

4A General Residential Activity Area

4A 1 Issues, Objectives and Policies

4A 1.1 Local Area Issues

4A 1.1.1 Residential Character and Amenity Values

Issue

Residential dwellings and activities, subdivision patterns, open space, vegetation and a general absence of non-residential, or large scale commercial or industrial operations, all contribute to the residential character and amenity values associated with the general residential areas of the City. It is important that activities are managed to ensure residential character is retained, and amenity values are maintained and enhanced.

Objective

To maintain and enhance the amenity values and residential character of the General Residential Activity Area of the City.

Policies

- (a) That opportunity be provided for a diversity of residential activities.
- (b) To restrict the range of non-residential, and commercial activities to those which will not affect adversely the residential character or amenity values.
- (c) To ensure residential amenity values are retained, protected and enhanced through the establishment of a net site area per dwelling house.
- (d) That adverse effects arising from noise, dust, glare, light spill and odour be managed.
- (e) That vegetation and trees which add to the particular amenity values of the area be retained where practicable.
- (f) That the clearance of vegetation be managed to avoid, remedy or mitigate any adverse effects on the intrinsic values of ecosystems.

Explanation and Reasons

Residential dwelling houses and activities, open space, existing subdivision patterns and a general absence of large scale commercial and industrial activities all contribute to the residential character and amenity values associated with the General Residential Activity Area.

Non-residential, commercial or industrial activities and inappropriate subdivision have the potential to alter the character of the residential environment, and affect adversely the amenity values associated with a particular area. The adverse effects of these activities will be managed through the use of lists of activities and rules.

Residential dwellings and activities will be permitted with minimum conditions specified.

General commercial and industrial activities will be discouraged from locating within a residential environment. Adverse effects upon amenity values caused by noise, dust, glare, light spill and odour will also be managed through the use of rules.

It is necessary to control the clearance of vegetation to protect visual amenity values and the intrinsic values of ecosystems.

4A1.1.2 Higher Density Residential Development

Issue

The Plan seeks to provide opportunity for higher dwelling densities where adverse effects on the surrounding residential environment are managed, and amenity values are maintained and enhanced. Such opportunity should be provided along major transport routes, around some commercial centres, and where amenity values will not be affected adversely.

Objective

To ensure opportunity is made for higher density residential development around some commercial centres, along major transport routes, and where amenity values will not be affected adversely.

Policies

- (a) That opportunity for higher dwelling densities be made along major transport routes, around some commercial centres, in the residential area between Jackson Street and The Esplanade, Petone, where existing dwelling densities are higher, and where amenity values will not be affected adversely.
- (b) To avoid, remedy or mitigate the adverse effects of higher dwelling densities on the surrounding area, caused by height of buildings, intensity, scale and location.

Explanation and Reasons

Opportunity will be available for higher dwelling densities along major transport routes, around some commercial centres, and in the residential area between Jackson Street and The Esplanade, Petone, where existing residential dwelling densities are higher, and where amenity values will not be affected adversely.

This will encourage the use of public transport, promote the efficient use of resources, and takes into account the changing nature of the city's population.

These areas have been specifically chosen, as allowing densities to increase in all residential areas of the City may affect the character and amenity values associated with particular areas.

The Plan will manage the effects of higher density development by managing site layout, building height, bulk, site coverage and landscaping.

4A 1.1.3 Home Occupations

Issue

Many people want to work from home. Provision for such activities to occur within a residential environment requires that the adverse effects are managed, to ensure amenity values are maintained and enhanced, and residential characteristics are retained. Such adverse effects may arise from their nature, scale, exterior appearance, advertising, and potential for increased traffic movements, noise, dust, odour, and electrical interference.

Objective

To avoid, remedy or mitigate adverse effects of home occupations on residential character and amenity values of the residential environment in which they are located.

Policies

- (a) To allow home occupations, where the adverse effects on the surrounding residential area are managed, and the residential characteristics of the site and buildings are maintained. Such adverse effects may be caused by the appearance of the site and building, nature, scale, traffic, noise, dust, electrical interference, and the potential to alter the residential character of the house, site or surrounding area.
- (b) To manage the adverse effects of signs associated with home occupations, taking into account their size, location, appearance, frequency, number and lighting.

Explanation and Reasons

The residential areas of the City are seen not only as a place to live, but ones in which to work as well. For many residents the home offers a positive working environment. As technology advances, it is becoming easier to conduct businesses from home.

Home occupations can cause the loss of residential character, or affect adversely the amenity values and physical appearance of the site, building and surrounding residential environment. This can be caused by their nature and scale, noise, dust, odour, vehicle and pedestrian activity.

Appropriate conditions have been specified in the Plan to manage the adverse effects of home occupations. Provided these conditions are met, home occupations will be permitted activities.

4A 1.1.4 Non-Residential Activities

Issue

Non-residential activities in residential areas can support residential activities. Such activities can have significant adverse effects upon surrounding residential properties. These adverse effects need to be avoided, remedied or mitigated to ensure that residential amenity values and character are maintained and enhanced.

Objective

To ensure that any adverse effects of non-residential activities on the character and amenity values of surrounding residential areas are avoided, remedied or mitigated.

Policies

- (a) To ensure that any adverse effects caused by the size, scale and nature of non-residential activities, and any associated storage of hazardous substances, light spill, noise, glare, vehicle and pedestrian activity upon surrounding residential properties, are avoided, remedied or mitigated.
- (b) To control the number of signs, and ensure that any adverse effects of sign location and appearance on surrounding properties, are avoided, remedied or mitigated.
- (c) To recognise that Site Management Plans may be appropriate to manage matters beyond those addressed in the Plan.

Explanation and Reasons

There are many activities which are non-residential in nature, but which are essential to allow residents to provide for their social, economic, and cultural well being. These include education facilities ranging from child care facilities and pre-schools to tertiary facilities, places of assembly, medical and emergency facilities, and small retail activities to provide for daily needs of residents.

Non-residential activities can have adverse effects on the amenities of surrounding residential properties, and can alter the residential character of the area in which they are located. Adverse effects may arise due to the appearance of the building and site, layout of the site, noise, storage of hazardous substances, light spill, glare, vehicle and pedestrian movements.

In the General Residential Activity Area opportunity will be made for a range of non-residential activities where adverse effects can be managed.

Where retail activity is provided for in the General Residential Activity Area, it is intended that this be for the purposes of providing for the daily needs of residents, and not for the purposes of general retailing.

A Site Management Plan is one method available to address matters of protocol and procedure between neighbours, interest groups and non-residential activity managers. Such a Site Management Plan would be a document independent from the Plan but could be included within other formal documents for site management such as Standing Orders, Standard Operational Procedures, Operational or Business Plans, Best Practical Options, or other similar documents. A Site Management Plan may work in conjunction with relevant provisions within the Plan.

4A 1.2 Site Development Issue

4A 1.2.1 Building Height, Scale, Intensity and Location

Issue

The height, scale, intensity and location of buildings and structures can cause adverse effects upon amenity values of neighbouring properties, and the residential character of the surrounding area. It is important that such adverse effects are managed.

Objective

To avoid, remedy or mitigate adverse effects caused by building height, intensity and location on the amenity values of adjacent residential sites and the residential character of the surrounding residential area.

Policies

- (a) To establish a minimum net site area and maximum site coverage requirement to ensure medium density development is achieved.
- (b) To establish a minimum net site area and maximum site coverage to ensure opportunity is provided for higher density residential development where appropriate, without affecting adversely the amenity values.
- (c) To ensure all new development is of a height and scale, which is compatible with surrounding residential development.
- (d) To ensure a progressive reduction in height of buildings the closer they are located to a site boundary, to maintain adequate daylight and sunlight to adjoining properties.
- (e) To manage the siting of all buildings so as to minimise detracting from the character and visual attractiveness of the surrounding residential activity area.
- (f) To manage the siting of all buildings so as to minimise detracting from the amenities of adjoining properties.
- (g) That where practicable, the siting of accessory buildings be managed to maintain safety and visibility during manoeuvres.
- (h) Where a certificate of title has been issued for a site prior to 5 December 1995 or where a site has been created by a staged development whether under a stage unit plan or cross lease plan lodged with the District Land Registrar and where part of the development has been completed prior to 5 December 1995, it is recognised that it is reasonable to permit the erection of buildings/structures (as contemplated when the title was issued or plan lodged) even though the maximum site coverage may exceed that set out in 4A 2.1.1(e). Under such circumstances the scale, intensity, visual attractiveness of buildings and/or structures as well as the adverse effects on the amenity values of adjoining properties, and the streetscape be taken into account in assessing the suitability of the development.

Explanation and Reasons

All buildings and structures have the potential to affect adversely the amenity values of adjacent sites if their height, location, intensity and scale is not managed.

Buildings can unnecessarily shade an adjacent property, or be out of scale with adjacent buildings if they are too tall, and can dominate adjacent sites if they are located too close to a site boundary without some control on their length.

They also have the potential to affect adversely the character and amenities of the surrounding residential area. New development may be out of scale with existing development, or affect adversely the visual amenity value of the streetscape, if the height, location and intensity of all buildings and structures is not managed.

In order to ensure that amenity values and residential character are maintained and enhanced, and that adverse effects are managed, minimum conditions are specified.

(a) Net Site Area

Within the General Residential Activity Area medium density residential development is encouraged to preserve the overall open character. A specific net site area has been set to achieve this purpose.

In specific areas of the City, opportunity is to be provided for higher density residential development. A specific net site area has been set to achieve this purpose also.

(b) Site Coverage

Combined with net site area, site coverage helps to control building density. A maximum acceptable site coverage of 35% has been set. Where higher density residential development is encouraged, this maximum site coverage has been set at 40% to allow more intensive use of the site, while protecting residential amenity values.

(c) Recession Plane

The recession plane ensures some sunlight and daylight are available to adjoining sites when a building is erected, and manages the bulk of buildings above a certain height. Compliance with the angle from the street boundary is necessary to ensure the amenity values of the streetscape are maintained and enhanced.

(d) Yards

The yard spaces provide space around dwellings and accessory buildings to ensure the visual amenity values of the residential environment are maintained or enhanced, to allow for maintenance of the exterior of buildings, and provide a break between building frontages.

The front yard space is to ensure a setback is provided to enhance the amenity values of the streetscape, and to provide a reasonable degree of privacy for residents.

(e) Height

Height of buildings and structures within the general residential activity area is restricted to ensure new development is not out of scale with existing buildings and structures, residential character is retained, and amenity values are maintained and enhanced.

(f) Length

The length of a building is managed to control the adverse effects of a bulky building in close proximity to a site boundary.

(g) Accessory Buildings

Accessory buildings can be used for a variety of different purposes, including vehicle storage, additional living space, workshops or home occupations. Their location on a site can cause adverse effects on the amenity values of adjoining sites or the streetscape, and it is important that these adverse effects are managed, whilst allowing an individual to make the best use of the site.

Accessory buildings shall comply with the same height, recession plane, site coverage, side and rear yard restrictions as those for a dwelling house.

Accessory buildings shall also be required to comply with the front yard requirement. This is to ensure the visual amenity values of the streetscape are maintained and enhanced.

Where a site is vacant (for example in the case of greenfield subdivision), the site is being completely redeveloped, or an additional dwelling house is erected on the site, an additional set back from the street will be required where a carport or garage is to be erected perpendicular to the street. This is to enable a vehicle to park in front of the garage, and be off the street, and for convenience and maintenance of both the vehicle and the building. It is also required for safety reasons, - visibility for the driver and pedestrians when cars enter or exit the site.

4A 1.2.2 Effects of the Hutt River Flood Hazard

Issue

Areas not protected by flood protection structures are at a risk of flooding by the Hutt River. The size, scale and location of buildings and structures need to be managed to avoid or mitigate adverse flood hazard effects.

Objective

To avoid or mitigate adverse flood hazard effects on existing and new development within areas susceptible to a 100-year flood event from the Hutt River.

Policies

- (a) To ensure that all buildings and structures on sites immediately adjacent to the Hutt River (see Planning Map E3) are appropriately located to avoid damage from erosion hazards of the Hutt River.
- (b) To ensure that all buildings and structures (including additions that are more than minor to existing buildings and structures) on sites identified within the 100-year flood extent have floor levels constructed above the 1 in 100-year flood event.
- (c) To establish a maximum limit on area for additions to the gross floor area of existing buildings or structures as at 1 March 2005 on sites identified within the 100-year flood extent.
- (d) That minor additions (not more than 20m²) to existing buildings and structures on sites identified within the 100-year flood extent are permitted.
- (e) That all buildings and structures do not create adverse flood hazard effects for other land, buildings and structures off-site.
- (f) That new accessory buildings on sites identified within the 100-year flood extent are permitted, subject to a maximum gross floor area.
- (g) To discourage the siting of buildings and structures in the Primary and Secondary River Corridors.
- (h) To ensure that buildings and structures in the Primary or Secondary River Corridor of the Hutt River have no more than minor adverse effects on flood protection structures.
- (i) To mitigate the effects of flood hazards on building and structures in the Primary and Secondary River Corridors by managing their location, size and scale.
- (j) That any remaining risk that arises will be dealt with by emergency management procedures and other voluntary actions.

Explanation and Reasons

In established areas of the Hutt River corridor and floodplain it is accepted that appropriate development must be able to continue, although landowners and developers will be expected to reduce flood hazard effects to an acceptable level. These effects are described in the Hutt River Floodplain Management Plan. Buildings and structures need to be located so they are not in a position likely to subside as a result of erosion or flooding, damaging other buildings and structures such as flood protection structures in the river corridor.

Buildings and structures in the Primary or Secondary River Corridor of the Hutt River could adversely affect flood protection structures. Buildings and structures in the river

corridor will also be subject to effects of fast flowing water, deep flooding and erosion. The outcomes identified in the Hutt River Floodplain Management Plan are relevant and should be taken into account in any assessment of effects. It is important that buildings and structures are discouraged in the Primary and Secondary River Corridors. It is therefore appropriate to control the location of buildings and structures.

In order to ensure that flood hazard effects are managed, minimum conditions are specified.

Emergency management procedures and other voluntary actions will be initiated in the event of severe flooding in an effort to minimise the damage to properties and prevent injury and loss of life to people.

(a) Building Setback Line

A building setback line (see Planning Map E3) has been established to ensure that all buildings and structures on properties immediately adjacent to the Hutt River are not located in a position where they are at risk from erosion by the Hutt River. Land on the riverside of the line could be subject to erosion over time due to the flow, velocity and meander patterns of the Hutt River. Buildings and structures on the riverside of the line require a resource consent. Buildings and structures on the landward side of the line that comply with the Permitted Activity Conditions for the General Residential Activity Area do not require a resource consent. At Belmont, erosion protection works have been undertaken on the riverside of the building setback line. These works have substantially increased the protection to Belmont from erosion. The remaining level of risk from erosion is now low when compared to an unprotected bank, though Council must manage this risk through appropriate rules in the District Plan and emergency management procedures.

(b) Floor levels

A limited number of properties in Belmont and at the entrance to Stokes Valley have been identified as being within the 100-year flood extent (see planning maps D3, E3, G1). These properties are not protected by stopbanks. All buildings and structures, including additions that are more than minor, are required to have floor levels constructed above the 1 in 100-year flood event. This floor level is to minimise the flood hazard effects to buildings and structures up to a 100-year flood event. Council must manage the flood risk through appropriate rules in the District Plan and emergency management procedures.

Minor additions to existing buildings and structures not in excess of 20m² gross floor area are permitted at existing floor levels for properties within the 100-year flood extent. New accessory buildings not in excess of 20m² gross floor area are also permitted. The 20m² threshold relates to a desire to permit some building as of right without the need to require a raised floor level. In setting the 20m² limit Council needed to determine at what point the potential adverse effects of the buildings, on the flood hazard should be considered. It is considered that allowing development of 20m² would not significantly increase the flood hazard risk.

4A 2 Rules

4A 2.1 Permitted Activities

- (a) Dwelling houses.
- (b) Home occupations.
- (c) Child care and Kohanga Reo facilities.
- (d) Residential facility accommodating 8 - 10 persons.
- (e) Accessory buildings to the above permitted activities.
- (f) Corner of Eastern Hutt Road and Reynolds Bach Drive, Part Section 742 Hutt District, (identified in Appendix General Residential 1), in addition to the above (a) to (e):
 - (i) Residential accommodation and boarding facilities.
 - (ii) Visitor accommodation.
 - (iii) Conference facilities.
 - (iv) Places of assembly.
 - (v) Marae.
- (g) 95 and 97 Cuba Street, Lot 18 DP 709, (identified in Appendix General Residential 2), in addition to the above (a) to (e):
 - (i) Repair restoration and sale of second hand goods.
 - (ii) Parking associated with the sale of second hand goods.
- (h) Summit Road Nursery, Lot 1 DP 20206 and Lot 34 DP 31233, (identified in Appendix General Residential 3), and the Moores Valley Road Depot, 33 Moores Valley Road, Pt Lot 2 DP 88509, (identified in Appendix General Residential 4), in addition to the above (a) to (e):
 - (i) Plant propagation, and associated office functions and buildings.
 - (ii) The storage and non-mechanical maintenance of equipment for the purposes of maintaining parks and reserves.
- (i) 374 - 378 Stokes Valley Road, Stokes Valley, Lots 232, 233 and 234 DP 8382; 26 Buick Street, Petone, Lots 173 and 174 and Pt Lot 175 DP 1232 and Lot 42 DP 1533; 42 Fitzherbert Road, Wainuiomata, Section 32 Lowry Bay District; and 4 Makaro Street, Eastbourne, Lot 3 DP 55283, (identified in Appendix General Residential 5), in addition to the above (a) to (e):
 - (i) Emergency facilities.
- (j) Pt Sec 30 Hutt District located on the western side of the Wairarapa Railway Line between Knights Road and Wilford Street, (identified in Appendix General Residential 6), in addition to the above (a) to (e):
 - (i) Bus depot (Waterloo Bus Depot).
- (k) 214 Knights Road, Pt Lots 35 and 36 DP 1951, (identified in Appendix General Residential 7):
 - (i) Retail and commercial activities within the buildings and structures existing on the site as at 5 December 1995.

- (l) 190 Knights Road, Lot 25 DP 1951, (identified in Appendix General Residential 8):
 - (i) Retail and commercial activities within the buildings and structures existing on the site as at 5 December 1995.
- (m) Cnr Stokes Valley Road and Kamahi Streets, Lot 1 DP 55258, (identified in Appendix General Residential 9):
 - (i) Bus depot (Stokes Valley Bus Depot).
- (n) Main Road/Burden Avenue, Lot 3 DP 55256, (identified in Appendix General Residential 10):
 - (i) Bus depot (Wainuiomata Bus Depot).
- (o) 155-157 Waterloo Road, Lower Hutt, Lot 2 DP 82046, (identified in Appendix General Residential 11), in addition to the above (a) to (e):
 - (i) Emergency facilities
- (p) In respect of Lots 1 and 2 DP 83690 (Mandel Mews), in the 12m wide exclusion area, (identified in Appendix General Residential 12), land can only be utilised for the purpose of road reserve or a reserve created under the provisions of the Reserves Act 1977.
- (q) 20 Bellevue Road, Lot 2 DP 54165 and part of Lot 1 DP 71142 (identified in Appendix General Residential 13):
 - (i) For that part of the site identified as Transition House –
Educational activities and buildings directly associated with the existing school where the education provided includes students in transition from the school environment to the wider community, teaching of those with special needs, those requiring remedial assistance and the teaching of life skills programmes, all taking place within a residential style building.
 - (ii) For that part of the site identified as Block F –
Educational activities and buildings directly associated with the existing school.

4A 2.1.1 Permitted Activities - Conditions

- (a) **Net Site Area:**
 - (i) Minimum net site area per Permitted Activity (excluding home occupations and accessory buildings) shall be 400m².
 - (ii) On residential sites identified on the Planning Maps as Higher Density Residential, the minimum net site area per Permitted Activity (excluding home occupations and accessory buildings) shall be 300m².
 - (iii) Where a certificate of title has been issued for a site prior to 5 December 1995 or where a site has been created by a staged development whether under a stage unit plan or cross lease plan lodged with the District Land Registrar and where part of the development has been completed prior to 5 December 1995, and it can be established that the site has been created with an intention to accommodate a dwelling, then in such circumstances the area of the site shall be the minimum net site area.

Compliance with all other Permitted Activity Conditions.

(b) Minimum Yard Requirements:

For all buildings on the net site area:

Front Yard 3.0m

All Other Yards 1.5m

Provided that :

- (i) In the case of a vacant site, or in the case of the erection of an additional dwelling unit on a site any garage or carport (whether it be part of the dwelling, attached to the dwelling or separate from the dwelling) must be a minimum distance of 5 metres from the front boundary if it has vehicular access directly from the street.
- (ii) In the case of a vacant site, or in the case of the erection of an additional dwelling unit on a site where a garage or carport (whether it be part of the dwelling, attached to the dwelling or separate from the dwelling) is parallel to the street, and the vehicle has the ability to turn on the site and drive off the site in a forward direction, such a set back is not required, and the normal front yard restriction shall apply.
- (iii) In all cases, for Through Sites and Corner Sites all road frontages shall be treated as front yards.
- (iv) For all yards an eave, chimney or exterior hot water cylinder may extend into any yard space by up to 0.6 metres.

(c) Recession Planes:

For all buildings and structures, and from all site boundaries:

- (i) From the north facing boundary: 2.5m + 45°
- (ii) From the north-east and north-west facing boundary: 2.5m + 41°
- (iii) From all other site boundaries: 2.5 m + 37.5°

See Appendix General Residential 15 and 16.

Provided the recession plane shall not apply to television aerials, flagpoles and chimneys.

Where the net site area boundary is immediately adjacent to an access leg to a rear net site area then the recession plane shall be calculated from the furthest or outside boundary of the access leg.

(d) Maximum Height of Buildings and Structures: 8m

Maximum overall height may not exceed 13m

See Appendix General Residential 17.

(e) Maximum Site Coverage: 35%, except where

Residential sites within this activity area have frontage to major or minor district distributor routes, surround certain suburban commercial centres, or are between Jackson Street and The Esplanade, (as identified on the planning maps as "higher density residential"), maximum site coverage shall be 40%.

In the calculation of site coverage, all buildings and structures on the net site area shall be included. The eaves of a building up to a maximum depth of 0.6m shall be excluded from this measurement.

Decks of less than 20m² shall not be included in the calculation of site coverage provided the deck does not exceed 1.2m in height.

(f) Maximum Length for all Buildings and Structures:

No part of any building exceeding 20m in length may fall outside two arms meeting at a common point on the boundary and each making an angle of 20 degrees with that boundary.

See Appendix General Residential 18.

(g) Home Occupations:

An occupation, craft or profession established on the same site as a dwelling, which is used for residential purposes, provided that:

- (i) At least one resident of that dwelling is employed in the home occupation;
- (ii) Not more than two persons who do not reside on the site shall work on the site at any one time;
- (iii) Home occupations shall not include:
 - the repair, alteration, restoration or maintenance of motor vehicles not belonging to residents of the site; and
 - courier depots.
- (iv) No home occupation shall involve the use of trucks or other heavy vehicles;
- (v) No retail sales shall be permitted directly from the site except for goods or produce grown or produced on the site;
- (vi) Home occupations shall not involve visitors to the site between 8.00pm and 7.00am;
- (vii) Not more than 35% of the gross floor area of all the buildings on the site, and not more than 15% of any outdoor areas on the site may be used in association with the home occupation; and
- (viii) Any external storage of materials associated with the home occupation shall be screened so as not to be visible from outside the site.

(h) Child Care and Kohanga Reo Facilities:

- (i) The maximum number of children to be cared for at any one time shall not exceed 5.
- (ii) There shall be no overnight stays.

(j) Dust:

All outside areas shall be sealed, surfaced or managed appropriately so that there is no dust nuisance at or beyond the boundary of the site.

All storage of goods, raw materials and waste materials shall be stored in such a manner so that there is no dust nuisance at or beyond the boundary of the site.

All use of goods and raw materials shall be undertaken in such a manner so that there is no dust nuisance at or beyond the boundary of the site.

(k) Odour:

All activities shall be carried out on the site in such a manner so as to ensure that there is not an offensive odour at or beyond the site boundary.

(l) Light Spill and Glare:

Artificial light shall not result in added illuminance in excess of 8 lux measured at the window of any dwelling house.

All activities shall be undertaken to avoid glare (light reflection) and light spill beyond the boundary of the site.

(m) Vibration:

Any activity that would cause vibration shall be managed and controlled in such a way that no vibration is discernable beyond the boundaries of the site.

(n) General Rules:

Compliance with all matters in the General Rules - see Chapter 14.

(o) Corner of Eastern Hutt Road and Reynolds Bach Drive, Part of Section 742 Hutt District (identified in Appendix General Residential 1):

In addition to the other Permitted Activity Conditions, the following shall apply to scheduled activities on this site:

All Permitted Activities may only be carried out in the existing buildings and structures on the site.

(p) 95 and 97 Cuba Street, Lot 18 DP 709 (identified in Appendix General Residential 2):

In addition to the other Permitted Activity Conditions, the following shall apply to scheduled activities on this site:

(i) The restoration and repair of second hand goods may only occur within the principal building on the site. No other buildings are permitted to be erected or used for the restoration, repair or sale of second hand goods.

(ii) These uses shall cease on removal of the existing buildings from the site.

(q) Summit Road Nursery, Lot 1 DP 20206 and Lot 34 DP 31233, (identified in Appendix General Residential 3) and at the Moores Valley Depot, 33 Moores Valley Road, Pt Lot 2 DP 88509, (identified in Appendix General Residential 4):

In addition to the other Permitted Activity Conditions, the following shall apply to the scheduled activities on this site:

(i) No retail sales are permitted directly from the site.

(ii) 20 on site parking spaces are to be provided at each location at all times. All parking to comply with the design standards in Chapter 14A.

(r) 214 Knights Road, Pt Lots 35 and 36 DP 1951 (identified in Appendix General Residential 7):

In addition to the other Permitted Activity Conditions, the following shall apply to the scheduled activities on this site:

Servicing of activities shall not occur between the hours of 10.00pm and 7.00am.

(s) 190 Knights Road, Lot 25 DP 1951 (identified in Appendix General Residential 8):

In addition to the other Permitted Activity Conditions, the following shall apply to the scheduled activities on this site:

Servicing of activities shall not occur between the hours of 10.00pm and 7.00am.

(t) Land south of Belmont School, Part Lot 2 Plan A2173:

In addition to the other Permitted Activity Conditions, the following shall apply to the scheduled activities on this site:

(i) all buildings and structures must be sited within the area shown on Appendix General Residential 14, and

(ii) have a floor level set at a minimum of 13.5m above sea level.

(u) 155-157 Waterloo Road, Lower Hutt (Lot 2 DP 82046):

In addition to the other Permitted Activity Conditions, the following shall apply to the scheduled activities on this site:

- (i) That there be no storage of large items in the rear yard (including the area of the covered wash) for more than seven consecutive days; and
- (ii) That high level tower training be limited to between 8.00am and 9.00am Monday - Saturday and 6.00pm and 7.00pm Monday - Friday.

(v) 20 Bellevue Road, Lot 2 DP 54165 and part of Lot 1 DP 71142 (as shown on Appendix General Residential 13):

- (i) For that part of the site identified as Transition House, the Permitted Activity Conditions are those of the General Residential Activity Area; and
- (ii) For that part of the site identified as Block F –
 - The minimum yard requirement shall be 7.0m to the site boundary of 18A Bellevue Road (Lot 2 DP 27164) and 5.0m to the site boundary of 29 Hautana Square (Lot 2 DP 71142);
 - The maximum height of any building and structure is 5.8m; and
 - That part of the site identified by shading on Appendix General Residential 13 shall not be used for general school purposes and access to the area will be for emergency purposes only.
 - Permitted Activity Conditions (c), (e), (f), and (j) to (n) apply.

(w) Sites in Belmont that contain the building setback line (see Planning Map E3):

No part of any building or structure shall be constructed on the riverside of the building setback line.

(x) Buildings and structures within the 1 in 100-year flood extent (see Planning Maps D3, E3 and G1):

In addition to the other Permitted Activity Conditions, the following shall apply in this area:

- (i) All buildings and structures shall have a floor level above the 1 in 100-year flood level; except:
- (ii) Minor additions to existing buildings and structures are a Permitted Activity provided:
 - the floor level of additions is not below the floor level of the existing building or structure; and
 - the gross floor area of all additions does not exceed 20m² to the gross floor area of the building or structure existing as at 1 March 2005.
- (iii) New accessory buildings shall not exceed a total gross floor area of 20m².

(y) Primary and Secondary River Corridors

All new buildings and structures or additions in the Primary or Secondary River Corridor with a gross floor area of 20m² or less and with a setback of 20m or more from a flood protection structure.

4A 2.2 Controlled Activities

- (a) Corner of Hutt Road and Te Mome Road, Lot 26 DP 1984, any industrial activity in the industrial building.
- (b) 10 Bauchop Road, Lot 1 DP 10377, any industrial activity.

4A 2.2.1 Matters in which Council Seeks to Control and Standards and Terms

(i) Duration of Activity:

The above provisions shall only apply to the use of the existing buildings on the site and shall cease upon the removal of the buildings.

(ii) Hours of Operation:

The hours of operation shall not exceed:

8.00am to 5.30pm Monday to Friday.

8.00am to 1.00pm Saturday.

No work on Sundays or public holidays.

(iii) Glare and Light Spill:

- Artificial light shall not result in added illuminance in excess of 8 lux measured at the window of a dwelling house in a residential activity area.

- All activities shall be undertaken so as to avoid all unreasonable light spill beyond the site boundary.

- All activities and constructions shall be undertaken so as to avoid glare (light reflection) beyond the site boundary.

(iv) Odour:

All activities shall be carried out on the site in such a manner so as to ensure that there is not an offensive odour at or beyond the site boundary.

(v) Vibration:

All activities that cause vibration shall be managed and controlled in such a way that no vibration is discernible beyond the site boundary.

(vi) Retailing:

There shall be no retailing except where the goods are manufactured on the site, provided that such retailing shall be ancillary to the manufacturing industry.

4A 2.2.2 Other Matters

All Controlled Activities must comply with other relevant Permitted Activity Conditions including the General Rules - See Chapter 14.

4A 2.3 Restricted Discretionary Activities

- (a) Comprehensive residential development.
- (b) The removal of vegetation in excess of 500m² or 35% of the site, whichever the lesser, provided that this shall not preclude the removal of any pest plant.
- (c) Health care service with a maximum of 4 practitioners.
- (d) Accessory buildings on legal road.
- (e) Cnr of Eastern Hutt Road and Reynolds Bach Drive, Part Section 742 Hutt District, forestry.
- (f) All buildings and structures that are sited wholly or in part on the riverside of the building setback line in Belmont.
- (g) All buildings and structures within the 1 in 100-year flood extent that do not comply with the Permitted Activity Conditions for floor levels or total gross floor area.
- (h) All new buildings and structures or additions in the Primary or Secondary River Corridor with a gross floor area greater than 20m² or with a setback less than 20m from a flood protection structure.

4A 2.3.1 Matters in which Council has Restricted its Discretion and Standards and Terms

(a) **Comprehensive residential development.**

(i) Amenity Values:

Consideration shall be given to adverse effects upon the amenity values both within the site concerned and upon surrounding residential area, including

- The separation distance between buildings, structures and outdoor living areas on site.
- The provision made for outdoor service and living areas for residents, and aural and visual privacy for dwelling units both on the site concerned and on adjacent sites.
- The effect of buildings and structures on the neighbouring and surrounding residential sites and, in particular, the impact of building density (net site area, coverage), location (yards), recession planes, height and length.

(ii) Traffic Effects:

The safe and efficient movement of all traffic needs to be ensured. It should be demonstrated that traffic generation and vehicles entering and leaving the site will not affect adversely normal traffic flows on the road, or cause a traffic hazard. Provision should also be made for pedestrians.

The proposal should comply with the parking and access controls contained in Chapter 14A.

(iii) Landscaping:

The extent to which landscaping is incorporated within the overall proposal, and existing vegetation is retained to mitigate any adverse effects which may arise.

A landscape plan will be required to ensure that any adverse effects of the proposal are kept within the site concerned. This may include landscaping of any on site parking areas. Landscaping may also be used to soften the impact

of any building upon the surrounding area, adjacent sites and buildings, or to screen private living and service courts.

A landscape plan is to show the extent of the vegetation to be retained and the extent of planting to be undertaken.

(b) The removal of vegetation in excess of 500m² or 35% of the site, whichever the lesser, provided that this shall not preclude the removal of any pest plant.

(i) Amenity Values:

The extent to which the proposal will affect adversely the visual amenity values of the site and surrounding area. The visual prominence of the vegetation and any replacement planting to be undertaken will be taken into consideration.

(ii) Site Stability:

The adverse effects upon the stability of the site caused by the removal of trees or vegetation.

(iii) The Intrinsic Values of Ecosystems:

The extent to which the proposal will adversely affect the intrinsic value of ecosystems on the site and surrounding area.

(c) Health care service with a maximum of 4 practitioners.

(i) Amenity Values:

The extent to which the proposal will affect adversely the amenity values of the surrounding residential area.

(ii) Traffic Effects:

The extent to which the proposal will affect adversely the safe and efficient movement of all traffic. It should be demonstrated that traffic generation and vehicles leaving and entering the site will not affect adversely the normal traffic flows on the road, or cause a traffic hazard. Provision should be made for pedestrians.

(iii) Landscaping:

The extent to which landscaping is incorporated within the overall proposal to mitigate adverse effects, which may arise.

A landscape plan will be required to ensure that any adverse effects of the proposal are mitigated. This should include landscaping of any on site parking areas.

(d) Accessory buildings on legal road.

(i) Amenity Values:

The extent to which the proposal affects adversely the amenity values of the surrounding residential properties, including the amount of earthworks required, loss of vegetation, design and appearance of buildings. All such buildings must be painted.

(ii) Traffic Effects:

The extent to which the accessory building will affect adversely the safe and efficient movement of traffic on the road. It should be demonstrated that the accessory building and vehicles using the accessory building shall not create a traffic hazard.

- (e) **Cnr of Eastern Hutt Road and Reynolds Bach Drive, Part Section 742 Hutt District, forestry.**
- (i) **Amenity Values:**
 Consideration shall be given to the amenity values of the site and in particular any adverse effects on the amenity values of residents in Stokes Valley and the impact on amenity values when the forestry is harvested. Details of any remedial work may form part of any conditions of consent
- (ii) **Traffic Effects:**
 The safe and efficient movement of all traffic needs to be ensured. All harvested logs shall be taken out through to Reynolds Bach Drive. No logs shall be taken out through Stokes Valley or directly on to Eastern Hutt Road.
- (f) **All buildings and structures that are sited wholly or in part on the riverside of the building setback line in Belmont.**
- (i) In assessing proposals, Council will be guided by the degree to which buildings and structures further increase:
- The risk to people of exposure to the erosion hazard; and
 - Any mitigation measures that are proposed.
- (g) **All buildings and structures within the 1 in 100-year flood extent that do not comply with the Permitted Activity Conditions for floor levels or total gross floor area.**
- (i) In assessing proposals, Council will be guided by the degree to which buildings and structures further increase:
- The risk to people of exposure to the flood hazard; and
 - The flood hazard effects for land, buildings and structures off-site.
- (h) **All new buildings and structures or additions in the Primary or Secondary River Corridor with a gross floor area greater than 20m² or with a setback less than 20m from a flood protection structure.**
- Proximity of buildings and structures to flood protection structures;
 - Adverse effects of the flood hazard on buildings and structures and on flood protection structures; and
 - The risk to people of exposure to the flooding and erosion hazard.

4A 2.3.2 Other Matters

For Restricted Discretionary Activity (a): All Restricted Discretionary Activities must comply with Permitted Activity Conditions (g) - (m), and (n) excluding only Chapter 14A relating to Transport.

For Restricted Discretionary Activities (b) - (e): All Restricted Discretionary Activities must comply with other relevant Permitted Activity Conditions.

4A 2.4 Discretionary Activities

- (a) Except where stated in the General Rules, any Permitted, Controlled or Restricted Discretionary Activity, which fails to comply with any of the relevant Permitted Activity Conditions, or relevant requirements of Chapter 14 - General Rules.
- (b) Visitor accommodation.
- (c) Marae.
- (d) Places of assembly.
- (e) Education facilities.
- (f) Emergency facilities.
- (g) Dairies with a Gross Floor Area of less than 100m².
- (h) Health care services with more than 4 practitioners
- (i) On the Corner of Eastern Hutt Road and Reynolds Bach Drive, Part of Section 742 Hutt District (identified in Appendix General Residential 1) the erection of any new buildings or additions to existing buildings on the site.
- (j) Residential facility accommodating 11 or more persons.
- (k) Detention facilities.
- (l) Boarding houses.

4A 2.4.1 Assessment Matters for Discretionary Activities

- (a) The matters contained in Sections 104 and 105, and Part II of the Act shall apply.
- (b) The degree of compliance or non-compliance with any relevant Permitted Activity Conditions.

4A 2.5 Non-Complying Activities

- (a) All other activities not listed as a Permitted, Controlled, Restricted Discretionary, or Discretionary Activity.

4A 2.6 Other Provisions

- (a) Subdivisions - See Chapter 11.
- (b) Financial Contributions - See Chapter 12.
- (c) Utilities - See Chapter 13.
- (d) General Rules - See Chapter 14.

4A 3 Anticipated Environmental Results

- (a) Maintenance and enhancement of residential characteristics and amenity values.
- (b) Higher density forms of development located in areas suited to such development.
- (c) Protection of amenity values from adverse effects of higher dwelling densities.
- (d) Opportunity for home occupations to be carried out within the residential environment.
- (e) Opportunity for non- residential activities and development to be carried out.
- (f) Opportunity provided for the establishment and continuance of educational establishments within the City.
- (g) To protect buildings and structures from potential erosion and flooding of land by the Hutt River.
- (h) The scale, size and location of buildings and structures will have adverse effects which are no more than minor on flood protection structures.
- (i) The adverse effects on buildings and structures in the Primary and Secondary River Corridors will be avoided or mitigated.