

EQM Judgeford Hills Plan Change

“Version 4a”

Amendments by PCC Officers

22 August 2007

5.0 THE PROPOSED PLAN CHANGE: JUDGEFORD HILLS ZONE

5.1 Introduction and Outline

The location and extent of the new Judgeford Hills Zone is shown in its local context on the Location Plan and in more detail in the Structure Plan. These plans are attached as Attachments 1 and 2 respectively.

With the exception of one area that is outside the visual catchment the boundaries of the Judgeford Hills Zone follow established property boundaries as these are readily identifiable on the ground and relate well to the nature of the provisions proposed for inclusion in the new zone.

The Judgeford Hills Zone incorporates a Structure Plan for the property that identifies four activity areas:

- **Primary Production Areas:** These are the productive areas of the property where agriculture, horticulture and [Production Forestry](#) can take place.
- **Environmental Enhancement Areas:** These are areas of marginal farmland which provide opportunities for protection or enhancement. Excessively wet pasture and rushland can be developed to wetlands, steep gullies retired and revegetated and stream margins protected.
- **Cluster Residential Areas:** These are the areas of the property where residential development is to be concentrated, thus preserving the balance areas for environmental or primary production activities.
- **Land for residential use:** areas to be attached to residences but no buildings are allowed to protect visual amenity.

Comment [DJD1]: Amendment MA: Accepted

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Resource consent will be required (as a controlled activity) for subdivision which is in accordance with the Structure Plan. However, the Structure Plan provides certainty of the development envisaged under the Plan Change.

The Structure Plan has been developed with particular regard to the environmental considerations including the natural character of the site, the potential for visual and landscape effects, the natural features of the site and the potential for environmental enhancement as well as infrastructure requirements. The Structure Plan has identified the areas of the property within which residential development is appropriately concentrated and provides the maximum number of dwellings to be accommodated in those areas. It also indicates those areas where no buildings are allowed.

The Structure Plan also identifies the Environmental Enhancement Areas of the property where there is the potential for the enrichment and protection of environmental features (such as wetlands and revegetation) as development occurs.

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Finally, the Structure Plan identifies those areas of the site best suited to continued primary production activities.

It is intended (for the reasons above) that the Judgeford Hills Zone stand discretely within the District Plan and the main elements of the new provisions are:

- A new plan chapter C4A that sets out the objectives, policies, methods and outcomes for the Judgeford Hills Zone
- A new plan chapter D4A that contains the rules and standards for the Judgeford Hills Zone
- Consequential amendments to other parts of the District Plan
- A Structure Plan
- A Design Guide

5.1.1 Objectives, Policies, Methods and Outcomes

These reflect the philosophy of the Judgeford Hills Zone, and the opportunity to concentrate development and achieve positive environmental outcomes in accordance with the Structure Plan. They reflect the key issues affecting the property such as landscape and visual aspects, sustainable farming and water quality – all of which form the basis of the Structure Plan.

5.1.2 Rules and Standards

Rural activities continue to be provided for in much the same way as under the provisions of the Rural Zone, in those areas of the property most suitable for primary production activities. Rural residential activities are also provided for. The following is noted in respect of each of the areas shown on the Structure Plan:

- **Primary Production Areas:** these have been identified as the most suitable areas to provide for primary production activities, such as the farming that occurs at present. Development is therefore avoided in these areas.
- **Environmental Enhancement Areas:** these have been determined with particular regard to the natural features of the property and the potential for further protection and enhancement as development occurs. The Environmental Enhancement Areas are identified over different parts of the property. However provision of an Environmental Management Plan for the whole property (to be approved by Council prior to the issue of a s224(c) certificate) will ensure that these areas are managed in an integrated fashion.
- **Rural Residential Lots:** these are provided for in the Cluster Residential Areas. A minimum lot size of 0.2 hectares will apply to all residential lots and a maximum of 40 lots is provided for throughout the Cluster Residential Areas. The maximum number of lots has been determined within each Cluster Residential Area so as to ensure residential development occurs within appropriate areas of the site. Because there is a minimum lot size, and a

maximum number of lots provided, further controls (such as a maximum lot size or an average lot size) are not necessary.

- **Land for residential use:** these areas will be part of the residential lots but no building will be permitted for reasons of visual amenity.

The rules and standards chapter includes the Structure Plan and the design guide.

5.1.3 Consequential Amendments

Although the Judgeford Hills Zone will be a discrete zone within the District Plan, some consequential amendments are necessary to other parts of the Plan.

5.2 New plan chapter C4A : Judgeford Hills Zone Objectives and Policies

C4A	JUDGEFORD HILLS ZONE OBJECTIVES AND POLICIES
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C4A.1	Introduction
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The Judgeford Hills Zone is intended to provide the opportunity for development of the property whilst maintaining and enhancing its natural and physical characteristics.

The Judgeford Hills Zone and Structure Plan provides for the clustering, or concentration of development in appropriate locations, rather than prescribing subdivision standards which would result in a spread of development. At the same time the natural, physical and open space characteristics of the property can be maintained and enhanced.

The Judgeford Hills Zone recognises the need for an approach to the sustainable management of the resources of this part of the District that balances the demands of rural lifestyle development, environmental protection and enhancement and ongoing primary production activities. It therefore provides for an integrated approach to rural residential subdivision in the location.

C4A.2	Resource Management Issues
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C4A.2.1

Rural residential subdivision and lifestyle

Rural residential subdivision provides an alternative lifestyle choice and an opportunity to plan land use management which is as appropriate as other rural activities.

Planning for the use of rural land should accommodate a range of lifestyle choices as well as recognising alternative approaches to maintaining and enhancing the environment. At the same time, provision should be made for productive

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rural activities to continue in a manner that is compatible with existing and potential future residential uses.

Rural residential subdivision creates a demand for various infrastructure, which can of itself have potential effects on the environment. The provision of infrastructure therefore needs to be addressed within the Judgeford Hills Zone.

Comment [DJD2]: Amendment MA: Accepted

C4A.2.2

Cluster housing

Cluster housing developments provide an opportunity for environmental protection and enhancement including wetland maintenance and improvement, provision of open space and walkways as well as planting and protection of regenerating native vegetation. Further, it means that productive areas can be retained for rural activity without being compromised by development.

C4A.2.3

Rural character and rural amenity

The rural area has been modified by human activities. Despite, or perhaps because of this, it is highly valued for a number of reasons. Its most important characteristic is its open, expansive nature with a relatively low density of buildings. Areas of pasture, bush and wetland are key features of rural areas, as are discrete clusters of buildings and amenity tree planting separated by farmland and Production Forestry plantations.

Comment [DJD3]: Amendment MA: Accepted

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The level of rural amenity in the rural area is important to the quality of life enjoyed by people living and working in the area and by visitors. This should be balanced with the need to maintain appropriate utilisation of the rural land resource for primary production and production forestry.

Comment [DJD4]: Amendment MA: Accepted

C4A.2.4

Environmental protection and enhancement

Indigenous vegetation and wetlands not only provide for visual and rural amenity – they also contribute to ecological values and provide habitat for native flora and fauna. In many areas they also protect the soil from erosion with a resultant reduction in silt and other matter getting into streams and watercourses and degrading water quality.

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C4A.2.5

Local recreational facilities

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Judgeford Hills Zone has a strategic location being adjacent to the Belmont Regional Park. There is a potential increase in local demand for recreational facilities arising from local subdivision and there is also a wider potential neighbourhood and city wide benefit arising from the provision of access to Belmont Regional Park. Provision of such access also has the potential to create adverse effects.

Comment [DJD5]: Amendment MA: Accepted

C4A.3 OBJECTIVES AND POLICIES

OBJECTIVE C4A.3.1

To provide for integrated rural residential subdivision and development, whilst avoiding, remedying or mitigating any adverse effects of development.

Comment [DJD6]: Amendment MA: Accepted

Explanation

Rural residential development is appropriate in concentrated areas of the Judgeford Hills Zone where the characteristics of that area and its location are such that the effects of development can be avoided, remedied or mitigated. By concentrating development within these defined areas (cluster residential areas) of the Judgeford Hills Zone the productive areas of the property are retained and environmental enhancement can be achieved in an integrated manner. The adverse effects that would otherwise be created by sprawling and sporadic development are avoided.

Consequently, the Judgeford Hills Zone seeks to provide for an innovative approach to rural residential development, together with the benefit of environmental protection and enhancement together with sustainable farming in an integrated approach.

The infrastructure required to support residential development can have adverse effects on the environment, which need to be managed.

Comment [DJD7]: Amendment MA: Accepted

POLICY C4A.3.1.1

To facilitate development in an integrated manner with appropriate standards for activities in the zone.

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Explanation

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The Structure Plan has been developed in a comprehensive manner having regard to the natural and physical features of the property, the topography of the site and surrounds and the infrastructural requirements. Although

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development across the cluster residential areas may be staged, and the detailed design is to be determined under a separate resource consent process, the Structure Plan assures an integrated approach to development.

Further, the Structure Plan ensures that the scale and nature of the land use activities reflects the existing character of the property and surrounds, as well as the objectives and policies of the Judgeford Hills Zone.

**POLICY
C4A.3.1.2**

To concentrate rural residential development in defined areas of the property and to identify areas where buildings are not appropriate, as defined in the Structure Plan.

Explanation

A Structure Plan has been developed for the Judgeford Hills Zone that identifies areas appropriate for clustered residential development, land for residential use but where no buildings are allowed, as well as environmental enhancement and farming areas of the property. Further residential development outside the areas designated for cluster residential is a non complying activity, so that the integrity of the natural and physical features and farming is maintained whilst development is facilitated.

These areas have been determined following a robust environmental assessment with regard to factors including:

- The existing character and natural features of the property and surrounds
- The potential landscape and visual effects
- The ecological aspects of the property and opportunities for protection and enhancement
- Infrastructural and engineering considerations.

**POLICY
C4A.3.1.3**

To provide for continuing primary production activity in appropriate areas within the zone.

Comment [DJD8]: Amendment MA: Accepted

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Explanation

Primary production activity is a fundamental element of the existing rural character in the area, and therefore that activity should be maintained and is provided for in areas of the Structure Plan.

**POLICY
C4A.3.1.4**

To provide for the improvement of water quality in the Pauatahanui Inlet Catchment.

Explanation

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The property is located within a sub catchment of the Pauatahanui Inlet and there are three primary stream branches within the property. These have been modified by vegetation removal and farming practices. However, there are still some areas of good fish habitat. Clustering residential development away from the valley floor provides an opportunity to rehabilitate some of these wetland areas and watercourses if they are retired from farming and revegetated.

OBJECTIVE C4A.3.2

To provide for **existing and proposed infrastructure services in a manner that is physically and environmentally sustainable.**

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- Deleted: (stormwater management, water supply and wastewater disposal)
- Comment [DJD9]: Amendment MA: Accepted

Explanation

The provision of all **future infrastructure services** needs to be accommodated in a manner which avoids, remedies or mitigates any potential adverse effects. **To ensure the physical and environmental sustainability of infrastructure services and the management of effects, subdivision applications will be required to demonstrate how each dwelling will be provided with wastewater and drinking water services and appropriate stormwater management. The Pauatahanui harbour catchment, in which the Judgeford Hills Zone is located, is a valued environment, and therefore, appropriate measures should be taken to manage effects of stormwater on this environment.**

In addition, there is regionally important existing infrastructure that passes through the Zone (high voltage electricity transmission, gas, and a regional water main). Development within the Zone must have regard to the effects of, and effects on, this infrastructure.

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- Comment [DJD10]: Amendment MA: Accepted with modification
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- Comment [DJD11]: Amendment MA: Accepted
- Comment [DJD12]: Amendment MA: Accepted (deletion)
- Deleted: Each of the infrastructure services required will be addressed individually and where appropriate, services can be provided for in an integrated manner between Cluster Residential Areas.
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- Comment [DJD13]: Amendment MA: Accepted

POLICY C4A.3.2.1

To manage the **effects of stormwater generated during and after construction.**

Explanation

Stormwater **run off** needs to be managed **both** during the construction phase of development, and **after** development **has been** completed, **so that:**

- the rate of stormwater run off does not exceed the pre-development rate; and
- sedimentation and other earthworks related effects on

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waterbodies are no more than minor.

The stormwater management system for the development should be designed to achieve the above outcomes. This will enable a high degree of certainty in the management of effects. This will be partially achieved by the implementation of an earthworks management plan, which satisfies the Greater Wellington Regional Council sediment control guidelines, prior to any resource consents being granted for development within the site. Control of effects will also be achieved through conditions of consent.

Comment [DJD14]: Amendme nt MA: Accepted

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Comment [DJD15]: Amendme nt MA: Rejected and modified: Deleted reticulated Inserted and productive

POLICY C4A.3.2.2

To provide a secure and sustainable supply of water suitable for residential and productive purposes to all dwellings within the Judgeford Hills Zone.

Explanation

An integrated reticulated water supply for all dwellings from one reservoir may be desirable to ensure the sustainable supply of water. A reticulated water supply would provide for potable drinking water and sufficient flow and pressure for fire fighting purposes. However a water supply may be appropriate, possibly in combination with a reticulated scheme. Water must be provided in an integrated manner that ensures security of supply of a sufficient quantity as well as of a quality that is fit for human consumption.

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POLICY C4A.3.2.3

To provide for the disposal of wastewater in a manner that is environmentally sustainable and that is readily maintained

Explanation

Wastewater treatment and disposal fields can be provided either through a centralised system, a batch system or individually and on site. It is important to ensure that the provision of wastewater treatment services is achieved in an integrated manner ensuring that disposal fields are appropriately located and the system is maintained as required. Consequently, the provision of a centralised system or communal treatment plants is preferred.

Comment [DJD16]: Amendme nt MA: Accepted with modifications

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POLICY C4A.3.2.4

To provide sustainable public access to properties within the Judgeford Hills Zone.

Explanation

Comment [DJD17]: Amendme nt MA: Rejected. Original text ... [1]

Comment [DJD18]: Amendme nt MA: ... [2]

Comment [DJD19]: Amendme nt MA: Accepted.

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**OBJECTIVE
C4A.3.3**

Public access must be provided to and within the Judgeford Hills Zone. There are a variety of mechanisms available to achieve that outcome, including the creation of private roads for public use.

If any private roads are created for public use, the Council may assume the management and maintenance of those roads. If that is the case, the developer will be required to establish a sustainable funding mechanism that replicates the maintenance cost subsidy available to Council for public roads.

Comment [DJD20]: Amendment MA: Accepted

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To provide for development that is sensitively located in relation to the natural and landscape features, setting and rural character of the Judgeford Hills Zone, and to avoid development in inappropriate locations.

Explanation

The landscape and ecological features of the property have determined the location of the development areas; these development areas having been identified following a landscape and ecological assessment of the site. Maintaining, and where the opportunity arises, enhancing existing landscape and natural features also allows for development to be integrated within the landscape and landforms whilst allowing for development to occur.

The rural character of the valley and surrounding area is reflected in the layout and design of the Structure Plan so that the development is assimilated into the landforms and the natural features enhanced. Areas where development would be visually prominent have also been identified as Land Attached to Residential lots where buildings are non-complying activities.

**POLICY
C4A.3.3.1**

*To protect and enhance existing natural features and landscape characteristics including **retention of open space, remnants of native bush, areas of regenerating native vegetation and wetlands.***

Comment [DJD21]: Amendment MA: Accepted

Explanation

Existing natural features, such as the watercourses, wetlands and native vegetation are recognised as Environmental Enhancement Areas in the Structure Plan. The protection and enhancement of the Environmental Enhancement Areas is to be encouraged, recognising that, at the same time, residential development within the

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defined Cluster Residential Areas is appropriate..

**POLICY
C4A.3.3.2**

To enable development of appropriate buildings and structures which reflect the character and amenity values of the zone in an appropriate manner.

Explanation

The structure plan envisages dwellings in the cluster residential areas, however, the location of possible accessory buildings and minor structures and their impact on the environment may require further consideration in some circumstances and may or may not be appropriate. Therefore, this policy seeks to enable consideration of amenity and character effects of such development as appropriate.

Comment [DJD22]: Amendment MA: Accepted

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**OBJECTIVE
C4A.3.4**

To minimise any adverse visual effects of development on the surrounding landscape.

Explanation

The introduction of development into the landscape has the potential to generate adverse effects on the existing landscape character, however, the Structure Plan has been developed with particular regard to these effects and the cluster residential areas are considered appropriate locations for development. In addition, areas where buildings would be visually prominent have been identified.

Whilst the detailed design of final building forms is a matter to be determined under a resource consent application following the Plan Change, limitations on lot size, building location and some building size and design limitations are included within the Rules of the Judgeford Hills Zone to address these considerations.

**POLICY
C4A.3.4.1**

To encourage development that is in accord with the existing character of prominent landforms and ridges and not allow buildings in inappropriate locations.

Explanation

The development areas shown on the Structure Plan have been determined with particular regard to the landforms and ridgelines of the property. Development within those areas is considered consistent with the existing character of the landscape, landforms and ridges within and beyond the Judgeford Hills Zone. Similarly, areas where buildings

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would not be consistent with the existing character have also been shown in the Structure Plan.

**OBJECTIVE
C4A.3.5**

To provide for development that is in accordance with the Structure Plan and which avoids, remedies or mitigates adverse effects.

Explanation

Requiring development to be in accordance with the Structure Plan (included within the zone) provides both transparency and certainty in relation to the scale, nature and location of potential development.

Although the Structure Plan and rules establish a framework for development, there will still be a need to ensure that detailed proposals (at the subdivision stage) are considered on their merits by reference to the Design Guidelines, performance standards and assessment criteria (in the case of applications not meeting the performance standards and structure plan). This assessment will ensure that the objectives and policies of the Zone are met, and that adverse effects are avoided, remedied and mitigated as appropriate.

**POLICY
C4A.3.5.1**

To control the extent of earthworks in the Judgeford Hills Zone to the extent that is appropriate in terms of potential effects on, stormwater, geotechnical stability, amenity values.

Explanation

The structure plan has identified appropriate areas for residential development and associated land, environmental enhancement and primary production. Earthworks for development can have potential adverse effects in terms of amenity values, water quality and natural hazards, including geotechnical stability. Therefore, these effects need to be managed to ensure that potential impacts on people and the environment are minimised.

**POLICY
C4A.3.5.2**

To encourage development in a manner that avoids, remedies or mitigates any adverse effects.

Explanation

The Structure Plan has identified appropriate areas for development and environmental enhancement and

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protection. Therefore, the adverse effects of development have been considered and balanced in determining the Structure Plan so that development in accordance with the Structure Plan is provided for.

OBJECTIVE C4A.3.6

To provide **an opportunity** for appropriate public access to Belmont Regional Park

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Comment [DJD23]: Amendme nt MA: Accepted

Explanation

Judgeford Hills Zone adjoins the north-west boundary of Belmont Regional Park. It is appropriate to **provide an opportunity for enhancing non-motorised public access to the Regional Park, via the Judgeford Hills Zone, given that the Zone anticipates local residential development and subdivision, which would increase demand for access to recreational facilities.**

POLICY C4A.3.6.1

To **enable an opportunity for non-motorised public access, via the Judgeford Hills Zone, to Belmont Regional Park, incorporating appropriate facilities to enhance such access.**

Comment [DJD24]: Amendme nt MA: Accepted with modification
▪ Inserted *non-motorised*
Deleted: provide for enhanced public access via the Judgeford Hills Zone.
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Comment [DJD25]: Amendme nt MA: Accepted with modification:
▪ Insert *non-motorised*.
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Deleted: authority
Deleted: (such as the regional or city council) gaining consent to secure that access.
Comment [DJD26]: Amendme nt MA: Accepted.

Explanation

Areas of the Judgeford Hills Zone will remain in private ownership, nevertheless the Structure Plan provides for public access. Restrictions on **such access may be necessary to maintain or enhance** privacy, amenity and security of residents. **It is appropriate to consider the achievement of this objective and policy via appropriate an enabling framework within the District Plan, which would require the appropriate consent to gain such access.**

This access would need to be of a sufficient standard to minimise potential conflict between different uses.

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C4A.4

METHODS

C4A.4.1

District Plan provisions

The Judgeford Hills Zone identifies a Structure Plan showing

:

- Cluster Residential Areas where rural residential development is appropriate.
- Land Attached to Residential lots where buildings are non-complying activities.
- Environmental Enhancement Areas for environmental protection and enhancement.
- Primary Production Areas: where rural production activities are provided for.
- Non motorised access, including pedestrian, equine and cycle access to Belmont Regional Park

Comment [DJD27]: Amendment MA: Accepted

Complying development is to be in accordance with the Structure Plan as delineated in the above areas, the Design Guide, the development controls, and the objectives and policies of the zone.

Rules are also applied within the Judgeford Hills Zone providing:

- Standards for activities in each of the areas above including subdivision, lot sizes, access, building bulk and location, etc.
- Assessment criteria for resource consent applications.

C4A.4.2

Other methods

Methods to complement the District Plan provisions may include:

- Conditions imposed on resource consents requiring covenants to provide for fencing and protection of significant environmental areas.
- Council's standard codes of practice for engineering works, including Council's code of urban subdivision and the code of land development and subdivision.
- Conditions imposed on resource consents to provide for non motorised access to Belmont Regional Park as shown on the Structure Plan.
- An earthworks management plan

Comment [DJD28]: Amendment MA: Accepted

Comment [DJD29]: Amendment MA: Accepted

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C4A.5

ANTICIPATED ENVIRONMENTAL OUTCOMES

The results expected to be achieved by the objectives, policies and methods set out above are tabulated below. The table also indicates the means of monitoring whether the anticipated environmental outcomes are achieved or not.

Environmental outcomes

Indicators

The rural character and amenity of the Judgeford Hills Zone is maintained and enhanced

- Scale and nature of residential and other development is in accordance with the Structure Plan provisions.
- Environmental Enhancement Areas are protected and enhanced and open space maintained.

The identified environmental areas are protected and enhanced

- Fencing of Environmental Enhancement Areas and protected wetlands is undertaken
- Area under native vegetation increased
- Access provided as appropriate

Water quality in streams is improved

- Reduction in sediment loading and Biological Oxygen Demand

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 Comment [DJD30]: Amendme nt MA: Accepted
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The effects of runoff from the zone will not increase or exacerbate downstream flood hazards

- The incidence and severity of downstream flooding is not increased
- Post development water run off rates are the same as, or less than, pre development flows

Comment [DJD31]: Amendme nt MA: Accepted
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 Comment [DJD32]: Amendme nt MA: Accepted

Continuing primary production activity

- Farm area used productively

Development within the Judgeford Hills Zone is not inconsistent with the surrounding rural character.

- There is no set indicator for this outcome

Comment [DJD34]: Amendme nt MA: Accepted
 Comment [DJD33]: Amendme nt MA: Accepted

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C4A.6 MONITORING

As most development within the Judgeford Hills Zone will require resource consents, the application process can ensure that the scale and nature of any development is appropriate and in accordance with the objectives and policies. The effects of permitted activities are, by definition, appropriate.

State of the environment monitoring undertaken by both the City and Regional Councils will address outcomes, and no new monitoring is seen to be necessary.

5.3 New plan chapter D4A : Judgeford Hills Zone Rules

D4A JUDGEFORD HILLS ZONE RULES

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i. Until such time as any subdivision plan is approved by the Council and the conditions of the subdivision consent are satisfied under section 224 of the Resource Management Act 1991, the rural activities undertaken within the Judgeford Hills Zone at the time of notification of this Plan Change, and Permitted under the rules of the Rural Zone, shall be a Permitted Activity.

Comment [DJD35]: Amendment MA: Accepted

ii. The rules in this chapter of the District Plan relate to the Structure Plan. By its nature, the Structure Plan is indicative, however, the building locations shown on are given the effect of rules within the zone. Development must proceed in accordance with the Cluster Residential Areas and generally in accordance with locations of the Environmental Management Areas, Land Attached to Residential Lots and Primary Production Areas.

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Deleted: [ref]. The Structure Plan itself has the force of a rule. Non-compliance with the Structure Plan includes the location of allotment boundaries, the layout of allotments, the siting of activities, or the positioning of roads, that are materially different to that shown on, or intended by, the Structure Plan.

D4A.1 ACTIVITIES TABLES

Comment [DJD36]: Amendment MA: Accepted with modifications:

D4A.1.1 Subdivision activities

- Building locations given the effect of rules;
- Development in accordance with CRA's
- Generally in accordance with the EMA's, LARL's and PPA's.

i Subdivision for the purpose of creating the five broad divisions of land within the Judgeford Hills Zone, that is:

- Cluster Residential Areas
- Land Attached to Residential Areas
- Environmental Enhancement Areas
- Primary Production Areas
- Public accessways

Controlled

Comment [DJD37]: Amendment MA: Accepted

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Comment [DJD38]: Amendment MA: Accepted

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in accordance with the Structure Plan and the rules in section D4A.3 (Standards for Controlled Activities) unless specified below.

Explanation

The above rule seeks to allow a stage one subdivision where the five areas shown on the structure plan are subdivided into separate allotments. Please refer to the Controlled Activity standards for standards applicable to these areas.

Comment [DJD39]: Amendment MA: Accepted

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ii	Subdivision within the Cluster Residential Areas and Land Attached to Residential Lots created via Rule D4A.1.1(i) that complies with the relevant standards in the rules in section D4A.3 (Standards for Controlled Activities) and in general accordance with these areas shown on the Structure Plan.	Controlled	<p>Comment [DJD40]: Amendme nt MA: Accepted with modifications: <ul style="list-style-type: none"> Deleted <i>and the Structure Plan</i>; Replaced with <i>and in general accordance with the Area shown on the Structure Plan</i> </p> <p>Deleted: Areas</p> <p>Deleted: and the Structure Plan.</p> <p>Deleted:</p> <p>Deleted: unless specified below</p> <p>Formatted Table</p> <p>Comment [DJD41]: Amendme nt MA: Accepted</p> <p>Formatted: Bullets and Numbering</p> <p>Comment [DJD42]: Amendme nt MA: Accepted</p> <p>Deleted: S</p> <p>Deleted: subdivision in the Primary Production Areas that complies with the relevant standards in the rules in section D4A.5 (Standards for Discretionary Activities) unless specified below.¶</p> <p>Deleted: ¶</p> <p>Deleted: D4A.1.10¶</p> <p>Formatted: Bullets and Numbering</p> <p>Comment [DJD43]: Amendme nt MA: Accepted</p> <p>Comment [DJD44]: Amendme nt MA: Accepted</p> <p>Formatted: Bullets and Numbering</p> <p>Deleted:)(vii)</p> <p>Deleted: viii</p> <p>Deleted: Non-complying</p> <p>... [3]</p> <p>Formatted Table</p> <p>Formatted: Bullets and Numbering ... [4]</p> <p>Deleted: Controlled</p> <p>Deleted: S</p> <p>Comment [DJD45]: Arf ... [5]</p> <p>Deleted: pedestrian and cycle</p> <p>Deleted: D4A.4</p> <p>Formatted Table</p> <p>Comment [DJD46]: Arf ... [6]</p> <p>Comment [DJD47]: Arf ... [7]</p> <p>Formatted: Right: 0.63 cm</p>
iii	<u>Subdivision in the Primary Production Area that complies with the Discretionary Activity Standards and the structure plan</u>	Discretionary	
iv	<u>Any Controlled Activity Subdivision in the Judgeford Hills Zone that does not comply with the Controlled Activity Standards or the Structure Plan.</u>	Discretionary	
v	<u>Any Discretionary Activity Subdivision in the Judgeford Hills Zone that does not comply with the Discretionary Activity Standards or the Structure Plan</u>	Non-complying	
vi	Subdivision other than under D4A.1.1(i) or (viii) in the Environmental Enhancement Areas	Discretionary	
vii	<u>Following any subdivision under Rule D4A.1.1(i), subdivision of land for utilities, reserves or conservation purposes including public accessways.</u>	Discretionary	
viii	Boundary adjustments that do not create additional allotments, <u>do not increase or decrease the total land area within any one allotment by more than 5%, do not increase or decrease a road frontage by more than 5% and do not generate any non-compliance with any Permitted, Controlled, Restricted Discretionary or Discretionary Standard.</u>	Controlled	

D4A.1.2 Land Use activities

- Key:**
- P** Permitted activity – complies with the Standards for Permitted Activities in D4A.2
 - C** Controlled activity – complies with the Standards for Controlled Activities in D4A.3
 - RD** Restricted Discretionary activity – complies with the Standards for Restricted Discretionary Activities under D4A.4
 - D** Discretionary activity – where applicable complies with the Standards for Discretionary Activities under D4A.5
 - NC** Non-complying activity

The location and extent of the Cluster Residential Areas, Land Attached to Residential Lots, Environmental Enhancement Areas and Primary Production Areas are shown on the Judgeford Hills Structure Plan. This clearly identifies:

- The key areas where housing is appropriate (red);
- Areas attached to residential lots where buildings are not appropriate (blue);
- The important areas for environmental enhancement (green); and
- The areas suitable for primary production (yellow).
- [Potential public](#) access link to Belmont Regional Park

CRA Cluster Residential Areas
LARL Land Attached to Residential Lots
EEA Environmental Enhancement Areas
PPA Primary Production Areas

Comment [DJD48]: Amendment MA: Accepted

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		CRA	LARL	EEA	PPA
i	More than one dwelling per Certificate of Title	NC	NC	NC	NC
ii	The use, by its occupants, of any dwelling and land in the cluster residential area for residential activity	P	P	NC	D
iii	Farming activities, unless otherwise specified in this table, which comply with the standards in section D4A.2	P	P	D	P
iv	Intensive animal farming, including pig farming	NC	NC	NC	D*
v	Dog breeding and dog boarding businesses	NC	NC	NC	NC
vi	Production Forestry activities (including woodlots), unless otherwise specified in this table, which comply with the standards in the rules in sections D4A.2 or D4A.3 (as required).	C	C	D	P
vii	Harvesting of Production Forestry up to 5,000m ² within a 12 month period	P	P	P	P*
viii	Harvesting of Production Forestry over 5,000m ² within a 12 month period	C	C	C	C

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Comment [DJD49]: Amendment MA: Accepted

Comment [DJD50]: Amendment MA: Accepted

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Comment [DJD51]: Amendment MA: Accepted

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Comment [DJD52]: Amendment MA: Accepted

Comment [DJD53]: Amendment MA: Accepted

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CRA	Cluster Residential Areas
LARL	Land Attached to Residential Lots
EEA	Environmental Enhancement Areas
PPA	Primary Production Areas

		CRA	LARL	EEA	PPA
ix	Minor structures <u>that meet</u> the requirements of rule D4A.2 (Standards for Permitted Activities)	P	P	P	P
x	<u>One accessory building per Certificate of Title</u>	C	NC	NC	C
xi	<u>More than one accessory building per Certificate of Title</u>	D	NC	NC	D
xii	Buildings <u>that meet</u> the requirements of rule D4A.3 (Standards for Controlled Activities)	C	NC	NC	D
xiii	<u>Buildings that do not meet the requirements of Rule D4A.3 (Standards for Controlled Activities)</u>	D	NC	NC	D
xiv	Alterations and additions to existing buildings and accessory buildings where the alterations and additions do not contravene any <u>Permitted Activity Standard or Controlled Activity Standard</u> and do not increase the gross floor area by more than 10%	P	NC	NC	P
xv	<u>Walkways, boardwalks, and stormwater management structures regardless of whether the structures are buildings, accessory buildings or minor structures.</u>	P	P	C	P
xvi	Home occupations <u>that comply with the Permitted Activity Standards.</u>	P	P	NC	D
xvii	Passive recreation activities	P	P	P	P

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Comment [DJD54]: Amendment MA: Accepted

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Comment [DJD56]: Amendment MA: Rejected:
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Comment [DJD57]: Amendment MA: Rejected

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Comment [DJD58]: Amendment MA: Accepted

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Comment [DJD59]: Amendment MA: Accepted

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Comment [DJD60]: Amendment MA: Accepted

Comment [DJD61]: Amendment MA: Accepted

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Comment [DJD62]: Amendment MA: Accepted

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CRA Cluster Residential Areas
LARL Land Attached to Residential Lots
EEA Environmental Enhancement Areas
PPA Primary Production Areas

		CRA	LARL	EEA	PPA
xviii	The construction, use and maintenance of any access (excluding access by motor vehicles) and facilities to Belmont Regional Park for use by the public including tracks and carpark areas as shown on the Structure Plan	RD	RD	RD	RD
xix	Signs that comply with the permitted activity standards	P	P	P	P
xx	Network utilities which exist at the time of notification of the District Plan	P	P	P	P
xxi	New network utilities on, above, or below a road, excluding lines for conveying electricity at a voltage above 110kV, or with a design capacity above 100MVA per circuit, provided that: (a) where a structure is involved it has a floor area not exceeding 50m ² and a height not exceeding 10 metres; and (b) where a mast, aerial or pole or support structure is concerned, it does not exceed 10 metres in height or 2 metres in diameter.	P	P	P	P
xxii	New network utilities outside roads that are located underground	P	P	P	P

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Comment [DJD63]: Amendment MA: Accepted

Comment [DJD64]: Amendment MA: Accepted

Comment [DJD65]: Amendment MA: Accepted

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CRA	Cluster Residential Areas
LARL	Land Attached to Residential Lots
EEA	Environmental Enhancement Areas
PPA	Primary Production Areas

		CRA	LARL	EEA	PPA
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xxiii	The construction, creation, subdivision and vesting of roads generally in accordance with those shown on the Structure Plan <u>that comply with the Controlled Activity Standards</u> whether or not as part of a subdivision	C	C	C	C
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Deleted: for public purposes

xxiv	The construction, creation, subdivision and vesting of roads generally in accordance with those shown on the Structure Plan <u>that does not comply with the Controlled Activity standards</u> whether or not as part of a subdivision	RD	RD	RD	RD
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Comment [DJD66]: Amendment MA: Accepted with modifications:
▪ replaced with road
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xxv	The operation and maintenance of roads	P	P	P	P
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Comment [DJD67]: Amendment MA: Accepted
Deleted: that does not comply with Rule D4A.3.2.4 (roading standard)

xxvi	New or significantly upgraded vehicular access to Belmont Road	D	D	NC	D
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Comment [DJD68]: Amendment MA: Accepted
Deleted: NA

xxvii	The establishment and maintenance of wetlands, areas of native vegetation and private walking tracks <u>that comply with the Permitted Activity Standards</u>	P	P	P	P
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Comment [DJD69]: Amendment MA: Accepted

xxviii	Earthworks that comply with the <u>Permitted Activity Standards</u>	P	P	P	P
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xxix	<u>On-site disposal of wastewater</u>	D	D	D	D
------	---------------------------------------	---	---	---	---

Comment [DJD70]: Amendment MA: Accepted

xxx	<u>More than 40 dwellings and Certificates of Title within the Cluster Residential Area excluding Certificates of Title required for the creation of a road</u>	NC	NC	NC	NC
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Comment [DJD72]: Amendment MA: Accepted

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CRA Cluster Residential Areas
LARL Land Attached to Residential Lots
EEA Environmental Enhancement Areas
PPA Primary Production Areas

		CRA	LARL	EEA	PPA
xxxii	Any Permitted Activity (excluding buildings) that does not comply with one or more of the Permitted Activity Standards	RD	RD	RD	RD
xxxiii	Any Controlled Activity (excluding buildings) that does not comply with one or more of the Controlled Activity Standards	RD	RD	RD	RD
xxxiiii	Activities not otherwise provided for in this table	D	NC	NC	D

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Comment [DJD73]: Amendment MA: Accepted

Comment [DJD74]: Amendment MA: Accepted

Comment [DJD75]: Amendment MA: Accepted

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D4A.2 STANDARDS FOR PERMITTED ACTIVITIES

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D4A.2.1 Earthworks

The following shall apply to earthworks on a site:

- (i) Earthworks, except earthworks as part of any dwelling or building shall not exceed, in a 12 month period:
 - (a) 25m² in area within a riparian setback, or
 - (b) 25m² within 20m of an Environmental Enhancement Area; or
 - (c) 100m² in Cluster Residential Areas or Land Attached to Residential Lots Areas; or
 - (d) 500m² in area in a Landscape Protection Area; or
 - (e) 1000m² in area in the Primary Production Area, or
 - (f) 0.5 metres in height or depth within a riparian setback and 1.5 metres in height or depth elsewhere.

- (ii) Earthworks as part of any dwelling or building on the site, except excavations for foundations which do not extend further than 2 metres beyond the exterior walls of any building when measured in plan view shall not exceed, in a 12 month period:

- (a) 25m² in area within a riparian setback, or
- (b) 100m² in area elsewhere in the Judgeford Hills Zone, or
- (c) 0.5 metres in height or depth within a riparian setback and 1.5 metres in height or depth elsewhere.

- (iii) Earthworks shall not be undertaken on land with a slope in excess of 45 degrees; and

- (iv) Earthworks within a yard shall not exceed a height recession plane measured at an angle of 45 degrees from the closest boundary into the site.

Notes: Earthworks may also require consent under the Proposed Regional Soil Plan.
 For the purposes of the above standard, a riparian set back is a distance of 20m from the edge of a waterbody.

Deleted: In any 12 month period, earthworks shall not exceed:
 ¶
 ¶ <#>1,000m² in area, or
 ¶ <#>1.5m in height or depth.
 ¶
 Earthworks shall not be undertaken on land with a slope in excess of 45 degrees or steeper than 30 degrees on land classified Vie1 in the NZ Land Resource Inventory.
 ¶
 The above standards shall not apply to earthworks for the purpose of constructing roads, access ways and building platforms that have been approved as part of a subdivision.
 ¶
 Earthworks shall comply the Greater Wellington Regional Council Guidelines for Erosion and Sediment Control¶

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Comment [DJD77]: Amendme nt MA: Accepted

D4A.2.2 Hazardous substances

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No activity shall exceed a hazardous substances threshold of 0.75

Comment [DJD78]: Amendme nt MA: Accepted

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D4A.2.3 Noise

The maximum noise levels from any activity on a site located in the Judgeford Hills Zone, measured within 20m of any dwelling on another property shall not exceed the following levels:

(a) L_{10} 55 dBA day time (7am-10pm).

(b) L_{10} 45 dBA night (10pm-7am);

(c) L_{max} 75 dBA night time (10pm – 7am).

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Comment [DJD79]: Amendment MA: Accepted

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Deleted: The following noise rules shall not apply to:
 <#>Agricultural and forestry practices within the Primary Production Areas
 <#>Farm animal noise
 <#>Maintenance activities associated with residences, including lawn mowing
 <#>Noise generated by sirens and alarms used by emergency services

... [14]

D4A.2.4 Screening

All materials that are stored outside a building shall be screened from view from adjoining properties and any road. For the purpose of this standard “materials” includes wrecked or derelict vehicles and / or the ongoing storage of building materials or scrap metal.

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Comment [DJD80]: Amendment MA: Accepted

Comment [DJD81]: Amendment MA: Accepted

D4A.2.5 Signs

One sign per site provided it relates to the activities on the site and does not exceed 1m² in total area; but excluding signs visible to drivers on a State Highway, and flashing signs.

Note: Signs are required to comply with the height and height recession plane standards.

Deleted: ¶ Hazard warning signs are not limited in size or number but must be removed when the hazard to which they relate no longer applies. ¶

Comment [DJD82]: Amendment MA: Accepted

D4A.2.6 Production Forestry

Any production forestry shall provide a 10m non-millable buffer distance from any waterbody with a width greater than 1m.

There shall be no production forestry within 20m of any existing dwelling on another site.

Deleted: Forest owners and managers are expected to comply with the management and operational practices in the New Zealand Forest Code of Practice. ¶

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D4A.2.7 Home Occupations

Home occupations must comply with all of the following standards:

- At least one of the persons engaged in the home occupation shall live on the site as their principal place of residence.
- No more than two non-resident persons may be engaged in the home occupation at any one time.
- The repair or maintenance of vehicles or engines, other than those belonging to the residents, is not permitted.
- The site shall not be used as a depot for any heavy vehicle associated with a trade (excluding farm machinery).
- Only goods produced or grown on the site may be sold from the site

Comment [DJD83]: Amendment MA: Accepted

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Comment [DJD84]: Amendment MA: Accepted

Deleted: ¶ Homestay activities, where accommodation and meals are provided in a family type environment, are permitted provided the total number ... [15]

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D4A.2.8

Height

No building shall exceed 8m in height

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Chimneys, flues, television aerials and satellite dishes may exceed this height by a maximum of 1m

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Comment [DJD85]: Amendment MA: Accepted

D4A.2.9

Height recession plane

All buildings, accessory buildings and minor structures must be within a building envelope of 3m height and a vertical angle of 45° into the site, measured from any point along the boundary of the site with an adjacent site.

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Comment [DJD86]: Amendment MA: Accepted

D4A.2.10

Loading

All loading and unloading of goods shall take place within the site and clear of all yards.

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Comment [DJD87]: Amendment MA: Accepted

D4A.2.11

Yards and setbacks

The minimum yard standards for a site shall be:

(a) Front yard
Minimum front yard - 5m

(b) Riparian setback
Minimum riparian set back - 20m

Without limiting the definition of a riparian setback in Part M of the Plan, a riparian setback shall also apply to wetlands within the Judgeford Hills Zone.

(c) Other yard
Minimum other yard - 5m

Note: The above yard standards apply to buildings, accessory buildings and minor structures. However, the yard standards do not apply to fences (including fences for the containment of stock) or walls that are minor structures.

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New dwellings shall not be built within 20m of an existing production forest.

No wastewater treatment or disposal fields shall be constructed within 20m of any water course.

New buildings and accessory buildings shall not be built within 40m of the centreline of the existing high voltage power line.

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D4A.2.12 Access
 New dwellings shall not be built within a fault avoidance zone 40m either side of the fault traces shown on the Judgeford Hills Structure Plan unless further investigation, which may include trenching, has established the exact location of the relevant fault, in which case the separation distance may be reduced to 20m.

Comment [DJD88]: Amendment MA: Accepted

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D4A.2.13 Parking
 All accessways and manoeuvring areas shall be formed and surfaced in accordance with Council's code of practice for urban land development and Part H of the District Plan.

Comment [DJD89]: Amendment MA: Accepted

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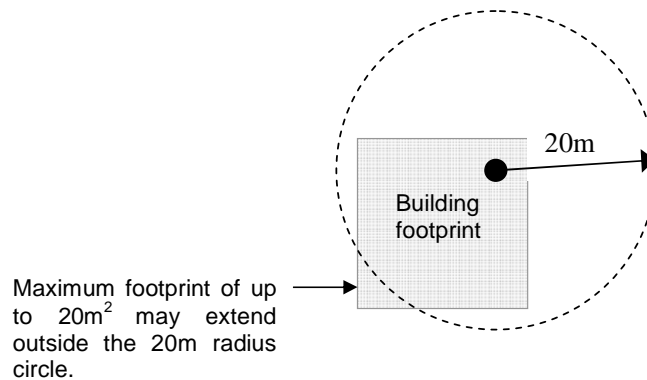
D4A.2.14 Building Location
 A minimum of two car parks per dwelling shall be provided on site. Every car park shall comply with the technical standards in Part H of the District Plan.

Comment [DJD90]: Amendment MA: Accepted

D4A.2.14 Building Location
 All buildings, other than a footprint of up to 20m² (as shown in Diagram 1), shall be contained within a Building Site as defined in Part M of the Plan.

Comment [DJD91]: Amendment MA: Accepted

DIAGRAM 1: Building Location



D4A.2.15

Comment [DJD92]: Amendment MA: Rejected

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¶ The payment of all financial contributions in respect of a Permitted Activity as provided for in Part E of this plan shall be made before the commencement of that activity. ¶

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D4A.3 STANDARDS FOR CONTROLLED ACTIVITIES

D4A.3.1 Restrictions on notification

Subject to section 94C of the Act, a resource consent application for a controlled activity will be decided without the need for public notification of the application under section 93, and without the need to serve notice of the application under section 94(1).

Comment [DJD93]: Amendment MA: Rejected. Original text inserted.

D4A.3.1 Permitted Activity Standards

All Controlled Activities shall comply with all the Permitted Activity Standards.

Comment [DJD94]: Amendment MA: Accepted

D4A.3.2 Subdivision

D4A.3.2.1 Minimum Lot Sizes: The minimum lot sizes of lots created in the Cluster Residential Areas and including any Land Attached to Residential Lots shown in the Structure Plan shall be 0.2ha.

These standards shall not apply to any lot for utility, reserve or conservation purposes.

There is no minimum allotment size for lots within the Environmental Enhancement Areas

Comment [DJD95]: Amendment MA: Accepted

Comment [DJD96]: Amendment MA: Rejected

D4A.3.2.2

Buildings

The construction of buildings and accessory buildings shall comply with the Design Guide.

Deleted: Lots in the Primary Production Area¶
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Either: ¶
¶
<#>all land in the Primary Production Area shall be held within a single Certificate of Title, or ¶
<#>the minimum lot size for separate Certificates of Title shall be 40 ha¶

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Comment [JCD97]: EQM amendment to insert original text.

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D4A.3.2.2 Maximum number of lots:

Within each of the clusters identified on the Structure Plan, the following maxima apply:

- Cluster Area A – 6 lots
- Cluster Area B – 16 lots
- Cluster Area C – 6 lots
- Cluster Area D – 7 lots
- Cluster Area E – 8 lots

Provided that no more than 40 lots shall be created in the Cluster Residential Areas.

Explanation

The Structure Plan identifies Cluster Residential Areas A – E. In turn, the Design Guidelines identify 43 lots and building locations. However, only a maximum of **40 lots** and dwellings can be created as a Controlled Activity. The intention of identifying 43 preferred lots and building locations is to provide flexibility for the development of the resource consent application, not to facilitate the development of more than 40 lots.

Comment [DJD98]: Amendment MA: Accepted

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Comment [JCD99]: Amended by EQM for consistency.

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Comment [DJD100]: Amendment MA: Accepted

D4A.3.2.3 Environmental Management Plan:

An Environmental Management Plan for all of the Environmental Enhancement Areas shown on the Structure Plan shall be provided to and approved by Council prior to the issue of an approval under s224(c) of the Resource Management Act 1991 for any new certificates of title approved under the Structure Plan.

Consistent with practical implementation, the Environmental Management Plan shall aim to maximise the extent of revegetation in native species and shall include, but not be limited to, the following matters:

- a) A planting programme;
- b) The areas of wetland enhancement;
- c) The fencing required and areas from which stock will be excluded;
- d) Public accessways and tracks required to give effect to the objectives and policies;
- e) Timeframes to complete any works required by (a) through to (d);
- f) The ongoing maintenance of the Environmental Enhancement Areas;
- g) Measures to manage sediment control and water quality with particular regard to the Pauatahanui Inlet catchment; and
- h) Monitoring and reporting to Council on the achievement of the EMP's intended outcomes

Note: As a minimum, conditions may be placed on any resource consent to ensure compliance with the Environmental Management Plan.

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Comment [DJD101]: Amendment MA: Accepted

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D4A.3.2.4

Services

Any application for subdivision consent that will create an allotment containing a building site, shall demonstrate how all allotments will be provided with water, wastewater services, a stormwater system and legal access to a public road.

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To comply with the above standard, all allotments must be reticulated to one centralised wastewater treatment facility.

Note: Access to a public road includes access via a private road for public purposes, a right of way, or a combination thereof.

D4A.3.2.5

Stormwater

Any application for a subdivision consent shall demonstrate how stormwater will be managed within the Judgeford Hills Zone so that stormwater flows exiting the Zone after the development will be the same as, or less than, pre development flows and that water quality shall be the same, or better, than pre development quality.

Comment [DJD103]: Amend ment MA: Accepted with modification: Deleted a connection to reticulated

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D4A.3.2.6

Reverse sensitivity

All certificates of title created within all Cluster Residential Areas and Land Attached to Residential Lots Areas shall contain a consent notice advising the existence of rural and infrastructure activities in the area (including the existence of the high voltage transmission lines, regional water main, and gas pipeline), and the notice shall note:

- that these activities will continue into the future;
- that these activities may include production forestry; and
- that these activities may generate odour, dust and noise that could affect the property.

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All certificates of title created from land within Cluster D and Cluster E shall contain a consent notice advising of the presence of the Transmission Gully Motorway designation.

D4A.3.2.7

Financial contributions

Comment [DJD105]: Amend ment MA: Accepted

Comment [DJD106]: Amend ment MA: Rejected

Deleted: ¶ The payment of all financial contributions in respect of a Controlled Activity as provided for in Part E of this plan shall be made before the commencement of that activity

D4A.3.3

Land use

D4A.3.3.1

Services; water supply and wastewater

Any application for a building shall demonstrate how that building will be provided with water and wastewater services.

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D4A.3.3.2

Stormwater management

Any application for a building shall demonstrate how stormwater will be managed to comply with the overall stormwater requirements for the Judgeford Hills Zone.

Comment [DJD108]: Amendment MA: Accepted

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D4A.3.3.3

Roading

All new roads within the Judgeford Hills Zone shall meet the roading standards, other than as to minimum legal width set out in Part H of the District Plan.

Comment [DJD109]: Amendment MA: Rejected.
▪ Inserted *other than as to minimum legal width*

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D4A.3.3.4

Production Forestry

Production Forestry, or woodlots in the Cluster Residential Areas and Land Attached to Residential lots, shall be located to ensure that distant views and outlooks from the Building Sites are retained in the long term, taking into account the mature height of the trees to be planted.

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Comment [DJD110]: Amendment MA: Accepted

Comment [DJD111]: Amendment MA: Rejected

D4A.3.3.5

D4A.3.4

Matters of Control for Controlled Activities

D4A.3.4.1

Subdivision

In addition to matters under Part II of the Act, the matters over which Council reserves control in relation to subdivision are:

- Layout
- Location and standards of roads and accessways
- Vegetation clearance
- Earthworks, including effects of erosion, sediment control and construction management
- Infrastructure and services, including fire fighting water supply, provision of new services and protection of existing infrastructure
- Flooding
- Natural hazard management
- Fencing
- The allocation of parts of the Environmental Enhancement Areas (as environmental covenant areas) to Cluster Residential allotments, as appropriate.
- The effects of artificial lighting on surrounding rural character

Deleted: Financial contributions¶

¶ The payment of all financial contributions in respect of a Controlled Activity as provided for in Part E of this plan shall be made before the commencement of that activity.¶

Deleted: Access to any allotment, including rear allotments, shall be at least 20m, measured along the carriageway, from any access on an adjoining lot, unless the two accesses join the road carriageway at a common point.¶

¶ All accessways and manor... [17]

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Deleted: <#>Structure planting and amenity planting¶

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Comment [DJD112]: Amendment MA: Accepted in pa... [18]

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D4A.3.4.2

Land use

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In addition to matters under Part II of the Act, the matters over which Council reserves control in relation to land use are:

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- Building location
- Connections to services
- Consistency with the design guide and structure plan
- Design, external appearance and siting
- Location, design and alignment of access drives
- Landscaping and planting
- Natural hazard management
- Earthworks, including effects of erosion, sediment control and construction management
- The effects of artificial lighting on surrounding rural character
- Structure planting and amenity planting

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Comment [DJD113]: Amendment MA: Accepted

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Comment [DJD114]: Amendment MA: Financial contributions ; Rejected

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Council may also place a condition on a land use consent for a building requiring a registered professional surveyor to verify that the constructed building is consistent with the building location approved by Council.

Comment [DJD115]: Amendment MA: Accepted

D4A.3.4.3

Production Forestry and harvesting activities

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Not limiting any other matters of control above, Council may impose conditions over the following matters for resource consents related to Production Forestry or harvesting activities:

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- The method and time of harvesting
- The hours of operation of the harvesting
- The location of access to the harvesting site
- The route(s) used by logging vehicles and equipment
- In regard to consents for Production Forestry activities, the location of trees to ensure that distant views and outlooks from Building Sites are retained in the long term, taking into account the mature height of the trees to be planted
- Financial Contributions under Part E

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Comment [DJD116]: Amendment MA: Amended

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Comment [DJD117]: Amendment MA: Accepted

D4A.4

STANDARDS FOR RESTRICTED DISCRETIONARY ACTIVITIES

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D4A.4.1

Restricted Discretionary Activities under Rule D4A.1.2(xviii)-Belmont Regional Park

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Council restricts the exercise of its discretion to:

- The layout, route and standard of formation of any access

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- The provision of associated facilities (such as car parking, signage and stormwater management)
- The traffic effects associated with establishing access to Belmont Regional Park
- The impact on amenity values of residential development, including noise and construction effects, such as vibration and dust.

In exercising its discretion, Council may be guided by applicable Aust Roads standards, the Tracks and Outdoor Visitor Structures standard (SHZ NB 8630:2004), and the IMBA’s Trail Solutions.

D4A.4.2

For all other Restricted Discretionary Activities, Council restricts the exercise of its discretion to the following matters:

- In the event of a Controlled Activity under Rule xxiv that does not meet the Controlled Activity Standards, the extent of non compliance with the standards in part H of the District Plan;
- The effects of the non-compliance with Controlled or Permitted Activity Standards that the proposal does not comply with;
- The degree of consistency with relevant Objectives and Policies of the Judgeford Hills Zone.

Comment [DJD118]: Amend ment MA: Accepted

Deleted: Subject to section 94C of the Act, a resource consent application for a limited discretionary activity will be decided without the need for public notification of the application under section 93, and without the need to serve notice of the application under section 94(1).

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¶ The matters over which Council restricts the exercise of its discretion are:

D4A.5

STANDARDS FOR DISCRETIONARY ACTIVITIES

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D4A.5.1

There shall be no more than two Certificates of Title for land in the Primary Production Area; and No lot shall be less than 30ha.

Comment [DJD119]: Amend ment MA: Accepted

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D4A.6

ASSESSMENT CRITERIA FOR DISCRETIONARY ACTIVITIES

Purpose

The purpose of the criteria below is to encourage sensitive layout and design that respects the natural processes and features of the site, and minimises adverse landscape, visual and ecological effects.

Deleted: The minimum lot size for subdivision in the primary production areas shown on the Structure Plan shall be

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Comment [DJD120]: Amend ment MA: Accepted with insertion of and No lot shall be less than 30ha

Comment [DJD121]: Amend ment MA: Accepted

D4A.6.1

The following matters are to be taken into account in considering any application for resource consent:

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- The extent to which the proposal accords with the Judgeford Hills Zone Structure Plan and the Judgeford Hills Design Guide
- The extent to which the proposal recognises and protects the existing high voltage transmission line corridor by ensuring development is set back from lines, including but not limited to compliance with the NZECP 34:2001.
- The nature and extent of any variation(s) from the zone standards and

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the effects of the variation(s)

- ~~The extent to which any earthworks are consistent with an earthworks management plan produced to support the proposal that shows how all adverse effects, including matters of erosion, sediment control and construction management will be avoided, remedied or mitigated.~~
- ~~Location of buildings in relation of the fault line or transmission line setbacks identified on the structure plan and within the Permitted Activity Standards.~~
- ~~The effects on existing infrastructure, including the high voltage transmission line, regional water main and the gas pipeline.~~
- The extent to which the proposal:
 - ~~Is consistent with rural character in the Judgeford Hills Zone and surrounds~~
 - ~~Avoid potential for amenity conflicts, reverse sensitivity issues and effects on amenity values~~
 - ~~Recognises the potential for natural hazards~~
 - ~~Recognises, protects and enhances natural patterns, processes and features~~
 - Protects and improves water quality
 - Protects and enhances indigenous vegetation and habitats for indigenous fauna
 - Avoids large-scale earthworks particularly on ridgelines, steep ground, spurs and other prominent landforms
 - Ensures that any built structures, including roads and infrastructure, physically and visually integrate with the landscape and minimise adverse effects on the environment.
 - Ensures planting is sympathetic to the underlying landform and uses species consistent with the rural landscape and locality
 - Enables primary production to continue
 - Provides open space and recreational access.

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Comment [DJD122]: Amendment MA: Accepted

Comment [DJD123]: Amendment MA: Accepted

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D4A.7

City-wide Provisions

D4A.7.1

In addition to the zone rules set out above, the Judgeford hills Zone is also subject to the City-wide provisions, where relevant, contained in parts E to M of the District Plan which relate to:

- F Information to be supplied
- G Cross boundary issues
- H Car parking, vehicle movements and roads
- I Hazardous facility screening procedure
- J Heritage register
- K Designations
- L Monitoring
- M Interpretation

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Comment [DJD124]: Amendment MA: Rejected. Original text introduced.

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No financial contributions will be required for development within the zone as the provision of all infrastructure will be undertaken (to council standards) at the developer's cost. As the benefits from the provision of

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the Environmental Enhancement Areas will be greater than the potential from any reserve contributions, no such contributions will be required.

D4A.8

Definitions Applying only to the Judgeford Hills Zone

All definitions within Part M: Interpretation (except the definition of a building), shall apply to the Judgeford Hills Zone. However, the following definitions shall apply only to the Judgeford Hills Zone.

- (i) **Home Occupation** means an occupation, business, trade, craft or profession which is carried out within a site, but is subordinate to the residential activity. A Home Occupation does not include any activity that requires, or is associated with, motor vehicle storage or repair (including panel beating and spray painting) any noxious or offensive trade, or outdoor storage of plant and equipment.

Homestay and Bed and Breakfast activities are Home Occupations provided the total number of persons accommodated on the site at any one time, including persons normally resident on the site, does not exceed twelve.

- (ii) **Building** means any dwelling, structure or part of a structure, whether temporary or permanent, movable or immovable, but does not include:

- A minor structure
- An accessory building
- A sign

- (iii) **Accessory building** means a building which is associated with a dwelling measuring not more than 25m² in ground floor area, not more than 6m in height and not itself being a dwelling.

- (iv) **Minor structure** means

- Fences or walls of up to 2m in height not used for advertising or for any purpose other than a fence or wall.
- A fence for the containment of stock.
- Structures less than 5m² in area and up to 2m in height.
- Swimming pools.
- Tennis courts and gardens.
- Water tanks not exceeding 4m in height.
- Decks less than 1.5m in height.
- A structure less than 40m² in area and less than 3m in height that is solely for the purpose of outdoor amenity, and is not a dwelling (for example, a pergola).

- (v) **Building site** is a circle with a 20m radius surrounding one of the

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Deleted: No financial contributions will be required for development within the zone as the provision of all infrastructure will be undertaken (to council standards) at the developer's cost. As the benefits from the provision of the Environmental Enhancement Areas will be greater than the potential from any reserve contributions, no such contributions will be required.¶

Deleted: Unless otherwise provided below, those definitions contained in Section M (Interpretation) of the District Plan shall apply. Within the Judgeford Hills Zone:¶

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Deleted: or any industrial activity

Deleted: (ii) **Commercial Unit** means any building, accessory building or structure used for the purposes of undertaking a commercial service such as data processing, photocopying and duplicating, typing, printing, research, diagnostic laboratories, jewellery, electrical and mechanical repairs but does not include any motor vehicle (... [21])

Deleted: <#>Fences or walls of 2m in height or less not us (... [22])

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Deleted: and which complies with rule D4A.3.5 (earthw (... [23])

Deleted: (v) **Non-residential building** means a building (... [24])

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NZ Geodetic 2000 datum Wellington circuit co-ordinates listed in the table below.

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Building site number	NZ Geodetic 2000 datum Wellington circuit co-ordinate	
	Easting	Northing
<u>1</u>	<u>411522.25</u>	<u>819091.62</u>
<u>2</u>	<u>411388.80</u>	<u>819222.40</u>
<u>3</u>	<u>411338.41</u>	<u>819141.37</u>
<u>4</u>	<u>411313.35</u>	<u>819044.85</u>
<u>5</u>	<u>411297.47</u>	<u>818902.85</u>
<u>6</u>	<u>411428.71</u>	<u>818679.10</u>
<u>7</u>	<u>411544.57</u>	<u>818338.35</u>
<u>8</u>	<u>411526.52</u>	<u>818290.98</u>
<u>9</u>	<u>411591.81</u>	<u>818277.28</u>
<u>10</u>	<u>411620.19</u>	<u>818196.57</u>
<u>11</u>	<u>411629.09</u>	<u>818114.00</u>
<u>12</u>	<u>411640.00</u>	<u>817969.19</u>
<u>13</u>	<u>411636.63</u>	<u>817888.10</u>
<u>14</u>	<u>411539.18</u>	<u>817959.17</u>
<u>15</u>	<u>411493.74</u>	<u>817931.25</u>
<u>16</u>	<u>411438.22</u>	<u>817956.14</u>
<u>17</u>	<u>411516.32</u>	<u>818051.73</u>
<u>18</u>	<u>411486.14</u>	<u>818110.14</u>
<u>19</u>	<u>411445.61</u>	<u>818186.34</u>
<u>20</u>	<u>411509.42</u>	<u>818196.62</u>
<u>21</u>	<u>411387.52</u>	<u>818389.21</u>
<u>22</u>	<u>411402.71</u>	<u>818435.25</u>
<u>23</u>	<u>411011.57</u>	<u>818731.72</u>
<u>24</u>	<u>410953.19</u>	<u>818700.54</u>
<u>25</u>	<u>410920.84</u>	<u>818617.88</u>
<u>26</u>	<u>410850.22</u>	<u>818548.44</u>
<u>27</u>	<u>410830.81</u>	<u>818469.04</u>
<u>28</u>	<u>410702.78</u>	<u>818220.41</u>
<u>29</u>	<u>410539.94</u>	<u>818207.46</u>
<u>30</u>	<u>410436.53</u>	<u>818280.09</u>
<u>31</u>	<u>410477.36</u>	<u>818338.92</u>
<u>32</u>	<u>410478.17</u>	<u>818397.95</u>
<u>33</u>	<u>410475.35</u>	<u>818469.30</u>
<u>34</u>	<u>410524.76</u>	<u>818468.90</u>
<u>35</u>	<u>410571.00</u>	<u>818357.80</u>
<u>36</u>	BUILDING SITE TO REMAIN	
<u>37</u>	<u>410637.62</u>	<u>818576.18</u>
<u>38</u>	<u>410606.11</u>	<u>818651.57</u>
<u>39</u>	<u>410669.93</u>	<u>818710.85</u>
<u>40</u>	<u>410728.94</u>	<u>818860.07</u>
<u>41</u>	<u>410763.41</u>	<u>818936.78</u>
<u>42</u>	<u>410851.34</u>	<u>818965.68</u>

Comment [JCD125]: Amend ment MA: Rejected.

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Comment [DJD127]: Amendment MA: Accepted

Comment [DJD128]: Amend

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Structure Plan

5.4 Judgeford Hills Design Guide

Comment [JCD129]: Amendment MA: All amendments accepted to Design Guide.

5.4.1 Introduction

Construction of buildings including new dwelling houses and accessory buildings and structures in the Cluster Residential Areas is a Controlled Activity. The Judgeford Hills Design Guide sets out objectives and guidelines that proposals for buildings including new dwelling houses, accessory buildings within these areas will need to address. (Rule D4A.3.12.)

The intention of the Judgeford Hills Design Guide is to ensure the Residential Cluster Areas are developed in accordance with the outcomes sought under the Structure Plan. Overall, this will assist the site to retain a rural character in the long term.

The plan attached to this design guide, (Tse Group Plan C906 version H – Attachment 10) shows indicative lot boundaries and the location of the Building Sites. The indicative lot boundaries are included as information only, as means of illustrating the likely nature of the residential clusters. The Building Sites are discussed in section 5.5.2.2 of this guide.

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Comment [DJD130]: Amendment MA: Accepted

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The Judgeford Hills Design Guide is not prescriptive, as a set of rules does not ensure sensitive and innovative design. The Judgeford Hills Design Guide allows flexibility for innovative design. The objectives state the desired outcomes and the guidelines provide guiding principles on specific issues.

The Judgeford Hills Design Guide will assist in providing a level of certainty to residents and potential residents by providing:

- Clear guidance to decision making that will contribute positively to the rural character and rural amenity of the site; and
- Long-term assurance that the rural character and rural amenity of the Judgeford Hills site will be retained or enhanced.

The overarching objectives addressed in the Judgeford Hills Design Guide are to:

- Endorse and enhance the rural character of the Judgeford Hills site;
- Protect and enhance the rural amenity of the site;
- Protect and enhance the natural systems, features and landforms present;
- Provide for, and encourage, the development of quality rural residential development.

The objectives below are discussed in terms of the three key activities that could potentially affect the rural values of the site: Buildings and Structures, Access Drives, and Structural and Amenity Planting.

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5.4.2 Objectives

The objectives provide an explanation of the rationale behind the intended environmental outcomes. Development proposals must consider and satisfy the intent of the objectives as well as the more specific requirements of the guidelines.

5.4.2.1 Rural Character and Amenity

The Judgeford Hills Zone has been formulated to provide opportunities for living in a quality rural environment that will be sustained long term.

Rural environments are valued for their natural and open space qualities. People who choose to live in rural locations value rural amenity that is associated with a sense of spaciousness, privacy, quietness and absence of traffic bustle. Rural character consists of an environment relatively uncluttered by structures and artificial features, and a clean environment characterised by fresh air and clean water.

The rural character of the surrounding area has a settlement pattern typical of many rural, landscapes. Clusters of buildings and structures, surrounded by tall tree shelter and amenity trees, are separated by open farmland. The vegetation serves to nestle the structures into the landscape, often obscuring or partially obscuring them from view. Shelterbelts and woodlots of exotic trees species are often geometric in form and can detract from the natural features of the landform. However, native vegetation typically confined to steep ground and gullies often has a more organic, natural form that reinforces the underlying landform.

The enclosed nature of the Judgeford Hills site means that buildings, accessory buildings and structures and activities have the potential to impact on the rural amenity of other residents within the development. It is therefore important that as the rural community becomes established, the rural qualities that attracted residents in the first place, are retained.

Development of the Cluster Residential Areas should seek to endorse and enhance the existing natural and rural character. Buildings, structures and access drives should not overwhelm the natural features of the site, but instead be integrated with the landforms.

Establishment of suitable vegetation can assist to minimise the visual and landscape effects of buildings and access drives. However, tree planting alone is not a substitute for poor or ill-considered design. Sensitive and innovative siting and design of various elements such as buildings, fences and other structures within the Cluster Residential Areas is the essential foundation. However, the vegetation structure can contribute to, and enhance the integration of the development with the site.

5.4.2.2 Buildings and Structures

Buildings including dwellings and accessory buildings and non-residential buildings should be sited and designed so they are physically and visually integrated with the natural features of the allotment. Buildings should be designed specifically for each individual building site to ensure they are not visually prominent.

However, there are some minor structures, such as swimming pools and fences, which whilst associated with residential activity, have minimal potential for visual impact in the context of the Cluster Residential Areas. Consequentially, the focus of the Design Guidelines is on the design and potential impact of buildings and accessory buildings.

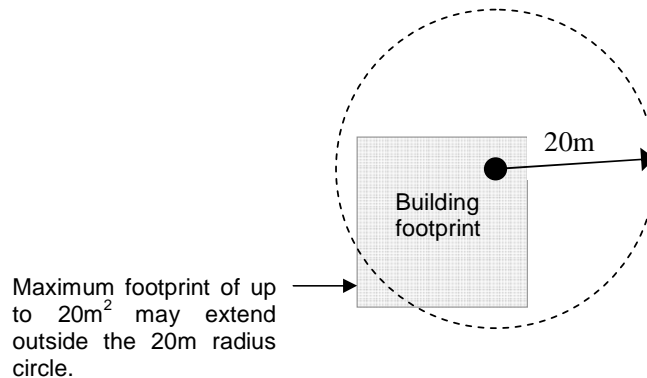
Building Sites are shown on the Structure Plan and plan attached to this Design Guide. All buildings, not including accessory buildings, other than a footprint of up to 20m², must be contained within a 20m radius circle from the NZ Geodetic 2000 Datum Wellington circuit co-ordinate that identifies each Building Site.

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Comment [DJD131]: Amendment MA: Accepted

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DIAGRAM 1: Building Location



The Building Sites have been selected to minimise visual effects and protect the rural amenity for all residents, both existing and future.

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The Building Sites are located to:

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Comment [DJD132]: Amendment MA: Accepted

- avoid visually prominent positions;
- provide an outlook or view unobstructed by other houses sites;
- provide privacy or have the potential for the establishment of visual screening (vegetation) between neighbouring house sites;
- to cluster buildings together to avoid buildings being scattered throughout the site, and to encourage buildings to appear as a cohesive element with a consistent appearance; and
- minimise the need for earthworks for the construction of dwellings and access drives. Therefore, the Building Sites are located on flatter land, in close proximity to the access road, where access drives can be easily formed.

Comment [DJD133]: Amendment MA: Accepted

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The Building Sites are considered to achieve the objectives of the Judgeford Hills Design Guide, in relation to the siting of dwellings and buildings. However, it is

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recognised that there may be other building sites or deviations from the preferred sites. Alternative sites will need to be assessed against the objectives of the Judgeford Hills Design Guide, and must meet the criteria used to identify the location of the [Building Sites](#) shown on the Structure Plan (refer criteria set out in Guideline 5.5.3.9).

Comment [DJD134]: Amendment MA: Accepted

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The external appearance of buildings and structures can have significant visual effects for neighbours and the community. A single and dominant 'out of place' building in a rural setting can affect the rural amenity of many other residents. Buildings and structures should avoid being visually obtrusive and should not dominate the site or its existing natural features. The scale and style of buildings and accessory buildings should be non-urban in character and in keeping with the rural surroundings.

The establishment of accessory buildings and structures can potentially, adversely affect overall rural character, and the visual and rural amenity of the site. In particular, if accessory buildings are poorly sited, out of scale with associated dwelling, or if there are several dotted throughout a single lot, they can be more visually prominent than the dwelling itself. Essentially, the placement, scale and style of accessory buildings need to avoid or minimise the same potential landscape and visual effects as for dwellings. Additionally, the potential for 'visual clutter' that several accessory buildings or structures can create should be avoided.

5.4.2.3 Access Drives

Access drives can, if poorly sited or designed, have more significant landscape and visual impacts than buildings. This is especially so on hilly topography such as Judgeford Hills, where any earthworks on prominent hill faces or elevated ground may be highly visible from many locations.

Access drives should be aligned to avoid prominent locations and constructed to ensure only minimal earthworks are needed. The cuts and batters should be carefully integrated with the existing landforms. Retaining walls, often necessary in restricted urban or suburban sites, should be avoided.

5.4.2.4 Vegetation

Vegetation makes a significant contribution to rural character. Not only does it create patterns in the landscape, but it can also visually soften, obscure and integrate earthworks, buildings and structures with the landscape. Vegetation also provides privacy from neighbours and shelter from the elements.

Additionally, ecological benefits can be significant with appropriate species selection and planting patterns. There is existing vegetation on the property. However, additional planting for environmental enhancement is proposed under the Structure Plan.

Geometric patterns of vegetation such as shelterbelts and woodlots should be avoided in prominent positions. Instead, more organic groupings should be the aim that reflect and enhance the natural contour of the hills. Planting of appropriate native species adjacent to the Environmental Enhancement Areas would have significant ecological benefits. Such planting would also provide areas of 'transitional' vegetation, connecting the areas of native vegetation with exotic plantings that are likely to be established near the dwellings.

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Given the windy nature of the site, species that are able to handle the prevailing environmental conditions should be used to ensure rapid and successful establishment of shelter.

5.4.3 Guidelines

5.4.3.1 All buildings, other than a footprint of up to 20m², must be contained within a 20m radius circle from the NZ Geodetic 2000 Datum Wellington circuit coordinate that identifies each Building Site (shown on the Structure Plan).

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Comment [DJD135]: Amendment MA: Accepted

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5.4.3.2 Building must be located to ensure privacy, separation from neighbouring houses, and maintenance of open space and outlook and with sufficient space to establish effective vegetation buffers if appropriate. Erection of dwellings within the Preferred House Sites achieves this.

5.4.3.3 Buildings should be located in order to maintain primary views and outlooks from other Building Sites and established dwellings.

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Comment [DJD136]: Amendment MA: Accepted

5.4.3.4 Buildings should respond to the natural landform of the site and have a non-urban character.

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5.4.3.5 External wall cladding and roofing of all buildings should have reflectivity values of less than 40% and predominantly use a palette of 'natural earth' colours, to reduce the visibility and visual effects of buildings when viewed from other lots.

5.4.3.6 Accessory buildings and non-residential buildings should have a form and scale that reflects the dwelling's form and scale, be visually subservient to the dwelling, and avoid being visually prominent.

5.4.3.7 Accessory buildings, non-residential buildings and structures should be grouped together or coalesced to avoid visual clutter within the lot

5.4.3.8 Earthworks required for house construction and for accessory buildings should be minimised, with buildings designed to relate to the existing topography.

5.4.3.9 Access drives should be aligned and designed to reduce the visual effects of earthworks and cut faces, and ensure that batter slopes are integrated with the adjacent topography.

5.4.3.10 Planting of shelter and amenity vegetation is encouraged. Group plantings should preferably relate to the natural landforms of the site rather than having a geometric configuration. Locally sourced native species should preferably dominate vegetation planted adjacent to boundaries with Environmental Enhancement Areas. Groups of trees and shelterbelts should be located to avoid blocking views and outlooks from established dwellings or Building Sites.

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Comment [DJD137]: Amendment MA: Accepted

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Comment [DJD138]: Amendment MA: Accepted

5.4.3.11 Alternative building sites to those illustrated as Building Sites must be located to achieve the same outcomes provided by the 'Building Sites' so as to avoid potential adverse effects on the rural and visual amenity of neighbouring residents, the wider rural landscape and other Building Sites. Identification of alternative house sites must consider the effects on adjoining

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and other potentially affected lots.

The location of alternative building sites must comply with the objectives of the Design Guidelines meet the following criteria:

- Avoid visually prominent locations such as ridges and hill tops.
- Avoid encroachment or obstruction of the outlooks or views from other [Building Sites](#) or established houses.
- Provide an open outlook or view; that is not potentially obstructed by other dwellings or vegetation.
- Provide visual privacy between adjoining house sites; by way of either a) separation by landforms (ridges, hills, mounds), or vertical separation provided by sloping ground; or b) potential for effective screening through the establishment of vegetation.
- Provide open space between other house sites and within each lot.
- Minimise the requirement for earthworks by avoiding steeper land for house sites and access drives.
- Minimise the visual effects of access driveways. The alignment and design of access ways must be practicable and avoid visually prominent locations and steep land.

Comment [DJD140]: Amendment MA: Accepted

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Insert Indicative house sites and lot boundaries plan

5.5 Consequential Amendments to Other Parts of the Plan

There will be a need for changes to the following parts of the Plan to reflect the inclusion of the Judgeford Hills Zone:

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Deleted: new Rural Sub

5.5.1 Introduction

In the introductory chapter, the description of the identification of zones (A5) should be amended to reflect the subsequent consideration leading to this plan change. The following addition, after the Rural Zone section, is sought:

Judgeford Hills Zone

The Judgeford Hills Zone identifies a specific area for clustered development in accordance with defined criteria and standards to facilitate the creation of additional rural lifestyle choices..

Deleted: Plan Change Number 6 has now been incorporated into the Plan. . This new zone has been added which

5.5.2 Issues

In section B1 General Issues there is a need to recognise the inclusion of special provisions to address the need for rural residential development. The change sought is amending “five” to “six” in the third paragraph and adding the following after (iv):

- (v) *To recognise and provide for development in the Judgeford Hills Zone in accordance with specific criteria.*

Deleted: rural residential

Deleted: specific areas

Deleted: appropriate for this style of development and

The subdivision issues discussed in B3 are sufficiently general that no change is seen to be necessary.

5.5.3 Objectives and Policies

Amend Policy C6.1.5 by adding:

“The Judgeford Hills Zone makes specific provision for the sustainable management of the rural land resource within that zone.”

Add to the Methods of Implementation” under C6.1.5:

“(e) The creation of a separate zone for the Judgeford Hills area.”

Insert the new section C4A between C4 and C5.

Deleted: Amend Policy C9.1.4 by adding:¶

¶ *“in both the Rural Zone and the Judgeford Hills Zone.”*¶

¶ Add to the Principal Reasons under C9.1.4:¶

¶ *“The principles underpinning the Landscape Protection Area are reflected in the provisions of the Judgeford Hills Zone.”*¶

5.5.4 Rules and Standards

Amend the “Guide to the maps and rules” section at the beginning of section D to reflect the inclusion of the new zone.

Item 3 in the first list on page D-1 should read:

The Zone Maps also show the extent of the Judgeford Hills Zone, the Landscape Protection

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Add the new section D4A after D4. Note – in addition to the new rules for the zone, this section will also include the Structure Plan and the Design Guide.

5.5.6 Information to be supplied

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All of section F: Information to be supplied, shall apply to the Judgeford Hills Zone. However, it is proposed to make the following additions to section F that will apply solely to the Judgeford Hills Zone.

F9 Information requirements for all resource consent applications within the Judgeford Hills Zone

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Earthworks Management Plan

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Applications to construct a road and or access ways

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Any resource consent application to construct a road shall provide an earthworks management plan detailing sediment control, erosion protection and construction management. Council will not accept a resource consent application for the construction of a road that does not contain an earthworks management plan. Compliance with the earthworks management plan shall be enforced via consent conditions.

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Building site

Any resource consent application for a building shall include a plan that clearly shows the accurate location of the building site within the allotment, and the proposed building in relation to the building site. Council will not accept a resource consent application for a building that does not clearly show the building site.

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5.5.7 Cross-boundary Issues

The plan's current provisions in relation to cross boundary issues provide for the process to be used to address any issues that may arise. This would accommodate the potential interrelationships between the proposed zone and Belmont Regional Park in Hutt City.

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5.5.8 Interpretation

No changes (other than those definitions which will apply specifically to the Judgeford Hills Zone) to this section are seen as necessary at this time.

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5.5.9 Planning Maps

A district plan map 11/1 showing the new Judgeford Hill zone follows.

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Insert new District Plan Map 11

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Page 10: [1] Comment [DJD17] Thomson Wilson 24/08/2007 3:11:00 PM

Amendment MA:
Rejected. Original text reintroduced.

Page 10: [2] Comment [DJD18] Thomson Wilson 24/08/2007 3:11:00 PM

Amendment MA:
Rejected. Original text reintroduced.

Page 19: [3] Deleted Sam Price 10/08/2007 11:57:00 AM

	Subdivision in the Cluster Residential Areas and Land Attached to Residential lots that does <u>not</u> comply with the Structure Plan and the relevant standards in the rules in section D4A.3 (Standards for Controlled Activities)	Non-complying
vii	Subdivision around any existing lawfully established dwelling or commercial unit which does not result in the creation of any new undeveloped allotment that does not contain a dwelling or commercial unit	Controlled

Page 19: [4] Change Sam Price 10/08/2007 8:13:00 AM

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Page 19: [5] Comment [DJD45] Thomson Wilson 24/08/2007 3:11:00 PM

Amendment MA: Accepted

Page 19: [6] Comment [DJD46] Thomson Wilson 24/08/2007 3:11:00 PM

Amendment MA: Accepted

Page 19: [7] Comment [DJD47] Thomson Wilson 24/08/2007 3:11:00 PM

Amendment MA: Accepted

Page 20: [8] Deleted Sam Price 5/08/2007 5:33:00 PM

i	Construction, and associated works of one residential dwelling and accessory buildings per lot	C	NC	NC	P
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Page 20: [9] Deleted Sam Price 5/08/2007 5:33:00 PM

i	Construction, and associated works of one residential dwelling and accessory buildings per lot	C	NC	NC	P
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i	Construction, and associated works of one residential dwelling and accessory buildings per lot	C	NC	NC	P
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Page 20: [11] Deleted Sam Price 5/08/2007 5:33:00 PM

i	Construction, and associated works of one residential dwelling and accessory buildings per lot	C	NC	NC	P
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Page 20: [12] Deleted **Sam Price** **5/08/2007 5:33:00 PM**

i	Construction, and associated works of one residential dwelling and accessory buildings per lot	C	NC	NC	P
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Page 25: [13] Deleted **ashbym** **9/08/2007 11:00:00 AM**

Artificial light

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

Light emissions from a site shall not spill directly onto roads.

Light emissions shall be measured by an instrument that meets NZSS CP22 (1962) requirements and amendments.

Page 26: [14] Deleted **Sam Price** **4/08/2007 2:50:00 PM**

The maximum noise levels from any activity on a site, measured at or within the boundary of another site, shall not exceed the following levels:

L₁₀ 55 dBA day time (7am-10pm)

L₁₀ 45 dBA night (10pm-7am)

L_{max} 75 dBA night time (10pm – 7am)

Noise levels shall be measured in accordance with the requirements of NZS 6801:1991 Accoustics Measurement of Environmental Sound, and assessed in accordance with the requirements of NZS 6802:1991 Assessment of Environmental Sound.

Noise levels shall be measured with a sound level meter complying with International Standard IEC 60651 (1979): Sound Level Meters, Type 2.

Adjustments for special audible characteristics, if present, as provided for in clauses 4.3 and 4.4 of NZS 6802:1991, shall apply and will have the effect of imposing a maximum permitted noise level 5dBA more stringent than the L₁₀ levels stated above.

The definitions of dBA, L₁₀ and L_{max} are those found in NZS 6802:1991.

Page 26: [15] Deleted **Sam Price** **5/08/2007 5:52:00 PM**

Homestay activities, where accommodation and meals are provided in a family type environment, are permitted provided the total number of persons accommodated on

the site at any one time, including persons normally resident on the site, does not exceed twelve.

Page 32: [16] Deleted **Sam Price** **5/08/2007 6:13:00 PM**

D4A.3.2.5 Council control : the matters over which Council reserves control in relation to subdivision are:

Layout
Location and standards of roads and accesses
Earthworks
Vegetation clearance
Infrastructure and services
Flooding

D4A.1.1.1D Production Forestry
4A.3.3

Production Forestry, or woodlots in the Cluster Residential Areas and Land Attached to Residential lots, shall be located to ensure that distant views and outlooks from the Building Sites are retained in the long term, taking into account the mature height of the trees to be planted.

Page 32: [17] Deleted **Sam Price** **4/08/2007 3:45:00 PM**

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

All accessways and manoeuvring areas shall be formed and surfaced in accordance with Council standards.

These standards shall not apply to any lot for utility, reserve or conservation purposes.

Page 32: [18] Comment [DJD112] **Thomson Wilson** **26/08/2007 9:54:00 PM**

Amendment MA: Accepted in part.

- Deleted: *Structure planting and amenity planting* moved to D4A.3.4.2

Page 33: [19] Deleted **Sam Price** **5/08/2007 3:27:00 PM**

D4A.3.5 Earthworks

In any 12 month period, earthworks shall not exceed:

1,000m² in area, or
1.5m in height or depth.

Earthworks shall not be undertaken on land with a slope in excess of 28 degrees.

The abovestandards shall not apply to earthworks for the purpose of constructing roads, access ways and building platforms that have been approved as part of a subdivision.

Earthworks shall comply the Greater Wellington Regional Council Guidelines for Erosion and Sediment Control.

D4A.3.6 Setbacks

All buildings shall be set back a minimum of 5m from any boundary.

All buildings shall be set back a minimum of 20m from any watercourse.

New dwellings shall not be built within 10m of an existing forest.

New dwellings shall not be built within 40m of the existing high voltage power line.

New dwellings shall not be built within a fault avoidance zone 40m either side of the fault traces shown on the Judgeford Hills Structure Plan unless further investigation, which may include trenching, has established the exact location of the relevant fault, in which case the separation distance may be reduced to 20m.

These standards shall not apply to any building for utility, reserve or conservation purposes.

D4A.3.7 Building height

No building shall exceed 8m in height.

Chimneys, flues and minor decorative features may exceed this height by a maximum of 1m.

D4A.3.8 Artificial Light

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

Light emissions from a site shall not spill directly onto roads.

Light emissions shall be measured by an instrument that meets NZSS CP22 (1962) requirements and amendments.

D4A.3.9 Noise

The following noise rules shall not apply to:

Agricultural and forestry practices within the Primary Production Areas
Farm animal noise

Maintenance activities associated with residences, including lawn mowing

Noise generated by sirens and alarms used by emergency services

The maximum noise levels from any activity on a site, measured at or within the boundary of another site, shall not exceed the following levels:

L_{10} 55 dBA day time (7am-10pm)

L_{10} 45 dBA night (10pm-7am)

L_{max} 75 dBA night time (10pm – 7am)

Noise levels shall be measured in accordance with the requirements of NZS 6801:1991 Measurement of Sound, and assessed in accordance with the requirements of NZS 6802:1991 Assessment of Environmental Sound.

Noise levels shall be measured with a sound level meter complying with International Standard IEC 60651 (1979): Sound Level Meters, Type 2.

Adjustments for special audible characteristics, if present, as provided for in clauses 4.3 and 4.4 of NZS 6802:1991, shall apply and will have the effect of imposing a maximum permitted noise level 5dBA more stringent than the L_{10} levels stated above.

The definitions of dBA, L_{10} and L_{max} are those found in NZS 6802:1991.

D4A.3.10 Screening

All materials that are stored outside a building shall be screened from view from adjoining properties and any road.

D4A.3.11 Forestry and Woodlots

Forest owners and managers are expected to comply with the management and operational practices in the New Zealand Forest Code of Practice.

There shall be a 10m non-millable buffer from any water body with a width greater than 1m.

A buffer width of at least 10m is to be provided to any existing dwelling on another site.

Forestry or woodlots in the Cluster Residential Areas and Land Attached to Residential lots shall be located to ensure that distant views and outlooks from the Preferred Building Sites are retained in the long term, taking into account the mature height of the trees to be planted.

D4A.3.12 Buildings

The construction of buildings, including dwellings and non-residential buildings and accessory buildings must comply with the Structure Plan and the Design Guide.

D4A.3.13 Matters of Control for Controlled Activities

The matters over which Council reserves control in relation to subdivision are:

- Layout
- Location and standards of roads and accessways
- Earthworks
- Vegetation clearance
- Infrastructure and services
- Flooding

Council may impose conditions over the following matters in relation to land use activities and, without limiting its ability to impose conditions, Council will have regard to the Judgeford Hills Design Guide in imposing any conditions.

- Building location
- Design, external appearance and siting
- Location, design and alignment of access drives
- Landscaping and planting

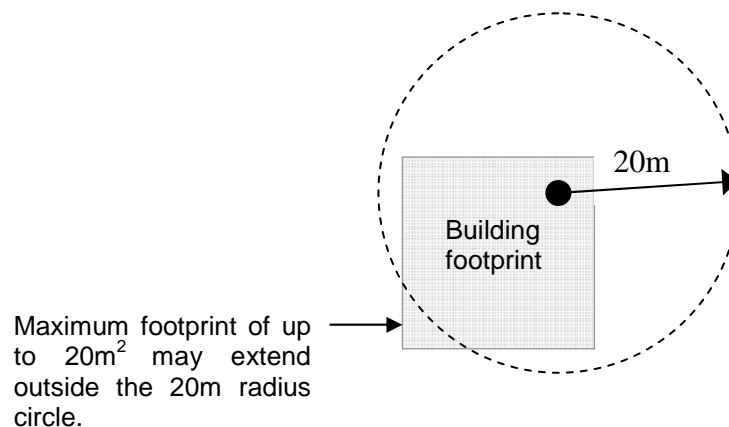
Council may impose conditions over the following matters:

- The method and time of harvesting
- The hours of operation of the harvesting
- The location of access to the harvesting site
- The route(s) used by logging vehicles and equipment

D4A.3.14 Building Location

All buildings not including accessory buildings (as shown in **Diagram 1**), other than a footprint of up to 20m², shall be contained within a circle of 20m radius from the NZ Geodetic 2000 datum co-ordinate that identifies the Preferred Building Sites as shown on in the Design Guidelines.

DIAGRAM 1: Building Location



D4A.4.1 Restrictions on notification

(ii) **Commercial Unit** means any building, accessory building or structure used for the purposes of undertaking a commercial service such as data processing, photocopying and duplicating, typing, printing, research, diagnostic laboratories, jewellery, electrical and mechanical repairs but does not include any motor vehicle storage, serving and repairs, any noxious or offensive trade, outdoor storage of plant and equipment or any industrial activity.

Fences or walls of 2m in height or less not used for advertising or for any purpose other than a fence or wall.

A fence for the containment of stock.

Residential chimneys and television aerials associated with a dwelling.

Structures less than 5m² in area and less than 1.5m in height.

Where handrails form part of a deck or patio and together exceed this height limit, the deck or patio will not, for the purposes of this definition constitute a building.

Any vehicle, trailer, tent caravan or boat whether fixed or movable.

A sign in a front yard which is less than 4m² and which complies with the height and recession plane controls.

and which complies with rule D4A.3.5 (earthworks), D4A.3.6 (setbacks), D4A.3.7 (height) and D4A.3.12 (buildings).

(v) **Non- residential building** means a building used for non-residential activities.

Any vehicle, trailer, tent caravan or boat whether fixed or movable.

Any sign in a front yard which is less than 4m² and which complies with the height and recession plane controls.