u>Council records</u>

17 HAZARDOUS SUBSTANCES AND WASTE MANAGEMENT

17.1 Background

17.1.1 Hazardous Substances

Under the Resource Management Act, Council has responsibility for managing the use, development or protection of land to prevent and mitigate any adverse effects resulting from the storage, use, disposal or transportation of hazardous substances. The Wellington Regional Council takes an overall co-ordination, education and enforcement role in dealing with hazardous substances.

17.1.2 Waste Management

The Wellington Regional Council has policies on the siting of new landfills, rationalising existing refuse landfill sites, and reducing waste. The District Plan is concerned with the environmental effects of landfill siting within the City.

The involvement of the Council in waste management is primarily an operational and service function. Bulk refuse is currently disposed of at the Silverstream Landfill. The Council's service delivery function is managed under the Strategic and Annual Plan processes.

The disposal of sewage from the urban area is currently undertaken through the combined Hutt Valley Drainage system with the outfall at Pencarrow. Effluent disposal in the rural area is largely by on-site septic tanks and effluent fields. These discharges are under the jurisdiction of the Regional Council.

17.2 Resource Management Issues

17.2.1 *The inappropriate storage, use, disposal and transportation of hazardous substances can have potentially significant and long lasting effects, which can degrade or destroy water quality and ecosystems or contaminate soil resources and other natural and physical resources within the City.*

Environmental contamination is the process of physical, chemical or biological change in the condition of land, water and air as a result of discharges. This may compromise the life supporting capacities of these resources, and accordingly the health of ecosystems and communities. The potential or actual adverse environmental effects associated with hazardous substances are likely to be more significant because of the toxic, explosive or flammable nature of this material.

Upper Hutt is located in an area subject to earthquakes and land displacement. It also contains alluvial plains with porous and free draining soils which have helped create numerous underground aquifers in the valleys. These aquifers are vulnerable to penetration from discharged hazardous substances and contaminants. There is, therefore, a risk that an earthquake or flooding could result in the release of hazardous substances and other contaminants into the environment.

Many substances which are used frequently but in minor quantities (for example, household use of ammonia) could be considered hazardous in larger quantities. The use of such substances in minor quantities does not create a significant adverse effect on the environment.

17.2.2 *The need for co-ordination between the agencies involved with the management of hazardous activities.*

Management of hazardous activities and substances is shared amongst a number of agencies which means that close co-ordination is necessary.

17.2.3 *The need to avoid, remedy or mitigate the potential damage caused by contaminated sites to human health and safety and the life-supporting capacity of the environment.*

The use, storage or production of hazardous substances can lead to the contamination of soil and other resources. Such contamination may be at a level that makes the site in question unsafe for human occupancy or use. Unacceptable effects on natural resources may also result.

The problems associated with contaminated sites differ in nature, hazard intensity and importance from site to site. The level and type of contamination present on a site are important in identifying the risk to the environment and the health and safety of the community, especially in relation to the re-use of these sites. The Regional Council gives priority to the accurate identification of contaminated sites and the risks posed. A full clean-up of a contaminated site may not always be technically achievable or practicable. In some cases, retaining contaminants on a site and using planning controls to limit site use may be the preferred option.

The lack of national standards has posed difficult legal problems in relation to database liability, the accuracy of information and the privacy of information gathered. Many legal uncertainties relate to the interface between the Privacy Act 1993 and the Resource Management Act 1991. This has raised concerns about the collection and dissemination of information on contaminated sites. The Australian and New Zealand Guidelines for the assessment and management of contaminated sites provide assistance to regional and local authorities.

17.2.4

The need to provide facilities for the efficient and safe disposal of waste and to avoid, remedy or mitigate potentially significant adverse effects on the environment.

The disposal and storage of residue waste can have serious environmental effects as most residue waste is disposed of in landfills. The Silverstream landfill accepts refuse from Upper Hutt City and Lower Hutt City. The Silverstream landfill's remaining life span has been estimated at between 25 and 50 years. The Hutt Valley is a sensitive receiving environment which is vulnerable to contamination from discharges from refuse landfills. Site geology and geomorphology are, therefore, important factors in the location of landfills to avoid potential adverse effects related to natural hazard events. The discharge of contaminants from landfills includes leachate to land and water and methane to air. These discharges are poisonous to both human life and the environment.

Environmental concerns over refuse landfills relate to visual appearance, leachates, wind blown debris, disease carrying animals, odours and landfill gases. This applies not only to publicly run sites but also to small private operations.

17.3

Objectives

17.3.1

The management of adverse effects from hazardous emissions and the storage, use, disposal or transportation of hazardous substances to minimise the risks to community health, safety and well-being and the life-supporting capacity of the environment.

Any activity which involves hazardous substances has the potential to cause significant adverse effects on the environment. The policies of the District Plan seek to minimise the risks from the manufacture, storage, use, disposal and transportation of hazardous substances.

17.3.2 ***The management of waste in an effective and efficient manner that poses minimal risk to community health and safety and the environment.***

Resource use produces wastes which have the potential to cause long-lasting and significant adverse effects. Policies should address not only measures to reduce those effects, but also methods of reducing the amount and type of waste produced in the first instance.

17.4	Policies
-------------	-----------------

17.4.1 ***To ensure that facilities using, manufacturing, storing or disposing of hazardous substances are located, constructed and operated in a manner that will not adversely affect the environment.***

The three main methods of managing hazardous substances at present are the promotion of voluntary methods of good practice, the co-ordination with agencies with responsibilities in hazardous substances management, and the management of the Council's own process of hazardous substances management. In addition, education and advice to users of hazardous substances can be provided to supplement these methods.

The proximity of natural hazards is an important consideration in siting hazardous activities or activities which use hazardous substances so that the risk of unintentionally releasing hazardous contaminants into the environment is minimised. **Such activities will be discouraged from locating within flood hazard areas. Proposals must be assessed based on the scale of and type of substances and the adequacy of the facilities' design to avoid or mitigate the flood hazard effect.**

17.4.2 ***To promote appropriate use of contaminated sites having regard to the type and level of contaminants present.***

The re-use of sites contaminated with hazardous substances is an important issue that may adversely affect human health and safety or the life-supporting capacity of ecosystems. Providing advice and assistance to affected landowners as needed is one method.

17.4.3 ***To co-operate with national and regional government agencies in the management of hazardous substances.***

Local, regional and central government all have certain responsibilities for the management of hazardous substances under the Resource

Management Act and the Hazardous Substances and New Organisms Act. To avoid duplication of effort, it is necessary to co-ordinate actions in the management of hazardous substances.

- 17.4.4** *To ensure that the location, design and use of landfill and associated waste treatment or disposal facilities avoids, remedies or mitigates any adverse effects on community health and safety and the environment.*

This policy acknowledges that waste must be disposed of in an environmentally safe manner. The location of facilities must be such that they will not give rise to any adverse effects on the environment. In addition, regard should be given to the proximity of natural hazards when considering potential sites to minimise the risk of unintentionally releasing hazardous substances or contaminants into the environment.

- 17.4.5** *To encourage the adoption of waste management practices which implement the concepts of cleaner production and which encourage reduction, re-use, recycling, recovery and residue management.*

The Upper Hutt City Council will encourage resource users to take responsibility for reducing waste.

17.5	Methods
-------------	----------------

- 17.5.1** District Plan provisions consisting of the following:
1. Rules to manage the effects of the storage, use, handling and production of hazardous substances.
 2. Rules to require resource consents for the use, development or subdivision of identified contaminated sites.
 3. A roading hierarchy to encourage heavy vehicles carrying hazardous substances or large quantities of refuse to avoid residential areas.
- 17.5.2** The exercise of Council’s responsibilities under the Hazardous Substances and New Organisms Act 1996.
- 17.5.3** Review of the District Plan in regard to hazardous substances in the light of experience gained operating the provisions of the Hazardous Substances and New Organisms Act 1996.
- 17.5.4** Assist the Wellington Regional Council in updating a register of contaminated sites and facilities that store, use, manufacture and

dispose of hazardous substances and use this information in responses to requests for resource consents, project information memoranda and land information memoranda.

- 17.5.5** Co-ordinate with agencies involved with hazardous substances in administering engineering and civil defence response plans.
- 17.5.6** Promote an integrated approach to waste management, hazardous substances and contaminated sites in conjunction with the Wellington Regional Council and other agencies with statutory responsibilities in these areas.
- 17.5.7** Liaison and advocacy with landowners in order to promote the Council's policies.
- 17.5.8** Disseminate information and advice on responsible waste management practices.
- 17.5.9** Promote the use of codes of practice and the appropriate standards in the design, maintenance and use of facilities and sites in which hazardous substances are stored, used, manufactured or handled.

17.6 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
Prevention or mitigation of adverse environmental effects from hazardous substances	Development of procedures with the Wellington Regional Council for monitoring hazardous substances	Wellington Regional Council records
Safe storage, use, and disposal of hazardous substances in the City	Resource consents Enforcement and complaints	Council records
Environmental restoration of contaminated sites	Additions and deletions to the number of contaminated sites	Wellington Regional Council records
Minimised adverse effects from landfills and other waste disposal facilities where practicable	Effects of existing landfills: <ul style="list-style-type: none"> • leachate • landfill gas • subsidence • windblown rubbish 	Council records Field inspections
Reduced waste due to more efficient resource use	Reduced waste quantity	Council records

18 RESIDENTIAL ZONE RULES

Activities Tables

Policies 4.4.3, 4.4.11, 4.4.13, 9.4.4, 9.4.5, 9.4.10, 16.4.3, 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
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	RD
Subdivision in the Wallaceville Structure Plan Area that does not comply with the standards of rule 18.5 and 18.9	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 within the Pinehaven Flood Hazard Extent and Pinehaven Catchment Overlay	
<u>Subdivision within the ponding area of the Pinehaven Flood Hazard Extent, which creates any undeveloped lots that do not contain a dwelling, and complies with the requirements of Rule 18.5.</u>	RD

Subdivision of a site within the Pinehaven Catchment Overlay	RD
Subdivision within the Pinehaven Flood Hazard Extent which creates any undeveloped lots that do not contain a dwelling, and does not; <ul style="list-style-type: none"> • comply with the requirements of Rules 18.5, or; • meet the standard of the Rule 18.37 	NC
Subdivision of a site within the Pinehaven Catchment Overlay that does not meet the standards for either Rule 18.38 or Rule 18.5	NC
Subdivision within the Mangaroa Flood Hazard Extent	
Subdivision within the Ponding Area or Erosion Hazard Area of the Mangaroa Flood Hazard Extent, which results in any undeveloped lots that contain no dwelling or non-residential building, and complies with the requirements of Rule 18.5.	RD
Subdivision within the Mangaroa Flood Hazard Extent which results in any new undeveloped lots that contain no dwelling, where the activity does not comply with the requirements of Rule 18.5; or the proposed building platform is located within a river corridor.	NC
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
In relation to land identified in Appendix Residential 3 ('Maidstone Terrace Residential')	
Subdivision which complies with standards in 18.5, 18.8A and 18.9	RD
Subdivision which does not comply with standards in 18.5, 18.8A and/or 18.9	NC
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
Two or more dwellings on a site within a Residential (Centres Overlay) Area except on land identified as Pt Section 618 Hutt District 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

In relation to the land identified in Appendix Residential 3 ('Maidstone Terrace Residential')	
Activities which do not comply with standards of 18.5, 18.8A, 18.9, 18.12 and/or 18.21(b)	NC
Rest homes and community care housing	NC
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 transmission line)	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 transmission line)	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
24	Esplanade Reserves and Strips
25	Reserves and Leisure Facilities Contributions
25A	Temporary Events
26	Heritage Features
27	Notable Trees
27A	Urban Tree Groups and Removal of Indigenous Vegetation
28	Southern Hills Overlay Area and Protected Ridgelines
29	Water Bodies
30	Network Utilities
30A	Renewable Energy Generation
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 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 on land identified in Appendix Residential 3 which also complies with standard 18.8A, and subdivision of land for utilities, reserves or conservation purposes

Policies 4.4.2, 4.4.2A, 4.4.7, 4.4.12, 9.4.3, 10.4.1, 16.4.3

Excluding land identified in Appendix Residential 3 Council may impose conditions over the following matters:

- Design, appearance and layout of the subdivision.
- Landscaping.
- Provision of and effects on network 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.
- The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.

Note: Rule 18.29 covers subdivision within the Electricity Transmission Corridor.
- The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site.

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

- Landscape character and visual amenity.

In relation to the land identified in appendix Residential 3, Council will restrict its discretion to the matters listed above, except that matter relating to Appendix Residential 1, and to:

- The measures necessary to address the interface of any residential development with both Maidstone Park and the Business Industrial Zone. These may include, but are not limited to:
 - the future orientation of dwellings and the location of habitable rooms, relative to the Mainstone Park and adjacent Business Industrial zoned properties;
 - the future orientation of buildings, fences or landscaping to buffer outdoor living spaces from adjacent Business Industrial zoned properties;
 - whether the subdivision could result in more than 12 dwellings being constructed within Area B in Appendix Residential 3; and
 - the imposition of the consent notices to give effect to these matters.

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, 4.4.2A, 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.

In relation to the land identified in Appendix Residential 3, Council may impose conditions over the following matters.

- The measures necessary to address the interface of any residential development with both Maidstone Park and the Business Industrial Zone. These may include, but are not limited to:
 - the orientation of dwellings and the location of habitable rooms relative to Maidstone Park and adjacent Business Industrial zoned properties;
 - the orientation of dwellings and the location of habitable rooms relative to Maidstone Park and adjacent Business Industrial zoned properties;
 - the orientation of buildings, fences or landscaping to buffer outdoor living spaces from adjacent Business Industrial zoned properties;
 - the orientation of buildings, fences or landscaping to buffer outdoor living spaces from adjacent Business Industrial zoned properties.

18.8A

Maximum number of lots and dwellings along Maidstone Terrace

Policies 4.4.2,
4.4.2A

In relation to the land identified as Area B in Appendix Residential 3,

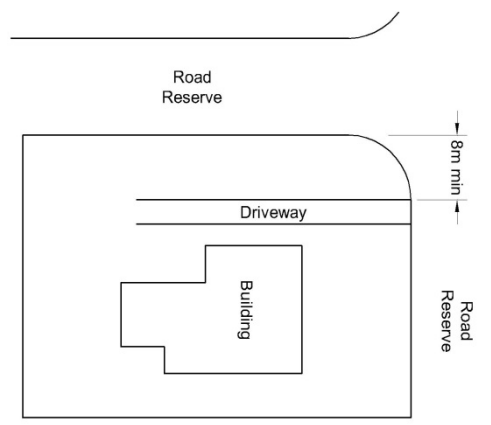
- (a) There shall be no more than 12 dwellings. To avoid any doubt:
 - o The maximum is not the maximum number of dwellings on any particular site.
- (b) There shall be no more than 12 allotments.

18.9

Access standards for subdivision and land use activities

Policies 4.4.2,
4.4.2A, 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.
- In relation to the land identified in Appendix Residential 3:
 - There will be no access off Maidstone Terrace. Access to the land shall be off Railway Avenue.
 - Neither a right of way, private way or legal boundary of any road or accessway serving the land shall at any point encroach within Area B of Appendix Residential 3.

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,
4.4.2A, 4.4.4

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

Boundary	Minimum setback
In relation to the land identified in Area B of Appendix Residential 3, measured from the legal edge of Maidstone Terrace.	8m
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)
For Comprehensive Residential Development within the Urban Precinct of the Wallaceville Structure Plan Area: 1.5m	1.5m
Within the Wallaceville Structure Plan Area, rear and side boundaries adjoining rail corridor designation TZR1	5m

Notes:
<ul style="list-style-type: none"> On a rear lot, as defined in Chapter 2, 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.

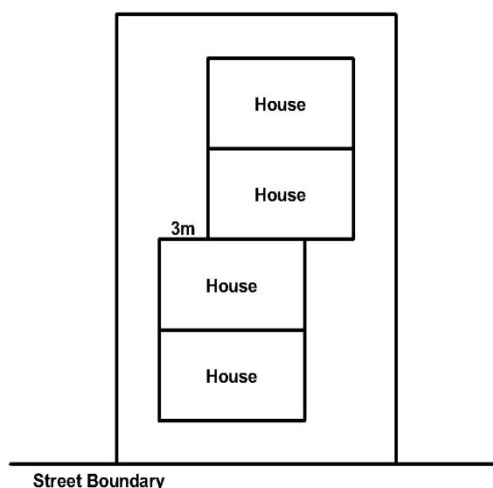
Exemptions:

- 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:
 1. Able to accommodate a 'principal area' of 4 metres by 4 metres; and
 2. 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:

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

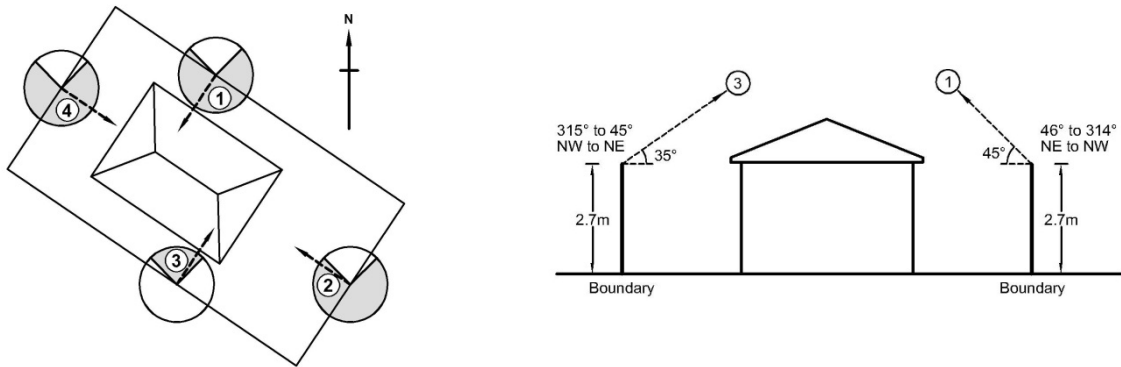
*Policies 4.4.2,
4.4.4*

Height control planes apply to all buildings:

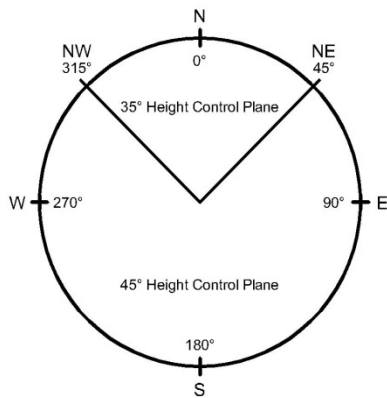
- In, or adjacent to, a Residential Zone.
- On sites smaller than 1500m² in a Rural Zone.

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

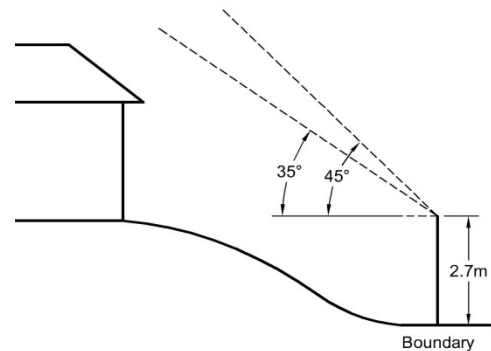
a) Height control planes in relation to site boundaries:



b) Determining which height control plane to use:



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



Exemptions:

- 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

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.

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:

$D_{2m,nT,w} + C_{tr} > 35$

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 $D_{2m,nT,w} + C_{tr} > 35$

Noise Insulation Construction Schedule

(this schedule describes the minimum requirements necessary to achieve an external sound insulation level of $D_{2m,nT,w} + C_{tr} > 35$)

Building Element	<u>Minimum</u> Construction Requirement
<u>External Walls</u>	<p>External cladding with a surface mass not less than 23 kg/m^2, ex 100 x 50 timber framing at 600 mm centres, Fibrous thermal insulation, Internal lining of one layer 13 mm thick high density Gypsum board (minimum 12 kg/m^2).</p> <p><u>Or:</u> Any wall construction utilising at least 50 mm thick concrete, Secondary timber strapping or wall framing not less than 50 mm thick lined with at least 10 mm thick gypsum board, and, Fibrous thermal insulation</p> <p><u>Combined superficial density:</u> Minimum not less than 35 kg/m^2 being the combined mass of external and internal linings excluding structural elements (e.g. window frames or wall studs) with no less than 12 kg/m^2 on each side of structural elements.</p>
<u>Glazed Areas</u>	<p>4/12/4 thermal double glazing, with 6 mm thick secondary pane at least 75 mm from the outer glazing</p> <p>Windows to be new aluminium frames with fixed panes or opening sashes with full compression seals.</p> <p>NOTE: Rooms with glazed areas in external walls greater than 35% of <u>floor area</u> of the room will require a specialist acoustic report to show conformance with the <u>insulation rule</u>.</p>
<u>Pitched Roof</u> (all roofs other than skillion roofs)	<p>Profiled longrun steel or tiles, with minimum steel thickness of 0.4 mm, Timber trusses at minimum 800 mm centres, Fibrous thermal insulation, Ceiling lining of one layer 13 mm thick high density Gypsum board (minimum 12 kg/m^2).</p>
Skillion roof	<p>Profiled long-run steel or tiles, with minimum steel thickness of 0.4 mm, Timber framing at minimum 600 centres, Fibrous thermal insulation, Ceiling lining of two layers 13mm thick high density Gypsum board (minimum 12 kg/m^2 each</p>
<u>External Door</u> in outside walls	Solid core door (min 25 kg/m^2) with compression seals (where the door is exposed to exterior noise).

Notes:

- The table refers to common specifications for timber size. Nominal specifications may in some cases be slightly less than the common specifications stated in the schedule for timber size.
- In determining the insulating performance of roof/ceiling arrangements, roof spaces are assumed to have no more than the casual ventilation typical of the jointing capping and guttering detail used in normal construction.

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

Policies 4.4.2, 4.4.4, 4.4.5

Accessory buildings

- 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

Policies 9.4.3, 13.4.1

Water supply, stormwater and wastewater

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

18.18A

Policy 4.4.1

On-site soakage

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

18.19

Policies 4.4.3, 15.4.1

Artificial light

- 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 4.4.2,
4.4.2A, 4.4.3,
4.4.5, 15.4.1*

- a) 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
- b) In relation to the land identified in Area B of Appendix Residential 3, sites which have a south boundary adjacent to Maidstone Terrace shall be screened along that boundary by a close-boarded fence or a solid wall 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 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.

18.24 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.

18.25 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.

18.26 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.

18.27 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, 16.4.3

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.

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 network utilities and/or services.
- Landscaping.
- Standard, construction and layout of vehicular access.
- Protection of any special amenity feature.
- Financial contributions.
- The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.

Note: Rule 18.29 covers subdivision within the Electricity Transmission Corridor.

In relation to the land identified in Appendix Residential 3, Council will restrict its discretion to and may impose conditions over the following matters:

- The measures necessary to address the interface of any residential development with both Maidstone Park and the Business Industrial Zone. These may include, but are not limited to:
 - the orientation of dwellings and the location of habitable rooms relative to Maidstone Park and adjacent Business Industrial zoned properties;
 - the orientation of buildings, fences, or landscaping to buffer outdoor living spaces from adjacent Business Industrial zoned properties.

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) 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.
- b) Notwithstanding 18.28A any Comprehensive Residential Development on land identified in Appendix Residential 3 that does not comply with 18.5, 18.8A, and 18.9, 18.12 and/or 18.21 (b) is a non-complying activity.

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 1.8.5.3
- 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 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 1.8.4 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.

18.37**Subdivision within the ponding area of the Pinehaven Flood Hazard Extent, which creates any undeveloped lots that do not contain a dwelling and complies with the requirements of Rule 18.5**Policy 9.4.4.Policy 9.4.5Standards

- Suitable future building platform area must be identified and must not be located within an overflow path, or stream corridor.

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

- The matters listed in Rule 18.6.
- The appropriateness of the proposed building platform in terms of area and location in relation to the flood hazard.
- Ability for a future dwelling to be constructed above the 1 in 100-year flood level.
- The effect of the future development of the building platform on the Pinehaven flood hazard extent.
- Consent notice restricting the future development to the identified platform.
- Matters addressing the standards for access under Rule 18.9 where any standards are not met.

18.38**Subdivision of a site within the Pinehaven Catchment Overlay is a Restricted Discretionary Activity.**Policy 9.4.10Standards

- Achieves hydraulic neutrality.
- Provision of a report by a suitably qualified and experienced person providing an assessment of the ability for the site to achieve hydraulic neutrality in accordance with the requirements of ~~2.6.9E~~ 1.8.11.
- Compliance with the standards of Rules 18.5.

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

- The matters listed in Rule 18.6
- Ability for the subdivision and proposed design to ensure peak flow of stormwater discharge will be no greater than pre-subdivision levels and thus achieve hydraulic neutrality.

- The effect of the subdivision on the Pinehaven Flood Hazard Extent.
- Recommendations and mitigation measures of the hydraulic report.
- Consent notice restricting the future development of the lot to the design and recommendations of the hydraulic neutrality report.
- Matters addressing the standards for access under Rule 18.9 where any standards are not met.

18.39

Subdivision within the Ponding Area or Erosion Hazard Area of the Mangaroa Flood Hazard Extent, which results in any undeveloped lots that contain no dwelling or non-residential building, and complies with the requirements of Rule 18.5

Policies 9.4.4, 9.4.5

Standards

- Suitable future building platform area must be identified and must not be located within the River Corridor.
- Where located within the Erosion Hazard Area, provision of a report by a suitability qualified and experienced person assessing the erosion risk to the proposed building platform in accordance with the requirements of ~~2.6.9D~~ 1.8.10.

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

- The matters listed in Rule 18.6;
- The appropriateness of the proposed building platform in terms of area and location and erosion risk in relation to the flood hazard.
- Ability for a future dwelling to be constructed above the 1 in 100 year flood level.
- The effect of the future development of the building platform on the function of the floodplain.
- Consent notice restricting the future development to the identified platform.
- Matters addressing the standards for access under Rule 18.9 where any standards are not met.

Matters for Consideration

18.40

Matters that may be relevant in the consideration of any Discretionary or Non-Complying Activity resource consent may include the following:

Subdivision

- 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.
- The design and layout of the subdivision where any lot may affect the safe and effective operation and maintenance of, and access to, regionally significant network utilities (excluding the National Grid), located on or in proximity to the site.
- The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.
Note: Rule 18.29 covers subdivision within the Electricity Transmission Corridor.
- The design and layout of the subdivision where any lot may affect the safe and effective operation and maintenance of, and access to, consented or existing renewable energy generation activities located on or in proximity to the site.
- The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site.
- Account must be taken of the future development potential of adjoining or adjacent land.
- Account must be taken of any potential reverse sensitivity effects on regionally significant network utilities (excluding the National Grid).
- Where located within an identified flood hazard extent, any relevant restricted discretionary activity matters for subdivision.

Site layout, area and coverage

- 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"> • Relevant matters in the sections above
<ul style="list-style-type: none"> • The extent to which the subdivision and/or development is consistent with the Wallaceville Structure Plan
<ul style="list-style-type: none"> • 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

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)

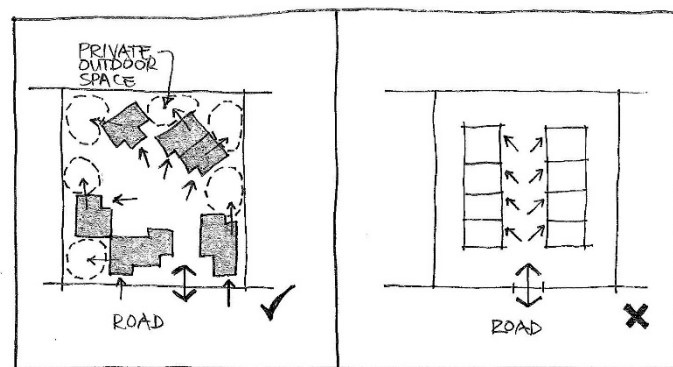


Figure 1: Carefully considered layout of buildings on sites helps to contribute to a more pleasant living environment.

- 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)

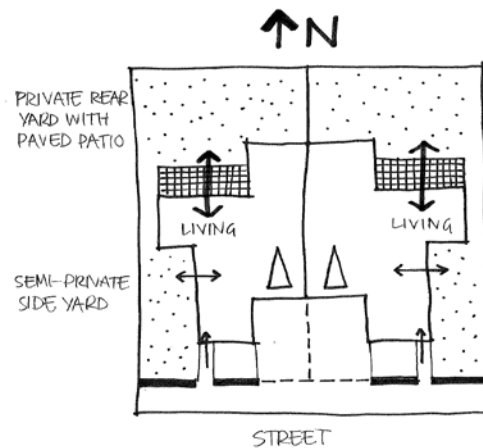


Figure 2: Different types of spaces can all contribute to creating a pleasant outdoor living environment.

- 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).

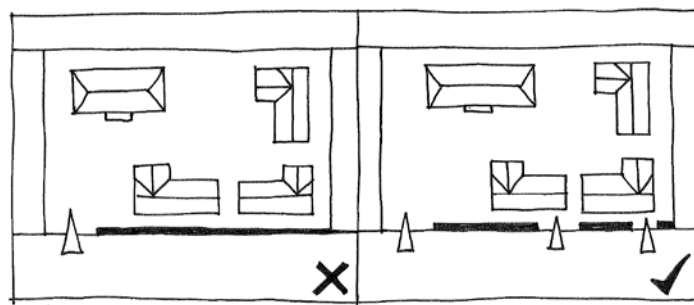


Figure 4: Multiple entrances activate site edges

- 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)

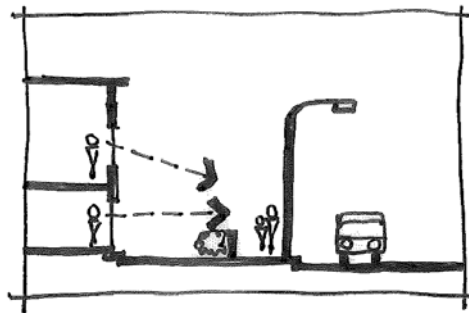


Figure 6: Window placement can enhance passive surveillance of public spaces.

- 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).

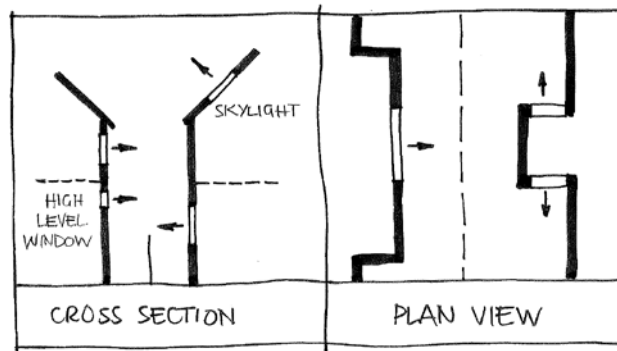


Figure 7: Window positioning can help maintain privacy

- 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).

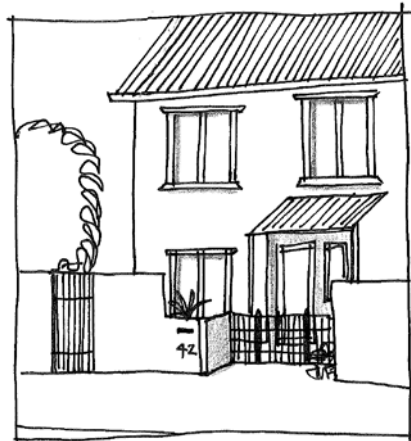


Figure 8: The front entry of a dwelling should be clearly visible.

- 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).

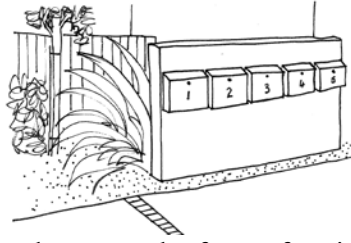


Figure 9: Grouped letter boxes at the front of a site can help strengthen the visibility of an entrance.

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.

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.



Existing 1.5 & 2 storey development in the Central 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

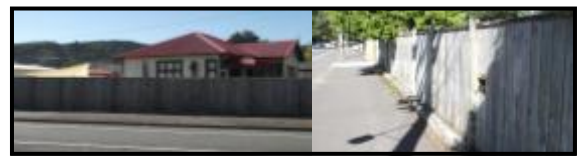
Variety in the type of housing in Trentham is not great and any new development should seek to provide a range of housing types to encourage a wider diversity of people to live in Trentham.

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

Appendix Residential 3

Maidstone Terrace Residential



19 RURAL ZONE RULES

Activities Tables

Policies 5.4.1, 5.4.2, 5.4.3, 5.4.9, 5.4.10, 9.4.4, 9.4.5, 9.4.10, 14.4.6, 16.4.7

19.1 Subdivision Activities	
Subdivision excluding unit title subdivision	
Subdivision which complies with the standards in rules 19.5 and 19.8 unless specified below	C
Subdivision which does not comply with the standards specified in rule 19.5	D
Subdivision which complies with the standards of rule 19.5 but not rule 19.8	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 19.5, but does need to comply with the access standards of rule 19.8	C
Subdivision around any existing lawfully established dwelling which 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 19.8	RD
Subdivision of land for utilities, reserves or conservation purposes	C
Subdivision of a site identified in Schedules 26.8 or 27.7	D
Subdivision in the Blue Mountains Area	NC
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
Subdivision of a site within the Pinehaven Catchment Overlay	
Subdivision of a site within the Pinehaven Catchment Overlay	RD
Subdivision of a site within the Pinehaven Catchment Overlay that does not meet the standard of 19.27a28	NC
Subdivision in the Mangaroa Flood Hazard Extent	
Subdivision within the Ponding Area and Erosion Hazard Area of the Mangaroa Flood Hazard Extent, which results in any undeveloped lots that contain no dwelling or non-residential building.	RD

<p>Subdivision within the Ponding Area and Erosion Hazard Area of the Mangaroa Flood Hazard Extent which results in any undeveloped lots that contain no dwelling or non-residential building, where one or more of the following occurs:</p> <ul style="list-style-type: none"> • the proposed access is below the 1 in 100-year flood level; • proposed access is located within an overflow path; • proposed lots do not comply with standard 19.5. 	D
<p>Subdivision within the Mangaroa Flood Hazard Extent which results in any new undeveloped lots that contain no dwelling, where one or more of the following occurs:</p> <ul style="list-style-type: none"> • the proposed building platform is located within an overflow path or river corridor; • access to the building platform is within a river corridor 	NC
Updates of existing company lease and cross lease, and all unit title subdivision	
<p>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</p>	C

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

19.2	Land Use Activities	Rural Lifestyle	Rural Valley Floor	Rural Hill
	Rural Activities			
	Farming activities (unless otherwise specified in this table)	P	P	P
	Intensive animal farming, including pig farming	NC	D	D
	Forestry	P	P	P
	Topsoil removal	D	D	D
	Field based agricultural research and ancillary buildings and activities (including field days and open days) on the Kaitoke Agricultural Research Farm legally described as Pt DP 12431 Lot 2 DP 22844 & sec 41 Pt secs 1, 2, 29 Pakuratahi Dist Blk XV Akatarawa SD - Animal Research Farm Sec 1 SO 24123 Sec 43 SO 23658 - Animal Research Station, Sec 3 Pakuratahi Dist Blk XV Akatarawa SD.	-	P	-
	Residential Activities			
	One dwelling per site	P	P	P
	One family flat in conjunction with a dwelling	P	P	P
	Family flat which does not meet permitted or controlled activity standards	RD	RD	RD
	Two or more dwellings on any one site	NC	NC	NC
	Other Activities			
	Home occupations incidental to residential activities carried out on the site	P	P	P
	Home occupations, ancillary to residential activities carried out on the site, which do not meet permitted or controlled activity standards	RD	RD	RD
	Visitor accommodation, other than as part of any home occupation	D	D	D
	Veterinary clinics	D	P	P
	Educational institutions and places of assembly	D	D	D
	Community facilities	D	D	D
	Tourism facilities	D	D	D

Land Use Activities	Rural Lifestyle	Rural Valley Floor	Rural Hill
Passive recreation activities	P	P	P
Active recreation activities	D	C	C
Signs	P	P	P
Signs which do not comply with permitted activity standards	RD	RD	RD
Removal of a building from a site	P	P	P
Establishment of a relocated building from another site	C	C	C
Buildings accessory to a permitted or controlled activity which do not comply with permitted or controlled activity standards	RD	RD	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	NC	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	RD	RD
Activities listed as permitted or controlled which do not comply with the relevant standards in this chapter, except as specified below	D	D	D
Activities listed as permitted or controlled which do not comply with the access standards in 19.8	RD	RD	RD
Activities which are not listed in this Table unless otherwise covered in the City-wide provisions of the Plan	NC	NC	NC

19.3 City-wide provisions

Each activity including subdivision in the Rural 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
24	Esplanade Reserves and Strips
25	Reserves and Leisure Facilities Contributions
25A	Temporary Events
26	Heritage Features

Chapter	City-wide provisions
27	Notable Trees
27A	Urban Tree Groups and Removal of Indigenous Vegetation
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

19.4 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

19.5 Minimum requirements for subdivision

Policies 5.4.1, 5.4.9

Zone	Minimum net site area	Shape factor
Rural Lifestyle	1ha	50m
Rural Valley Floor	4ha	N/A
Rural Hill	20ha	N/A
Exemptions		
These standards shall not apply to any lot for utility, reserve or conservation purposes.		

19.6 Subdivision which complies with the standards in rule 19.5 and 19.8, and subdivision of land for utilities, reserves or conservation purposes

Policies 5.4.12, 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.

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

Policies 9.4.3, 10.4.1

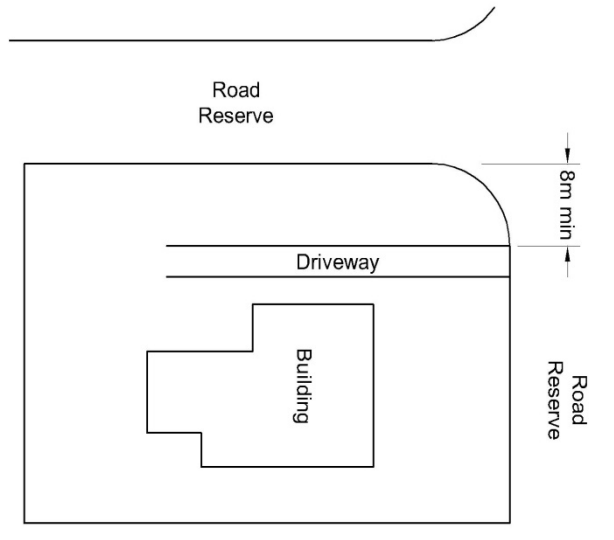
In addition to the matters listed in rule 19.6, Council may impose conditions over the following matters:

- 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.

19.8 Access standards for subdivision and land use activities

Policies 5.4.6, 9.4.3

- Access to any allotment, including rear lots, shall be sited at least 20m, measured along the road carriageway, from any access on an adjoining lot, unless the two access provisions join the road carriageway at a common point.
- 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.
- 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 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 site 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.

19.9

Setbacks

*Policies 5.4.1,
5.4.11*

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

Rural Hill Sub-zone - all boundaries:	12m
Rural Valley Floor Sub-zone - all boundaries:	12m
Rural Lifestyle Sub-zone - front boundary:	8m
Rural Lifestyle Sub-zone - all other boundaries:	3m

Notes:

- Sites of less than 1500m² in all Rural Sub-zones shall comply with the setback standards of the Residential Conservation Sub-zone.
- New dwellings shall not be built within 10m of an existing forest.

Exemptions:

- 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.

19.10

Building height

*Policies 5.4.1,
5.4.11, 5.4.12*

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

Exemption:

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

19.11

Sunlight Access

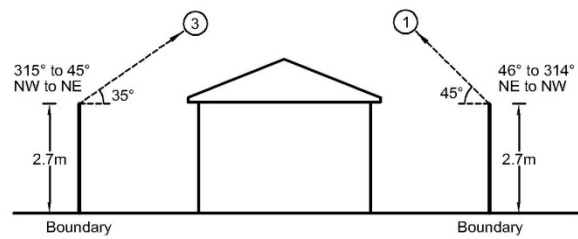
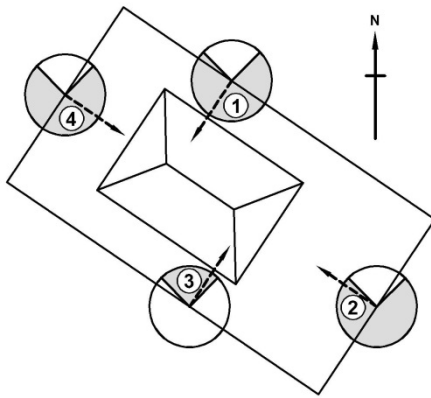
*Policies 4.4.4,
5.4.11, 5.4.12*

Height control planes apply to all buildings:

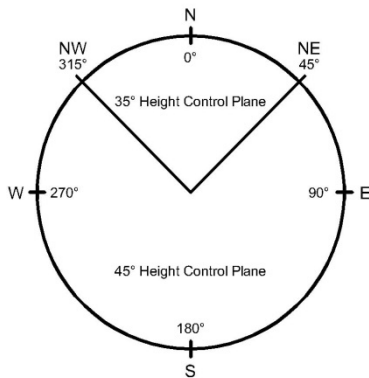
- Adjacent to a Residential Zone.
- On sites smaller than 1500m² in a Rural Zone.

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

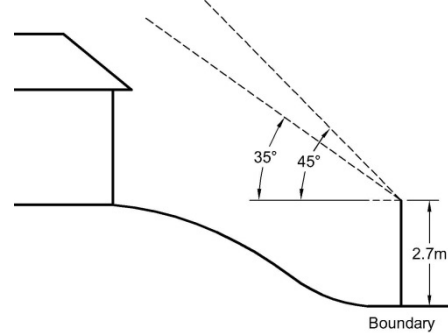
a) Height control planes in relation to site boundaries:



b) Determining which height control plane to use:



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



Exemptions:

- 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 0.5 m 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.

19.12

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.

19.13**Artificial light**

*Policies 5.4.1,
15.4.1*

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

19.14**Forestry**

*Policies 5.4.2, 5.4.4,
5.4.7, 5.4.8, 5.4.11*

- a) Forest owners and managers are expected to comply with the management and operational practices in the New Zealand Forest Code of Practice.
- b) There shall be a 10m non-millable buffer from any water body with a width greater than 1m.
- c) A buffer width of at least 10m is to be provided to any existing dwelling on another site.
- d) No less than 20 working days before harvesting any forest or section of a forest, the harvester shall submit a Forestry Harvesting Notice to the Council. This Notice shall contain the following information:
 - A description of the extent of the area to be harvested and the method of tree removal from the site.
 - The date of commencement and duration of the harvesting.
 - The expected volume of timber to be extracted.
 - The regularity of logging truck movements.
 - The roads proposed to be used for the cartage of timber or logs or machinery used in harvesting.
 - Appropriate measures to manage the adverse impacts of road use resulting from harvesting.

19.15**Home occupations ancillary to residential activities carried out on the site**

*Policies 5.4.11,
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.

19.16

Active recreation

Policy 5.4.11

Council may impose conditions on:

- Avoiding, remedying or mitigating adverse effects of the use on the locality.
- Traffic generation, car parking, access arrangements and on-site vehicle movements.
- Bulk, location, design and appearance of buildings.
- Hours of operation.
- Signage.
- Landscaping and screening.
- Servicing and infrastructure.
- Mitigation of noise effects.
- Financial contributions.

19.17

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.

19.18 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.

19.19 All other signs

*Policies 15.4.5,
16.4.4*

- One free-standing sign or painted wall or roof sign per site with a maximum face area of 3m² visible from any one direction.
- No part of a free-standing sign shall be more than 3.0m above ground level.
- Any sign 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 or directed at the State Highway 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.

19.20 Relocated Buildings

Policy 5.4.12

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

19.21 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 19.6, 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 of 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.

19.22 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.

19.23

Subdivision and land use activities which do not comply with the access standards in 19.8

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 19.6.

19.24

Family flats which do not comply with the permitted activity standards

Policy 15.4.1

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

19.25

Home occupations incidental to residential activities carried out on the site which do not meet permitted activity standards

*Policies 5.4.11,
15.4.1*

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.

19.26

Buildings accessory to a permitted or controlled activity which do not meet permitted or controlled activity standards

*Policies 5.4.12,
15.4.1,*

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 rural character and amenity.
- Financial contributions.

19.27

Signs which do not meet 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.

19.28

Subdivision of a site within the Pinehaven Catchment Overlay

Policy 9.4.10

Standards:

- Achieves hydraulic neutrality.
- Provision of a report by a suitably qualified and experienced person providing an assessment of the ability for the site to achieve hydraulic neutrality in accordance with the requirements of ~~2.6.9E~~ 1.8.11.
- Compliance with the standards of Rule 19.5.

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

- The matters contained in Rule 19.6.
- Ability for the subdivision and proposed design to ensure peak flow of stormwater discharge will be no greater than pre-subdivision levels and thus achieve hydraulic neutrality.
- The effect of the subdivision on the Pinehaven Flood Hazard Extent.
- Recommendations and mitigation measures of the hydraulic report.
- Consent notice restricting the future development of the lot to the design and recommendations of the hydraulic neutrality report.
- Matters addressing the standards for access under Rule 19.8 where any standards are not met.

19.29

Subdivision within the Ponding Area or Erosion Hazard Area of the Mangaroa Flood Hazard Extent which results in any undeveloped lots that contain no dwelling or non-residential building.

Policies 9.4.4, 9.4.5, 14.4.6

Standards:

- Where the proposed building platform is located within the Erosion Hazard Area, provision of a report by a suitability qualified and experienced person to determine the erosion risk is required in accordance with 2.6.9.D-1.8.10;
- Suitable future building platform area for the dwelling must be identified and must not be located within an overflow path or river corridor.
- Access serving the building platform is above the 1 in 100-year flood level and does not cross an overflow path or river corridor.
- Complies with the standards of Rule 19.5.

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

- The matters contained in Rule 19.6.
- The appropriateness of the proposed building platform in terms of area and location in relation to the flood hazard and/or erosion risk;
- Ability for a future dwelling to be constructed above the 1 in 100 year flood level.
- The effect of the future development of the building platform on the function of the floodplain.
- Consent notice restricting the future development to the identified platform.
- The suitability of the proposed access to the future building platform to facilitate access during a 1 in 100-year flood event and does not obstruct or divert floodwater flows within the Flood Hazard Extent.

Matters for Consideration

- 19.30** Matters that may be relevant in the consideration of any Discretionary or Non-Complying Activity resource consent may include the following:

Subdivision

- 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.
- Where located within the Mangaroa Flood Hazard Extent:
 - An assessment of the proposed access to the building platform to achieve suitable access during a 1 in 100-year flood event, and its effect on obstructing or diverting overflow paths or floodwater flows within the Flood Hazard Extent.
 - ability for the building platform to accommodate a future building with a finished floor level above the 1 in 100-year level
 - suitability of the proposed lot areas to accommodate future activities
 - Consent notice restricting the future development to the identified building platform area.

Access

- 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.

Intensive animal farming, including pig farming
<ul style="list-style-type: none"> • Whether amenities of the surrounding environment can be maintained. • Whether the effluent from the site can be discharged appropriately.
Forestry
<ul style="list-style-type: none"> • The method and timing of the activity. • The area to be cleared at any one time. • Traffic and access considerations and financial contributions regarding these. • Effects on the amenity of neighbouring residential properties.
Topsoil removal
<ul style="list-style-type: none"> • Whether the activity is to be the subject of a Management Plan to provide certainty as to the nature, timing and duration of ongoing activity, and a Rehabilitation Plan to show how the land will be restored to a state that respects the natural landform and ensures its long term sustainability for plant growth. • The nature and extent of effects on visual amenity or on sites or features of ecological, cultural or heritage value. • The nature and extent of effects on water bodies, including effects on water quality and the potential for flooding. • The extent to which the activity causes or exacerbates soil erosion or compromises the versatility of the soil resource. • Whether the activity includes measures to deal with the effects of wind blown soil and dust. • The effects of vehicle movements to, from and within the site. • Regard for the provisions of the Regional Soil Plan (including Appendix 3 'Guidelines for Topsoil Mining'). • The nature and effectiveness of measures to avoid, remedy or mitigate adverse effects. • Noise. • Financial contributions.
Active recreation
<ul style="list-style-type: none"> • The location, hours of operation and layout of facilities in relation to their noise effects on adjoining land uses. • Access and parking. • Timing and frequency of events.
Non-rural activities
<ul style="list-style-type: none"> • Whether the activity, buildings, structures or other works are of an appropriate scale having regard to the local landforms and the nature of the surrounding environment. • Whether the amenities and the quality of the rural environment can be maintained. • The potential impacts of noise, dust, glare, vibration, fumes, smoke, discharges or pollutants or the excavation or deposition of earth. • Traffic effects and access to formed, sealed roads. • Whether the site of any non-rural or residential use is appropriately located having regard to the scale of the building development proposed and the intensity of the activity. The Council will consider the extent to which any non-rural activity, building, dwelling or structure may hinder the continued operation of any lawfully established activity. • The extent to which landscape character and ecological values will be maintained or enhanced.

Dwellings
<ul style="list-style-type: none"> • Provision for effluent treatment, disposal and water supply. • The necessity for the number of dwellings proposed. • Whether the form, scale and character of the new buildings are compatible with those of the buildings in the immediate vicinity of the site.
Scale, bulk, location and appearance of buildings
<ul style="list-style-type: none"> • Whether the building design, appearance, location and scale detrimentally affects the character of the surrounding area. • Whether a better standard of development can be achieved by varying the design, location or size of the buildings. • The arrangement of buildings, car parks and vehicle movements on site. • Whether the topography of the site has been taken into account.
Amenity values
<ul style="list-style-type: none"> • Whether the proposed activity will have more than minor effect on the amenity values of the area in which it is to be located.
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.
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.

20 BUSINESS ZONE RULES

Activities Tables

Policies 6.4.1, 9.4.4, 9.4.5, 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
Subdivision in the Wallaceville Structure Plan Area that does not comply with the standards in rules 20.5 and 20.8 unless specified below	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
Subdivision in the Wallaceville Structure Plan Area that does not comply with the standards of rule 20.5 and 20.8	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
Subdivision within the Pinehaven Flood Hazard Extent	
<u>Subdivision within the ponding area the Pinehaven Flood Hazard Extent, which results in any undeveloped site that contains no building, and complies with the requirements of Rule 20.5</u>	RD

Subdivision within the Pinehaven Flood Hazard Extent which results in any undeveloped lots that contain no building, and does not comply with the requirements of Rule 20.5	NC
Subdivision within the Mangaroa Flood Hazard Extent	
Subdivision within the Erosion Hazard Area of the Mangaroa Flood Hazard Extent, which results in any undeveloped lots that contain no building, and complies with the requirements of Rule 20.5.	RD
Subdivision within the Mangaroa Flood Hazard Extent which results in any undeveloped lots that contain no building, where one or more of the following occurs: <ul style="list-style-type: none"> • does not comply with the requirements of Rule 20.5; • the proposed building platform is located within a river corridor. 	NC
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
The following retail activities: <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	-
Retail activity, restaurants, offices, early childhood centres, and residential accommodation above ground level on land identified in the Gateway Precinct of Wallaceville Structure Plan		P	-
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	-
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		D	-
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
Signs in the heritage covenant in the Gateway Precinct of the Wallaceville Structure Plan Area	RD	-
Buildings which do not comply with permitted or controlled activity standards	RD	RD
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	RD	-
In the Wallaceville Structure Plan Area demolition of buildings not listed as a significant heritage feature in Chapter 26	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
24	Esplanade Reserves and Strips
25	Reserves and Leisure Facilities Contributions
25A	Temporary Events
26	Heritage Features
27	Notable Trees
27A	Urban Tree Groups and Removal or Indigenous Vegetation
28	Southern Hills Overlay Area and Protected Ridgelines
29	Water Bodies
30	Utilities
30A	Renewable Energy Generation
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

Policy 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,
16.4.3

Council may impose conditions over the following matters:

- Design, appearance and layout of the subdivision.
- Landscaping.
- Provision of and effects on network 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.
- The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site.
- The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.

Note: Rule 20.28 covers subdivision within the Electricity Transmission Corridor.

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

Policies 6.4.3, 6.4.4, 9.4.3

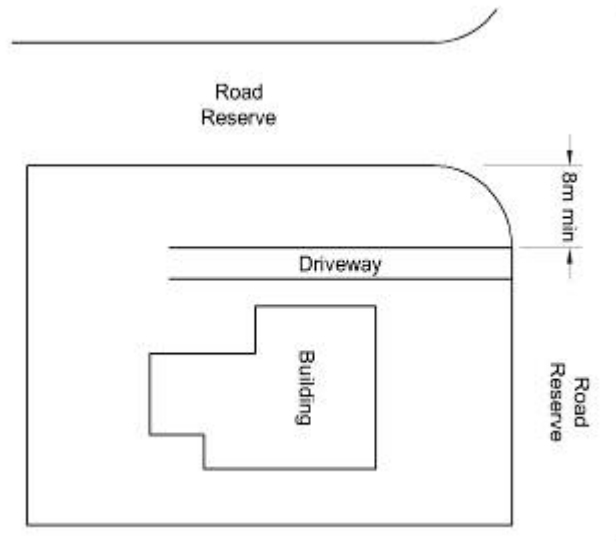
In addition to the matters outlined in rule 20.6, Council may impose conditions over the following matters:

- 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. 	

<ul style="list-style-type: none"> • All loading spaces are required to be formed and surfaced in accordance with the Code of Practice for Civil Engineering Works.
<ul style="list-style-type: none"> • 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.

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.

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:

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.

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.

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.

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.

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 many 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.

20.32

Subdivision within the ponding area of the Pinehaven Flood Hazard Extent, which results in any undeveloped site that contains no building, and complies with the requirements of Rule 20.5.

Policy 9.4.5

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

- The matters contained in Rule 20.6.
- The appropriateness of the proposed building platform in terms of area and location in relation to the flood hazard;
- Ability for a future building to be constructed above the 1 in 25-year flood level;
- The effect of the future development of the building platform on the function of the floodplain;
- Consent notice restricting the future development to the identified platform.
- Matters addressing the standards for access under Rule 20.8 where any standards are not met.

20.33

Subdivision within the Erosion Hazard Area of the Mangaroa Flood Hazard Extent, which results in any undeveloped lots that contain no building, and complies with the requirements of Rule 20.5.

Policies 9.4.4,
9.4.5

Standards:

- Suitable future building platform area must be identified and must not be located within the River Corridor;
- Where the proposed building platform is located within the Erosion Hazard Area, provision of a report by a suitability qualified and experienced person to determine the erosion risk to the proposed building platform is required in accordance with 2.6.9.D 1.8.10;

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

- The matters contained in Rule 20.6.
- The appropriateness of the proposed building platform in terms of area and location in relation to the flood hazard;
- Ability for a future building to be constructed above the 1 in 100-year flood level;
- The effect of the future development of the building platform on the function of the floodplain;
- Consent notice restricting the future development to the identified platform.
- The suitability of the proposed access to the future building platform

to facilitate access during a 1 in 100-year flood event and does not obstruct or divert floodwater flows within the Flood Hazard Extent.

Matters for Consideration

20.34 Matters that may be relevant in the consideration of any Discretionary or Non-Complying Activity resource consent may include the following:

Subdivision

- 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.
- The design and layout of the subdivision where any lot may affect the safe and effective operation and maintenance of, and access to, regionally significant network utilities (excluding the National Grid), located on or in proximity to the site.
- The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.
Note: Rule 20.28 covers subdivision within the Electricity Transmission Corridor.
- The design and layout of the subdivision where any lot may affect the safe and effective operation and maintenance of, and access to, consented or existing renewable energy generation activities located on or in proximity to the site.
- The outcome of consultation with the owner or operator of consented or existing renewable energy generation activities located on or in proximity to the site.
- Account must be taken of the future development potential of adjoining or adjacent land.
- Account must be taken of any potential reverse sensitivity effects on regionally significant network utilities (excluding the National Grid).
- Where located within an identified flood hazard extent, any relevant matters of discretion identified under Rules 20.32 and 20.33.

Access

- 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.

Subdivision and/or Development in the Gateway Precinct of the Wallaceville Structure Plan Area

- The extent to which the subdivision and/or development is consistent with the Wallaceville Structure Plan
- 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.



23**RULES FOR EARTHWORKS****Activities Tables**

Policies 9.4.1, 9.4.2, 9.4.6, 9.4.7, 9.4.8, 9.4.9, 12.4.8, 16.4.7

23.1	Earthworks	All Zones
	Earthworks which meet the standards under rules 23.2 – 12.11 23.17	P
	Earthworks on a site identified in Schedule 26.8 or affecting a tree identified in Schedule 27.7 or 27A.14 For the purposes of this rule, the following exclusion applies: Earthworks undertaken by a network utility operator affecting a tree identified in Schedule 27A.14 when undertaken in compliance with the rules of Chapters 27A.	D
	Earthworks which do not meet the standards under rules 23.2 – 23.11, 23.17 (unless specifically identified as a Discretionary or Non-Complying Activity)	RD
	Earthworks within an area identified as Southern Hills Overlay Area which meet the standards under rules 23.2 to 23.13	P
	Earthworks within an area identified as Southern Hills Overlay Area which do not meet any one or more of the standards under rules 23.2 to 23.11, but meet the standards under rules 23.12 and 23.13	RD
	Earthworks within an area identified as Southern Hills Overlay Area which do not meet any one or more of the standards under rules 23.2 to 23.13	D
Earthworks within the Pinehaven Flood Hazard Extent		
	Earthworks within the ponding area of the Pinehaven Flood Hazard Extent which are directly required for the building platform associated with the alteration and addition to existing buildings, including new accessory buildings, and are less than 20m ² in area.	P
	Earthworks associated with the flood mitigation works within the Pinehaven Flood Hazard Extent.	P
	Earthworks associated with the maintenance, upgrade or installation of network utilities within the ponding area, overflow path or stream corridor of the Pinehaven Flood Hazard Extent where earthworks are located within the legal road reserve, and complies with standards under Rule 23.17.	P
	All earthworks not associated with permitted building extensions (up to 20m ²) or flood mitigation works within the ponding area of the Pinehaven Flood Hazard Extent.	RD

Earthworks within the Pinehaven Flood Hazard Extent (excluding those associated with flood protection works and network utilities identified as permitted activities), which are within the overflow path or stream corridor.	NC
Earthworks within the Mangaroa Flood Hazard Area	
Earthworks within the Ponding Area of the Mangaroa Flood Hazard Extent, except in the Residential Zone, are a Permitted Activity where the proposal complies with the relevant zone standards for Permitted Activities	P
Earthworks associated with flood mitigation works within the Mangaroa Flood Hazard Extent	P
Earthworks associated with the maintenance, upgrade or installation of network utilities within the overflow path or river corridor of the Mangaroa Flood Hazard Extent where earthworks are located within the legal road reserve, and complies with the standards under Rule 23.17.	P
Earthworks within the Ponding Area (excluding the Erosion Hazard Area) of the Mangaroa Flood Hazard Extent where one of the following applies; <ul style="list-style-type: none"> the proposal does not meet the Permitted Activity earthworks standards for the relevant zone, or the proposal is within the Residential Zone; 	RD
Earthworks within the Erosion Hazard Area of the Mangaroa Flood Hazard Extent.	RD
Earthworks within an Overflow Path of the Mangaroa Flood Hazard Extent (excluding those associated with network utilities that are otherwise identified as a Permitted Activity).	D
Earthworks within the River Corridor of the Mangaroa Flood Hazard Extent (excluding those associated with network utilities that are otherwise identified as a Permitted Activity).	NC
Note:	
<p>For the purposes of this Plan, earthworks are defined as:</p> <p><i>‘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’.</i></p>	

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

Standards for Permitted Activities

Earthworks

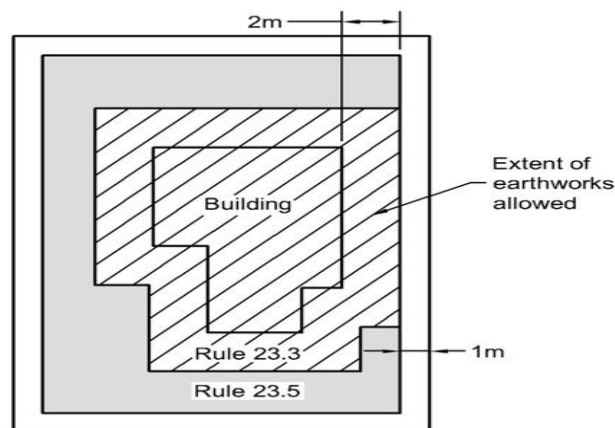
23.2

*Policies 9.4.1,
9.4.2*

In the Residential, Business and Special Activity Zones, existing ground level shall not be altered by cutting by a vertical height of more than 1.5m, or filling by a vertical height of more than 0.5m.

Exemption:

The above shall not apply where the area of earthworks for a specific building extends no more than 2 metres beyond the exterior foundations of the proposed building but no closer than 1 metre to a boundary and complies with an earthworks plane (as defined in Chapter 2) measured from a height of 1.5 metres at the ground level boundary and an angle of 45° into the site.



23.3

*Policies 9.4.1,
9.4.2*

In the Open Space and Rural Zones, existing ground level shall not be altered by cutting or filling by a vertical height of more than 1.5m.

Exemption:

The above shall not apply where the area of earthworks for a specific building extends no more than 2 metres beyond the exterior foundations of the proposed building but no closer than 1 metre to a boundary and complies with an earthworks plane (as defined in Chapter

2) measured from a height of 1.5 metres at the ground level boundary and an angle of 45° into the site.

23.4

Policies 9.4.1, 9.4.2

The physical extent of earthworks shall not exceed 150m² in surface area on any one site within any continuous 12 month period.

Exemption:

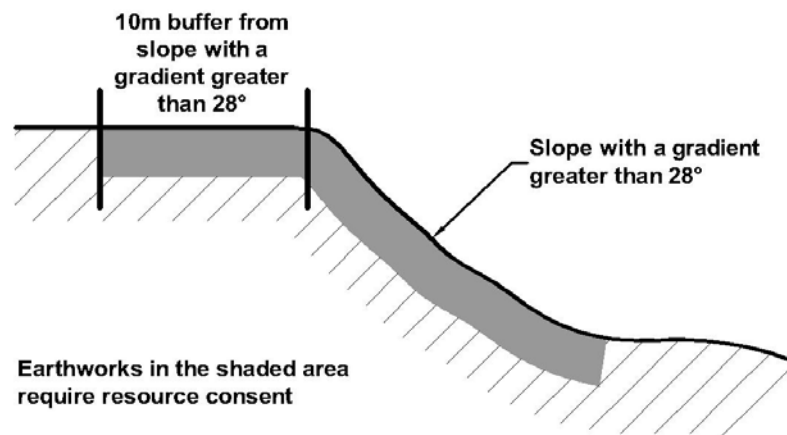
In the Residential, Business, Special Activity and Rural Zones, earthworks exceeding the foundations of a specific building by more than 2 metres are exempt from the 150m² surface area limit provided that the earthworks beyond the 2 metre foundation line of a building:

- do not exceed a vertical cut height of 1.5m or a vertical fill height of 0.5m; and
- do not go closer than 1 metre to any boundary; and
- comply with an earthworks plane (as defined in Chapter 2) measured from a height of 1.5 metres at the ground level boundary and an angle of 45° into the site.

23.5

Policies 9.4.1, 9.4.2

Earthworks shall not be undertaken on erosion prone land, identified as land with a gradient steeper than 28 degrees, or within 10m of a downhill slope with a gradient steeper than 28 degrees (see diagram below).



23.6

Policies 9.4.1, 9.4.2

Earthworks shall not be undertaken within 10m of any water body (measured from the bank of the water body), or within the 1 in 100 year flood extent of the Hutt River (as defined on the Planning Maps).

23.7

Policies 9.4.1, 9.4.2

Sediment retention and run-off controls shall be implemented to ensure there is no contamination of natural water by sediment.

23.8 Earthworks which are not being worked for three months or more, shall be hydroseeded or sown in order to achieve ground cover.

*Policies 9.4.1,
9.4.2*

23.9 Earthworks shall be undertaken in accordance with the relevant provisions of the Code of Practice for Civil Engineering Works.

*Policies 9.4.1,
9.4.2*

Exemption:

The above standards shall not apply to earthworks for flood mitigation purposes undertaken or approved by a local authority.

23.10 Stormwater resulting from earthworks development is to be controlled and managed so as to avoid, remedy or mitigate adverse effects on other land.

*Policies 9.4.1,
9.4.2*

23.11 Within 12m of high voltage (110kV or greater) electricity transmission lines, earthworks shall not be undertaken that:

Policy 16.4.7

- a) Are at a depth greater than 300mm within 6m of the outer visible edge of a tower support structure; or
- b) Are at a depth greater than 3m between 6m and 12m of the outer visible edge of a tower support structure; or
- c) Create an unstable batter; or
- d) Result in a reduction of the existing conductor clearance distances.

Exemptions:

- The above standard shall not apply to earthworks undertaken by utility operators.
- The above standard shall not apply to normal agricultural or domestic cultivation or repair, sealing, resealing of an existing road, footpath or driveway.

Restriction on notification

Subject to sections 95A(2)(b), 95A(2)(c), 94A(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.

Earthworks within an area identified as Southern Hills Overlay Area

23.12

*Policy 9.4.1,
9.4.2 & 12.4.8*

Within an area identified as Southern Hills Overlay Area, existing ground level shall not be altered by cutting or filling by a vertical height of more than 2.5m.

23.13

*Policy 9.4.1,
9.4.2 & 12.4.8*

Within an area identified as Southern Hills Overlay Area, the physical extent of earthworks shall not exceed 300m² in surface area on any one site within any continuous 12 month period.

23.14

Policy 9.4.9

Earthworks associated with flood mitigation works within the Pinehaven or Mangaroa Flood Hazard Extents.

Must be undertaken by Greater Wellington Regional Council, Upper Hutt City Council or their nominated contractor and be for the express purpose of mitigating the identified flood hazard and, where applicable, achieving the design and objectives of the relevant floodplain mitigation plan.

23.15

*Policies 9.4.7,
9.4.8*

Earthworks within the ponding area of the Pinehaven Flood Hazard Extent which are directly required for the building platform

Within the ponding area of the Pinehaven Flood Hazard Extent, earthworks directly required for the building platform associated with the alteration and addition to existing buildings, including new accessory buildings, are a permitted activity provided they are 20m² or less in area providing they comply with the following standards:

- Earthworks must be directly associated with the building platform of the proposed extension or alteration or new accessory building provided for as a permitted activity under Rule 33.2, and
- The earthworks cannot exceed 20m² in area; and
- The earthworks must not be within the stream corridor or an overflow path.

23.16

*Policy 9.4.6,
9.4.7, 9.4.8*

Earthworks within the Ponding Area of the Mangaroa Flood Hazard Extent, except in the Residential Zone, where the proposal complies with the relevant zone standards for Permitted Activities.

The earthworks are required to comply with the following standards

- Must not be within the Erosion Hazard Area, River Corridor or Overflow Path; and

- Must not be located in a Residential Zone; and
- Complies with the relevant earthworks zone standards for Permitted Activities.

23.17

Policy 9.4.6,
9.4.7, 9.4.8,
16.4.18

Earthworks associated with the maintenance, upgrade or installation of network utilities within the identified Pinehaven and Mangaroo Flood Hazard Extents where earthworks are located within the legal road reserve;

Standards

- Ground levels are reinstated to those existing prior to the works; or
- Earthworks are associated with the installation of underground utilities using directional drilling or thrusting techniques.

Restricted Discretionary Activity

23.17~~8~~

Earthworks which do not meet the standards under rules 23.2 – 23.11

*Policies 9.4.1,
9.4.2, 16.4.7*

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

- Avoiding, remedying or mitigating effects related to the standard in question.
- Financial contributions.

23.18~~9~~

Earthworks within an area identified as Southern Hills Overlay Area which do not meet the standards under rules 23.2- 23.11, but meet the standards under rules 23.12 and 23.13

*Policies 9.4.1,
9.4.2, 12.4.8*

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

- Avoiding, remedying or mitigating effects relating to the standard in question.
- Effects on visual values.
- Effects on landscape values.
- Effects on ecological values.
- Measures to avoid, remedy or mitigate potential adverse effects.

23.19~~20~~

Policy 9.4.2,
9.4.6, 9.4.7,
9.4.8

All earthworks not associated with permitted building extensions (up to 20m²) or flood mitigation works within the ponding area of the Pinehaven Flood Hazard Extent

Standard:

- Must not be within the stream corridor or an overflow path.

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

- Height of cut or fill and area of earthworks above ground level.
- Earthworks stability.
- Erosion and sediment control.
- Effect on the flooding risk to people and property
- Permanent surface treatment of earthwork area.
- Avoiding, remedying or mitigating effects related to the standard in question.
- Financial contributions.

23.2021
Policies 9.4.6,
9.4.7, 9.4.8

Earthworks within the Ponding Area (excluding the Erosion Hazard Area) of the Mangaroa Flood Hazard Extent where one of the following applies;

- **the proposal does not meet the Permitted Activity earthworks standards for the relevant zone, or**
- **the proposal is within the Residential Zone;**

Standards:

- Must not be within the Erosion Hazard Area, an Overflow Path or the River Corridor.

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

- Height of cut or fill and area of earthworks above ground level.
- Earthworks stability
- Erosion and sediment control
- Effect on the flood risk to people and property
- Permanent surface treatment of earthwork area
- Avoiding, remedying or mitigating effects related to the standard in question.
- Financial contributions.

23.2122
Policies 9.4.6,
9.4.7, 9.4.8

Earthworks within the Erosion Hazard Area of the Mangaroa Flood Hazard Extent are a Restricted Discretionary Activity in all zones.

Standards:

- Where the proposal is located within the Erosion Hazard Area, provision of a report by a suitably qualified and experienced person to determine the erosion risk is required in accordance with the requirements of 2.6.9D 1.8.10;
- Must not be within the River Corridor or an Overflow Path (but includes ponding areas within the Erosion Hazard Area).

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

- Effect on slope stability and appropriateness of the works based on the provided report required by 2.6.9D-1.8.10
- Height of cut or fill and area of earthworks above ground level
- Erosion and sediment control
- Effect on the flood risk to people and property
- Permanent surface treatment of earthwork area
- Financial contributions

Matters for Consideration

23.22~~22~~23

Matters that may be relevant in the consideration of any Discretionary or Non-Complying Activity resource consent may include the following:

Earthworks

- The extent to which any cut or fill will remove existing vegetation, alter existing landforms, affect water quality, cause or contribute to land instability, soil erosion or affect existing natural features, such as water bodies.
- The effect of any cut or fill on any stands of important indigenous vegetation, or sites, buildings or places of scientific, cultural or heritage value.
- The extent to which any cut or fill can be restored or treated to resemble natural landforms.
- The extent to which the proposed earthworks will impact on prominent or visually sensitive features, such as ridgelines, escarpments, water bodies, or high visual and/or landscape value areas identified within the Southern Hills Overlay Area.
- The proposed methods and timing to avoid, remedy or mitigate potential adverse effects including rehabilitation, re-contouring and re-vegetation or retention of existing vegetation.
- The necessity for carrying out the work, and extent to which the earthworks are required.
- Whether the earthworks proposed increase or decrease flood hazards.
- The time period when the soil will be exposed.
- Traffic movements.
- Noise.
- Dust.
- The findings of any assessment prepared by a suitably qualified expert ecologist or landscape planner, either commissioned by Council or accompanying a resource consent application.
- The Southern Hills Environmental Management Study prepared for Upper Hutt City Council by Boffa Miskell Ltd July 2008
- Effect on the diversion or obstruction of flood waters in the overflow path and stream/river corridors and proposed measures to mitigate the effect on the function of the floodplain.
- Effect of the flood risk to people and property.

30**RULES FOR NETWORK UTILITIES****Activities Table**

Policies 16.4.1, 16.4.2, 16.4.7, 16.4.8, 16.4.9, 16.4.12

30.1	Activities	Status	Zone
Removal, maintenance, operation and upgrading			
	The removal of existing network utilities, including any existing structures	P	All
	The operation and maintenance of network utilities	P	All
	The minor upgrading of existing electricity and telecommunication lines	P	All
	The upgrading of all other network utilities, excluding: <ul style="list-style-type: none"> • electricity and telecommunication lines and • gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals. 	P	All
	The removal, operation and maintenance of network utilities and the minor upgrading of electricity and telecommunication lines that does not meet permitted activity standards	C	All
	The upgrading of network utilities that do not meet the permitted activity standards, excluding: <ul style="list-style-type: none"> • electricity transmission lines above 110kV; and • gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals. 	RD	All
	The upgrading of: <ul style="list-style-type: none"> • electricity transmission lines above 110kV; and • gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals. 	RD	All
Subdivision			
	Subdivision for the purpose of accommodating any network utility	C	All
General			
	Cabinets and other network utility structures not otherwise listed in this table that meet the relevant standards	P	All
	Network utilities located within existing buildings	P	All
	Aerial crossings necessary for network utilities, located on or within existing bridges and structures or across watercourses, and including regulator stations, but not compressor stations.	P	
	Cabinets and other network utility structures not otherwise listed in this table that do not meet all of the relevant standards.	RD	All
	All network utilities that are not otherwise listed as a permitted, controlled, restricted discretionary or non-complying activity	D	All

All network utilities which do not comply with the permitted activity standards for radiofrequency and electro-magnetic fields in standard 30.3.	NC	All
Underground Utilities		
The construction, installation and development, of new underground network utilities, except for: <ul style="list-style-type: none"> • electricity transmission lines above 110kV; and • gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals. 	P	All
Radiocommunication, Telecommunication and Electricity Distribution and Transmission		
Masts with or without associated antennas	P	Rural Business Special Activity
Masts with or without associated antennas which meet the criteria in Rule 30.14	RD	Residential Open Space
Antenna and support structure(s) attached to buildings	P	All
Masts, with or without associated antennas that do not comply with the standards to be a permitted activity.	RD	Rural Business Special Activity
Antenna and support structure(s) attached to buildings that do not comply with the standards to be a permitted activity.	RD	All
New above ground lines, excluding electricity transmission lines above 110kV.	P	Rural Open Space
Minor above ground lines	P	All
Temporary above ground lines	P	All
New or additional above ground lines that are not otherwise permitted, or restricted discretionary activities	D	All
New and additional lines (above ground and underground) and support structures for conveying electricity at a voltage above 110kV	D	All
New and upgraded transformers, substations and switching stations distributing electricity and ancillary buildings, except for those encased within a cabinet or located on a line that is otherwise a permitted activity.	D	All
Gas Distribution and Transmission		
Underground gas distribution and transmission pipelines at a pressure not exceeding 2000 kilopascals, including aerial crossings of bridges, structures or streams, and ancillary equipment, including regulator stations but not compressor stations.	P	All
Underground gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals, including aerial crossings of bridges, structures or streams, and ancillary equipment, including compressor compounds with compressor houses	RD	All

Water, Wastewater and Stormwater		
Water reservoirs	RD	All
Water and wastewater treatment plants	D	All
Meteorological Activities		
Meteorological enclosures and buildings; automatic weather stations and anemometer masts, voluntary observer sites and associated microwave links	P	All
Meteorological enclosures and buildings, automatic weather stations and anemometer masts voluntary observer sites and associated microwave links that are not permitted activities	RD	All
Roading, and Traffic and Transport Structures		
Traffic control signals and devices, light and decorative poles and associated structures and fittings, post boxes, landscaped gardens, artworks and sculptures, bus stops and shelters, phone boxes, public toilets, road furniture located within the road reserve or rail corridors	P	All
The construction, alteration or diversion of roads, but excluding any such construction works which are part of a subdivision	D	Business Rural Residential
The construction, alteration or diversion of roads, but excluding any such construction works which are part of a subdivision	NC	Open Space
Extreme Adverse Weather Warning Devices		
Extreme adverse weather warning devices	P	All

Notes:*Resource Management Regulations – National Environmental Standards*

The operation, maintenance, upgrading, relocation or removal of an electricity transmission line and ancillary structures that existed prior to 14 January 2010 is largely controlled by the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009, separate to this District Plan.

The installation and operation of telecommunications facilities (antennas attached to existing structures and cabinets in the road reserve) is largely controlled by the Resource Management (National Environmental Standards for Telecommunications Facilities) Regulations 2008, separate to this District Plan. It also controls all radio-frequency emissions from telecommunication facilities through specific exposure standards.

Upper Hutt City Council is responsible for enforcing these standards. For clarification, where there is conflict or perceived conflict between the provisions of this Plan and the requirements of the NESs identified above, the provisions of the NES shall apply.

The National Environmental Standards are available for viewing at www.mfe.govt.nz and at Upper Hutt City Council offices.

Other Relevant Regulations

Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34:2001 is mandatory for buildings, earthworks and mobile plants within close proximity to all electricity lines.

Compliance with the Electricity (Hazards from Trees) Regulations 2003 is mandatory for tree trimming and planting in proximity to electricity transmission and distribution lines.

To discuss works, including tree planting, near electrical lines especially within 20m of those lines, contact the line operator.

The following two standards are relevant for work in proximity to gas pipelines:

- NZS/AS 2885 Pipelines – Gas and Liquid petroleum
- NZS 5258:2993 Gas Distribution Network

Upper Hutt City Council is not responsible for enforcing these regulations or standards.

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

30.1A City-wide provisions

Each activity 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
26	Heritage Features
27	Notable Trees
28	Southern Hills Overlay Area and Protected Ridgelines
32	Noise and Vibration
33	Flooding and Fault Band Hazards
34	Hazardous Substances and Contaminated Land

Standards for Permitted Activities

30.2

*Policy 16.4.4,
16.4.6, 16.4.12*

Development associated with network utilities shall comply with the Council's Code of Practice for Civil Engineering Works where that development involves assets which are managed by or to be vested in Council.

30.3

Health and Safety

*Policy 16.4.12,
16.4.13*

Where relevant, network utilities shall comply with the following standards:

- a) The maximum exposure levels shall not exceed the levels specified in NZS 2772:1999
- b) Network utilities that emit electric and magnetic fields shall comply with the International Commission on Non-ionising Radiation Protection Guidelines for limiting exposure to time-varying electric and magnetic fields (1 Hz – 100 Hz), Health Physics 99(6):818-836; 2010, and the recommendations from the World Health Organisation monograph Environmental Health Criteria (No 238, 2007).

Note: The Resource Management (National Environmental Standards for Telecommunications Facilities) Regulations 2008, separate to this District Plan controls all radio-frequency emissions from telecommunication facilities through specific exposure standards.

30.4

Maximum Height of Network Utilities

Policy 16.4.12

The maximum height of any utility structure listed in the table below shall include any antenna and support structures and exclude any lightning rod.

Network Utility	Business - CBD	Business	Residential	Rural	Open Space	Special Activity
Masts, antennas, lines and single-pole support structures	20m	25m	n/a	15m	n/a	20m 15m in the St Patrick's Estate Area
Masts and antennas (where there are two or more providers)	25m	30m	n/a	20m	n/a	25m (other than in the St Patrick's Estate Area)

Maximum height of an antenna and support structure measured from the highest point of the building to which it is attached.	5m		3.5m		
Cabinets, and network utility structures located within road reserve, that are not otherwise provided for	2.0m	1.8m	2.0m		
Cabinets, and network utility structures, that are not otherwise provided for.	3.5m				
Anemometer masts	15m	30m	12m	15m	12m
Maximum height of an extreme adverse weather measured from the point of attachment.	4m				

30.5**Maximum Size and Diameter of Network Utilities**

Policy 16.4.12

The maximum size and diameter of network utilities for each zone is outlined in the table below.

Network Utility	CBD	Business	Residential	Rural	Open Space	Special Activity
Masts	Diameter of mast <600mm from 6m in height	Diameter of mast 1.5m	n/a	Diameter of mast <600mm from 6m in height	n/a	Diameter of mast 1.5m Except in the St Patrick's Estate Area: Diameter of mast <600mm from 6m in height

Masts (where there are two or more providers)	Diameter of mast <600mm from 6m in height	Diameter of mast 1.5m	n/a	Diameter of mast <600mm from 6m in height	n/a	Diameter of mast 1.5m
Antenna attached to masts	Antenna located within a horizontal diameter circle of 750mm around the mast	Antenna located within a horizontal circle of 5m around the mast	n/a	Antenna located within a horizontal circle of 5m around the mast	n/a	Antenna located within a horizontal circle of 5m around the mast Except In the St Patrick's Estate Area - Antenna located within a horizontal circle of 750mm around the mast
Antenna attached to buildings	Antenna diameter of 2m or area of 1.8m ²	Antenna diameter of 1m or area of 0.8m ²	Antenna diameter of 1.3m or area of 1.2m ²	Antenna diameter of 1m or area of 0.8m ²	Antenna diameter of 2m or area of 1.8m ²	Antenna diameter of 2m or area of 1.8m ²
Cabinets, and network utility structures located within road reserve (not otherwise provided for)	2m ²	1.4m ²	2m ²	2m ²	2m ²	2m ²

Network Utility	CBD	Business	Residential	Rural	Open Space	Special Activity
Cabinets and other network utility structures (not otherwise provided for) that are not located within road reserve						15m ²
Cabinets located within the road reserve containing an electricity distribution substation						5m ²
Meteorological enclosures and buildings						30m ²
Extreme adverse weather warning devices						No greater dimension than 2.5m x 1.5m

30.6

Separation distance and setbacks from boundaries

Policy 16.4.12

No network utilities shall be located within an esplanade or strip.

The following table applies to masts and antenna attached to masts and any cabinet or other network utility structure that is over 5m² in area with a height of more than 1.2m that are not located in the road reserve or rail corridor:

Zone	Setback distance or setback for masts and antenna attached to masts	Setback distance or setback for cabinets and other network utility structures
All	Not located within an esplanade reserve or strip	
Business	No less than 10m from a Residential	No less than 2 metres to any

	Zone boundary	boundary in a Rural, Residential, Open Space and Special Activity Zone and to a road or service lane boundary.
Rural	No less than 10m from any property boundary Under 15m in height - no less than 20m from the closest wall of a dwelling (excluding balconies and decks) Over 15m in height – no less than 50m from the closest wall of a dwelling (excluding balconies and decks)	No less than 2 metres to all boundaries
Residential, Open Space and Special Activity	No less than 10m from a Residential or Rural Zone boundary.	No less than 2 metres to all boundaries

30.7 Specific standards for temporary above ground lines

Policy 16.4.12,
16.4.15

The line(s) shall be in place for no longer than six calendar months from the date of erection until its removal.

30.8 Where any work is undertaken on a road or service lane the persons responsible for the work shall notify Council at least 10 working days before work begins.

Policy 16.4.4,
16.4.16

30.8a Network utility structures (excluding cabinets) that:

Policy 16.4.18

- crossing a stream or river, and,
 - are within an identified flood hazard area;
- must either:
- be located underground or positioned above the 1 in 100-year flood level (except when attached to existing lawfully established crossing structures such as bridges in which case the Network utility structure must not be fixed or positioned any closer to the stream bed or river bed than the lowest point of the existing crossing structure).

Controlled Activities

30.9 The removal, operation and maintenance of network utilities and the minor upgrading of electricity and telecommunication lines

Policy 16.4.8,
16.4.9, 16.4.12

that does not meet permitted activity standards

Council may impose conditions over the following matters:

- Earthworks and sediment and erosion control;
- Noise
- Any adverse effects on a heritage site or area of native vegetation

30.10

Subdivision for the purpose of accommodating any network utility

Policy 16.4.8,
16.4.9, 16.4.12

Council may impose conditions over the following matters:

- Site design, frontage and area;
- Legal and physical access to the lots;
- Risks to public health and safety;
- Earthworks and sediment and erosion control;
- Landscaping and screening;
- Traffic and parking management;
- The imposition of financial contributions in accordance with Part E of this Plan.
- Any adverse effects on a heritage site or area of native vegetation.

Restricted Discretionary Activities

30.11

The upgrading of network utilities that do not meet the permitted activity standards, excluding:

Policy 16.4.8,
16.4.9, 16.4.12

- **Electricity transmission lines above 110kV; and**
- **Gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals**

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

- The degree, extent and effects of the non-compliance with the Permitted Activity Standards
- The extent to which there are difficult ground conditions, technical or financial constraints that make compliance impracticable/ unreasonable
- Earthworks and erosion and sediment control
- Any adverse effects on an identified heritage site or an area of

native vegetation.

30.12

*Policy 16.4.8,
16.4.9, 16.4.12*

The upgrading of:

- **Electricity transmission lines above 110kV; and**
- **Gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals**

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

- Risks to public health and safety
- Rehabilitation of the site following any construction or future maintenance period.
- The extent to which the affected persons / community has been consulted with.
- Earthworks and erosion and sediment control.
- Any potential interference with public use and enjoyment of the land and the operation of land uses in the vicinity
- Any adverse effects on an identified heritage site or an area of native vegetation
- Local, national and / or regional benefits derived from the activity
- Any constraints arising from technical and operational requirements of the network which may limit measures to avoid, remedy or mitigate environmental effects.

30.13

Cabinets and other network utility structures not otherwise listed in this table that do not meet all of the relevant standards.

Policy 16.4.8,
16.4.9,
16.4.12, **16.4.18**

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

- The degree, extent and effects of the non-compliance with the Permitted Activity Standards
- Risks to public health and safety
- Any effect on heritage and cultural values
- Design and external appearance
- Visual effect including impacts on:
 - The residential and recreational use of land in the vicinity of the proposed utility;
 - The existing character, landscape, streetscape and amenity values of the locality;
 - Key public places, public viewing points and significant recreational areas
- Amenity effects, including noise vibration, odour, dust, earthworks and lighting
- Any potential interference with public use and enjoyment of the land and the operation of land uses in the vicinity
- Measures to mitigate the bulk and scale of the utility, including screening, colour and finish treatment, earth mounding and/or planting, viewing distances, the location of support structures
- Whether the size and scale of the proposal is generally compatible with other development in the area

- Any adverse effects on traffic and pedestrian safety including sight lines and the visibility of traffic signage.
- The extent to which the affected persons/community has been consulted with.
- **Except in the case of cabinets, where located within an identified Flood Hazard Extent:**
 - ~~Whether~~ **The extent to which the utility or network utility structure will be adversely impacted during a flood event;**
 - ~~Where proposed to cross a river or stream, the extent to which whether~~ **the Network Utility Structure will adversely contribute to blockages or obstructing flood flows;**
 - ~~Whether~~ **The extent to which the utility will adversely impact the flood hazard area, exacerbating the effect on people and property on adjacent sites and/or adversely affect the function of the flood hazard extent.**
 - **The extent to which location the Network Utility Structure within the Flood Hazard Extent will provide any local, regional or national benefit.**
 -

30.14

*Policy 16.4.8,
16.4.9, 16.4.12*

Masts, with or without associated antennas which meet the following criteria:

- **Have a maximum height of 12m**
- **The diameter of the mast is <600mm, from 6m in height above ground level**
- **The antenna are located within a horizontal circle of 750mm**
- **Are located no less than 10m from a Residential or Rural Zone boundary**

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

- Risks to public health and safety
- The maximum height, area or diameter of any antenna
- Design and external appearance
- Any effect on heritage and cultural values
- Visual effects including impacts on:
 - The residential and recreational use of land in the vicinity of the proposed utility;
 - The existing character, landscape, streetscape and amenity values of the locality;
 - Key public places, public viewing points, and significant recreational areas
- Amenity effects, including noise, vibration, odour, dust, earthworks and lighting
- Cumulative effects

- Whether the size and scale of the proposal is generally compatible with other development in the area
- Any adverse effects on traffic and pedestrian safety including sight lines and the visibility of traffic signage
- The extent to which alternative locations, routes or other options have been appropriately considered
- Any potential interference with public use and enjoyment of the land and the operation of land uses in the near vicinity
- The extent to which it is technically, economically and practically reasonable for the masts or antennas can be co-sited with similar structures or other buildings.
- The extent to which the affected persons/community has been consulted with.

30.15

Masts, with or without associated antennas that do not comply with the standards to be a permitted activity.

*Policy 16.4.8,
16.4.9, 16.4.12*

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

- The degree, extent and effects of the non-compliance with the Permitted Activity Standards
- Risks to public health and safety
- The maximum height of the mast and area or diameter of any antenna
- The maximum height, area or diameter of any antenna
- Any effect on heritage and cultural values
- Visual effects including impacts on:
 - The residential and recreational use of land in the vicinity of the proposed utility;
 - The existing character, landscape, streetscape and amenity values of the locality;
 - Key public places, public viewing points and significant recreational areas
- Amenity effects, including noise, vibration, odour, dust, earthworks and lighting
- Cumulative effects
- Any potential interference with public use and enjoyment of the land and the operation of land uses in the near vicinity
- Measures to mitigate the bulk and scale of the utility, including screening, colour and finish treatment, earth mounding and / or planting, viewing distances, the location of support structures.
- Whether the size and scale of the proposal is generally compatible with other development in the area.
- Any adverse effects on traffic and pedestrian safety including sight lines and the visibility of traffic signage.

- The extent to which alternative locations, routes or other options have been appropriately considered.
- The extent to which it is technically, economically and practically reasonable for the masts or antennas can be co-sited with similar structures or other buildings.
- The extent to which the affected persons / community has been consulted with.

30.16

Antenna attached to buildings that do not comply with the standards to be a permitted activity.

*Policy 16.4.8,
16.4.9, 16.4.12*

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

- The degree, extent and effects of the non-compliance with the Permitted Activity Standards
- Risks to public health and safety
- The maximum height, area or diameter of any antenna
- Design and external appearance
- Any effect on heritage and cultural values
- Visual effects including impacts on:
 - The residential and recreational use of land in the vicinity of the proposed utility;
 - The existing character, landscape, streetscape and amenity values of the locality;
 - Key public places, public viewing points, and significant recreational areas.
- Amenity effects, including noise, vibration, odour, dust, earthworks and lighting
- Cumulative effects
- Any potential interference with public use and enjoyment of the land and the operation of land uses in the vicinity
- Measures to mitigate the bulk and scale of the utility, including screening, colour and finish treatment, earth mounding and / or planting, viewing distances, the location of support structures.
- Whether the size and scale of the proposal is generally compatible with other development in the area.
- Any adverse effects on traffic and pedestrian safety including sight lines and the visibility of traffic signage.
- Where antennas are proposed to be sited on the top of a building, the extent to which they can be designed or screened so that they form an integral part of the total building design.
- The extent to which the affected persons / community has been consulted with.

30.17

Underground gas distribution and transmission pipelines at a pressure exceeding 2000 kilopascals, including aerial crossings of bridges, structures or streams, and ancillary equipment, including compressor compounds with compressor houses.

*Policy 16.4.8,
16.4.9, 16.4.12*

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

- Risks to public health and safety
- Any effect on heritage and cultural values

- Amenity effects, including noise, vibration, odour, dust, earthworks and lighting
- Cumulative effects
- Any potential interference with public use and enjoyment of the land and the operation of land uses in the vicinity
- The extent to which alternative locations, routes or other options have been appropriately considered.
- Earthworks and erosion and sediment control.
- The extent to which the work is able to be conveniently accommodated underground without adversely affecting existing underground utility services.
- Any adverse effects on an identified heritage site or an area of native vegetation.

30.18

Water reservoirs

*Policy 16.4.8,
16.4.9, 16.4.12*

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

- Risks to public health and safety
- Design and external appearance
- Any effect on heritage and cultural values
- Visual effects including impacts on:
 - The residential and recreational use of land in the vicinity of the proposed utility;
 - The existing character, landscape, streetscape and amenity values of the locality;
 - Key public places, public viewing points, and significant recreational areas
- Amenity effects, including noise, vibration, odour, dust, earthworks and lighting
- Cumulative effects
- Any potential interference with public use and enjoyment of the land and the operation of land uses in the vicinity
- Measures to mitigate the bulk and scale of the utility, including screening, colour and finish treatment, earth mounding and / or planting, viewing distances, the location of support structures
- The extent to which alternative locations, routes or other options have been appropriately considered.
- Rehabilitation of the site following any construction or future maintenance period.
- The extent to which the affected persons / community has been consulted with.
- Earthworks and erosion and sediment control.
- Any adverse effects on an identified heritage site or an area of native vegetation.

30.19

*Policy 16.4.8,
16.4.9, 16.4.12*

Meteorological enclosures and buildings, automatic weather stations and anemometer masts voluntary observer sites and associated microwave links that are not permitted activities

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

- The degree, extent and effects of the non-compliance with the Permitted Activity Standards
- Risks to public health and safety
- The maximum height of the mast and area or diameter of any antenna
- Design and external appearance
- Any effect on heritage and cultural values
- Visual effects including impacts on:
 - The residential and recreational use of land in the vicinity of the proposed utility;
 - The existing character, landscape, streetscape and amenity values of the locality;
 - Key public places, public viewing points, and significant recreational areas
- Amenity effects, including noise, vibration, odour, dust, earthworks and lighting
- Cumulative effects
- Any potential interference with public use and enjoyment of the land and the operation of land uses in the vicinity
- Measures to mitigate the bulk and scale of the utility, including screening, colour and finish treatment, earth mounding and / or planting, viewing distances, the location of support structures.
- Whether the size and scale of the proposal is generally compatible with other development in the area.
- The extent to which the affected persons / community has been consulted with.

Matters for Consideration

30.20

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

Network Utilities
<ul style="list-style-type: none"> • Compliance with the Code of Practice for Civil Engineering Works. • Whether alternative locations or other options are physically or technically possible. • Whether the size and scale of the development is generally compatible with other development in the area. • Whether the local topography, existing vegetation or screening will diminish the impact of the new structure. • The extent to which the development can be designed to reflect the form of development in the immediate locality and/or harmonise with the natural or built features of the area. • The degree to which the proposed activity is appropriately located in terms of visibility. Where ridges or hilltop locations are necessary, Council encourages the co-siting of utilities to reduce the effect on visual amenities. • Whether the utility structure damages habitats or ecosystems or causes the loss of significant vegetation that contributes to the amenity of an area. • All those matters listed for restricted discretionary activities.
Traffic generation and access
<ul style="list-style-type: none"> • Accessibility for public transport, cyclists and pedestrians. • Any vehicle/pedestrian/cyclist conflict. • Accessibility to the site. • Current traffic problems in the area. • Ability of the existing roading network to cater for increased traffic generation. • Ingress and egress to and from the site. • Neighbourhood amenity.
Roads
<ul style="list-style-type: none"> • Any need to create a public road. • Traffic Safety. • Alternative routes or alignments. • Visual Impacts. • Environmental Effects.

33**RULES FOR FLOODING
AND FAULT BAND HAZARDS****Activities Table**Policies 14.4.1, 14.4.2, 14.4.3, 14.4.4, 14.4.5, 14.4.6, 14.4.7.

33.1	Activities	All Zones
	Flood mitigation works undertaken or approved by a local authority	P
	Buildings and structures to be erected within the 1% (1 in 100 year) flood extent of the Hutt River, as shown on the Planning Maps.	D
	Any new habitable building or structure to be erected within the fault band identified on the Planning Maps.	D
Pinehaven Flood Hazard Extent and Pinehaven Catchment Overlay		
	<u>Within the ponding area of the Pinehaven Flood Hazard Extent the alteration and addition to existing buildings, or construction of accessory buildings are a Permitted Activity provided the gross floor area is less than 20m² and the proposal complies with the relevant zone standards for permitted activities.</u>	P
	<u>Driveways and bridges over the Pinehaven Stream</u>	C
	<u>Within the ponding area of the Pinehaven Flood Hazard Extent the construction of new buildings, or alteration and addition to existing buildings, including accessory buildings over 20m², that are not Permitted Activities.</u>	RD
	<u>Visitor accommodation or residential accommodation activities within the Commercial Business Zone of the Pinehaven Flood Hazard Extent.</u>	RD
	<u>Any part of a fence within an overflow path of the Pinehaven Flood Hazard Extent.</u>	RD
	<u>Any building within the Pinehaven Catchment Overlay must achieve hydraulic neutrality for stormwater runoff.</u>	RD
	<u>Any part of a building within an overflow path of the Pinehaven Flood Hazard Extent.</u>	D
	<u>Within the Pinehaven Flood Hazard Extent, any Permitted, Controlled or Restricted Discretionary Activity which fails to comply with any of the relevant Permitted Activity conditions, Controlled or Restricted Discretionary Activity Standards or Terms and is not identified as a Discretionary Activity, is a Non-Complying Activity.</u>	NC
	<u>Any building, structure or fence within the stream corridor of the Pinehaven Flood Hazard Extent (except where provided for under the rule for driveways and bridges as a Controlled Activity).</u>	NC

Mangaroa Flood Hazard Extent	
Within the Ponding Area of the Mangaroa Flood Hazard Extent (outside the Erosion Hazard Area), the construction of a new, or alteration and addition to an existing, accessory building is a Permitted Activity where the proposal complies with the relevant zone standards for permitted activities.	P
Within the Ponding or Erosion Hazard Area within the Mangaroa Flood Hazard Extent, the primary driveway or vehicle access serving the dwelling is a Permitted Activity.	P
Within either the Ponding Area or Erosion Hazard Area of the Mangaroa Flood Hazard Extent, where one or more of the following occurs: <ul style="list-style-type: none"> • the construction of new dwellings • the alteration and addition to existing dwellings, • construction of accessory buildings in the Erosion Hazard Area • construction of otherwise permitted non-residential buildings • residential accommodation for caretaker activities in the Business Industrial Zone 	RD
Within the Ponding Area or Erosion Hazard Area of the Mangaroa Flood Hazard Extent, the primary driveway or vehicle access serving the dwelling where below the 1 in 100 year flood level.	RD
Within either the Ponding Area or Erosion Hazard Area of the Mangaroa Flood Hazard Extent, where one or more of the following occurs: <ul style="list-style-type: none"> • the construction of new dwellings; • the alteration and addition to existing dwellings; • construction of otherwise permitted non-residential buildings; or • residential accommodation for caretaker activities in the Business Industrial Zone; which have a FFL below the 1 in 100 year flood level	D
Within the Overflow Path of the Mangaroa Flood Hazard Extent, where one or more of the following occurs: <ul style="list-style-type: none"> • the construction of new dwellings; • the alteration and addition to existing dwellings; • construction of accessory buildings; or • construction of otherwise permitted non-residential buildings. 	D
Within an Overflow Path of the Mangaroa Flood Hazard Extent, the primary driveway or vehicle access serving the dwelling	D
Within the River Corridor of the Mangaroa Flood Hazard Extent, where one or more of the following occurs: <ul style="list-style-type: none"> • The primary driveway or vehicle access serving the dwelling is located in the River Corridor; • the construction of new dwellings; • the alteration and addition to existing dwellings; • construction of accessory buildings; • construction of otherwise permitted non-residential buildings; or • residential accommodation for caretaker activities in the Business Industrial Zone. 	NC
Note:	

<p>Network Utility Structures are addressed through the provisions within Chapter 16 and 30. For the avoidance of doubt any Network Utility Structure activity undertaken by a network utility operator within the Flood Hazard Extent subject to the provisions of Chapter 16 and 30, will prevail over the provisions of Chapter 14 and 33.</p>	

- 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**

Standards for Permitted and Controlled Activities

33.2

Policies 14.4.2.

Within the ponding area of the Pinehaven Flood Hazard Extent the alteration and addition to existing buildings, or construction of accessory buildings are a Permitted Activity provided the gross floor area is less than 20m² and the proposal complies with the relevant zone standards for permitted activities.

- Additions and alterations are not below the floor level of the existing building, and do not exceed 20m² in area.
- Must not be within the stream corridor or overflow path.
- Only one addition to the existing building following the date of notification of this plan change.

33.3

Policy 14.4.6

Driveways and bridges over the Pinehaven Stream

- Only one crossing per property
- No fences (excluding required support rails) are to be constructed along the bridge crossing.

Council may impose conditions over the following matters

- Design of the crossing to avoid obstructing the stream corridor from conveying flood water.

33.4

Within the Ponding Area of the Mangaroa Flood Hazard Extent (outside the Erosion Hazard Area), the construction of a new, or

Policy 14.4.9

alteration and addition to an existing, accessory building is a Permitted Activity where the proposal complies with the relevant zone standards for permitted activities.

- The construction or additions and alterations are not within the river corridor, overflow path or Erosion Hazard Area
- The construction or additions and alterations comply with the relevant zone standards for permitted activities.

33.5

Within the Ponding or Erosion Hazard Area within the Mangaroa Flood Hazard Extent, the primary driveway or vehicle access serving the dwelling is a Permitted Activity.

Policy 14.4.8

- The access is above the 1 in 100-year flood level, and
- Does not cross an overflow path or river corridor

Restricted Discretionary Activities

33.6

Policy 14.4.4.

Within the ponding area of the Pinehaven Flood Hazard Extent the construction of new buildings, or alteration and addition to existing buildings, including accessory buildings over 20m², which are not Permitted Activities, are a Restricted Discretionary Activity.

Standards:

- The Finished Floor Level must be above the 1 in 100-year event level for residential activities, or;
- The Finished Floor Level above the 1 in 25-year event level if a commercial activity within the Business Commercial Zone.
- The buildings, additions or alterations must not be within the stream corridor or an overflow path.

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

- Building floor level.
- Building location within the site.
- Building floor area.
- Effect of displacement of flood waters from the site.

33.7

Visitor accommodation or residential accommodation activities within the Business Commercial Zone of the Pinehaven Flood Hazard Extent are a Restricted Discretionary Activity.

Policy 14.4.4

Standard:

- Activities must be in buildings with a Finished Floor Level above the 1 in 100-year event level.

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

- Where residential accommodation is proposed, the susceptibility of the activity to flood hazards and whether appropriate mitigation can be achieved

33.8

Any part of a fence within an overflow path of the Pinehaven Flood Hazard Extent.

Policy 14.4.6

Standard:

- The design of the fence must not obstruct the direction or route of the overflow path.

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

- Effect on the overflow path's ability to convey flood water along the identified route shown on the relevant hazard map.

33.9

Any building within the Pinehaven Catchment Overlay must achieve hydraulic neutrality for stormwater runoff.

Policy 14.4.7

Standards:

- Achieves hydraulic neutrality
- Provision of a report by a suitably qualified and experienced person providing an assessment of the ability for the site to achieve hydraulic neutrality in accordance with the requirements of 2.6.9E 1.8.11.

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

- To avoid, remedy or mitigate the effects of any increase in risk to people or property as a result of the peak runoff.
- Ability for the proposed development and proposed design to ensure peak flow of stormwater discharge will be no greater than

- pre-subdivision levels and thus achieve hydraulic neutrality.
- Mitigation measures proposed to achieve hydraulic neutrality.
- Effect on the Pinehaven Flood Hazard Extent.

33.10

Policies 14.4.4,
14.4.6

Within either the Ponding or Erosion Hazard Area of the Mangaroa Flood Hazard Extent, where one or more of the following occurs;

- the construction of new dwellings**
- the alteration and addition to existing dwellings,**
- construction of accessory buildings in the Erosion Hazard Area**
- construction of otherwise permitted non-residential buildings**
- residential accommodation for caretaker activities in the Business Industrial Zone**

Standards

- Finished Floor Level above the 1 in 100-year event level for:**
 - the construction of new dwellings**
 - the alteration and addition to existing dwellings,**
 - construction of otherwise permitted non-residential buildings;**
 - residential accommodation for caretaker activities in the Business Industrial Zone**
- Building must not be located within an overflow path or river corridor.**
- Where the proposal is located within the Erosion Hazard Area, provision of a report by a suitably qualified and experienced person is required to determine the erosion risk in accordance with the requirements of 2.6.9D 1.8.10.**

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

- assessment of the appropriateness of the proposed building location in terms of area and position in relation to the flood hazard and erosion risk and any recommendations of the report required by 2.6.9D 1.8.10;**
- Where residential accommodation is proposed, the susceptibility of the activity and whether appropriate mitigation can be achieved**

33.11

Policy 14.4.6

Within the Ponding or Erosion Hazard Area of the Mangaroa Flood Hazard Extent, the primary driveway or vehicle access serving the dwelling where below the 1 in 100-year flood level is a Restricted Discretionary Activity.

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

- The suitability of the proposed access to facilitate evacuation during a 1 in 100 year flood event.

Matters for Consideration

33.212

Matters that may be relevant in the consideration of any Discretionary or Non-Complying Activity resource consent include the following:

Flood hazards

- Whether the proposed development would increase the level of risk or jeopardise the safety of the occupants and other persons.
- The effects of any earthworks or infilling.
- In addition, where located within the Pinehaven Flood Hazard Extent:
 - Effect on the overflow path’s ability to continue conveying flood water.
 - Any increase in risk to people or property as a result of the building location.
- In addition, where located within the Mangaroa Flood Hazard Extent:
 - Assessment of the appropriateness of the proposed building location and floor level in terms of area and position in relation to the flood hazard and erosion risk
 - Where residential accommodation is proposed, the susceptibility of the activity and whether appropriate mitigation can be achieved;
 - Assessment of the effect of the building on the function of the floodplain and whether it would unacceptably obstruct or divert floodwater flows within the Flood Hazard Extent.
- The suitability of the proposed access during a 1 in 100-year flood event, and its effect on obstructing or diverting overflow paths or floodwater flows within the Flood Hazard Extent

Buildings within the fault band

- The accuracy of information relating to the location of the fault.
- The potential effects of an earthquake in terms of the nature and scale of use proposed for the building.
- The extent to which the building complies with Clause B1 Structure of the New Zealand Building Code.
- The measures proposed to avoid, remedy or mitigate the effects of an earthquake.

34 RULES FOR HAZARDOUS SUBSTANCES AND CONTAMINATED LAND

Activities Table

Policies 17.4.1, 17.4.2, 17.4.4

34.1	Activities	All Zones
	The storage, use, handling and production of hazardous substances which complies with standards 34.2 and 34.3	P
	The storage, use, handling and production of hazardous substances which does not comply with standards 34.2 and 34.3	D
	The use, development or subdivision of any contaminated site	D

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

Standards for Permitted Activities

34.2 All areas within a site where hazardous substances are stored, used, handled or produced shall be sealed and bunded. All bunds shall be sealed or constructed from impervious materials, and shall be able to contain 110% of the total volume of substances stored and used on-site in the event of a spill. Underground storage of hazardous substances and all storage of lighter than air gases and LPG are exempt from the bunding requirements.

Policy 17.4.1

34.3 Surface water from all areas within a site where hazardous substances are stored, used, handled or produced shall be drained to an interceptor which will prevent contaminants being discharged into the Council's stormwater reticulation system.

Policy 17.4.1

Discharges that meet the requirements of The Environmental Guidelines for Water Discharges from Petroleum Industry Sites in New Zealand (MfE 1998) are deemed to comply with this standard.

34.4 The following are exempt from the standards for permitted activities:

Policy 17.4.1

- Trade waste sewers and landfills.
- Storage or use of hazardous consumer products for private domestic purposes.
- Storage or use of hazardous products in educational facilities.
- Retail sale of hazardous substances for domestic use.
- Use of explosives and ammunition.
- Gas and oil pipelines.
- Transformers mounted on poles.
- The application of agricultural chemicals.
- The use of fuel to power vehicles and engines.
- Hazardous substances in transit or in temporary (less than 24 hours) storage.

Matters for Consideration

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

Environmental Risk Assessment

A qualitative or quantitative risk assessment is required, by a suitably qualified person, identifying any risk to both the environment and the community with particular attention to:

1. The sensitivity of the surrounding natural and physical environment, including:
 - Aquifers, wetlands, streams/rivers/lakes.
 - Nature of subsoil.
 - Ecosystems, habitats, important stands of native vegetation, identified ecological areas and the potential of the substances to damage or destroy the life-supporting capacity of the habitats or the environment.
2. Methods and location for the disposal of the hazardous substances or contaminants.
3. Susceptibility of the site to natural hazards including flood hazards, the presence of other active geological or geomorphological processes and the probability of a hazard event occurring. An assessment of the scale and probability of flood hazards occurring, the potential impact of a breach and how the facility is designed to avoid flood water mixing with hazardous substances and escaping from the site.
4. Site drainage and off-site infrastructure (for example stormwater, sewer type and capacity).

5. Cumulative and synergistic effects, and bioaccumulation of hazardous substances used, stored, manufactured or disposed of.

6. The number of people potentially at risk from the activity, and:
- the risk to health and safety of adjacent property and people in the locality;
 - location of sensitive activities (for example hospitals, educational and child care facilities, dwellings, parks and reserves, heritage or cultural sites, places of public assembly and the like);
 - suitability of the surrounding area for future residential growth.
7. Monitoring systems.

Risk mitigation

Consideration will be given to specific emergency procedures and equipment related to the particular activity’s risk. Specific conditions may be imposed to ensure that any undue risks are avoided or mitigated, including the preparation and use of a site management plan, and compliance with relevant industry codes of practices and standards.

Alternatives

Consideration will be given to any possible alternative locations or practicable methods for undertaking the activity, if it is likely that an activity will produce any significant adverse effects on the environment.

Access and traffic safety

Whether vehicles transporting hazardous substances unnecessarily use minor or local streets (especially residential). Conditions may be imposed, in some cases, which require access along specified routes. Of particular concern is the location of entry and exit points to the site and their interrelation with existing intersections and/or land constraints, to ensure safety of operation.