

4.1 ISSUES

- **Sustainability and Growth**

Carterton urban area is linear in form with development extending continuously some 3.9 km along State Highway 2. Underground mains for water and sewage extend from the northern to the southern boundary of the urban ward along High Street and Lincoln Road/ Taverner Street, and along most formed streets. The extent of water and sewage reticulation essentially establishes the boundary of the urban ward.

There are two distinct types of residential environment within the Carterton urban ward.

There is the traditional close urban residential settlement with some multi-unit development. The north-west part of the urban ward and the urban area south of Brooklyn Road has more extensive areas of undeveloped residential land and large lot residential development. In addition there is large lot development for rural lifestyle with a mixture of residential and primary production activities on individual allotments. This area is concentrated in the northern half of the urban area and also includes several areas of undeveloped residential land.

The sewage treatment plant capacity will be exceeded if all blocks of undeveloped land within the urban ward are developed.

Carterton anticipates a modest but steady growth during the 10 year planning period. It is anticipated that the present demand for residential development can be met in a sustainable way in Carterton over the planning period.

- **Amenity**

A key issue is the protection of residential amenity and character of residential areas in the urban ward. It is important that all sites are able to provide a building platform which enables an adequate amount of -

- daylight and sunlight access to dwellings
- private outdoor living space
- outlook and privacy
- off-street parking

- variety of housing options

These factors contribute to a high standard of on site residential amenity.

- **Community Well Being, Health and Safety**

The type of activities that occur in a residential neighbourhood can also impact upon a persons use and enjoyment of their property. There are social and economic advantages to residents operating small businesses from their home provided there are no adverse effects on the residential amenity.

A characteristic of residential areas is their high level of occupation after business hours. This characteristic contributes to the safety of residents and should not be compromised by the cumulative development of numerous commercial and industrial activities.

Another characteristic of residential areas is the presence of community facilities and services for the use and enjoyment of the residents. The availability and distribution of open space within and adjacent to residential areas makes an important contribution to community well being.

Any development which occurs within a residential area should maintain and enhance the quality of the residential environment in terms of -

- predominance of residential activities
- consistent quality, scale, height and character of buildings
- minimal intrusion of advertising and commercial signs
- low background noise levels
- night lighting conditions appropriate to the residential activity
- an open and "green" streetscape with buildings generally setback from the street.

- **Traffic and Transportation**

The roading network should be appropriate to a residential environment to provide access which is safe and convenient, and be of a residential nature and scale.

The factors which should be maintained include:

- good vehicle access

- safe and convenient pedestrian access for daily living
- low traffic volumes.

4.2 OBJECTIVES

4.2.1 To enable a mix of residential development to establish.

4.2.2 To maintain and enhance residential amenity.

4.2.3 To ensure safe and efficient pedestrian and vehicle access in residential areas.

4.3 POLICIES

4.3.1 Establish residential densities which provide for a variety of lifestyles while ensuring the demand on the existing service infrastructure is sustainable.

Explanation

Residential development is the most significant consumer of urban land. Council has a responsibility to manage the residential use of land in a sustainable manner and in a way that enables the community to meet their social, economic and cultural needs. It is the subdivision of land which establishes the spatial framework for residential lifestyle options and the intensity of use of the urban infrastructure. The subdivision standards that are set will balance individual choice with the sustainable management of the urban resource.

A discussion of how the costs of demand on service infrastructure will be met is included in the issues, objectives, and policies specified in Chapter 8 - Financial Contributions (particularly pages 8/1 - 8/4)

4.3.2 All activities located in residential areas shall avoid, remedy or mitigate their adverse effects on the safety and amenity of residential area.

Explanation

The operation of some non-residential activities within residential areas may contribute to the amenity of residential areas, and the social and economic well-being of the community without causing any adverse environmental impacts. Some non-residential activities such as open space benefit residential areas. Many people now work from home and there are social and economic advantages in enabling people to either supplement their income or make their living by operating small businesses in their homes. Non-residential activities may be consistent with the scale and character of residential areas and cause no adverse effects on the environment. Residential environments are expected to be safe from hazardous, dangerous, noxious, toxic or offensive elements.

4.3.3 Residential activities shall receive an adequate amount of daylight and sunlight, and be provided with an adequate amount of private open space and visual privacy from neighbouring sites.

Explanation

Sunlight and daylight are factors which contribute to the use and enjoyment of a residential property. Sunlight and daylight will also help to warm, illuminate and keep dry a house interior and therefore play a role in energy conservation and in the health of the people occupying those properties. The closeness of dwellings to boundaries and other dwellings, height and orientation of dwellings, plays a significant role in the on-site residential amenity. The provision of private open space is an important factor in the use and enjoyment of a residential property by an owner and occupier.

4.3.4 Residential development shall take into account any physical limitations or natural hazards.

Explanation

Carterton Urban Area is situated on the coalescing gravel fans of the Waiohine and Waingawa Rivers. The soils are mostly shallow, well drained, silt loams overlying gravels. The well drained soils are suitable for urban development and the underlying gravels provide good foundation conditions. There are however some poorly drained soils in the north-eastern corner of the Borough and around the walkway between Brooklyn Road and Victoria Street. There is a natural water course which flows through vacant land between Victoria Street and Brooklyn Road. Consequently there are some areas with a high water table as well as areas with the potential to be affected by flooding.

4.3.5 Street Frontages shall be developed to provide a streetscape with an open vista for visual amenity and traffic sightlines.

Explanation

Traffic and pedestrian safety is improved by providing clear sightlines for vehicles to enter and leave public roads and provides an open streetscape which contributes to the amenity of the residential area.

4.3.6 The roading network shall be attractive, efficient and safe for vehicles (including bicycles) and pedestrian travel. Pedestrian and/or bicycle access ways shall be established where these will improve accessibility.

Explanation

An efficient and attractive roading network supplemented with pedestrian and cycle access ways contributes to the health and safety of the community by enhancing the accessibility of community resources, the overall residential amenity.

4.4 METHODS

4.4.1 District Plan

- (a) Residential zoning to identify the geographic extent of residential environments within the urban ward. There is one overall residential zone which establishes minimum standards to protect the general residential amenity. Within the residential zone there is also a Low Density Residential Policy Area in which the same generic list of permitted activities applies and also primary production activities (excluding forestry) are permitted. The density of development is low in this area with larger minimum lot sizes to create a rural residential character.
- (b) To identify those activities which are permitted subject to compliance with conditions contained in the Plan.

- (c) Where an activity is identified as permitted but does not meet the relevant performance standards, or is not identified as permitted, the activity will be dealt with through the resource consent process.
- (d) Necessary public infrastructure will be recognised and provided for in the Plan by way of designations and rules.

Reasons

In order to provide adequate certainty for the community, landowners and developers the urban residential environment has been defined. Rules are necessary to manage the potential adverse effects of activities in the urban residential zone. A common set of rules applies to all urban residential land using performance conditions and standards to avoid, remedy or mitigate nuisance and hazards for neighbouring residents and activities.

4.4.2 Annual Plan

The Council will continue to maintain and develop public infrastructure services, recovering costs from users as appropriate over time.

Reasons

The Council is operator of most public infrastructure services.

4.4.3 Other Mechanisms

Note: Resource consents may be required from the Wellington Regional Council for any activities involving soil disturbance.

4.5 ANTICIPATED ENVIRONMENTAL RESULTS

The implementation of the policies and methods of the residential section is expected to result in the following outcomes:

- (a) A variety of dwelling styles and section sizes
- (b) Sunny on-site environment

- (c) Residential environments that are healthy, safe and attractive
- (d) Operation of businesses that do not adversely affect the residential environment

- (e) A safe, convenient, functional and aesthetic residential roading network.

4.6 DISTRICT RULES

(Check whether the requirements of Part B, District Provisions apply to the proposed activity).

4.6.1 PERMITTED ACTIVITIES

The following activities are permitted in the residential area provided they comply with all conditions and the payment of any financial contribution and are not identified as controlled, limited discretionary or discretionary

- Residential Activities including accessory flats
- Residential Business
- Reserves and Recreational activities and facilities
- Healthcare facilities
- Community amenity facilities
- Community activities and facilities
- Accessory Buildings and structures
- Temporary Activities
- Earthworks

- Subdivision
 - of different floors or levels of a building or different parts of a floor or level of a building
 - of land for the purpose of
 - containing a utility structure or special public purpose
 - making a boundary adjustment that will not create additional building lots

AND

Within the LOW DENSITY POLICY AREA the following activities are also permitted-

- Primary Production activities (excluding forestry)
- Aviaries and Apiaries

4.6.2 Conditions for Permitted Activities

4.6.2.1 Setback in Relation to Site Boundary and Height Requirements

Setback (Front)	Setback (Rear)	Setback (both Sides)	Height
4.5 metres	3 metres	1.5 metres	10 metres

- (a) The following structures are excluded from the calculation of height -
- chimneys, flues and minor decorative features
 - telecommunication antennas (provided they do not exceed the diameters specified in 16.6.2.2(e))
 - flag poles
 - televisions and radio antennas
 - solar heating devices
 - gable end roof (by no more than one third of the gable height)
- (b) The eaves of any building and any roof, gutter or downpipe shall not

intrude into any setback of area by more than 0.5 metres.

- (c) Fences, walls and screens may be erected within yards or on the boundary provided they do not exceed 1.8m in height and do not obstruct or prevent vehicular and pedestrian access as required by this Plan.
- (d) In addition the following setbacks apply:
- (i) Any dwelling shall be setback at least 40 metres from high voltage transmission lines 110KV or over.
 - (ii) Any dwelling shall be set back at least 150 metres from any existing intensive farming activity, oxidation pond, effluent holding pond or waste disposal area, excluding waste disposal areas associated with domestic septic tanks, located on an adjacent site.
 - (iii) Any building, structure or earthworks shall be setback at least
 - 10 metres from any body of surface water
 - except any disposal system of any septic tank or on-site sewage system shall be setback 20 metres from any body of surface water.These setbacks will not apply to below ground telecommunication or electricity lines and cables.
 - (iv) Any building, structure or deposit of materials shall not obscure the sight distances from any road to a rail level crossing as shown in the figure 15.5 in the Transport Section.

4.6.2.2 Coverage

Maximum area of any lot which may be covered by buildings including accessory buildings is 40%.

4.6.2.3 Number of Dwellings per Property

A maximum of one dwelling per lot (except in addition one accessory flat to a maximum 75m² gross floor area is permitted).

4.6.2.4 Odour

No activity shall result in an objectionable odour being able to be detected at the boundary of any adjoining property. For the purpose of this condition an objectionable odour is defined as that which can be detected and is defined as objectionable in terms of the FIDOL factors - frequency, intensity, duration, offensiveness and location - by one or more observers; including at least one Council Officer.

4.6.2.5 Lighting and Glare

Light emissions measured from any site shall not exceed a measurement of 8 lux (lumens per square metre) measured at 1.5 metres above ground level at the site boundary.

All external lighting shall be directed or shaded so as to avoid any nuisance for nearby residential properties and roads.

4.6.2.6 Advertising and Signs

- (a) Any permanent sign shall be permitted provided it is located on the site on which the advertised activity occurs and that -
 - (i) No sign may be erected in such a manner that it creates a hazard to vehicle or pedestrian traffic.
 - (ii) Signs must be stationary and not incorporate any flashing illumination
 - (iii) Signs shall not exceed 0.5m² in area and not be higher than 2 metres above ground level.
 - (iv) Signs shall not be located on any public road or other public place.
 - (v) Signs for controlling, directing, or managing traffic (including road names) can be located anywhere provided they are erected by the appropriate authority or its authorised agent.

- (vi) Signs shall;
 - not reduce the visibility of any official traffic sign or signal.
 - not be illuminated unless the premises are open for business.

- (b) Any temporary sign shall be permitted provided that -
 - (i) No sign may be erected in such a manner that it creates a hazard to vehicle or pedestrian traffic.
 - (ii) Signs must be stationary and not incorporate any flashing illumination.
 - (iii) Signs shall not be located on any public road or any other public place.
 - (iv) Any sign advertising forthcoming cultural, religious or sporting events or other events for similar purposes provided that the sign shall not be displayed for not more than 21 days before and shall be removed within 7 days after the date of the event.
 - (v) Any sign not exceeding 3m² in face area for General or Local Body Elections providing that any signs shall not be displayed for more than 2 months before and shall be removed within 7 days after the close of the election.
 - (vi) Any temporary sign (those advertising one off events) and their fixtures including signs advertising the sale of real estate provided they are removed within 48 hours of the activity, to which the sign relates, ceasing.
 - (vii) Signs shall;
 - not reduce the visibility of any official traffic sign or signal.
 - not be illuminated unless the premises are open for business.

These requirements are complementary to, and not in substitution for, any Bylaw the Council administers in respect of signs. Where the provisions of this

Plan are inconsistent with the provisions of any Bylaw, the provisions of this Plan shall prevail.

4.6.2.7 Noise

- (a) No activity except an audible bird scaring device (permitted in the urban residential zone only in the Low Density Policy Area), temporary activities and construction and demolition activities, may generate noise which exceeds the following limits measured at the boundary of the site upon which the activity is occurring -

55 dBA L10	7am to 7pm daily
45 dBA L10 and 75 dBA L Max	7pm to 7am daily

- (b) Noise for construction and demolition activities shall not exceed the recommended upper limits for construction noise as set out in New Zealand Standard 6803P The Measurement and Assessment of Noise from Construction Maintenance and Demolition Work.
- (c) Any audible bird scaring device (including firearms) may be operated within the Low Density Policy Area as follows -
- Between 7 am and 8 pm only
 - Maximum of 6 events per hour where an event is defined as a cluster of up to three shots from gas operated devices or three multiple shots from firearms, in rapid succession where:
 - The sound emitted at the boundary or notional boundary of any adjoining property shall not exceed 85dBC peak (or unweighted) level.
- (d) All noise levels shall be measured in accordance with NZS 6801: "Measurement of Sound - Methods of Measuring Noise: 1991", and assessed in accordance with NZS 6802: "Assessment of Environmental Sound - Assessment of Noise in the Environment: 1991", or in accordance with any subsequent New Zealand Standards that concern the measurement and assessment of noise in the environment.
- (e) Where NZS 6802:1991 does not include the type of noise in question, the appropriate standard or regulation, the scope of which includes that

type of noise, shall be used.

Note: Vehicles driven on a road are excluded from the permitted activity conditions for noise.

4.6.2.8 Surfacewater Disposal

Provision shall be made for the collection, treatment and disposal of surfacewater runoff in accordance with Chapter 9, Subdivision and Development.

4.6.2.9 Water Supply and Water Disposal

Provision shall be made for water supply and waste disposal in accordance with Chapter 9, Subdivision and Development.

4.6.2.10 Outdoor Storage

Any outdoor storage area, or area containing more than four parking spaces shall be screened including by landscape planting so as not to be visible from any public road, public place or dwelling on an adjoining property.

4.6.2.11 Vehicle Access

All activities shall be provided with practicable vehicle access from a public road in accordance with Appendix 15A in Chapter 15, Transport.

4.6.2.12 Vehicle Parking Manoeuvring and Loading

Each activity shall be provided with vehicle parking, vehicle manoeuvring and loading facilities as specified in Appendix 15A in Chapter 15, Transport.

4.6.2.13 Safety and Visibility at Road and Rail Intersections

- (a) No activity shall erect any structure, or deposit any materials, or plant any tree that would obscure the sight distances from any road to a rail crossing as shown in figure 15.5 in Chapter 15, Transport.

- (b) Where any vehicle crosses a rail level crossing, it shall be formed at the same level as the level crossing for 20 metres either side of the level crossing.

4.6.2.14 Natural Hazards

Provision shall be made for dealing with natural hazards in accordance with Chapter 10, Natural Hazards.

4.6.2.15 Hazardous Substances

Provision shall be made for dealing with hazardous substances in accordance with Chapter 11, Hazardous Substances and Waste Management.

4.6.2.16 Earthworks

- (a) Any activity may alter the existing ground level by up to 2.5 metres measured vertically.
- (b) Any activity may involve the disturbance of up to 1000m³ of earth.

4.6.3 Conditions relating to accessory buildings, accessory flats and structures:
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4.6.3.1 Gross floor area:

Maximum 75m².

4.6.3.2 Height Plane

- (a) The space within which any building must be contained and is defined by a recession plane measured along the boundary of each site commencing at 2.5 metres above the existing ground level and inclined at an angle of 45° (an angle of one horizontal to one vertical).
- (b) Aggregate length of any wall along the boundary not to exceed 8 metres.

- (c) No accessory building shall be located within 3 metres of a dwelling on a adjacent site.

4.6.3.3 Within the Low Density Policy Area -

No accessory building and enclosures for the housing and keeping of animals in confinement shall be located within 20m from the boundary of the site.

4.6.4 Conditions Relating to Residential Business:**4.6.4.1 Exterior Storage or Display**

All exterior storage or display of materials or finished products shall be screened and landscape planted so as not to be visible from any public road, public place or dwelling on an adjoining property.

4.6.4.2 Scale of Employment:

No more than 2 persons who reside off the premises may be employed in the activity.

4.6.4.3 Hours of Operation:

The activity shall be carried out only between the hours of 7.30am and 9.30pm.

Explanation:

The conditions included for residential business are intended to protect the amenities of the residential areas and the provisions recognise that the activities if limited in scale will not detract from the amenity of the areas.

4.6.5 Conditions Relating to Permitted Temporary Activities

4.6.5.1 No permanent structures may be constructed.

4.6.5.2 Except where specified, temporary activities shall comply with the relevant permitted activity conditions.

4.6.5.3 Duration of the activity to be limited as follows:

- **Activities ancillary to building and construction limited to the duration of the project or for a period not exceeding 12 months whichever is the lesser;**
- **Temporary military activities to a period not exceeding 31 days.**

Explanation:

Specific provisions have been included for the temporary use of land or structures as there are many activities of a temporary nature which occur throughout the district at different times for different purposes. The community accepts a slightly wider margin of tolerance of the effects of temporary activities due to their infrequent occurrence, short duration or necessity of the function. However some limitations are required beyond which consent may be required to assess and mitigate any adverse effects.

4.6.6 CONTROLLED ACTIVITIES

- (a) Multi-unit residential
- (b) Relocation/Reconstruction of Buildings
- (c) Subdivision except:
 - where it fronts on the State Highway, or
 - is referred to in Part B, District Plan Provisions

4.6.7 Standards and Terms and Controlled Matters:
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4.6.7.1 Multi-unit residential.

Standards and Terms:

- (a) Permitted activity conditions which apply to multi-unit development are as follows :
 - Height
 - Accessory buildings

- Residential Business
- Advertising and Signs
- Noise
- Vehicle Access
- Natural Hazards
- Hazardous Substances
- Vehicle parking manoeuvring and loading

[Refer to Chapter 15, Financial Contributions.]

(b) Setbacks

Front Setback	:	4.5 metres
Rear & side Setbacks	:	1.5 metres

(c) Minimum Site Area

Each residential dwelling unit shall have 320m² available exclusively to that unit. Within the area the following shall apply:

- (i) An outdoor living court of an area of not less than 25m² per unit and a minimum width of 5 metres shall be provided adjacent to each unit for the exclusive use of the occupants.
- (ii) Outdoor living courts to be unobstructed by vehicle accessways and parking spaces.
- (iii) In the case of any one or more units situated above ground floor level a balcony shall be provided for each unit for the exclusive use of the unit's occupants.

(d) Vehicle Access

Provision shall be made for vehicle access to each residential unit in accordance with the requirements of the Transport Section.

Council will exercise control over the following:

Design and Appearance:

The proposed design of all units in terms of retaining privacy and screening

proposed to mitigate visual effects of increased density.

Explanation:

In order to protect the amenity of the residential area consideration needs to be given to the effects of multi-unit residential activities on adjoining activities particularly in terms of shading, usable outdoor space and privacy.

4.6.7.2 Relocation/Reconstruction of Buildings**Standards and Terms**

[Refer to Chapter 8, Financial Contributions for the payment of any financial contributions.]

The permitted activity conditions which apply to the relocation/ reconstruction of buildings are as follows :

- Building conditions with respect to
 - setbacks
 - coverage
 - height requirements
 - number of dwellings per property
- Accessory buildings and structures
- On-site Parking
- Vehicle Access

The written approval of affected persons will not be necessary and applications need not be notified.

Council will exercise control over the following:

External design and appearance:

The current appearance, condition and design of the building. Any proposed changes to the building shall result in a building which is compatible with the visual amenity of the proposed location.

(Applicants may be required as a condition of the resource consent to provide a report to Council to the effect that the construction and appearance of the building to be relocated is such that it may be reasonably expected (with upgrading if necessary) to meet the above requirements.

In addition applicants may be required to deposit a sum of money with the Council or enter into a bond guaranteed by a bank. The amount to be such to meet the estimated costs plus 10%, to upgrade the building within a specified period up to 12 months from the date of the issue of the building permit. The period to be determined by the Council having regard to the circumstances of each case.) The estimate is to be provided by the applicant and certified by a registered tradesperson(s).

Explanation:

To protect and enhance the visual amenity of the residential areas the external design and appearance of relocated and reconstructed buildings will be considered as part of an application.

4.6.7.3 Subdivision except;

- **where it fronts the State Highway**
- **is referred to in Part B, District Provisions**

Standards and Terms:

(a) **The permitted activity conditions** which apply to subdivision (refer Chapter 9, Subdivision and Development) as follows:

- Earthwork and Foundation Development
- Approval Required Before Commencement of Work
- Connection to Existing Streets and Services
- Easements for Access or Services
- Maintenance
- Damage to Existing Streets, Services and Property
- Certificates on Plan
- Testing
- Bonds for Uncompleted Works
- Provision for Road Access and Future Road Pattern in the Urban area.
- Road Names and Road Signs
- Easements

[Refer to Chapter 8, Financial Contributions for the payment of any financial

contributions].

(b) Lot Size

Residential Zone	Minimum	Average (3 or more lots)
Residential Zone excluding the Low Density Policy Area	400m ²	500m ²
Low Density Policy Area: Residential Lots	2000m ²	Not Applicable
Non-residential Lots	1 ha	Not Applicable

Provided that access strips or access lots to rear lots shall be excluded from the calculations of minimum site area.

Minimum lot size requirements will not apply to the following:

- Dwellings on Maori Freehold Land and General Land owned by Maori, provided they are located in accordance with an Occupation Order made by the Maori Land Court under Part XV of the Maori Land Act 1993.
- Dwellings on Maori Freehold Land provided each dwelling is located on a site partitioned by the Maori Land Court as a site for a dwelling in accordance with Section 296 of the Maori Land Act 1993.

(c) Frontage (Low Density Policy Area)

Within the low density policy area a minimum frontage of 50m is required for non residential lots.

Council will exercise control over the following:

(a) Building Site

Whether the lot can provide a site suitable for building development. Sites shall be identified on the application plan and Council may require confirmation of their suitability by a registered engineer.

(b) Location of boundary lines

Boundary lines should ensure that all buildings can comply with the height, bulk and location requirements under this Plan except where an existing building does not comply with the standards under this Plan.

(c) Provision of Services

(i) All sites must be provided with a connection to the urban water supply unless in the circumstances, the Council considers it unreasonable or unnecessary to do so.

(ii) All sites must be provided with a connection to the urban sewage system unless in the circumstances, the Council considers it unreasonable or unnecessary to do so.

(iii) Adequate provision is to be made for stormwater so that any adverse effect on people, property and the natural environment is mitigated.

(iv) Underground reticulation of electric power and telephone must be provided to all sites unless in the circumstances, the Council considers it unreasonable or unnecessary to do so.

(v) Adequate provision to be made for street lighting to all new roads or roads upgraded as part of the subdivision approval.

(d) Design and Development Standards

All subdivisions shall generally comply with the standards of design and development which are not less than those contained in NZS 4404. "Code of Practice for Urban Land Subdivision: 1981".

(e) Landscape

(i) Landscaping shall be carried out as appropriate to reduce the adverse effects caused by alterations to the natural landform

and removal of vegetation.

- (ii) Following earthworks, road berms and new lots are to be topsoiled and road berms sown in grass and planted.
 - (iii) Public open space is to be formed, topsoiled, landscaped and planted to a level commensurate with its purpose and ease of maintenance.
- (f) Vehicle Access
- (i) All lots shall be provided with practicable and legal access to a public road. Access is to be formed and maintained to a standard satisfactory to the Council or the road controlling authority.
 - (ii) In the case of rear lots this access may be provided by an access strip or access lot.

[Refer to the provisions of Chapter 15, Transport.]

- (g) All roads to be vested in Council
- (h) Pedestrian and bicycle access

In any proposed subdivision the Council may require land to be set aside to provide access ways to facilitate the movement of pedestrians and/or to provide for movement of bicycles (but not including powered cycles) from any part of the subdivision to any other part, or to any road, park or public place.

Explanation:

The rules are designed to avoid, remedy or mitigate the adverse effects of subdivision by considering effects on a case by case basis.

4.6.8 LIMITED DISCRETIONARY ACTIVITIES

- **Erection of a dwelling house or dwelling unit on an area held in one Certificate of Title and having frontage to Philip Street.**

4.6.9 Standards and Terms and Matters of Council Discretion

Standards and Terms

Except for the matters specified in this rule the activity must comply with the conditions within the permitted activity category.

Matters over which Council will exercise discretion:

(a) Access and Services

Whether adequate access and services are available or can be provided by the applicant.

Explanation:

Due to the lack of access and services the erection of a dwelling on an area held in one Certificate of Title and having frontage to that part of Philip Street between Gertrude Street and Lincoln Road will be dealt with through consideration as a limited discretionary activity with discretion exercised in relation to access and services.

4.6.10 DISCRETIONARY ACTIVITIES

- (a) Any activity not referred to in this zone as permitted, controlled or limited discretionary and not referred to in Part B, District Provisions.
- (b) Any subdivision not meeting the conditions for controlled activities and not referred to in Part B, District Provisions.
- (c) Any redevelopment or change of use of a contaminated site.
- (d) Any earthworks not meeting Permitted Activity conditions.

4.6.11 Council may have regard to the following matters:

- 4.6.11.1** Any subdivision not meeting the conditions for controlled activities and not referred to in Part B, District Provisions.

[Refer to the provisions of the Subdivision and Development Section.]

- (a) The requirements of section 106 of the Resource Management Act;
- (b) provisions for access to all lots;
- (c) the provision of sewage and stormwater disposal which will not adversely affect public health and the environment;
- (d) the provision and availability of adequate and potable water supply;
- (e) whether there may be cumulative effects on the roading network and utility services;
- (f) whether subdivision not meeting the minimum lot size requirement will increase the density of development and reduce the open rural amenity;
- (g) provision is made as required for esplanade land (Refer to the Water Margins Section);
- (h) whether the adverse effects of the proposed subdivision can be remedied in terms of natural hazard areas;
- (i) whether the adverse effects on natural feature and areas and the coastal environment can be avoided;
- (j) whether adverse effects on the State highway can be avoided, remedied or mitigated.

Explanation:

The effects of subdivision within more sensitive environments will be considered as a discretionary activity in order to deal with the scale of the effects on a case by case basis. In addition the effects of closer density will be assessed in order to control the potential visual impact.

4.6.11.2 Any activity not referred to in this zone as permitted, controlled or limited discretionary and not referred to in Part B, District Provisions.

- (a) Bulk and location of buildings
 - Loss of privacy and sunlight
 - Creation of shadows on any dwelling or outdoor living court
- (b) Site layout
 - Usability of outdoor living courts
 - Location of parking, access and loading areas
 - Layout of buildings particularly with regard to outlook, and access
 - Parking and vehicle movements on site
 - Screening
 - Topography of site and adjoining site
- (c) Nuisance
 - Noise
 - Hours of operation and servicing
 - Lighting and glare
 - Odours
- (d) Traffic generation
 - Impact on street parking
 - Impact upon the safety and efficiency of the adjoining road network
 - Neighbourhood amenity
- (e) Cumulative Effects
 - Adverse affect on the residential amenity of the area
 - Community health and safety
- (f) Natural Landscape
 - Planting to reduce the visual impact of non-residential activities on the residential amenity

(g) District Wide Provisions

Where the proposal overlaps with district wide provisions the assessment criteria for those particular sections shall also apply

(h) Land Use

Relevant objectives and policies of the District Plan.

4.6.11.3 Any redevelopment or change of use of a contaminated site.

(a) Nature and degree of contamination.

(b) The proposed approach to decontaminating a site;

(c) Management or mitigation measures to avoid any significant adverse effects on public health and safety and the environment.

Explanation:

At this stage work is being undertaken through the Wellington Regional Council to identify any contaminated sites. It is appropriate that there where a contaminated site is identified that offsite risks are determined, any likely adverse effects on future activities are avoided and the importance of site clean up is acknowledged. The Council will liaise with the Wellington Regional Council to determine those sites which are contaminated and when the information is available the sites will be identified in the Plan.

4.6.11.4 Any earthworks not meeting Permitted Activity Conditions.

(a) Alteration and disturbance of ground, in particular effects on bodies of surface water, visual amenity, vegetation, important natural features and areas, and heritage resources.

Explanation:

Where the removal, relocation, or deposition of earth is undertaken it is important to ensure that the effects are avoided, remedied or mitigated through the resource consent process.