

Attachment 2

Proposed Amendments to the Upper Hutt District Plan

Amendment 1.

PART 1 – INTRODUCTION AND GENERAL PROVISIONS	
1	INTRODUCTION
2.4	Information Requirements
2.4.12	<p><u>Specific, additional information accompanying applications for subdivision, use and development in DEV3-Gabites Block Development Area</u></p> <p><u>Specific, additional information requirements in respect of subdivision, use and development in DEV3-Gabites Block Development Area are contained in the Subdivision chapter and the DEV3 chapter.</u></p>
2.4.1213	<p>Further guidance on information requirements</p> <p>Depending on the nature and scale of the proposal, consultation may be required with the following parties:</p> <ol style="list-style-type: none"> (1) Persons likely to be adversely affected by the proposed activity (2) The Department of Conservation (3) Pouhere Taonga – Heritage New Zealand (4) Iwi authorities (5) New Zealand Transport Agency (6) Other relevant authorities or organisations

Amendment 2.

3	INTERPRETATION
3.1	Definitions
<u>Biodiversity offset</u>	<u>means a measurable positive environmental outcome resulting from actions designed to redress the residual adverse effects on biodiversity arising from activities after appropriate avoidance, minimisation, and remediation measures have been applied. The goal of a biodiversity offset is to achieve no net loss, and preferably a net gain, of indigenous biodiversity values.</u>
<u>Gabites Block Natural Area</u>	<u>means an area of significant indigenous vegetation or significant habitat of indigenous fauna that meets the criteria in Policy 23 of the Wellington Regional Policy Statement and identified in DEV3-ECO-Appendix-1: Schedule of Gabites Block Natural Areas. It excludes wetlands and other waterbodies.</u>
<u>Gabites Block Rail Corridor Buffer Area</u>	<u>means an area in the Station Flats Area identified on the Gabites Block Development Area Structure Plan in DEV3-APPENDIX1. The area runs approximately parallel to the Wellington to Woodville rail corridor measured as a distance of 50m from the boundary of the railway corridor designation.</u>
<u>Impervious surface</u>	<p><u>means a surface which prevents or significantly constrains the soakage or filtration of water into the ground. It includes:</u></p> <ol style="list-style-type: none"> (a) <u>Roofs;</u> (b) <u>Paved areas including driveways and sealed or compacted metal parking areas and patios;</u> (c) <u>Tennis or netball courts;</u> (d) <u>Sealed and compacted–metal roads;</u> (e) <u>Engineered layers such as compacted clay.</u>

	<p><u>It excludes:</u></p> <p>(f) <u>Grass or bush areas;</u></p> <p>(g) <u>Gardens and other landscaped areas;</u></p> <p>(h) <u>Permeable paving and green roofs;</u></p> <p>(i) <u>Permeable artificial surfaces, fields or lawns;</u></p> <p>(j) <u>Slatted decks;</u></p> <p>(k) <u>Swimming pools, ponds and dammed water; and</u></p> <p>(l) <u>Rain tanks</u></p>
Mana whenua	<p><i>has the same meaning as in section 2 of the RMA:</i></p> <p><u>means customary authority exercised by an iwi or hapu in an identified area.</u></p>
Reverse sensitivity	<p><u>means the vulnerability of an existing lawfully established activity to other activities in the vicinity which are sensitive to adverse environmental effects that may be generated by such existing activity, thereby creating the potential for the operation of such existing activity to be constrained.</u></p>
Water sensitive design	<p><u>means a collaborative approach to freshwater management. It is applied to land use planning and development at complementary scales including region, catchment, development and site. Water sensitive design seeks to protect and enhance natural freshwater systems, sustainably manage water resources, and mimic natural processes to achieve enhanced outcomes for ecosystems and communities.</u></p>

Amendment 3.

PART 2 – DISTRICT-WIDE MATTERS

STRATEGIC DIRECTION

UFD – Urban Form and Development

RURAL

The rural sector is in transition as a diverse range of rural and rural lifestyle **activities** gradually replace traditional **farming activities**. The rural area contains much of the City's agriculture and primary productive **land** resources which are an important part of the City's economic and social wellbeing, both now and in the future. It also forms the immediate backdrop to the City in terms of landscape. Areas for rural lifestyle, passive and **active recreation** and leisure opportunities, and other mixed urban/rural **activities** also form part of the character of this **environment**.

The rural **environment** has been highly modified by changes in **land** use and exhibits a range of characteristics.

The valley floors are characterised by a patchwork of fields under pasture with farm and other **buildings** dotting the landscape. The hillsides are marked by more extensive pastureland, regenerating scrub, exotic **forestry** plantations and indigenous forest.

While the appearance of the rural **environment** is subject to considerable change and evolution, some characteristics remain constant. These are the open, expansive nature of the countryside with a relatively low density of **buildings** and with vegetation being the dominant feature. Open spaces, a key feature of rural character, serve to mitigate adverse **effects** which may be generated by farming, **forestry** and other **activities** commonly located in the rural **environment**. Loss of this open space through more intensive **subdivision** and subsequent residential development may create an **environment** in which the **effects** of rural **activities** are no longer acceptable.

The rural **environment** is characterised by important ecological values. These include significant areas of **indigenous vegetation** and areas of significant habitat for indigenous fauna. Such areas can be degraded or partially or totally destroyed by clearance, milling or pest and weed infestation.

The rural area comprises **natural and physical resources** which are often the subject of competing demands and uses. For example, areas may have value to some as a residential **environment**, while to others the value may be as a recreational **environment**. Others still may value the productive or economic return from a **land** area, or recognise a particular cultural significance. Competing demands are greatest for flat **land**, which is suitable for a wide range of **activities**, from farming and

business, to tourist and residential uses. A range of opportunities are therefore required to enable the community to make use of the rural **land** resource. It is necessary to provide for both rural and non-rural **activities** while ensuring that rural character and amenity is maintained and enhanced, and natural ecosystems are protected.

Subdivision and development in the Blue Mountains Precinct is restricted due to constraints associated with **land** stability, drainage, existing **allotment** sizes and roading and access. There is difficulty with **sewage** disposal due to poor soakage, as well as limited opportunities to draw **groundwater**. Blue Mountains Road requires major **upgrading** to accommodate further development and this may result in significant adverse environmental **effects**. The Blue Mountains Precinct is separately identified in the Plan. Because of its physical constraints, development can only be contemplated where adverse **effects** can be adequately mitigated. The present capacity of Blue Mountains Road is a limiting factor in considering development proposals in the areas served by it.

The Rural Zones cover the non-urban areas of the City, ranging from relatively intensively developed areas through to more extensive **land** holdings.

The Rural Zones provide opportunities for rural-based **activities** to occur. It is not a sustainable use of the rural **land** resource to allow the **land** to be degraded or used in a manner which will significantly limit the choices of future generations.

[The Settlement Zone provides predominantly for areas of residential activities in rural locations.](#)

[The Gabites Block Development Area provides for low density residential and rural residential development while maintaining and protecting the natural and landscape values of the Gabites Block in its Maymorn context. The location and density of development is required to be in accordance with the Gabites Block Development Area Structure Plan in DEV3-APPENDIX1.](#)

Amendment 4.

ENERGY, INFRASTRUCTURE AND TRANSPORT			
Rules			
District-wide matters			
Activities Tables			
<i>Policies NU-P1, NU-P2, NU-P4, NU-P5, NU-P6, NU-P9</i>			
Permitted Activities			Zones
Radiocommunication, Telecommunication and Electricity Distribution and Transmission			
NU-R9	Masts with or without associated antennas	PER	<i>General Rural Rural Production Rural Lifestyle Commercial City Centre General Industrial Special Activity Development Area1 (Gateway Precinct only) Development Area 2 Development Area 3</i>

Amendment 5.

Standards for Permitted Activities	
NU-S3	Maximum Height above ground level of Network Utilities

Policy NU-P9	(1) The maximum height above ground level of any utility structure listed in the table below shall include any antenna and support structures and exclude any lightning rod						
	Network utility	City Centre	Commercial / General Industrial Development Area 1 (Gateway Precinct only)	General Residential Development Area1 (excluding Gateway Precinct)	General Rural / Rural Lifestyle/ Rural Production Development Area 2 Development Area 3	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 above ground level 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 above ground level of an extreme adverse	4m					

	weather measured from the point of attachment.	
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NU-S4 <i>Policy NU-P9</i>	Maximum Size and Diameter of Network Utilities (1) The maximum size and diameter of network utilities for each zone is outlined in the table below.						
	Network utility	City Centre	Commercial / General Industrial Development Area 1 (Gateway Precinct only)	General Residential Development Area1 (excluding Gateway Precinct)	General Rural / Rural Lifestyle/ Rural Production Development Area 2 Development Area 3	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

	Cabinets, and network utility structures located within road reserve (not otherwise provided for)	2m ²	1.4m ²	2m ²
	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		
NU-S5 <i>Policy NU-P9</i>	Separation distance and setbacks from boundaries (1) No network utilities shall be located within an esplanade or strip. (2) The following table applies to masts and antenna attached to masts and any cabinet or other network utility structure that is over 5m ² 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		
	Commercial City Centre General Industrial Development Area 1 (Gateway Precinct only)	No less than 10m from a General Residential Zone boundary	No less than 2 metres to any boundary in a General Residential, General Rural, Rural Production, Rural Lifestyle, Open Space and Special Activity Zone and to a road or service lane boundary .	
	General Rural Rural Lifestyle Rural Production	No less than 10m from any property boundary	No less than 2 metres to all boundaries	

	Development Area 2 Development Area 3	Under 15m in height - no less than 20m from the closest wall of a residential unit (excluding balconies and decks) Over 15m in height – no less than 50m from the closest wall of a residential unit (excluding balconies and decks)	
	General Residential Open Space Special Activity Development Area1 (excluding Gateway Precinct)	No less than 10m from a General Residential or General Rural, Rural Production or Rural Lifestyle Zone boundary.	No less than 2 metres to all boundaries

Amendment 6.

Restricted Discretionary Activities		Zones	
Radiocommunication, Telecommunication and Electricity Distribution and Transmission			
NU-R22 <i>Policies NU-P5, NU-P6, NU-P9</i>	<p>Masts, with or without associated antennas that do not comply with the standards to be a permitted activity.</p> <p>Council will restrict its discretion to, and may impose conditions on:</p> <ol style="list-style-type: none"> (1) The degree, extent and effects of the non-compliance with the Permitted Activity Standards (2) Risks to public health and safety (3) The maximum height above ground level of the mast and area or diameter of any antenna (4) The maximum height above ground level, area or diameter of any antenna (5) Any effect on heritage and cultural values (6) Visual effects including impacts on: <ol style="list-style-type: none"> (a) The residential and recreational use of land in the vicinity of the proposed utility; (b) The existing character, landscape, streetscape and amenity values of the locality; (c) Key public places, public viewing points and significant recreational areas (7) Amenity effects, including noise, vibration, odour, dust, earthworks and lighting (8) Cumulative effects (9) Any potential <i>interference</i> with public use and enjoyment of the land and the operation of land uses in the near vicinity (10) 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. (11) Whether the size and scale of the proposal is generally compatible with other development in the area. (12) Any adverse effects on traffic and pedestrian safety including sight lines and the visibility of traffic signs. (13) The extent to which alternative locations, routes or other options have been appropriately considered. (14) 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. 	RDIS	<i>General Rural Rural Production Rural Lifestyle Commercial City Centre General Industrial Special Activity Development Area 1 (Gateway Precinct only) Development Area 2 Development Area 3</i>

	(15) The extent to which the affected persons / community has been consulted with.		
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Amendment 7.

TP – Transport and Parking			
Rules			
Activities Tables			
<i>Policies DC-P1, TP-P1, TP-P2</i>			
Car Parking Activities			
TP-R2	Car park provisions in accordance with standards TP-S1 to TP-S10 shall be made for all activities .	PER	All <i>except</i> Development Area 3
Discretionary Activities			Zones
Roading, and Traffic and Transport Structures			
TP-R3	The construction, alteration or diversion of roads , but excluding any such construction works which are part of a subdivision	DIS	<i>General Residential General Rural Rural Production Rural Lifestyle Commercial City Centre General Industrial Development Area 1 (Gateway Precinct only) Development Area 2 Development Area 3</i>

Amendment 8.

NATURAL ENVIRONMENTAL VALUES			
ECO – Ecosystems and Indigenous Biodiversity			
Rules			
Activities Tables			
<i>Policies ECO-P1, ECO-P2, ECO-P3, ECO-P4, ECO-P6</i>			
Permitted Activities			Zones
Indigenous vegetation clearance – Non-Urban Environmental Allotments.			
ECO-R1	Indigenous vegetation clearance up to 500m ² in total area on any one site that is not an Urban Environment Allotment , and is not an identified Urban Tree Group listed in UTG-SCHED1, within any continuous 5 year period, subject to meeting the standards under-ECO-S1.	PER	All <i>except</i> Development Area 3
ECO-R2	Indigenous vegetation clearance up to 1ha in total area on any one site that is not an Urban Environment Allotment , and is not an identified Urban Tree Group listed in UTG-SCHED1, within any continuous 5 year period, where the	PER	All <i>except</i> Development Area 3

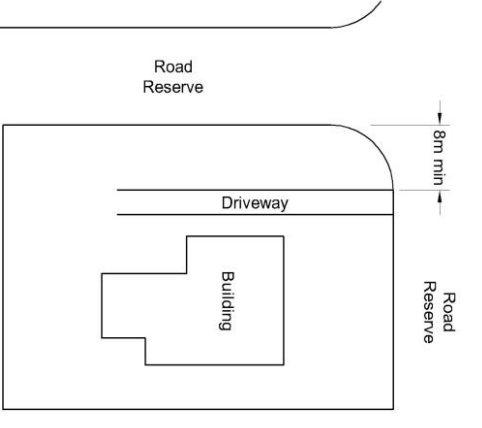
	vegetation is comprised predominantly of manuka (<i>leptospermum scoparium</i>) or kanuka (<i>kunzea ericoides</i>) which has a canopy height no greater than 4m, subject to meeting the standards under-ECO-S1.		
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Amendment 9.

Discretionary Activities		Zones
Indigenous vegetation clearance that is not an Urban Environment Allotment , and is not an identified Urban Tree Group listed in UTG-SCHED1, which exceeds the above permitted activity thresholds and/or does not meet the standards in ECO-S1.	DIS	All <i>except</i> Development Area 3

Amendment 10.

SUBDIVISION		
SUB-RUR – Subdivision in Rural Zones		
<i>Rules</i>		
Activities Tables		
Standards for Controlled Activities		Zone
SUB-RUR-S2 <i>Policies</i> SUB-GEN-P1, TP-P4, GRUZ-P5, RPROZ-P4, RLZ-P3	Access standards for subdivision (1) Access to any allotment , including rear allotments , shall be sited at least 20m, measured along the road carriageway, from any access on an adjoining allotment , unless the two access provisions join the road carriageway at a common point. This requirement does not apply to Development Area 3. (2) 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. (3) 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 . (4) Vehicular access to a corner allotment 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 the Transport and Parking (TP) Chapter) 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 allotment) join, or in accordance with the diagram below.	<i>General Rural</i> <i>Rural Production</i> <i>Rural Lifestyle</i> <i>Development Area 2</i> Development Area 3

	 <p>(5) Where a corner allotment is located at an intersection of a national, primary or secondary arterial traffic route, as identified in the Transport and Parking (TP) Chapter, no building, fence or other structure is to be erected and no vegetation allowed to grow so as to obstruct a traffic sight line.</p> <p>(6) 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 1 in the Transport and Parking (TP)-Chapter.</p> <p>(7) Subdivision with direct access to a State Highway shall comply with the access and visibility standards set out in Diagrams 2 to 9 in the Transport and Parking (TP) Chapter.</p>	
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Amendment 11.

SUB-DEV3 – Subdivision in Development Area 3	
POLICIES	
SUB-DEV3-P1	Creation of Allotments
<u>Gabites Block Development Area</u>	<p>Require subdivision to result in allotments that:</p> <ol style="list-style-type: none"> 1. <u>Give effect to the Gabites Block Development Area Structure Plan in DEV3-APPENDIX1;</u> 2. <u>Are of a size and shape that are sufficient to accommodate the anticipated use and development form for the applicable Area;</u> 3. <u>Are serviced by reticulated network utilities or on-site servicing;</u> 4. <u>Minimise the fragmentation of Gabites Block Natural Areas; and</u> 5. <u>Provide for buildings to be located outside any Gabites Block Natural Areas.</u>
SUB-DEV3-P2	Transport Network
<u>Gabites Block Development Area</u>	<p>Require subdivision to:</p> <ol style="list-style-type: none"> 1. <u>Provide transport corridors in accordance with the Gabites Block Road Typologies in the Gabites Block Development Area Structure Plan in DEV3-APPENDIX1;</u> 2. <u>Provide for no more than three road intersections with Maymorn Road (that are additional to the number of road intersections existing at 1 December 2021);</u> 3. <u>Avoid providing direct private property vehicle access onto Maymorn Road; and</u> 4. <u>Avoid providing streetlighting.</u>

SUB-DEV3-P3	<u>Integration with Network Utilities</u>
<u>Gabites Block Development Area except North-West Area</u>	<ol style="list-style-type: none"> 1. <u>Only allow for the extension of the existing water main network where it:</u> <ol style="list-style-type: none"> a. <u>Services an otherwise complying development where on-site servicing is unachievable; or</u> b. <u>Is needed to ensure practical development of a complying allotment.</u> 2. <u>Provide for connections to the wastewater network that use off-peak network capacity through on-site storage and timed wastewater release.</u>
SUB-DEV3-P4	<u>Subdivision in Hillside Area</u>
<u>Hillside Area</u>	<p>Provide for subdivision where:</p> <ol style="list-style-type: none"> 1. <u>The management of the allotment boundaries does not divide existing natural edges in the landscape including spurs and ridges;</u> 2. <u>The building platforms and vehicle accessways are identified and tie into the existing landform;</u> 3. <u>Built development does not have significant adverse visual effects on the skyline of the main north-south ridge when viewed from Maymorn Road or Parkes Line Road; and</u> 4. <u>Cumulative development retains the overall pattern of open, green slopes of Hillside Area, particularly on the more prominent face to the south-east.</u>
SUB-DEV3-P5	<u>Maymorn Road Cycle Trail and Walkway</u>
<u>Valley Flats Area</u>	<u>Require the first subdivision in Valley Flats Area to adjust the boundary of Maymorn Road to provide sufficient width in Maymorn Road for a future cycleway and walkway.</u>
SUB-DEV3-P6	<u>Subdivision where additional building platforms are created in the High Slope Hazard Overlay</u>
<u>Gabites Block Development Area</u>	<p>Provide for subdivision that creates additional building platforms in the High Slope Hazard Overlay of the Gabites Block Development Area Structure Plan in DEV3-APPENDIX1 where:</p> <ol style="list-style-type: none"> 1. <u>A geotechnical assessment confirms that the site is suitable for subdivision, use and development, and that the risk from slope instability can be avoided, remedied or mitigated.</u> 2. <u>The subdivision will not increase or accelerate land instability on the site or adjoining properties.</u>

Amendment 12.

RULES	
SUB-DEV3-R1	<u>Boundary Adjustments</u>
<u>Gabites Block Development Area</u>	<ol style="list-style-type: none"> 1. <u>Activity Status: Controlled</u> <u>Where:</u> <ol style="list-style-type: none"> a. <u>The boundary adjustment does not create additional allotments; and</u> b. <u>Compliance is achieved with:</u> <ol style="list-style-type: none"> i. <u>SUB-DEV3-S1;</u> ii. <u>SUB-DEV3-S2;</u> iii. <u>SUB-DEV3-S3;</u> iv. <u>SUB-DEV3-S4;</u> v. <u>SUB-DEV3-S5; and</u> vi. <u>SUB-RUR-S2.</u> <p><u>Matters of Control are limited to:</u></p>

	<p>M1. <u>The design and layout of the allotments;</u></p> <p>M2. <u>The ability to accommodate the intended use including any associated network utilities; and</u></p> <p>M3. <u>The matters in:</u></p> <ul style="list-style-type: none"> a. <u>SUB-DEV3-P1; and</u> b. <u>SUB-DEV3-P4.</u>
	<p>2. <u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p>a. <u>Compliance is not achieved with</u></p> <ul style="list-style-type: none"> i. <u>SUB-DEV3-R1-1a;</u> ii. <u>SUB-DEV3-S1;</u> iii. <u>SUB-DEV3-S2;</u> iv. <u>SUB-DEV3-S3;</u> v. <u>SUB-DEV3-S4;</u> vi. <u>SUB-DEV3-S5; or</u> vii. <u>SUB-RUR-S2.</u> <p><u>Matters of Discretion are restricted to:</u></p> <p>M1. <u>The matters in:</u></p> <ul style="list-style-type: none"> a. <u>SUB-DEV3-P1;</u> b. <u>SUB-DEV3-P2;</u> c. <u>SUB-DEV3-P3;</u> d. <u>SUB-DEV3-P4; and</u> e. <u>SUB-DEV3-P5.</u>

<u>SUB-DEV3-R2</u>	<u>All Subdivisions (Excluding Boundary Adjustments)</u>
<u>North-West Area, Valley Flats Area, Station Flats Area, Hilltops Area, Hilltop Basin Area</u>	<p>1. <u>Activity Status: Controlled</u></p> <p><u>Where:</u></p> <p>a. <u>Compliance is achieved with:</u></p> <ul style="list-style-type: none"> i. <u>SUB-DEV3-S1;</u> ii. <u>SUB-DEV3-S2;</u> iii. <u>SUB-DEV3-S3; and</u> iv. <u>SUB-DEV3-S4;</u> v. <u>SUB-DEV3-S5;</u> vi. <u>SUB-DEV3-S6; and</u> vii. <u>SUB-RUR-S2.</u> <p><u>Matters of Control are limited to:</u></p> <p>2. <u>The matters in:</u></p> <ul style="list-style-type: none"> a. <u>SUB-DEV3-P1;</u> b. <u>SUB-DEV3-P2;</u> c. <u>SUB-DEV3-P3; and</u>

d. [SUB-DEV3-P5.](#)

[Refer to information requirement:](#)

[DEV3-ECO-IR-1 for land containing a Gabites Block Natural Area.](#)

1. [Activity status: Restricted Discretionary](#)

[Where:](#)

a. [Compliance is not achieved with:](#)

i. [SUB-DEV3-S1;](#)

ii. [SUB-DEV3-S2;](#)

iii. [SUB-DEV3-S3;](#)

iv. [SUB-DEV3-S4;](#)

v. [SUB-DEV3-S5;](#)

vi. [SUB-DEV3-S6; or](#)

vii. [SUB-RUR-S2.](#)

[Matters of Discretion are restricted to:](#)

M1. [The matters in:](#)

a. [SUB-DEV3-P1;](#)

b. [SUB-DEV3-P2;](#)

c. [SUB-DEV3-P3;](#)

d. [SUB-DEV3-P4;](#)

f. [SUB-DEV3-P5; and](#)

e. [SUB-DEV3-P6.](#)

[Refer to information requirement:](#)

[DEV3-ECO-IR-1 for land containing a Gabites Block Natural Area.](#)

[SUB-DEV3-R3](#) **[All Subdivisions \(Excluding Boundary Adjustments\)](#)**

[Hillside Area](#)

1. [Activity Status: Restricted Discretionary](#)

[Where:](#)

a. [Compliance is achieved with:](#)

i. [SUB-DEV3-S1](#)

ii. [SUB-DEV3-S2;](#)

iii. [SUB-DEV3-S3;](#)

iv. [SUB-DEV3-S4;](#)

v. [SUB-DEV3-S5;](#)

vi. [SUB-DEV3-S6; and](#)

vii. [SUB-RUR-S2.](#)

Matters of Discretion are restricted to:

2. The matters in:
 - a. SUB-DEV3-P1;
 - b. SUB-DEV3-P2;
 - c. SUB-DEV3-P3; and
 - d. SUB-DEV3-P4.

Refer to information requirement:

SUB-DEV3-IR-1;

DEV3-ECO-IR-1 for land containing a Gabites Block Natural Area.

1. Activity status: Discretionary

Where:

- a. Compliance is not achieved with:
 - i. SUB-DEV3-S1
 - ii. SUB-DEV3-S2;
 - iii. SUB-DEV3-S3;
 - iv. SUB-DEV3-S4;
 - v. SUB-DEV3-S5;
 - vi. SUB-DEV3-P6; or
 - vii. SUB-RUR-S2.

SUB-DEV3-R4

Subdivision that creates a building platform in the High Slope Hazard Overlay

Gabites Block
Development
Area High
Slope Hazard
Overlay

1. Activity Status: Restricted Discretionary

Where:

- a. The subdivision will result in a building platform in the High Slope Hazard Overlay of the Gabites Block Development Area Structure Plan in DEV3-APPENDIX1.

Matters of discretion are restricted to:

- M1. The matters in SUB-DEV3-P6.

Amendment 13.

STANDARDS

<u>SUB-DEV3-S1</u>	<u>Minimum Allotment Size and Shape Factor</u>		<u>Building Platform and Access</u>
	<u>Minimum Allotment Size</u>	<u>Shape Factor</u>	
<u>North-West Area</u>	<u>400m², 600m² average</u>	<u>12m x 12m.</u>	
<u>Valley Flats Area</u>	<u>2000 m²</u>	<u>10m x 15m, clear of access allotments and rights of way.</u>	
<u>Station Flats Area</u>	<u>1000 m²</u>	<u>10m x 15m, clear of any yards, access allotments and rights of way.</u>	
<u>Hilltop Basin Area</u>	<u>1000 m²</u>	<u>10m x 15m, clear of any access allotments and rights of way.</u>	
<u>Hilltops Area</u>	<u>2000 m²</u>	<u>10m x 15m, clear of any access allotments and rights of way.</u>	<ol style="list-style-type: none"> <u>1. Building platforms must be identified on the subdivision scheme plan,</u> <u>2. Access to each building platform including the location of the vehicle crossing must be identified on the subdivision scheme plan; and</u> <u>3. Building platforms and access must not be within a Gabites Natural Area.</u>
<u>Hillside Area</u>	<u>1ha minimum, 2.5ha average</u> <u>Note: For the avoidance of doubt, the 2.5ha average can include public open space vested with Council located within the Area.</u>	<u>n/a</u>	<ol style="list-style-type: none"> <u>1. Building platforms must be identified on the subdivision scheme plan,</u> <u>2. Access to each building platform including the location of the vehicle crossing must be identified on the subdivision scheme plan; and</u> <u>3. Building platforms and access must not be within a Gabites Natural Area.</u>
<u>SUB-DEV3-S2</u>	<u>Water Supply</u>		

<p>North-West Area</p>	<ol style="list-style-type: none"> 1. Where a connection to Council’s reticulated water supply is available, all new allotments must be capable of being provided with a water supply connection at the allotment boundary, in accordance with the Wellington Water Limited Regional Standard for Water Services (2019). 2. Where a connection to Council’s reticulated water supply is unavailable, all allotments must be capable of being provided with access to a self-sufficient potable water supply with a minimum volume of 10,000L and a firefighting water supply in accordance with the New Zealand Firefighting Code of Practice SNZ PAS 4509:2008. <p><i>Note: Fire and Emergency New Zealand recommends that the most appropriate way to comply with the New Zealand Firefighting Code of Practice SNZ PAS 4509:2008 is through the installation of fire sprinkler systems, in accordance with NZS 4541:2013</i></p>	
<p>Valley Flats Area, Station Flats Area, Hilltops Area, Hilltop Basin Area, Hillside Area</p>	<ol style="list-style-type: none"> 1. Allotments must not be connected to the Council’s reticulated water supply; 2. All allotments must be capable of being provided with access to a self-sufficient potable water supply with a minimum volume of 10,000L and a firefighting water supply in accordance with the New Zealand Firefighting Code of Practice SNZ PAS 4509:2008. <p><i>Note: Fire and Emergency New Zealand recommends that the most appropriate way to comply with the New Zealand Firefighting Code of Practice SNZ PAS 4509:2008 is through the installation of fire sprinkler systems, in accordance with NZS 4541:2013</i></p>	
<p>SUB-DEV3-S3 Wastewater Disposal</p>		
<p>Gabites Block Development Area</p>	<ol style="list-style-type: none"> 1. Where a connection to Council’s reticulated wastewater is available, all allotments must be capable of being provided with a connection at the allotment boundary in accordance with the Wellington Water Limited <i>Regional Standard for Water Services</i> (2019). 2. Where a connection to Council’s reticulated wastewater is unavailable: <ol style="list-style-type: none"> a. All allotments must be capable of being provided with an on-site wastewater system that meets the requirements of Section 5.2.6 of the Wellington Water Limited <i>Regional Standard for Water Services</i> (2019); and b. Where sewage is to be discharged to land, the land must not be subject to instability or 	

	inundation, or used for the disposal of stormwater.	
SUB-DEV3-S4	Stormwater Management	
Gabites Block Development Area	<ol style="list-style-type: none"> 1. Where a connection to Council’s stormwater system is available, all allotments must be capable of being provided with a connection at the allotment boundary in accordance with the Wellington Water Limited <i>Regional Standard for Water Services</i> (2019). 2. Where a connection to Council’s stormwater system is not available and the means of stormwater disposal is to ground, that area must not be subject to instability or be used for the disposal of wastewater. 	
SUB-DEV3-S5	Telecommunications and Power Supply	
Gabites Block Development Area	<ol style="list-style-type: none"> 1. All new allotments must have provision for telecommunication connections; and 2. All new allotments must have provision for electricity connections. 	
SUB-DEV3-S6	Roads	
Gabites Block Development Area	<ol style="list-style-type: none"> 1. Roads must be constructed in general accordance with the <i>Roading Typologies of the Gabites Block Development Area Structure Plan</i> and <i>NZS 4404:2010 Land Development and Subdivision Infrastructure</i>. 	

Amendment 14.

SUB-DEV3-IR-1	Landscape and Visual Assessment
Hillside Area	<p>Applications under Rule SUB-DEV3-R5 for subdivision in the Hillside Area must provide:</p> <ol style="list-style-type: none"> 1. A Landscape and Visual Assessment prepared by a suitably qualified landscape architect that sets out the following: <ol style="list-style-type: none"> a. Existing topography by contour lines with an analysis of slope gradients and an indication of the drainage pattern; b. Existing vegetation and significant natural features on the site; c. Existing visibility and views to and from the site; d. Proposed allotment boundaries, building platforms, roading and access; e. Associated earthworks and access or driveway construction including proposed topography by contour lines, identifying areas of cut and fill; f. Proposed landscape development including fences, boundary planting and vegetation. g. Visibility and similarity with surrounding colours, textures, patterns and forms. 2. A Planting Plan prepared by a suitably qualified expert that provides details of the planting of vegetation to mitigate potential landscape and visual effects associated with the proposal. <ol style="list-style-type: none"> a. The Planting Plan will have as its key performance objectives: <ol style="list-style-type: none"> i. Establishment of a vegetative cover over areas exposed by site earthworks; and ii. Integration of the earthworks into the adjoining landscape. b. The Planting Plan must include the following information: <ol style="list-style-type: none"> i. Details of batter slope planting and retaining wall screening planting (including plant species, size, and spacing); ii. A planting maintenance plan for 3 years or until planting has achieved an 80% canopy cover; and iii. On-going management.

Amendment 15.

GENERAL DISTRICT-WIDE MATTERS			
LIGHT – Light			
<i>Rules</i>			
Permitted Activities			Zones
LIGHT-R1	All activities complying with LIGHT-S1		PER <i>General Residential General Rural Rural Production Rural Lifestyle Commercial City Centre General Industrial, , Open Space (excluding Speedway Area) Special Activity (including St. Patrick’s Estate Area)</i>

			Development Area 1 Development Area 2 Development Area 3
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Amendment 16.

Standards for Permitted Activities		Zones
LIGHT-S1 <i>Policies</i> LIGHT P1, GRZ-P3 GRUZ-P1, RPROZ-P1, RLZ-P1 COMZ-P1, CCZ-P3, GIZ-P2 OSZ-P4 SAZ-P2	Artificial light (1) Light emissions from a site shall not exceed a measurement of 8 lux (lumens per m ²) measured in both the horizontal and vertical planes, 1.5m above the ground at the site boundary . (2) Light emissions will be measured by an instrument that meets NZSS CP22 (1962) requirements and amendments. (3) Light emissions from a site shall not spill directly onto roads .	<i>General Residential</i> <i>General Rural</i> <i>Rural Production</i> <i>Rural Lifestyle</i> <i>Commercial</i> <i>City Centre</i> <i>General Industrial, ,</i> <i>Open Space</i> <i>(excluding</i> <i>Speedway Area)</i> <i>Special Activity</i> <i>(including St.</i> <i>Patrick’s Estate</i> <i>Area)</i> <i>Development Area</i> 1 <i>Development Area</i> 2 Development Area 3

Amendment 17.

Discretionary Activities		Zones
All activities that do not complying with permitted activity standards in Light-S1	DIS	<i>General Residential</i> <i>General Rural</i> <i>Rural Production</i> <i>Rural Lifestyle</i> <i>Commercial</i> <i>City Centre</i> <i>General Industrial</i> <i>Special Activity</i> <i>(excluding St.</i> <i>Patrick’s Estate</i> <i>Area)</i> <i>Development Area</i> 1 <i>Development Area</i> 2 Development Area 3

Amendment 18.

SIGN – Signs

Rules	
Standards for Permitted Activities	Zones
<p>SIGN-S2 Signs in General Residential Zones, General Rural Zones, Rural Production Zones, Rural Lifestyle Zones, Settlement Zones and Open Space Zones and in Development Area 1 (except for the Gateway Precinct), and Development Area 2 and Development Area 3</p> <p>(1) In Residential Zones and Rural Zones, a maximum of one sign per site, visible in any one direction.</p> <p>(2) In Open Space Zones there shall be no more than one freestanding sign per 100m of road frontage.</p> <p>(3) The maximum area of any sign visible in any one direction shall not exceed:</p> <p>(a) 1.5m² in Residential Zones and Settlement Zones;</p> <p>(b) 3.0 m² in Rural Zones;</p> <p>(c) In Open Space Zones:</p> <p>(i) 4.5m² for free-standing signs,</p> <p>(ii) 3m² for any sign attached to a building;</p> <p>(iii) 0.5m² for signs used for marking tracks; and</p> <p>(iv) 2m² for signs providing interpretation or identification.</p> <p>(4) The maximum height above ground level of any part of a free-standing sign above ground level shall not exceed 3 metres.</p> <p>(5) No sign shall extend beyond the elevation of the building to which it is attached, or extend above the roofline of the building.</p> <p>(6) The maximum width of any free-standing sign shall not exceed 2 metres.</p> <p>(7) In Residential Zones, signs on buildings must not cover any windows.</p> <p>(8) In Open Space Zones, signs not directly visible from any public road or the boundary of any residential zone are not limited in size and number.</p> <p>(9) No illumination (internal or external) of signs in the Residential and Rural zones.</p> <p>(10) No illumination (internal or external) of signs in the Open Space zone.</p>	<p><i>General Residential</i></p> <p><i>General Rural</i></p> <p><i>Rural Production</i></p> <p><i>Rural Lifestyle</i></p> <p><i>Open Space</i></p> <p><i>Development Area 1 (excluding Gateway Precinct)</i></p> <p><i>Development Area 2</i></p> <p>Development Area 3</p>

Amendment 19.

PART 3 – AREA-SPECIFIC MATTERS	
ZONES	
Rural Zones	
Settlement Zone	

OBJECTIVES	
SETZ-O1	Settlement Zone
The Settlement Zone provides predominantly for areas of residential activities in rural locations	
SETZ-O2	Focal Point or Transition Area
The Settlement Zone creates a focal point for the rural community or acts as a transition area between rural and urban environments	

POLICIES

SETZ-P1 Location of Settlement Zone

Provide for the Settlement Zone on the urban fringe in close proximity to urban amenities to act as a transition area between rural and urban environments.

SETZ-P2 Type of Development

Enable low density residential and rural residential development that maintains rural character.

Amendment 20.

DEVELOPMENT AREAS

DEV3 - Development Area 3 - Gabites Block Development Area

This chapter contains provisions which relate to the Gabites Block Development Area. The provisions apply in addition to the underlying zone rules of the Settlement Zone and relevant District-wide Matters. Where there is any conflict between the provisions the Gabites Block Development Area provisions prevail.

The Gabites Block Development Area provides for low density residential and rural residential development while maintaining and protecting the natural and landscape values of the Gabites Block in its Maymorn context. The location and density of development is required to be in accordance with the areas shown on the Gabites Block Development Area Plan (DEV3-APPENDIX1).

Amendment 21.

Stormwater

OBJECTIVES

DEV3-SW-O1 Hydraulic Neutrality

Subdivision, use and development achieve hydraulic neutrality.

Amendment 22.

POLICIES

DEV3-SW-P1 Hydraulic Neutrality

Require all subdivision, use and development to achieve hydraulic neutrality as follows:

1. Require any increase in impervious surfaces above the Area standard for individual sites to address any impact on hydraulic neutrality by demonstrating that existing hydraulic neutrality facilities have sufficient capacity or by providing sufficient water storage for hydraulic neutrality on the site;
2. Provide for hydraulic neutrality facilities that are appropriately located and designed to ensure continued access for device inspection, maintenance and upgrade; and
3. Design hydraulic neutrality facilities so that they are sized in accordance with the Wellington Water Limited Regional Standard for Water Services (2019).

DEV3-SW-P2	Building Materials
<p>Require buildings and structures with copper or zinc building, cladding and roofing materials (including guttering and spouting) to achieve one of the following:</p> <ol style="list-style-type: none"> 1. <u>The building material must be finished in a manner that prevents water runoff from containing copper or zinc; or</u> 2. <u>The stormwater from the building materials must be treated to minimise concentrations of copper or zinc to the smallest amount practicable in accordance with the Wellington Water Ltd Water Sensitive Design for Stormwater: Treatment Device Guideline (2019).</u> 	

Amendment 23.

Noise

OBJECTIVES	
DEV3-NOISE-O1	Noise - Reverse Sensitivity
<p><u>Residential units are designed to minimise reverse sensitivity effects.</u></p>	

Amendment 24.

POLICIES	
DEV3-NOISE-P1	Reverse Sensitivity
<p><u>Require residential units locating in the Gabites Block Rail Corridor Buffer Area shown in the Gabites Block Development Area Structure Plan in DEV3-APPENDIX1 to design sleeping rooms and studies to attenuate external noise.</u></p>	

Amendment 25.

RULES	
DEV3-NOISE-R1	New buildings and additions to existing buildings for use by a residential unit.
<u>Gabites Block Rail Corridor Buffer Area</u>	<ol style="list-style-type: none"> 1. <u>Activity status: Permitted</u> <u>Where:</u> <ol style="list-style-type: none"> a. <u>Compliance is achieved with:</u> <ol style="list-style-type: none"> i. <u>DEV3-NOISE-S1, demonstrated by means of an acoustical certificate or construction in accordance with the minimum requirements set out in the Noise Insulation Construction Schedule (DEV3-NOISE-APPENDIX1); and</u> ii. <u>DEV3-NOISE-S2.</u>
	<ol style="list-style-type: none"> 2. <u>Activity status: Restricted Discretionary</u> <u>Where:</u> <ol style="list-style-type: none"> a. <u>Compliance is not achieved with:</u> <ol style="list-style-type: none"> i. <u>DEV3-NOISE-S1; or</u> ii. <u>DEV3-NOISE-S2.</u>

Matters of discretion are restricted to:

- M1. [The matters of discretion of any infringed standard.](#)

Amendment 26.

DEV3-NOISE-S1	Noise Insulation	
Gabites Block Rail Corridor Buffer Area	<p>Any sleeping room or study in a residential unit must be protected from noise arising outside the building by ensuring the external sound insulation level achieves the following minimum performance standard:</p> <p>D2m,nT,w+Ctr>35.</p>	<p>Matters of discretion are restricted to:</p> <p>M1. The reverse sensitivity effects on the Wellington to Woodville railway; and</p> <p>M2. The health and amenity of future occupants of the building.</p>
DEV3-NOISE-S2	Mechanical Ventilation	
Gabites Block Rail Corridor Buffer Area	<p>Where windows of a sleeping room or study in a residential unit must be closed to meet the requirements of DEV3-NOISE-S1, the sleeping room or study must have a positive supplementary source of fresh air ducted from outside that achieves a minimum of 7.5 Litres of fresh air per second per person.</p>	<p>Matters of discretion are restricted to:</p> <p>M1. The health and amenity of future occupants of the building.</p>

Amendment 27.

[DEV3-NOISE-APPENDIX1](#)

[Noise Insulation Construction Schedule](#)

Building Element	Minimum Construction Requirement
External Walls	<ul style="list-style-type: none"> External cladding with a surface mass not less than 23kg/m², ex 100 x 50mm framing at 600mm centres; Fibrous thermal insulation; and Internal lining of one layer 13mm thick high density gypsum board (minimum 12kg/m²). <p>Or:</p> <ul style="list-style-type: none"> Any wall construction utilising at least 50mm thick concrete; Secondary timber strapping or wall framing not less than 50mm thick lined with at least 10mm thick gypsum board; and Fibrous thermal insulation. <p>Combined Superficial Density Minimum not less than 35kg/m² being the combined mass of external and internal linings excluding structural elements (e.g. window frames or wall studs) with no less than 12kg/m² on each side of structural elements.</p>
Glazed Areas	<ul style="list-style-type: none"> 4/12/4 thermal double glazing, with 6mm thick secondary pane at least 75mm from the outer glazing; and Windows to be new aluminium frames with fixed panes or opening sashes with full compression seals. <p>Note: Rooms with glazed areas in external walls greater than 35% of floor area of the room will require a specialist acoustic report to show conformance with the insulation rule.</p>
Pitched Roof (all roofs other than skillion roofs)	<ul style="list-style-type: none"> Profiled long run steel or tiles, with minimum steel thickness of 0.4mm; Timber trusses at minimum 800mm centres; Fibrous thermal insulation; Ceiling lining of one layer 13mm thick high density gypsum board (minimum 12kg/m²).

<u>Skillion Roof</u>	<ul style="list-style-type: none"> • <u>Profiled long run steel or tiles, with minimum steel thickness of 0.4mm;</u> • <u>Timber framing at minimum 600mm centres;</u> • <u>Fibrous thermal insulation;</u> • <u>Ceiling lining of two layers 13mm thick high density gypsum board (minimum 12kg/m²) each.</u>
<u>External Door in Outside Walls</u>	<u>Solid core door (minimum 25kg/m²) with compression seals (where the door is exposed to exterior noise).</u>

Amendment 28.

POLICIES

DEV3-NH-P1 Earthworks in the High Slope Hazard Overlay

Provide for earthworks in the High Slope Hazard Overlay of the Gabites Block Development Area Structure Plan in DEV3-APPENDIX1, where:

1. A geotechnical assessment confirms that the proposed earthworks will not unacceptably increase the risk from slope instability to people, and buildings; and
2. The earthworks will not increase the risk of slope failure at adjacent sites.

<u>DEV3-NH-R1</u>	<u>Earthworks for a building platform in the High Slope Hazard Overlay</u>
<u>Gabites Block Development Area</u>	<ol style="list-style-type: none"> 1. <u>Activity Status: Restricted Discretionary</u> <u>Where:</u> <ol style="list-style-type: none"> a. <u>The earthworks are for a building platform in the High Slope Hazard Overlay of the Gabites Block Development Area Structure Plan in DEV3-APPENDIX1.</u> <u>Matters of discretion are restricted to:</u> <ol style="list-style-type: none"> a. <u>The matters in DEV3-NH-P1.</u>

Amendment 29.

Ecology

OBJECTIVES

DEV3-ECO-O1 Gabites Block Natural Areas

The ecological values of Gabites Block Natural Areas are protected from inappropriate subdivision, use and development.

Amendment 30.

POLICIES

DEV3-ECO-P1 Identification of Gabites Block Natural Areas

Identify on the Gabites Block Development Area Structure Plan (DEV3-APPENDIX1) and list within DEV3-ECO-Appendix-1: Schedule of Gabites Block Natural Areas, areas with significant indigenous biodiversity values that meet the criteria in Policy 23 of the Regional Policy Statement.

DEV3-ECO-P2 Protection of Gabites Block Natural Areas

Protect the biodiversity values of Gabites Block Natural Areas identified in *DEV3-ECO-Appendix-1: Schedule of Gabites Block Natural Areas* by requiring subdivision, use and development to:

1. Avoid adverse effects on identified indigenous biodiversity values where practicable;
2. Minimise other adverse effects on the identified biodiversity values where avoidance is not practicable;
3. Remedy other adverse effects where they cannot be avoided or minimised;
4. Only consider biodiversity offsetting for any residual adverse effects that cannot otherwise be avoided, minimised or remedied and where the principles of *DEV3-ECO-Appendix 2 Biodiversity Offsetting* are met; and
5. Only consider biodiversity compensation after first considering biodiversity offsetting and where the principles of *DEV3-ECO-Appendix 3 Biodiversity Compensation* are met.

DEV3-ECO-P3 Appropriate Use and Development in Gabites Block Natural Areas

Enable vegetation clearance within Gabites Block Natural Areas for the following activities where the vegetation clearance is of a scale and nature that maintains the identified biodiversity values:

1. Maintenance around existing buildings and network utilities;
2. Safe operation of roads, tracks and accessways;
3. Restoration and conservation activities;
4. Opportunities to enable tangata whenua to exercise customary harvesting practices; and
5. Provision of a cycleway or walkway through Gabites Block Natural Area 6.

DEV3-ECO-P4 Other Subdivision, Use and Development in Gabites Block Natural Areas

Only allow subdivision, use and development in Gabites Block Natural Areas where the activity:

1. Applies the effects-management hierarchy of DEV3-ECO-P2;
2. Takes into account the findings of an ecological assessment from a suitably qualified ecologist that determines the significance of the indigenous biodiversity values and the impact of the activity on the identified biodiversity values in order to support the application of the effects management hierarchy of DEV3-ECO-P2;
3. Provides for the formal protection and ongoing active management of the Gabites Block Natural Area;
4. Minimises the land ownership fragmentation and physical fragmentation of the Gabites Block Natural Area as part of the subdivision, use or development;
5. Avoids locating building platforms and vehicle accessways in Gabites Block Natural Areas;
6. Minimises trimming or removal of indigenous vegetation to avoid loss, damage or disruption to the ecological processes, functions and integrity of the Gabites Block Natural Area;
7. Minimises earthworks in Gabites Block Natural Areas; and
8. Minimises the potential cumulative adverse effects of activities on the values of the Gabites Block Natural Area.

Amendment 31.

RULES

Note: The rules of other parts of the District Plan may apply in addition to the rules of this section. More than one rule may apply.

These rules do not apply to natural inland wetlands, which are defined and regulated under the National Policy Statement on Freshwater Management 2020 and the National Environmental Standards for Freshwater 2020 and managed by the Greater Wellington Regional Council.

<u>DEV3-ECO-R1</u>	<u>Trimming or Removal of Vegetation within a Gabites Block Natural Area</u>
<u>Gabites Block Development Area</u>	<p>1. <u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <p>a. <u>The trimming or removal of vegetation is to:</u></p> <ul style="list-style-type: none"> i. <u>Address an imminent threat to people or property;</u> ii. <u>Undertake natural hazard mitigation activity by a Crown Entity, Greater Wellington Regional Council, Upper Hutt City Council or their agent;</u> iii. <u>Ensure the safe operation of any formed public road or public walking or cycling track;</u> iv. <u>Construct a cycleway or walkway through Gabites Block Natural Area 6;</u> v. <u>Maintain lawfully established private accessways where the removal of vegetation is within 1m of the accessway;</u> vi. <u>Maintain lawfully established buildings where the removal of vegetation is within 3m of the building;</u> vii. <u>Maintain lawfully established network utility or renewable electricity generation activities where the removal of vegetation is within 1m of the utility or renewable electricity generation activity;</u> viii. <u>Construct or maintain perimeter fences for stock or pest animal exclusion provided the removal of vegetation is within 1m of the fence;</u> ix. <u>Comply with section 43 or section 64 of the Fire & Emergency NZ Act 2017; or</u> x. <u>Enable tangata whenua to exercise traditional customary harvesting practices.</u> <p>2. <u>Activity status: Restricted Discretionary</u></p> <p><u>Where:</u></p> <p>a. <u>Compliance is not achieved with:</u></p> <ul style="list-style-type: none"> i. <u>DEV3-ECO-R1-1a.</u> <p><u>Matters of discretion are restricted to:</u></p> <p>M1. <u>The matters in</u></p> <ul style="list-style-type: none"> a. <u>DEV3-ECO-P2, DEV3-ECO-P3 and DEV3-ECO-P4.</u> <p><u>Refer to information requirement DEV3-ECO-IR-1.</u></p>

<u>DEV3-ECO-R2</u>	<u>Restoration and Maintenance of Gabites Block Natural Areas</u>
<u>Gabites Block Development Area</u>	<p>1. <u>Activity Status: Permitted</u></p> <p><u>Where:</u></p> <p>a. <u>The works are for the purpose of restoring or maintaining the identified values of the Gabites Block Natural Area by:</u></p> <ul style="list-style-type: none"> i. <u>Planting eco-sourced, local, indigenous vegetation;</u> ii. <u>Removing non-indigenous vegetation;</u> iii. <u>Carrying out pest animal and pest plant control activities;</u>

	<ul style="list-style-type: none"> iv. Carrying out activities in accordance with a registered protective covenant under the Reserves Act 1977, Conservation Act 1987 or Queen Elizabeth the Second National Trust Act 1977; or v. Carrying out activities in accordance with a Reserve Management Plan approved under the Reserves Act 1977.
	<p>2. Activity status: Restricted Discretionary</p> <p>Where</p> <ul style="list-style-type: none"> a. Compliance is not achieved with: <ul style="list-style-type: none"> i. DEV3-ECO-R3-1a. <p>Matters of discretion are restricted to:</p> <p>M1. The matters in:</p> <ul style="list-style-type: none"> a. DEV3-ECO-P2, DEV3-ECO-P3 and DEV3-ECO-P4.

Amendment 32.

INFORMATION REQUIREMENTS	
DEV3-ECO-IR-1	Activities in Gabites Block Natural Areas
Gabites Block Development Area	<p>Applications for activities in Gabites Block Natural Areas must include the following:</p> <ul style="list-style-type: none"> 1. An Ecological Assessment by a suitably qualified ecologist that: <ul style="list-style-type: none"> a. Identifies the biodiversity values and potential effects of the proposal; and b. Demonstrates that the effects management hierarchy of DEV3-ECO-P2 has been applied.

Amendment 33.

APPENDICES	
DEV3-ECO-Appendix-1: Schedule of Gabites Block Natural Areas	
Site Number	Site Summary
GBNA 1	A small area of primary beech forest and broadleaved scrub located at the northern end of the Gabites Block Development Area. The western finger of the area forms part of a draft Significant Natural Area previously identified by UHCC as UH041. Vegetation is dominated by subcanopy species; however, there are also mature canopy trees including beech, kahikatea, and totara. Other native species present included mahoe, seven finger, rangiora, and tree ferns. In addition, native vegetation coverage continues upstream in the gully that flows from Maymorn Road. Vegetation is mixed including beech, mahoe, five finger, red matipo, <i>Pittosporum</i> sp., <i>Veronica salicifolia</i>, <i>Coprosma repens</i>, and tree ferns. In addition, blackberry and old man's beard were abundant, and gorse and broom were present around the edges.
GBNA 2	The area consists of young native bush, dominated by understory and subcanopy species. Species present included seven finger, rangiora and tree ferns. Mānuka was present as well as occasional wilding pines. Based on the vegetation type and structure observed on-site, the areas could provide habitat for native fauna, including lizards and birds. While not as botanically diverse as the GBNA 1 vegetation, the area contains young successional native vegetation with species and tiers expected for this vegetation type.
GBNA 3	The area consists of young native bush, dominated by understory and subcanopy species. Species present included seven finger, rangiora and tree ferns. Mānuka was present as well as occasional wilding pines. Based on the vegetation type and structure observed on-site, the areas could provide habitat for native fauna, including lizards and birds. While not as botanically diverse as the GBNA 1 vegetation, the area contains young successional native vegetation with species and tiers expected for this vegetation type.
GBNA 4	The area consists of young native bush, dominated by understory and subcanopy species. Species present included seven finger, rangiora and tree ferns. Mānuka was present as well as occasional wilding pines.

	Based on the vegetation type and structure observed on-site, the areas could provide habitat for native fauna, including lizards and birds. While not as botanically diverse as the GBNA 1 vegetation, the area contains young successional native vegetation with species and tiers expected for this vegetation type.
GBNA 5	The area consists of young native bush, dominated by understory and subcanopy species. Species present included seven finger, rangiora and tree ferns. Mānuka was present as well as occasional wilding pines. Based on the vegetation type and structure observed on-site, the areas could provide habitat for native fauna, including lizards and birds. While not as botanically diverse as the GBNA 1 vegetation, the area contains young successional native vegetation with species and tiers expected for this vegetation type.
GBNA 6	The area consists of young native bush, dominated by understory and subcanopy species. Species present included seven finger, rangiora and tree ferns. Mānuka was present as well as occasional wilding pines. Based on the vegetation type and structure observed on-site, the areas could provide habitat for native fauna, including lizards and birds. While not as botanically diverse as the GBNA 1 vegetation, the area contains young successional native vegetation with species and tiers expected for this vegetation type.

Amendment 34.

[DEV3-ECO-Appendix-2: Biodiversity Offsetting](#)

[The following sets out a framework of principles for the use of biodiversity offsets.](#)

[The principles must be complied with for an action to qualify as a biodiversity offset. The principles will be used when assessing the adequacy of proposals for the design and implementation of offsetting as part of resource consent applications.](#)

Principle 1	Adherence to the mitigation hierarchy
The proposed biodiversity offset will be assessed in accordance with the mitigation hierarchy set out in DEV3-ECO-P2. It should only be contemplated after the mitigation hierarchy steps in DEV3-ECO-P2 have been demonstrated to have been sequentially exhausted. Any proposal for a biodiversity offset will demonstrate how it addresses the residual adverse effects of the activity.	
Principle 2	Limits to offsetting
Many biodiversity values cannot be offset and if they are adversely affected then they will be permanently lost. These situations include where:	
<ol style="list-style-type: none"> a. Residual adverse effects cannot be offset because of the irreplaceability or vulnerability of the indigenous biodiversity affected or there is no appropriate offset site; b. There are no technically feasible options by which to secure gains within acceptable timeframes; and c. Effects on indigenous biodiversity are uncertain, unknown or little understood, but potential effects are significantly adverse. In these situations, an offset would be inappropriate. This principle reflects a standard of acceptability for offsetting and a proposed offset must provide an assessment of these limits that supports its success. 	
Principle 3	No net loss and preferably a net gain
The values to be lost through the activity to which the offset applies are counterbalanced by the proposed offsetting activity which is at least commensurate with the adverse effects on indigenous biodiversity so that the overall result is no net loss and preferably a net gain in biodiversity. No net loss and net gain are measured by type, amount and condition at the impact and offset site and require an explicit loss and gain calculation. Provisions for addressing sources of uncertainty and risk of failure in delivering the biodiversity offset should also be included.	
Principle 4	Additionality
A biodiversity offset must achieve gains in indigenous biodiversity above and beyond gains that would have occurred in the absence of the offset, including that gains are additional to any minimisation or remediation undertaken in relation to the	

adverse effects of the activity. Offset design and implementation must avoid displacing activities harmful to indigenous biodiversity to other locations

Principle 5 **Like for Like**

The ecological values being gained at the offset site are the same as those being lost at the impact site across types of indigenous biodiversity, amount of indigenous biodiversity (including condition), over time and spatial context.

Principle 6 **Landscape context**

Biodiversity offset actions must be undertaken where this will result in the best ecological outcome, preferentially, first at the site, then the relevant catchment, then within the ecological district. Applications must consider the landscape context of both the impact site and the offset site, taking into account interactions between species, habitats and ecosystems, spatial connections and ecosystem function.

Principle 7 **Long-term outcomes**

The biodiversity offset must be managed to secure outcomes of the activity that last at least as long as the impacts, and preferably in perpetuity, including through the use of adaptive management where necessary.

Principle 8 **Time Lags**

The delay between loss of indigenous biodiversity at the impact site and gain or maturity of indigenous biodiversity at the offset site must be minimised so that gains are achieved within the consent period and identified within the biodiversity offset management plan.

Principle 9 **Trading Up**

When trading up forms part of an offset, the proposal must demonstrate that the indigenous biodiversity values gained are demonstrably of higher value than those lost, and the values lost are not indigenous taxa that are listed as Threatened, At-risk or Data deficient in the New Zealand Threat Classification System lists, or considered vulnerable or irreplaceable.

Principle 10 **Offsets in advance**

A biodiversity offset developed in advance of an application for resource consent must provide a clear link between the offset and the future effect. That is, the offset can be shown to have been created or commenced in anticipation of the specific effect and would not have occurred if that effect were not anticipated.

Principle 11 **Proposing a biodiversity offset**

A proposed biodiversity offset must include a specific biodiversity offset management plan, that:

- a. Sets out baseline information on the indigenous biodiversity that is potentially impacted by the proposed activity at both the donor and recipient sites;
- b. Demonstrates how the requirements set out in this schedule will be carried out; and
- c. Identifies the monitoring approach that will be used to demonstrate how the principles set out in this schedule will be fulfilled over an appropriate timeframe.

Amendment 35.

DEV3-ECO-Appendix-3: Biodiversity Compensation

[The following sets out a framework of principles for the use of biodiversity compensation.](#)

[The principles must be complied with for an action to qualify as biodiversity compensation.](#)

Principle 1	Adherence to the mitigation hierarchy
Biodiversity compensation is a commitment to redress residual adverse effects. It must only be contemplated after the mitigation hierarchy steps in DEV3-ECO-P2 have been demonstrated to have been sequentially exhausted and thus applies only to residual adverse effects on indigenous biodiversity.	
Principle 2	Limits to biodiversity compensation
In deciding whether biodiversity compensation is appropriate, a decision-maker must consider the principle that many indigenous biodiversity values are not able to be compensated for because:	
<ul style="list-style-type: none"> a. The indigenous biodiversity affected is irreplaceable or vulnerable; b. There are no technically feasible options by which to secure proposed gains within acceptable timeframes; and c. Effects on indigenous biodiversity are uncertain, unknown or little understood, but potential effects are significantly adverse. 	
Principle 3	Scale of biodiversity compensation
The values to be lost through the activity to which the biodiversity compensation applies must be addressed by positive effects to indigenous biodiversity that are proportionate to the adverse effects on indigenous biodiversity.	
Principle 4	Additionality
Biodiversity compensation must achieve gains in indigenous biodiversity above and beyond gains that would have occurred in the absence of the compensation, including that gains are additional to any remediation undertaken in relation to the adverse effects of the activity. Compensation design and implementation must avoid displacing activities harmful to indigenous biodiversity to other locations.	
Principle 5	Landscape context
Biodiversity compensation actions must be undertaken where this will result in the best ecological outcome, preferentially, first at the site, then the relevant catchment, then within the ecological district. The actions must consider the landscape context of both the impact site and the compensation site, taking into account interactions between species, habitats and ecosystems, spatial connections and ecosystem function.	
Principle 6	Long-term outcomes
The biodiversity compensation must be managed to secure outcomes of the activity that last as long as the effects, and preferably in perpetuity.	
Principle 7	Time Lags
The delay between loss of indigenous biodiversity at the impact site and gain or maturity of indigenous biodiversity at the compensation site must be minimised.	
Principle 8	Trading Up

When trading up forms part of biodiversity compensation, the proposal must demonstrate the indigenous biodiversity values gained are demonstrably of higher indigenous biodiversity value than those lost. The proposal must also show the values lost are not indigenous taxa that are listed as Threatened, At-risk or Data deficient in the New Zealand Threat Classification System lists, or considered vulnerable or irreplaceable.

Principle 9 **Biodiversity compensation in advance**

Biodiversity compensation developed in advance of an application for resource consent must provide a clear link between the compensation and the future effect. That is, the compensation can be shown to have been created or commenced in anticipation of the specific effect and would not have occurred if that effect were not anticipated.

Amendment 36.

Gabites Block Area Use and Development

OBJECTIVES

DEV3-O1 **Character and Amenity Values of the North-West Area**

A cluster of residential development that is compatible with the built development of adjoining residential areas to the north and industrial areas to the west.

DEV3-O2 **Character and Amenity Values of the Valley Flats Area**

Rural residential development on flat land along Maymorn Road.

DEV3-O3 **Character and Amenity Values of the Station Flats Area**

A cluster of low density residential development on flat land framed by the Maymorn Station and railway line and the western hillside.

DEV3-O4 **Character and Amenity Values of the Hilltops Area**

An open, green landscape interspersed with rural residential development and sensitively located supporting network utilities.

DEV3-O5 **Character and Amenity Values of the Hilltop Basin Area**

An enclave of low density residential development secluded in a natural hilltop basin framed by hillslopes and ridges.

DEV3-O6 **Character and Amenity Values of the Hillside Area**

An open, vegetation-dominated, west-facing hillside and ridgeline with sparse and sensitively located rural residential development and supporting network utilities.

Amendment 37.

POLICIES

DEV3-P1 **Network Utilities in the Gabites Block Development Area**

Provide for built development where appropriate network utilities are available, including on-site servicing where reticulated services are not available.

DEV3-P2**Low Density Residential and Rural Residential Use and Development**

Provide for low density residential and rural residential use and development that achieves the following:

1. Site design, layout and scale of the activity that are compatible with the character and amenity values anticipated in the applicable Area;
2. Site design and implementation that:
 - a. Avoid built development that has significant adverse visual effects on the skyline of the main north-south ridge shown on the Gabites Block Development Area Structure Plan in DEV3-APPENDIX1, when viewed from Maymorn Road or Parkes Line Road;
3. Building design and implementation that achieves:
 - a. Recessive built forms and finishes;
 - b. Attenuation of external noise for sleeping rooms locating in the Gabites Block Rail Corridor Buffer Area of the Gabites Block Development Area Structure Plan in DEV3-APPENDIX1.
4. Landscape design and implementation that:
 - a. Maintain and enhance the vegetated hillside backdrop to Maymorn;
 - b. Avoid visually-impermeable boundary fencing, including avoid close-boarded and solid panel fencing, and avoid front boundary fences of higher than 1.2m;
 - c. Ensure outdoor living spaces are well located, accessible and have access to sunlight;
 - d. Use planting to achieve visual amenity, safety and functionality;
 - e. Ensure driveways, manoeuvring and parking areas are visually unobtrusive;
 - f. Provide a visually-permeable, planted buffer along Maymorn Road.
5. Lighting that enhances safety and security without adversely affecting the amenity of other sites.
6. Private vehicle crossings that do not connect directly to Maymorn Road.
7. Transport networks that avoid significant adverse effects on the rural character or landscape values of the Gabites Block and Maymorn context

DEV3-P3**Non-Residential Activities**

Provide for non-residential activities that:

1. Contribute to the social, cultural and economic wellbeing of people and communities;
2. Are of a type and scale compatible with the character, landscape and amenity values of the Area;
3. Avoid, remedy or mitigate adverse effects on the amenity values of adjoining sites, including from signs and the location and scale of utility and external storage areas;
4. Avoid, remedy or mitigate adverse effects on the amenity values of adjoining sites or the landscape from the movement of people and vehicles associated with the activity;
5. Have hours of operation that are compatible with rural-residential amenity; and
6. Have an operational need to locate in the Area.

Avoid non-residential activities that are incompatible with the character, landscape and amenity values anticipated in the Area.

Amendment 38.

RULES

Note: The rules of other parts of the District Plan may apply in addition to the rules of this section. More than one rule may apply.

DEV3-R1**Buildings and Structures**1. Activity status: PermittedWhere:a. Compliance is achieved with:

- i. DEV3-S1;
- ii. DEV3-S2;
- iii. DEV3-S3;
- iv. DEV3-S4;
- v. DEV3-S5;
- vi. DEV3-S6;
- vii. DEV3-S7;
- viii. DEV3-S8;
- ix. DEV3-S9;
- x. DEV3-S10;
- xi. DEV3-S11; and
- xii. DEV3-S12.

2. Activity status: Restricted DiscretionaryWhere:a. Compliance is not achieved with:

- i. DEV3-S1;
- ii. DEV3-S2;
- iii. DEV3-S3;
- iv. DEV3-S4;
- v. DEV3-S5;
- vi. DEV3-S6;
- vii. DEV3-S7;
- viii. DEV3-S8;
- ix. DEV3-S9;
- x. DEV3-S10;
- xi. DEV3-S11; or
- xii. DEV3-S12.

Matters of discretion are restricted to:

- M1. The matters in any infringed standard.

DEV3-R2**Residential Activities**1. Activity Status: PermittedWhere:

- a. There are no more than one residential unit and one minor residential unit per site;

- b. [Any minor residential unit shares a vehicle crossing and driveway with the site's residential unit; and](#)
- c. [Compliance is achieved with:](#)
 - i. [DEV3-S3; and](#)
 - ii. [DEV3-S8.](#)

2. [Activity status: Restricted Discretionary](#)

[Where:](#)

- a. [Compliance is not achieved with:](#)
 - i. [DEV3-R2-1a;](#)
 - ii. [DEV3-R2-1b;](#)
 - iii. [DEV3-S3; or](#)
 - iv. [DEV3-S8.](#)

[Matters of discretion are restricted to:](#)

- M1. [The matters in any infringed standard; and](#)
- M2. [The matters in:](#)
 - a. [DEV3-P2.](#)

DEV3-R3	Home Business
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1. [Activity Status: Permitted](#)

[Where:](#)

- a. [No more than 40m² of total gross floor area of all buildings on site is used for the home business;](#)
- b. [No more than one full time employee or equivalent engaged in the home business resides off-site; and](#)
- c. [The hours of operation are within:](#)
 - i. [7.00am to 7.00pm, Monday to Friday; and](#)
 - ii. [7.00am to 6.00pm Saturday and Sunday.](#)

2. [Activity status: Restricted Discretionary](#)

[Where:](#)

- a. [Compliance is not achieved with:](#)
 - iii. [DEV3-R3-1a;](#)
 - iv. [DEV3-R3-1b; or](#)
 - v. [DEV3-R3-1c.](#)

[Matters of discretion are restricted to:](#)

- M1. [The matters in:](#)
 - a. [DEV3-P3.](#)

DEV3-R4	All Other Activities
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1. [Activity Status: Discretionary](#)

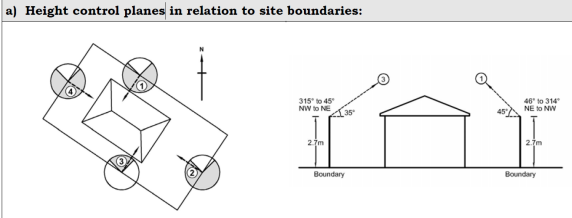
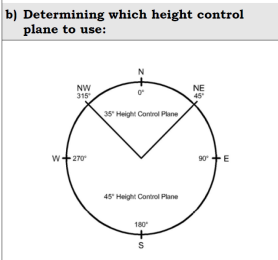
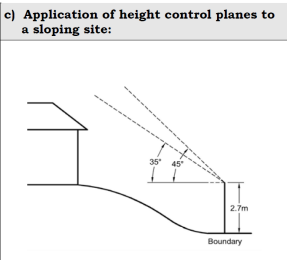
[Where:](#)

- a. [The activity is not otherwise provided for as a permitted activity, controlled activity, restricted discretionary activity or non-complying activity.](#)

Amendment 39.

STANDARDS

DEV3-S1	Height of Buildings and Structures	
<p><u>North-West Area,</u> <u>Valley Flats Area,</u> <u>Station Flats Area,</u> <u>Hilltops Area,</u> <u>Hilltop Basin Area</u></p>	<p>1. <u>All buildings and structures must comply with a maximum height above ground level of 8m, except that:</u></p> <p>a. <u>An additional 1m can be added to the maximum height of any building with a roof slope of 15° or greater, where the roof rises to a ridge.</u></p>	<p><u>Matters of discretion are restricted to:</u></p> <p>M1. <u>The effect on the streetscape, character and amenity of the area;</u></p> <p>M2. <u>Dominance effects on adjoining sites;</u></p> <p>M3. <u>Design and siting of the building or structure; and</u></p> <p>M4. <u>The influence of visually prominent trees and established landscaping.</u></p>
<p><u>Hillside Area</u></p>	<p>2. <u>All buildings and structures must comply with a maximum height above ground level of 6m.</u></p>	

DEV3-S2	Height Control Planes	
<p><u>Gabites Block Development Area</u></p>	<p><u>Buildings must fit within the height control planes defined below:</u></p> <p>a) Height control planes in relation to site boundaries:</p>  <p>b) Determining which height control plane to use:</p>  <p>c) Application of height control planes to a sloping site:</p>  <p><u>The following exceptions apply:</u></p> <ol style="list-style-type: none"> <u>Chimneys, flues, and minor decorative features may extend beyond the height control plane by up to 1m.</u> <u>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.</u> <u>Where the boundary involved in the measurement of the height control plane adjoins an access strip or right-of-way to a rear allotment lot, the outside boundary of</u> 	<p><u>Matters of discretion are restricted to:</u></p> <p>M1. <u>The effect on sunlight and daylight admission to internal living spaces and external outdoor living spaces on adjoining and surrounding sites; and</u></p> <p>M2. <u>Dominance and privacy effects on adjoining sites.</u></p>

	such an access strip or right-of-way may be substituted for the nearest site boundary.		
DEV3-S3	Maximum Building Coverage		
Gabites Block Development Area	<p>The maximum total building coverage on a site includes:</p> <ol style="list-style-type: none"> Residential units; Minor residential units; and Accessory buildings; <p>The maximum total building coverage excludes:</p> <ol style="list-style-type: none"> Pergola structures that are not covered by a roof; Uncovered decks; Uncovered outdoor swimming pools. Buildings and structures with a footprint of no more than 2.6m² and a height of no more than 2.2m above ground level. 		<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> Dominance effects on the street and adjoining properties; Effects on rural character; and Visual and landscape effects.
North-West Area	<ol style="list-style-type: none"> Maximum total building coverage is 250m² Maximum building coverage of minor residential unit is 50m² 		
Station Flats Area, Hilltop Basin Area	<ol style="list-style-type: none"> Maximum total building coverage is 350m² Maximum building coverage of minor residential unit is 50m² 		
Valley Flats Area, Hilltops Area, Hillside Area	<ol style="list-style-type: none"> Maximum total building coverage is 400m² Maximum building coverage of minor residential unit is 50m² 		
DEV3-S4	Minimum Setback from Maymorn Road Boundary for Buildings and Structures		
North-West Area, Valley Flats Area	Front boundary with Maymorn Road	8m	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> The effect on the streetscape and amenity of the area; Design and siting of buildings; Screening, planting and landscaping; and Pedestrian and cyclist safety.
	<p>This standard does not apply to:</p> <ol style="list-style-type: none"> Boundary fences. 		
DEV3-S5	Minimum Setback from Road Boundaries Other Than Maymorn Road		

<p>North-West Area</p>	<p>Front boundary with roads other than Maymorn Road</p>	<p>4m</p>	<p>Matters of discretion are restricted to:</p> <p>M1. The effect on the streetscape and amenity of the area;</p> <p>M2. Design and siting of buildings;</p> <p>M3. Screening, planting and landscaping; and</p> <p>M4. Pedestrian and cyclist safety.</p>
<p>This standard does not apply to:</p> <p>1. Boundary fences.</p>			
<p>Valley Flats Area, Station Flats Area, Hilltops Area, Hilltop Basin Area, Hillside Area</p>	<p>Front boundary with roads other than Maymorn Road</p>	<p>5m</p>	
<p>This standard does not apply to:</p> <p>1. Boundary fences.</p>			
<p>DEV3-S6 Minimum Setbacks from Other Boundaries</p>			
<p>North-West Area</p>	<p>Side Boundary</p>	<p>1.5m</p>	<p>Matters of discretion are restricted to:</p> <p>M1. Dominance and privacy effects on adjoining sites.</p>
	<p>Rear Boundary</p>	<p>1.5m</p>	
<p>Any wall within 1m of a boundary must be no longer than 6m.</p> <p>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, must be not less than 3m.</p> <p>For garages and other accessory buildings which form a part of a residential unit, the standards for accessory buildings apply to that residential unit, but only to the area of the residential unit which is an accessory building</p> <p>This standard does not apply to:</p> <p>1. Boundary fences or standalone walls; and</p> <p>2. Structures with a building footprint of less than 0.5m².</p>			
<p>Valley Flats Area, Station Flats Area, Hilltops Area, Hilltop Basin Area, Hillside Area</p>	<p>Side Boundary</p>	<p>3m</p>	
	<p>Rear Boundary</p>	<p>3m</p>	
<p>This standard does not apply to:</p> <p>1. Boundary fences or standalone walls; and</p> <p>2. Structures with a building footprint of less than 0.5m².</p>			

<u>DEV3-S7</u>	<u>Maymorn Road Landscaping Buffer</u>	
<u>North-West Area, Valley Flats Area</u>	<ol style="list-style-type: none"> 1. <u>Site areas within 5m of the Maymorn Road boundary must be landscaped with a buffer of native trees and plants that will be visually-permeable at maturity.</u> 	<u>Matters of discretion are restricted to:</u> <ol style="list-style-type: none"> M1. <u>The effect on the streetscape and amenity of the area.</u>
<u>DEV3-S8</u>	<u>Outdoor Living Space for Residential Units</u>	
<u>North-West Area</u>	<p><u>One outdoor living space capable of containing a 6m diameter circle must be provided for each residential unit or minor residential unit and be located at its northern aspect, or directly accessible from a living area.</u></p> <p><u>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 space.</u></p>	<u>Matters of discretion are restricted to:</u> <ol style="list-style-type: none"> M1. <u>Whether adequate useable space is provided to accommodate outdoor activities; and</u> M2. <u>Proximity of the residential unit to accessible public open space.</u>
<u>DEV3-S9</u>	<u>Fences</u>	
<u>North-West Area</u>	<ol style="list-style-type: none"> 1. <u>Fences on the Maymorn Road boundary must be post and rail fences no higher than 1.2m above ground level; and</u> 2. <u>Front boundary fences must be no higher than 1.2m above ground level.</u> 	<u>Matters of discretion are restricted to:</u> <ol style="list-style-type: none"> M1. <u>The effects on the streetscape, character and amenity of the area; and</u> M2. <u>The effects on the amenity of adjoining properties, where the fence is located on their boundary.</u>
<u>Valley Flats Area</u>	<ol style="list-style-type: none"> 1. <u>Fences on the Maymorn Road boundary must be post and rail fences no higher than 1.2m above ground level;</u> 2. <u>All other boundary fences must be visually permeable post and rail or post and wire fences; and</u> 3. <u>Front boundary fences must be no higher than 1.2m above ground level.</u> 	
<u>Station Flats Area, Hilltops Area, Hilltop Basin Area, Hillside Area</u>	<ol style="list-style-type: none"> 1. <u>All boundary fences must be visually permeable post and rail or post and wire fences; and</u> 2. <u>Front boundary fences must be no higher than 1.2m above ground level.</u> 	
<u>DEV3-S10</u>	<u>Reflectance of Buildings and Structures</u>	
<u>Hilltops Area, Hillside Areas</u>	<p><u>The reflectance value of the exterior finish of the building or structure must be no greater than 25% for roofs and 30% for walls within Groups A, B or C of the BS5252 standard colour palette.</u></p>	<u>Matters of discretion are restricted to:</u> <ol style="list-style-type: none"> M1. <u>The effects on the rural character and amenity of the area.</u>

		M2. The effects on the amenity of adjoining properties.
DEV3-S11	Use of Copper and Zinc	
Gabites Block Development Area	Copper or zinc surfaces in external building materials including roofing, guttering, spouting and cladding must be painted or finished in a manner that results in the copper or zinc surface not being directly exposed to rainfall.	<p>Matters of discretion are restricted to:</p> <p>M1. The extent of untreated copper or zinc; and</p> <p>M2. Methods to remove copper or zinc from water runoff.</p>
DEV3-S12	Impervious Surfaces	
North-West Area	The total area of impervious surfaces must not exceed 70% of the site area.	<p>Matters of discretion are restricted to:</p> <p>M1. The measures used to achieve hydraulic neutrality;</p> <p>M2. Location, design, ownership and access for maintenance, including any necessary easements; and</p> <p>M3. Whether there are any constraints or opportunities that mean that hydraulic neutrality is not required.</p>
Valley Flats Area, Station Flats Area, Hilltops Area, Hilltop Basin Area, Hillside Area	The total area of impervious surfaces must not exceed 50% of the site area.	