

4D Hill Residential Activity Area

4D 1 Issues, Objectives and Policies

4D 1.1 Local Area Issues

4D 1.1.1 Residential Character and Amenity Values

Issue

There are several residential areas on the hillsides of the City, characterised by steep slopes, difficult access, low density residential development, extensive areas of vegetation and native bush. The effects of activities in such areas must be managed to ensure the character and amenity values are maintained and enhanced.

Objective

To maintain and enhance the distinct characteristics and amenity values associated with the hillside residential areas of the City.

Policies

- (a) That the visual appearance and nature of earthworks be managed to minimise the adverse effects on the visual amenity values of the hillside environment.
- (b) That the clearance of vegetation be managed to avoid, remedy or mitigate any adverse effect on the visual amenity values of the hillside environment or the intrinsic values of ecosystems.
- (c) That where practicable significant trees which contribute to the amenity values of the hillside areas be retained.
- (d) That where practicable, the natural appearance of the skyline be preserved from development to maintain its visual appearance.
- (e) To ensure residential amenity values are maintained, protected and enhanced through the establishment of a net site area.

Explanation and Reasons

Residential areas of the City such as parts of the Western Hills, hillsides of the Eastern Bays and Eastbourne, and the hills surrounding Wainuiomata and Stokes Valley, have different topographical characteristics and amenity values to land on the valley floor.

These areas are characterised by steep slopes, often with access and parking difficulties, covered in vegetation, and development is of a low density. They are a visually pleasing landscape, often divided into a series of stream systems and associated bush and gullies, and provide a backdrop to the City.

Such land is suitable for low density residential development. Due to the limitations for further development, posed by the topography, some additional rules are necessary to control the adverse effects, and maintain and enhance the amenity values of the hillside areas.

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

The skyline is to be protected from the adverse effects of development which may create an unsightly vista when viewed from the valley floor.

4D 1.1.2 Home Occupations

Issue

Many people want to work from home. Provision for such activities to occur within a hillside residential environment requires that the topographical constraints be taken into account, and the adverse effects arising from the nature of the home occupation are mitigated against.

Objective

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

For the Policies, and Explanations and Reasons for Home Occupations in this activity area, refer to Objective, Policies, and Explanation and Reasons in the General Residential Activity Area in 4A 1.1.3.

4D 1.1.3 Non-Residential Activities

Issue

Non-residential activities and buildings on hillside residential areas can be complementary to and support residential activities. Such activities have a high potential to generate adverse effects on the natural features, roading network, surrounding residential environment, and amenity values associated with hillside areas. Adverse effects should be avoided, remedied or mitigated.

Objective

To ensure non-residential activities and buildings do not generate adverse effect on the surrounding environment, alter the residential character or affect adversely the amenity values of the area in which they are located.

For Policies, Explanations and Reasons with respect to Non-Residential Activities within the Hill Residential Activity Area refer to Policies General Residential Activity Area 4A1.1.4.

4D 1.2 Site Development Issues

4D 1.2.1 Site Stability

Issue

Residential sites within this activity area are subject to development constraints due to the topography of the sites. Future development must be managed to ensure the stability of the site, and reduce any adverse effects and risk associated with landslide, erosion, and surface water runoff.

Objective

To ensure future development does not affect adversely the stability of the site.

Policy

- (a) That earthworks and the clearance of vegetation be managed to ensure the stability of the site and to avoid, remedy or mitigate any consequential adverse effects on neighbouring properties.

Explanation And Reasons

Sites within the Hill Residential Activity Area are suitable for some types of residential development.

Development of the site for residential and non residential purposes must be managed to ensure the stability of the site is protected to reduce the risk of landslide and erosion, and to control surface water runoff.

4D 1.2.2 Building Height, Scale, Intensity and Location

Issue

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

Objective

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

Policies

- (a) To establish a minimum net site area and maximum site coverage requirement to ensure low density development is achieved.

- (b) To ensure all new development is of a height and scale which is compatible with surrounding residential development.
- (c) To ensure a progressive reduction in height of buildings the closer they are located to a site boundary, to maintain adequate daylight and sunlight for adjoining properties.
- (d) To manage the siting of all buildings so as to minimise detractions from the character and visual attractiveness of the surrounding residential activity area.
- (e) To manage the siting of all buildings so as to ensure that any detraction from the amenities of adjoining properties are no more than minor.
- (f) That the scale and siting of garages and carports be managed to reduce the need for extensive excavation into the hillside, and to enhance the streetscape and amenity values of adjoining sites.
- (g) Where a certificate of title has been issued for a site prior to 5 December 1995 or where a site has been created by a staged development whether under a stage unit plan or crosslease plan lodged with the District Land Registrar and where part of the development has been completed prior to 5 December 1995, it is recognised that it is reasonable to permit the erection of buildings/structures (as contemplated when the title was issued or plan lodged) even though the maximum site coverage may exceed that set out in 4A 2.1.1 (e) or 4D 2.1.1 (c). Under such circumstances the scale, intensity, visual attractiveness of buildings and/or structures as well as the adverse effects on the amenity values of adjoining properties, and the streetscape be taken into account in assessing the suitability of the development.

Explanation And Reasons

Residential and non-residential buildings, and accessory buildings can have adverse effects on the amenity values of adjacent sites and the surrounding residential area, caused by their height, scale, proximity to a site boundary, length, density, site layout, and external appearance.

The land in the hill character residential activity area is suitable for some types of residential development, however, it is important to encourage low density development so that the character and amenity values of the hillside environment area are maintained or enhanced.

The Plan will set minimum acceptable conditions. These conditions will generally be the same as those for the General Residential Activity Area with the exception of net site area, and location of accessory buildings. As excavation is often required in the construction of a building, the maximum overall height condition shall apply in many cases.

(a) Net Site Area

The minimum net site area has been determined to encourage low density residential development on the hillside areas of the City. This in turn will maintain and enhance the amenity values, recognise the difficulties in site development and servicing, and protect large areas of established and regenerating native vegetation.

(b) Site Coverage

Combined with net site area, site coverage helps to control building density. A maximum acceptable site coverage has been determined at 35%, to ensure that the amenity values and character of the hillside areas is maintained and enhanced.

(c) Height

The 8 metre height limit is to be measured from the natural ground level. This is to ensure development does not protrude obtrusively above the natural contours.

The maximum overall height limit of 13 metres allows a building to be stepped into the hillside, thus reducing the need for substantial excavation into the ground, and allowing opportunity for more floor space on a steep site.

The height controls are not designed specifically to protect views from private property, although on some occasions they can have this effect. Account should be taken of loss of view as part of the amenity associated with a particular site, when an over height building is assessed.

(d) Accessory Buildings

Accessory Buildings may be located on the front boundary within this activity area. This takes into account the topography of sites, to avoid the need for extensive excavation and clearance of vegetation for the purposes of vehicle storage and access to the site. The height of such structures will be restricted by the recession plane to recognise the amenity value of the streetscape. Side and rear yard restrictions shall apply.

In some instances it may not be possible to locate an accessory building on the site at all, due to the topography of the site. Allowance will be made for such structures to be located on the road reserve, as a Restricted Discretionary Activity, where the amenity values of adjacent sites and the surrounding residential area are maintained or enhanced.

4D 2 Rules

4D 2.1 Permitted Activities

- (a) Dwelling houses.
- (b) Home occupations.
- (c) Child care and Kohanga Reo facilities.
- (d) Residential facility accommodating 8 - 10 persons.
- (e) Accessory buildings to the above Permitted Activities.
- (f) 3 Howard Road, Point Howard, Lot 3 DP 5871, Part Lot 1A Blk I DP 2041 and Section 168 Harbour District (identified in Appendix Hill Residential 1):
 - (i) Emergency facilities.
- (g) 76 Normandale Road, Pt Lot 1 DP 7984 (identified in Appendix Hill Residential 2):

That there shall be no buildings or structures (except for footbridges where they satisfy the criteria for a Permitted Activity under the Regional Freshwater Plan for the Wellington Region or have been granted a Resource Consent under that Plan; and structures associated with utilities in the identified utilities corridor), or the removal of vegetation (this shall not preclude the removal of pest plants, or vegetation that has died or has become dangerous) in that part of the site identified to the north and east of the stream as shown on Appendix Hill Residential 2.
- (h) 27 Matuhi Street, Belmont, Lot 3 DP 66453 (identified in Appendix Hill Residential 3):

An educational activity, being an integrated composite or area school providing education at early childhood, primary, intermediate and/or secondary levels under the organisation and management of the Raphael House Rudolf Steiner School Board of Trustees.

4D 2.1.1 Permitted Activities - Conditions

The conditions for the Permitted Activities for the General Residential Activity Area shall generally apply, with the following exceptions:

(a) Net Site Area:

The minimum net site area per Permitted Activity (excluding home occupations and accessory buildings) shall be 1000m².

Provided that:

- (i) 107 and 107A Maungaraki Road, Lots 1 and 2 DP 90829, (identified in Appendix Hill Residential 4), the minimum net site area per Permitted Activity (excluding home occupations and accessory buildings) shall be 600m².
- (ii) For those lots in Maungaraki Road (identified in Appendix Hill Residential 5, immediately adjoining identified parts of the proposed local purpose reserve, the proposed Puketirotiro reserve or the Camels Hump reserve), the minimum net site area per Permitted Activity (excluding home occupations and accessory buildings) shall be 2000m².

(Note for (i) and (ii): At 5 December 1995, the area shown on Appendix Hill Residential 4 consisted of Lot 1 DP 71986 and Part Section 35 Maungaraki Village contained in Certificate of Title 550/178 and the area identified in Appendix Hill Residential 5 consisted of Pt Secs 30 and 33 and Secs 31 and 32 Maungaraki Village.)

- (iii) 3 Howard Road, Point Howard, Lot 3 DP 5871, Part Lot 1A Blk I DP 2041 and Section 168 Harbour District, (identified in Appendix Hill Residential 1), the minimum net site area per Permitted Activity shall be 543m².
- (iv) Where a certificate of title has been issued for a site prior to 5 December 1995 or where a site has been created by a staged development whether under a stage unit plan or crosslease plan lodged with the District Land Registrar and where part of the development has been completed prior to 5 December 1995, and it can be established that the site has been created with an intention to accommodate a dwelling, then in such circumstances the area of the site shall be the minimum net site area.

Compliance with all other Permitted Activity Conditions.

(b) Minimum Yard Requirements:

For that area in Maungaraki Road (identified in Appendix Hill Residential 6)

Front Yards	4.5m
Side Yards	3.0m
Rear Yards	7.5m except for land identified "A" where the minimum rear yard is 5m.

(Note: At 5 December 1995, the area identified in Appendix Hill Residential 6 consisted of Pt Secs 30 and 33 and Secs 31 and 32 Maungaraki Village and Lot 1 DP 71986.)

(c) Maximum Site Coverage:

For that area in Maungaraki Road (identified in Appendix Hill Residential 6) - 30%.

The eaves of a building up to a maximum depth of 0.6m shall be excluded from this measurement.

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

(d) Building Envelope:

For that area in Maungaraki Road (identified in Appendix Hill Residential 7), all buildings must be sited in the building envelope.

Note: At 5 December 1995, the area identified in Appendix Hill Residential 7 consisted of Pt Sec 35 Maungaraki Village.

(e) Accessory Buildings:

Any accessory building may encroach into the front yard requirement provided that the length of the building which encroaches onto the yard shall not exceed 25% of the length of the boundary parallel to that yard.

This shall not apply to that area identified in Appendix Hill Residential 6.

For that area identified in Appendix Hill Residential 7, accessory buildings shall be sited within the building envelope.

(f) The limitation on the maximum number of children in 4A 2.1.1(h) shall not apply to the site specified in 4D 2.1 (h).

4D 2.2 Restricted Discretionary Activities

(a) Accessory buildings on legal road.**(b) The removal of vegetation in excess of 500m² or 35% of the site, whichever is the lesser, provided that this shall not preclude the removal of any pest plant (this rule does not apply to the identified area of 76 Normandale Road, Pt Lot 1 DP 7984, identified in Appendix Hill Residential 2, where vegetation removal is a Discretionary Activity).**

4D 2.2.1 Matters in which Council has Restricted its Discretion and Standards and Terms

(a) Accessory buildings on legal road.**(i) Amenity Values:**

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

(ii) Traffic Effects:

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

(b) The removal of vegetation in excess of 500m² or 35% of the site, whichever is the lesser, provided that this shall not preclude the removal of any pest plant (this rule does not apply to the identified area of 76 Normandale Road, Pt Lot 1 DP 7984, identified in Appendix Hill Residential 2, where vegetation removal is a Discretionary Activity).**(i) Amenity Values:**

The adverse effects upon the visual amenity values of the site and surrounding area caused by the removal of any trees or vegetation. Consideration shall be

had to the visual prominence of the vegetation, and any replacement planting to be undertaken.

(ii) **Site Stability:**

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

(iii) **The Intrinsic Values of Ecosystems:**

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

4D 2.2.2 Other Matters

All Restricted Discretionary Activities must comply with other relevant Permitted Activity Conditions.

4D 2.3 Discretionary Activities

- (a) Except where stated in the General Rules, any Permitted Activity or Restricted Discretionary Activity which fails to comply with any of the relevant Permitted Activity Conditions, or relevant requirements of Chapter 14 - General Rules.
- (b) Marae.
- (c) Comprehensive residential developments.
- (d) Places of assembly.
- (e) Dairies with a gross floor area of less than 100m².
- (f) Visitor accommodation.
- (g) Health care services.
- (h) Education facilities.
- (i) Emergency facilities.
- (j) Residential facility accommodating 11 or more persons.
- (k) Detention facilities.
- (l) Boarding houses.

4D 2.3.1 Assessment Matters For Discretionary Activities

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

4D 2.4 Non-Complying Activities

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

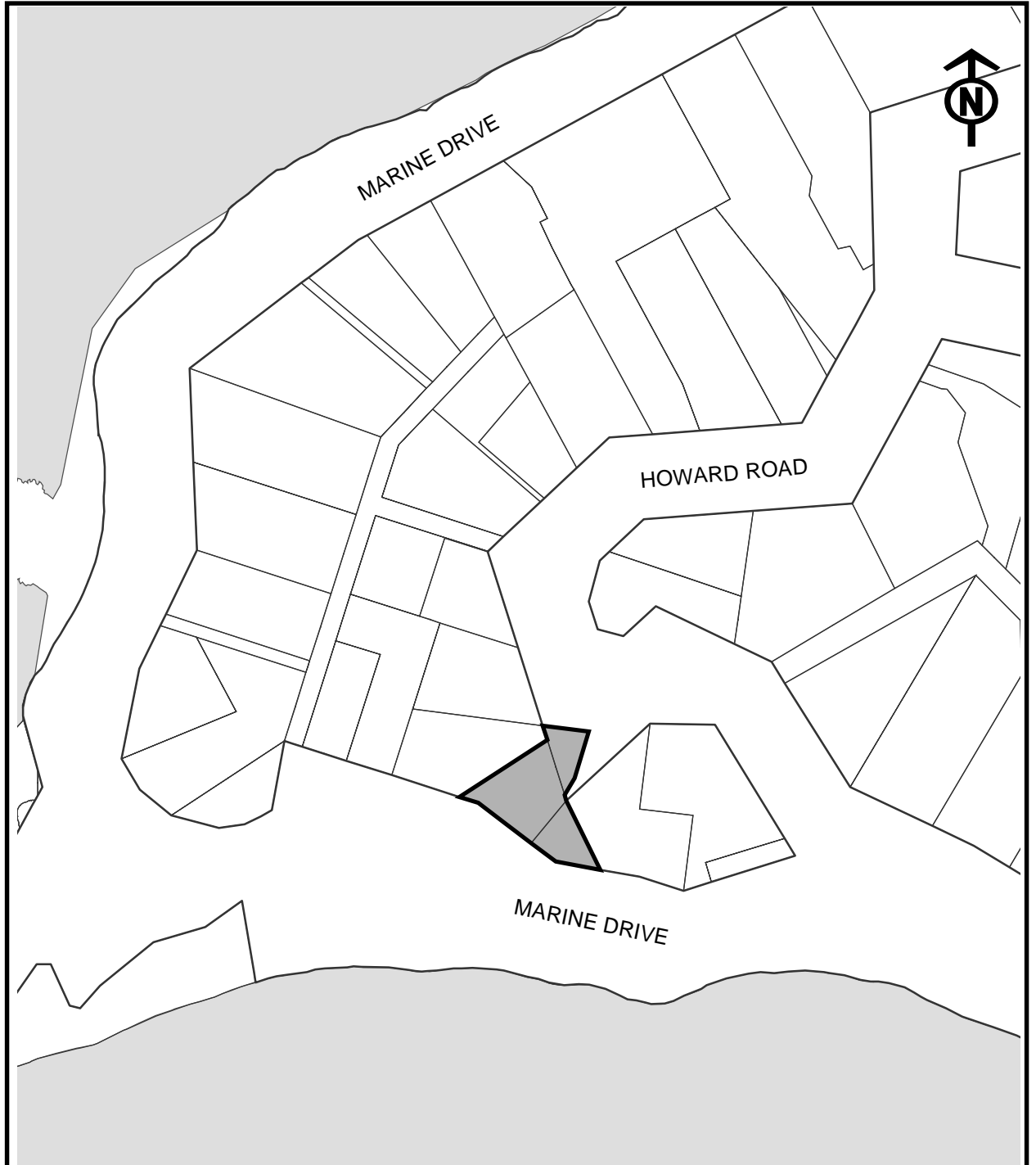
4D 2.5 Other Provisions

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

4D 3 Anticipated Environmental Results

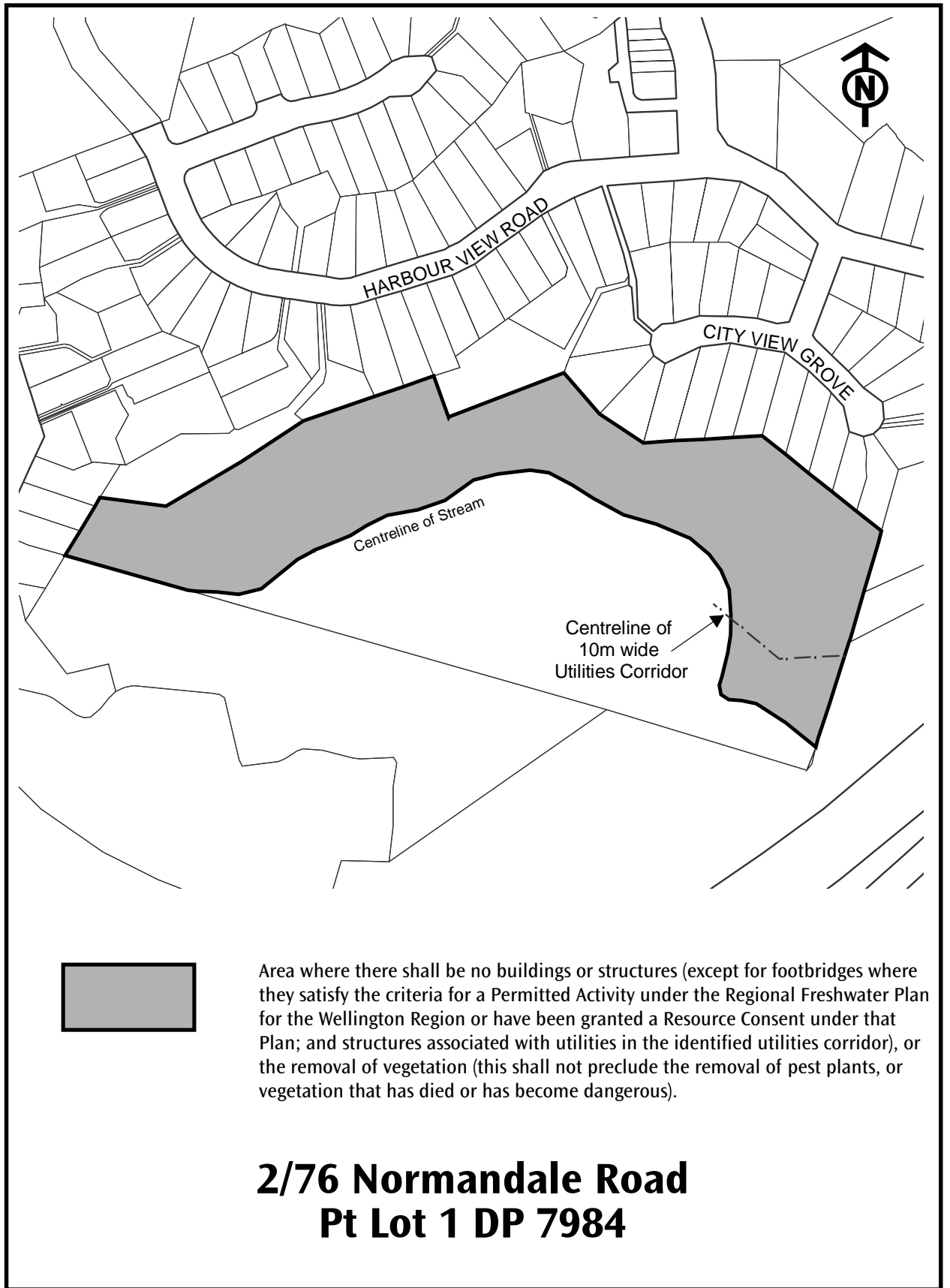
- (a) Amenity values of the hill areas of the City are maintained or enhanced.
- (b) Natural topography used as a basis for development.
- (c) Retention of vegetation.
- (d) Residential characteristics and amenity values maintained and enhanced.
- (e) Opportunity provided for home occupations.
- (f) Opportunity provided for non-residential activities.

Appendix Hill Residential 1

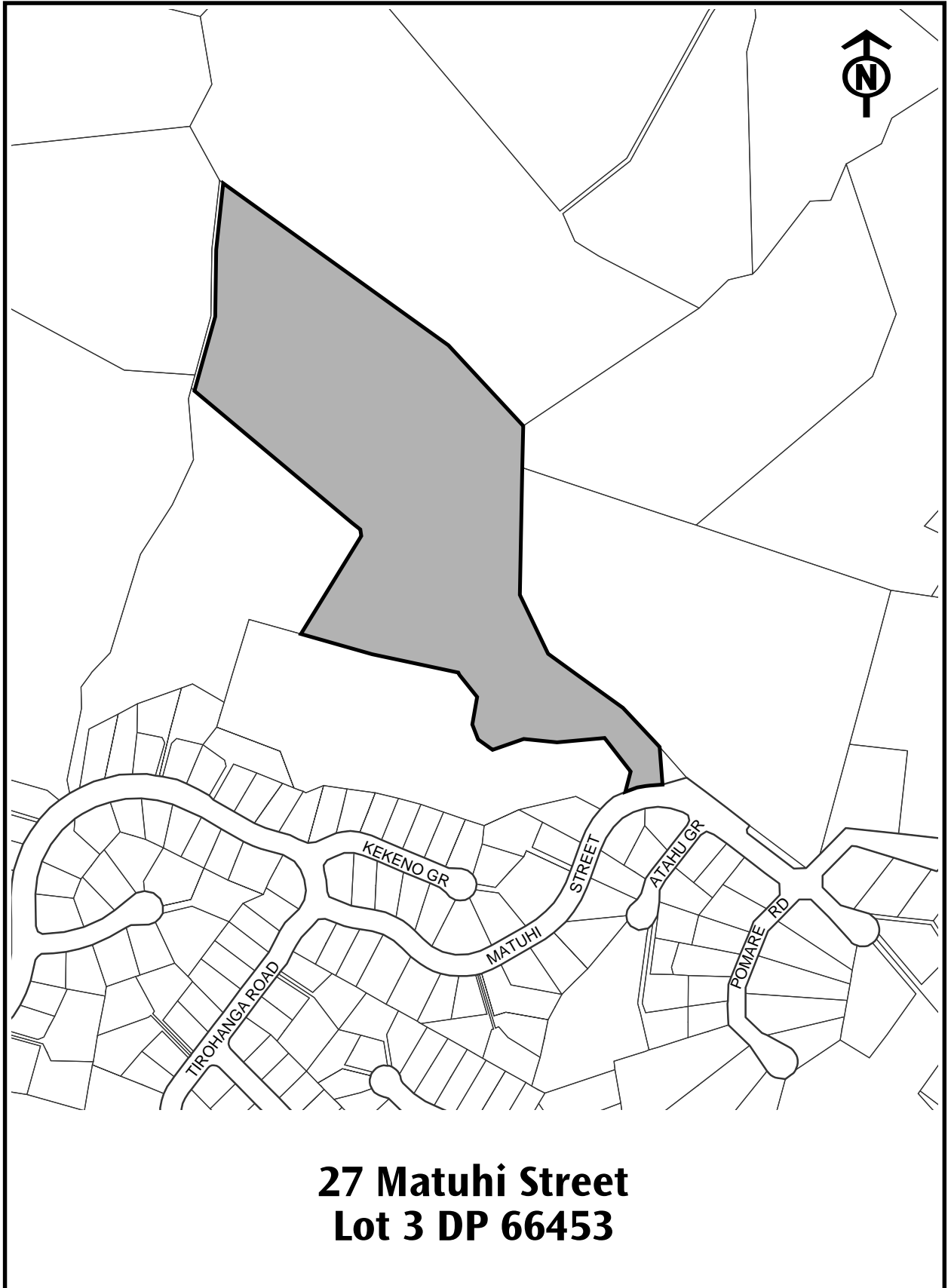


**3 Howard Road, Point Howard
Lot 3 DP 5871, Pt Lot 1A Blk I DP 2041 and
Section 168 Harbour District**

Appendix Hill Residential 2

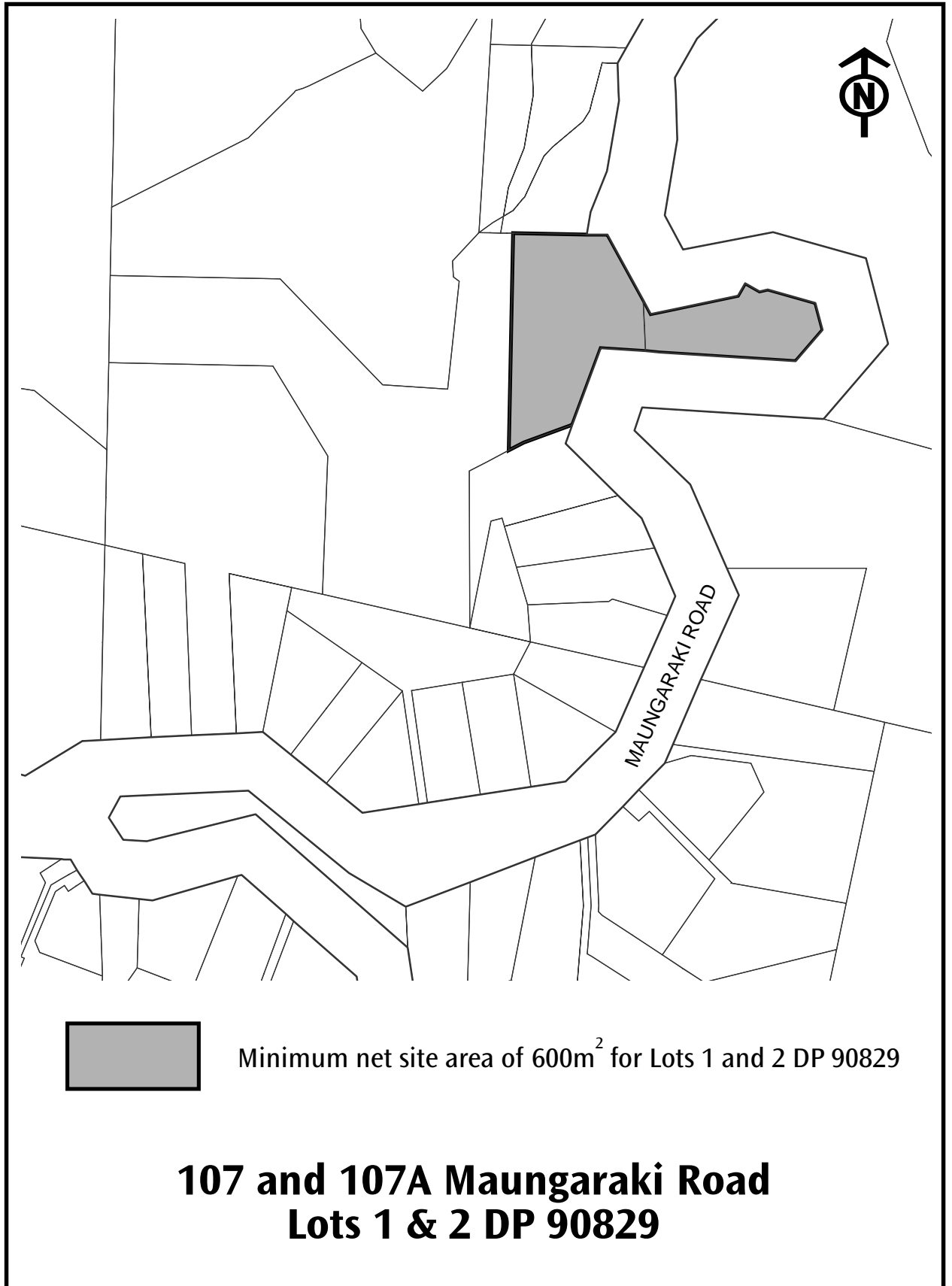


Appendix Hill Residential 3

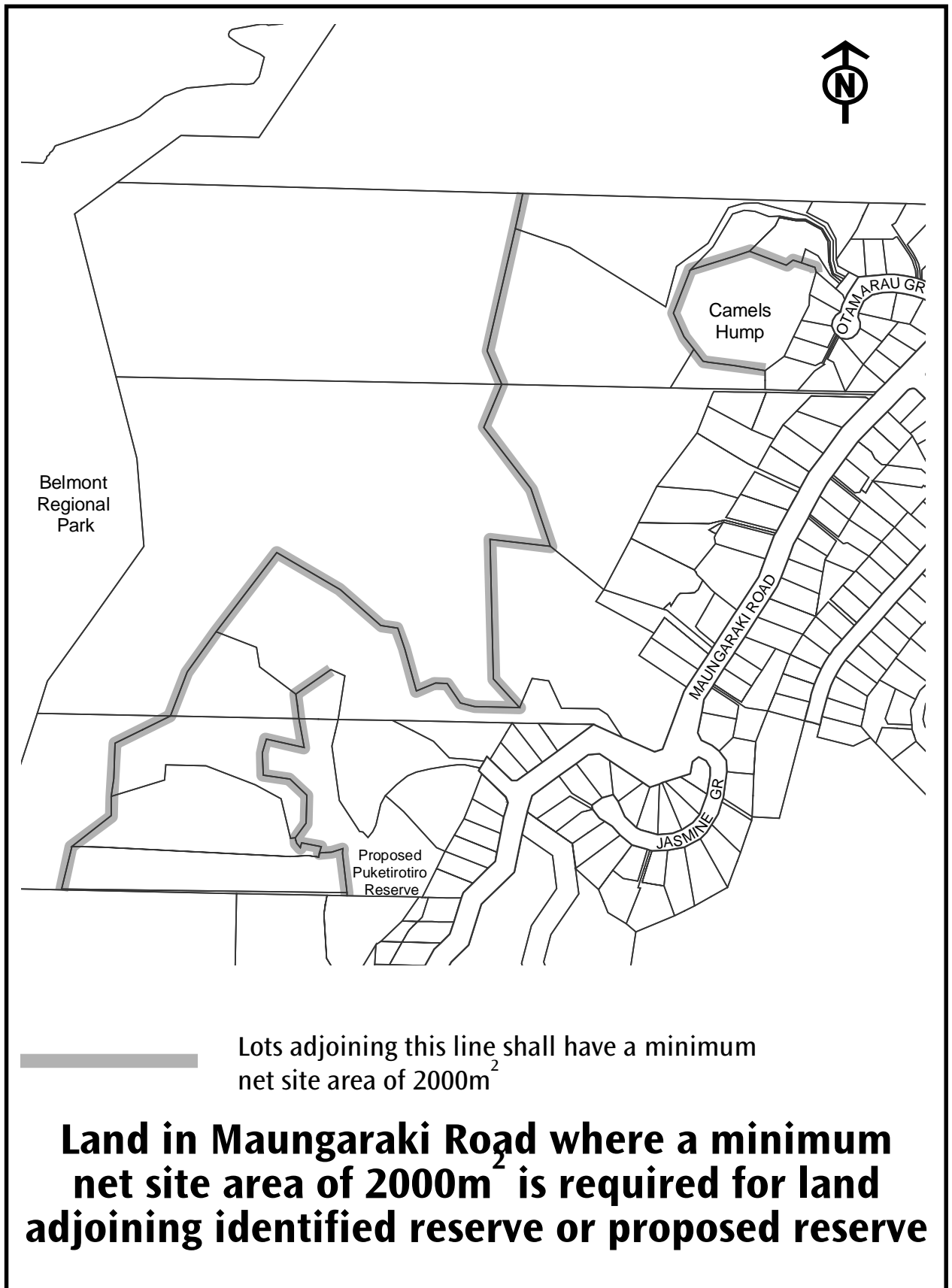


**27 Matuhi Street
Lot 3 DP 66453**

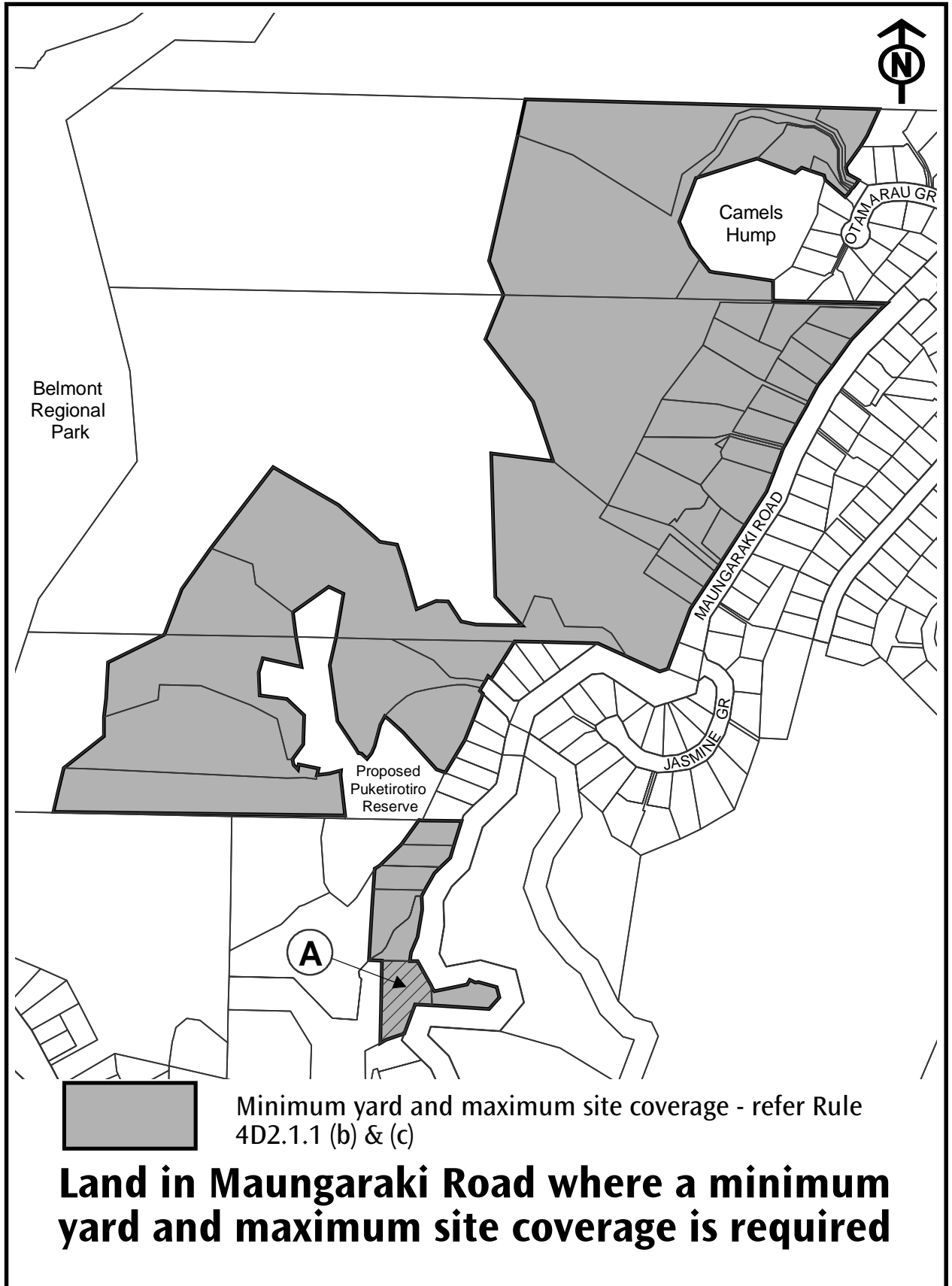
Appendix Hill Residential 4



Appendix Hill Residential 5



Appendix Hill Residential 6



Appendix Hill Residential 7

