D5 JUDGEFORD HILLS ZONE RULES

Explanation

The rules in this chapter of the District Plan relate to the Structure Plan. By its nature, the Structure Plan is indicative. However, subdivision and land use activities must proceed generally in accordance with the location and extent of the Areas shown on the Structure Plan. The Structure Plan is located at the end of this chapter of the District Plan.

D5.1 Activities Tables

D5.1.1 Subdivision activities

<table>
<thead>
<tr>
<th>i.</th>
<th>Subdivision for the purpose of creating any or all of the five broad divisions of land within the Judgeford Hills Zone, that is:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Cluster Residential Areas</td>
</tr>
<tr>
<td></td>
<td>• Land Attached to Residential Lots</td>
</tr>
<tr>
<td></td>
<td>• Environmental Enhancement Areas</td>
</tr>
<tr>
<td></td>
<td>• Primary Production Areas</td>
</tr>
<tr>
<td></td>
<td>• Public accessways and roads</td>
</tr>
</tbody>
</table>

in general accordance with the Structure Plan and the rules in section D5.3 (Standards for Controlled Activities) unless specified below.

Explanation

The above rule seeks to allow a stage one subdivision where any or all of the five areas shown on the structure plan are subdivided into separate allotments. This subdivision may occur in whole or in part.

Subdivision within these areas, is dealt with separately under the other rules of section D51.1.

It is intended that subdivision within the Cluster Residential Areas to create individual titles (and associated works or subdivision, such as the creation of roads) will be dealt with under Rule D5.1.1 (ii).

However, it is intended that subdivision under Rules D5.1.1(i) and D5.1.1(ii) can occur in stages and/or concurrently.
### D5.1.2 Land Use Activities

**Key:**

- **P**: Permitted activity – complies with the Standards for Permitted Activities in D5.2

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>ii.</td>
<td>Subdivision within the Cluster Residential Areas and Land Attached to Residential Lots via Rule D5.1.1(i) that complies with the relevant standards in the rules in section D5.3 (Standards for Controlled Activities) and in general accordance with these areas shown on the Structure Plan.</td>
<td>Controlled</td>
</tr>
<tr>
<td>iii.</td>
<td>Subdivision in the Primary Production Area that complies with the Discretionary Activity Standards and in general accordance with the structure plan.</td>
<td>Discretionary</td>
</tr>
<tr>
<td>iv.</td>
<td>Any Controlled Activity Subdivision in the Judgeford Hills Zone that does not comply with the Controlled Activity Standards or the Structure Plan.</td>
<td>Discretionary</td>
</tr>
<tr>
<td>v.</td>
<td>Any Discretionary Activity Subdivision in the Judgeford Hills Zone that does not comply with the Discretionary Activity Standards or the Structure Plan.</td>
<td>Non-complying</td>
</tr>
<tr>
<td>vi.</td>
<td>Subdivision other than under D5.1.1(i) or (viii) in the Environmental Enhancement Areas.</td>
<td>Discretionary</td>
</tr>
<tr>
<td>vii.</td>
<td>Following any subdivision under Rule D5.1.1(i), subdivision of land for reserves or conservation purposes including public accessways.</td>
<td>Discretionary</td>
</tr>
<tr>
<td>viii.</td>
<td>Boundary adjustments that do not create additional allotments, 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.</td>
<td>Controlled</td>
</tr>
<tr>
<td>ix.</td>
<td>Subdivision to facilitate development of Building Site 36 that does not meet the requirements of Rule D5.3 (Standards for Controlled Activities).</td>
<td>Restricted Discretionary</td>
</tr>
<tr>
<td>x.</td>
<td>Subdivision of land within a National Grid Corridor and provides a complying nominal building platform for a dwelling for each new lot, which is fully located outside the National Grid Yard.</td>
<td>Restricted Discretionary</td>
</tr>
<tr>
<td>xi.</td>
<td>Any subdivision of land within the National Grid Corridor that does not identify a complying nominal building platform for a dwelling for each new lot, which is fully located outside the National Grid Yard.</td>
<td>Non-complying</td>
</tr>
</tbody>
</table>
D5. Judgeford Hills Zone Rules and Standards

**C** Controlled activity – complies with the Standards for Controlled Activities in D5.3

**RD** Restricted Discretionary activity – complies with the Standards for Restricted Discretionary Activities under D5.4

**D** Discretionary activity – where applicable complies with the Standards for Discretionary Activities under D5.5

**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);
- The areas suitable for primary production (yellow); and
- Potential public access link to Belmont Regional Park (orange).

<table>
<thead>
<tr>
<th>CRA</th>
<th>LARL</th>
<th>EEA</th>
<th>PPA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cluster Residential Areas</td>
<td>Land Attached to Residential Lots</td>
<td>Environmental Enhancement Areas</td>
<td>Primary Production Areas</td>
</tr>
<tr>
<td>i. More than one dwelling per Certificate of Title</td>
<td>NC</td>
<td>NC</td>
<td>NC</td>
</tr>
<tr>
<td>ii. Primary Production activities, unless otherwise specified in this table, which comply with the standards in section D5.2</td>
<td>P</td>
<td>P</td>
<td>D</td>
</tr>
<tr>
<td>iii. Intensive animal farming, including pig farming</td>
<td>NC</td>
<td>NC</td>
<td>NC</td>
</tr>
<tr>
<td>iv. Dog breeding and dog boarding businesses</td>
<td>NC</td>
<td>NC</td>
<td>NC</td>
</tr>
<tr>
<td>v. Production Forestry activities (including woodlots), unless otherwise specified in this table, which comply with the standards in the rules in sections D5.2 or D5.3 (as required).</td>
<td>C</td>
<td>C</td>
<td>D</td>
</tr>
<tr>
<td>vi. Harvesting of Production Forestry up to 5,000m² within a 12 month period</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td></td>
<td>Description</td>
<td>CRA</td>
<td>LARL</td>
</tr>
<tr>
<td>---</td>
<td>-----------------------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>vii.</td>
<td>Harvesting of Production Forestry over 5,000m$^2$ within a 12 month period</td>
<td>C</td>
<td>C</td>
</tr>
<tr>
<td>viii.</td>
<td>Minor structures that meet the requirements of rule D5.2 (Standards for Permitted Activities)</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>ix.</td>
<td>One accessory building per Certificate of Title that complies with the Permitted and Controlled Activity Standards</td>
<td>C</td>
<td>NC</td>
</tr>
<tr>
<td>x.</td>
<td>More than one accessory building per Certificate of Title</td>
<td>D</td>
<td>NC</td>
</tr>
<tr>
<td>xi.</td>
<td>Buildings that meet the requirements of rule D5.3 (Standards for Controlled Activities)</td>
<td>C</td>
<td>NC</td>
</tr>
<tr>
<td>xii.</td>
<td>Buildings within Building Sites 1 and 28 that meet the requirements of rule D5.3 (Standards for Controlled Activities)</td>
<td>RD</td>
<td>NC</td>
</tr>
<tr>
<td>xiii.</td>
<td>Buildings that do not meet the requirements of Rule D5.3 (Standards for Controlled Activities)</td>
<td>D</td>
<td>NC</td>
</tr>
<tr>
<td>xiv.</td>
<td>Alterations and additions to existing buildings and accessory buildings where the alterations and additions do not contravene any Permitted Activity Standard or Controlled Activity Standard and do not increase the gross floor area by more than 10%</td>
<td>P</td>
<td>NC</td>
</tr>
<tr>
<td>xv.</td>
<td>Walkways, boardwalks, and stormwater management structures regardless of whether the structures are buildings, accessory buildings or minor structures.</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>xvi.</td>
<td>Home occupations that comply with the Permitted Activity Standards.</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>xvii.</td>
<td>Passive recreation activities</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td></td>
<td>Description</td>
<td>CRA</td>
<td>LARL</td>
</tr>
<tr>
<td>---</td>
<td>-----------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>xviii.</td>
<td>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</td>
<td>RD</td>
<td>RD</td>
</tr>
<tr>
<td>xix.</td>
<td>Signs that comply with the permitted activity standards</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>xx.</td>
<td>New buildings and structures less than 2.5m in height and less than 10m² in area located within the National Grid Yard that comply with the permitted activity standards and are not being used for a Sensitive Activity.</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>xxi.</td>
<td>Additions and alterations to existing buildings and structures that are over 2.5m in height and / or more than 10m² in area located within the National Grid Yard.</td>
<td>RD</td>
<td>RD</td>
</tr>
<tr>
<td>xxii.</td>
<td>New buildings and structures over 2.5m in height and / or more than 10m² in area located within the National Grid Yard.</td>
<td>RD</td>
<td>RD</td>
</tr>
<tr>
<td>xxiii</td>
<td>Milking Shed building(s) (excluding associated ancillary structures and stockyards) or building(s) used for an intensive rural production activity (excluding associated ancillary structures), located within the National Grid Yard.</td>
<td>NC</td>
<td>NC</td>
</tr>
<tr>
<td>xxiv.</td>
<td>The construction and use, establishment and change of use, of any building and structure located within the National Grid Yard for a Sensitive Activity.</td>
<td>NC</td>
<td>NC</td>
</tr>
<tr>
<td></td>
<td>Earthworks within a National Grid Yard that:</td>
<td>CRA</td>
<td>LARL</td>
</tr>
<tr>
<td>---</td>
<td>---------------------------------------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>xxv.</td>
<td>(a) are undertaken by a Network Utility Operator or undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath, driveway or farm track shall be a permitted activity; or (b) complies with the permitted activity standards for earthworks within a National Grid Yard.</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>xxvi.</td>
<td>Earthworks within a National Grid Yard that do not comply with permitted activity standard 4A.2.4 (v)(ii) but comply with standard (ii).</td>
<td>RD</td>
<td>RD</td>
</tr>
<tr>
<td>xxvii</td>
<td>Earthworks within a National Grid Yard that do not comply with permitted activity standard 4A.2.4 (v)(ii).</td>
<td>NC</td>
<td>NC</td>
</tr>
<tr>
<td>xxviii</td>
<td>Any new or upgraded vehicular access to or from Belmont Road and / or the Transmission Gully Motorway</td>
<td>NC</td>
<td>NC</td>
</tr>
<tr>
<td>xxix.</td>
<td>The establishment and maintenance of wetlands, areas of native vegetation and private walking tracks that comply with the Permitted Activity Standards</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>xxx.</td>
<td>Earthworks that comply with the Permitted Activity Standards</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>xxxi.</td>
<td>Any wastewater disposal activity</td>
<td>D</td>
<td>D</td>
</tr>
<tr>
<td>xxxii.</td>
<td>More than 40 dwellings and Certificates of Title within the Cluster Residential Area excluding Certificates of Title required for the creation of a road</td>
<td>NC</td>
<td>NC</td>
</tr>
<tr>
<td>xxxiii.</td>
<td>Any Permitted Activity (excluding buildings) that does not comply with one or more of the Permitted Activity Standards</td>
<td>RD</td>
<td>RD</td>
</tr>
</tbody>
</table>
### Standards for Permitted Activities

**D5.2.1 Access**

All accessways and manoeuvring areas shall be formed and surfaced in accordance with Porirua City Council’s code of Land Development and Subdivision Engineering 2007 and Part H of the District Plan.

**D5.2.2 Artificial light**

Streetlights shall only be installed where required to comply with AS/NZS 1158 Lighting for Roads and Public Spaces.

Note: In applying this standard Council shall adopt the solution which minimises light spill.

**D5.2.3 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.

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>xxxiv.</td>
<td>Any Controlled Activity (excluding buildings) that does not comply with one or more of the Controlled Activity Standards</td>
<td>RD</td>
<td>RD</td>
<td>RD</td>
</tr>
<tr>
<td>xxxv.</td>
<td>Activities not otherwise provided for in this table</td>
<td>D</td>
<td>NC</td>
<td>NC</td>
</tr>
<tr>
<td>xxxvi.</td>
<td>Buildings within Building Site 36 that meet the requirements of D5.3 (Standards for Controlled Activities)</td>
<td>C</td>
<td>NC</td>
<td>N/A</td>
</tr>
<tr>
<td>xxxvii.</td>
<td>Buildings within Building Site 36 that do not meet the requirements of D5.3 (Standards for Controlled Activities)</td>
<td>RD</td>
<td>NC</td>
<td>N/A</td>
</tr>
</tbody>
</table>
D5.2.4 Earthworks

The following shall apply to earthworks on a site, other than to earthworks for the purpose of constructing and maintaining roads, or earthworks that form part of an approved subdivision:

(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 inside, or within 20m of, an Environmental Enhancement Area; or

   (c) 100m² in Cluster Residential Areas or Land Attached to Residential Lots; or

   (d) 500m² in area in a Landscape Protection Area; or

   (e) 1000m² in area in a 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 a 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.
Earthworks shall not be undertaken on land with a slope in excess of 28 degrees as shown on the diagram below:

![Diagram showing a slope of 28°](image)

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; and

Any earthworks within a National Grid Yard:

(i) within a distance measured 12 metres from the outer visible edge of any National Grid support structure, any earthworks shall not exceed a depth (measured vertically) of 300mm

(ii) shall not result in a ground to conductor clearance of less than:

- 6.5m (measured vertically) from a 110kV National Grid transmission line; or
- 8m (measured vertically) from a 220kV National Grid transmission line.

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.

Advice Note: Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

Financial contributions

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.

Any development of land in the Judgeford Hills Zone that creates a Private Road (as defined by s.315 of the Local Government Act 1974) shall be required to pay a financial contribution equivalent to $70,000 (+ GST) per kilometre ($70 + GST per metre) length of private road prior to the issue of a certificate pursuant to section 224 of the Resource Management Act 1991, for the
subdivision featuring the Private Road. This sum is in October 2007$^1$ dollars and shall be adjusted at the rate of inflation in accordance with the construction cost index until such time as paid.

Note: This amount is calculated on the basis of developer responsibility for the NZ Transport Agency portion of maintenance costs over 54 years. Any unspent funds remaining, together with accumulated interest (based on the Council's average returns on cash investments over the period), will be returned to the developer if the road should vest as public road within this period, being a financial contribution under the Resource Management Act 1991.

The developer will be responsible for the maintenance of any private road for the first seven years after construction of the road an application of the second coat of seal, or until the private road vests as public road if this should occur before the seventh year.

Explanation

Porirua City Council receives a contribution from the NZ Transport Agency for assistance with annual maintenance of public roads vested in the Council.

Porirua City Council also receives a contribution from the NZ Transport Agency for assistance with re-sealing of public roads vested in the Council.

For the time being, the Council is prepared to assume that sufficient funds would be available from additional rates provided by additional development in the Judgeford Hills Zone to fund what would otherwise be the Council's share of annual maintenance and resealing of roads shown in the Judgeford Hills Zone Structure Plan as if those roads were public roads for a period of 54 years.

However the Council will not be eligible for the NZ Transport Agency contributions in the case of any private road, and therefore the community at large would be disadvantaged if private roads were to proceed in the Judgeford Hills Zone and the Council were required to fund the shortfall of the contribution it would not be able to receive from the NZ Transport Agency.

The Council has assumed that a 54-year period is a fair and reasonable length of time to obligate the developers of the Judgeford Hills Zone for the equivalent contributions it would have otherwise been entitled to receive from the NZ Transport Agency as if the roads shown on the Judgeford Hills Zone Structure Plan were a public road. After that time the Council considers it would be reasonable for the Council to assume full maintenance cost for the road.

A fee of $70,000 plus GST per kilometre compensates the Council for the 44% funding assistance ratio (FAR) subsidy typically provided by the NZ Transport Agency for a road, but unavailable for this segment of road because of its private status. The financial contribution can only be increased in accordance with the Cost Construction Index rate of inflation.

D5.2.6 Hazardous substances

No activity shall exceed a hazardous substances threshold of 0.75

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$^1$ October 2007 is the midpoint period over which maintenance costs were calculated.
D5.2.7 Height

No structures shall exceed 8 metres in height and also shall be no more than two storeys.

Chimneys, flues, television aerials and domestic satellite dishes may exceed the maximum height by no more than 1m

D5.2.8 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.

D5.2.9 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

D5.2.10 Loading

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

D5.2.11 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) \(L_{\text{max}} \) 75 dBA night time (10pm – 7am).

D5.2.12 Parking

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.
D5.2.13 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.

D5.2.14 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.

D5.2.15 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.

D5.2.16 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. Wastewater disposal fields are subject to the Riparian setback.

(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.

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

Advice Note: Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.
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.

D5.3 Standards for Controlled Activities

D5.3.1 Permitted Activity Standards

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

D5.3.2 Subdivision

D5.3.2.1 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. The plan will have as its key performance objectives:

(a) The protection, enhancement and adequate buffering of the remnant forest;
(b) The revegetation and long term management of retirement areas including hillslopes, wetlands, and riparian margins; and
(c) Best practice design and construction of treatment wetlands and their long term health and function through effective monitoring and maintenance regimes.

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) Proposed measures and areas for revegetation and wetland enhancement;

b) The fencing required and areas from which stock will be excluded;

c) Public accessways and tracks required to give effect to the objectives and policies;

d) Timeframes to complete any works required by (a) through to (c);

e) Performance standards for vegetations establishment and ongoing maintenance, including weed and pest control;

f) Measures to manage sediment control and water quality with particular regard to the Pauatahanui Inlet catchment;

g) Measures to ensure fish passage past instream works; and
h) Monitoring and reporting to Council on the achievement of the EMP’s intended outcomes.

The Environmental Management Plan shall be developed and monitored by a suitably qualified ecologist.

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

D5.3.2.2 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.

Any development of land in the Judgeford Hills Zone that creates a Private Road (as defined by s.315 of the Local Government Act 1974) shall be required to pay a financial contribution equivalent to $70,000 (+ GST) per kilometre ($70 + GST per metre) length of private road prior to the issue of a certificate pursuant to section 224 of the Resource Management Act 1991, for the subdivision featuring the Private Road. This sum is in October 2007 dollars and shall be adjusted at the rate of inflation in accordance with the construction cost index until such time as paid.

Note: This amount is calculated on the basis of developer responsibility for the NZ Transport Agency portion of maintenance costs over 54 years. Any unspent funds remaining, together with accumulated interest (based on the Council’s average returns on cash investments over the period), will be returned to the developer if the road should vest as public road within this period, being a financial contribution under the Resource Management Act 1991.

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Explanation

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Porirua City Council also receives a contribution from the New Zealand Transport Agency for assistance with re-sealing of public roads vested in the Council.

For the time being, the Council is prepared to assume that sufficient funds would be available from additional rates provided by additional development in the Judgeford Hills Zone to fund what would otherwise be the Council’s share of annual maintenance and resealing of roads shown in the Judgeford Hills Zone Structure Plan as if those roads were public roads for a period of 54 years. However the Council will not be eligible for the New Zealand Transport Agency contributions in the case of any private road, and therefore the

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2 October 2007 is the midpoint period over which maintenance costs were calculated.
community at large would be disadvantaged if private roads were to proceed in the Judgeford Hills Zone and the Council were required to fund the shortfall of the contribution it would not be able to receive from the New Zealand Transport Agency.

The Council has assumed that a 54-year period is a fair and reasonable length of time to obligate the developers of the Judgeford Hills Zone for the equivalent contributions it would have otherwise been entitled to receive from the New Zealand Transport Agency as if the roads shown on the Judgeford Hills Zone Structure Plan were a public road. After that time the Council considers it would be reasonable for the Council to assume full maintenance cost for the road.

A fee of $70,000 plus GST per kilometre compensates the Council for the 44% funding assistance ratio (FAR) subsidy typically provided by the NZ Transport Agency for a road, but unavailable for this segment of road because of its private status. The financial contribution can only be increased in accordance with the Cost Construction Index rate of inflation.

D5.3.2.3 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.

D5.3.2.4 Minimum Lot Sizes

All land within the Land Attached to Residential Lots and Cluster Residential Areas shall be held within a Certificate of Title containing no less than 2000m² of land.

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.
Lots in the Primary Production Area

Either:

(a) all land in the Primary Production Area shall be held within a single Certificate of Title, or

(b) the minimum size for a separate Certificate of Title shall be 40 ha

D5.3.2.5 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.

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.

The design and construction of all dwellings located within Cluster D and Cluster E shall ensure that future noise from traffic within the Transmission Gully Motorway Designation does not exceed 40 dBA Ldn within any habitable room. For the purposes of this standard, a habitable room is a space within a dwelling that is commonly associated with domestic living, but excludes any bathroom, laundry, water-closet, pantry, walk-in wardrobe, corridor, hallway, lobby, clothes-drying room or other space of a specialised nature occupied neither frequently nor for extended periods of time.

D5.3.2.6 Services

Any application for subdivision consent, other than under D5.1.1(i), that will create an allotment containing a building site, shall demonstrate how all allotments will be provided with a connection to a reticulated water supply, reticulated wastewater services, a stormwater system and legal access to a road.

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

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

D5.3.2.7 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.

D5.3.2.8 Traffic Safety

Any application for a subdivision consent shall demonstrate how traffic safety in
relation to existing Bradely Road driveways within 50m of the Judgeford Hills
Zone will be managed (eg through the provision of a flush median or other
approved traffic safety management device).

D5.3.2.9 Building Site 36

Subdivision to create a lot that facilitates development of Building Site 36 is
allowed as a Controlled Activity subject to construction of the Transmission
Gully Motorway having commenced on the designated land between State
Highway 58 and Linden.

D5.3.3 Land use

D5.3.3.1 Buildings

The construction of buildings and accessory buildings shall have regard to the
design guide and shall comply with the Permitted Activity Standards.

D5.3.3.2 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.

Any development of land in the Judgeford Hills Zone that creates a Private
Road (as defined by s.315 of the Local Government Act 1974) shall be required
to pay a financial contribution equivalent to $70,000 (+ GST) per kilometre ($70 +
GST per metre) length of private road prior to the issue of a certificate
pursuant to section 224 of the Resource Management Act 1991, for the
subdivision featuring the Private Road. This sum is in October 2007 dollars
and shall be adjusted at the rate of inflation in accordance with the construction
cost index until such time as paid.

Note: This amount is calculated on the basis of developer responsibility for
the NZ Transport Agency portion of maintenance costs over 54 years. Any
unspent funds remaining, together with accumulated interest (based on the Council’s average returns on cash investments over the
period), will be retuned to the developer if the road should vest as public
road within this period, being a financial contribution under the

The developer will be responsible for the maintenance of any private
road for the first seven years after construction of the road an
application of the second coat of seal, or until the private road vests as
public road if this should occur before the seventh year.

Explanation

See explanation for rule D5.4.3

October 2007 is the midpoint period over which maintenance costs were calculated.
Porirua City Council receives a contribution from the New Zealand Transport Agency for assistance with annual maintenance of public roads vested in the Council.

Porirua City Council also receives a contribution from the New Zealand Transport Agency for assistance with re-sealing of public roads vested in the Council.

For the time being, the Council is prepared to assume that sufficient funds would be available from additional rates provided by additional development in the Judgeford Hills Zone to fund what would otherwise be the Council's share of annual maintenance and resealing of roads shown in the Judgeford Hills Zone Structure Plan as if those roads were public roads for a period of 54 years. However the Council will not be eligible for the New Zealand Transport Agency contributions in the case of any private road, and therefore the community at large would be disadvantaged if private roads were to proceed in the Judgeford Hills Zone and the Council were required to fund the shortfall of the contribution it would not be able to receive from the New Zealand Transport Agency.

The Council has assumed that a 54-year period is a fair and reasonable length of time to obligate the developers of the Judgeford Hills Zone for the equivalent contributions it would have otherwise been entitled to receive from the New Zealand Transport Agency as if the roads shown on the Judgeford Hills Zone Structure Plan were a public road. After that time the Council considers it would be reasonable for the Council to assume full maintenance cost for the road.

A fee of $70,000 plus GST per kilometre compensates the Council for the 44% funding assistance ratio (FAR) subsidy typically provided by the NZ Transport Agency for a road, but unavailable for this segment of road because of its private status. The financial contribution can only be increased in accordance with the Cost Construction Index rate of inflation.

D5.3.3.3 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.

D5.3.3.4 Roading

All new roads within the Judgeford Hills Zone shall meet the roading standards set out in Part H of the District Plan. Except that the Bradey Road Extension shall not be required to comply with the minimum legal width standards set out in Part H of the District Plan.

D5.3.3.5 Reverse sensitivity

The design and construction of all dwellings located within Cluster D and Cluster E shall ensure that future noise from traffic within the Transmission Gully Motorway Designation does not exceed 40 dBA Ldn within any habitable room. For the purposes of this standard, a habitable room is a space within a dwelling that is commonly associated with domestic living, but excludes any bathroom, laundry, water-closet, pantry, walk-in wardrobe, corridor, hallway,
lobby, clothes-drying room or other space of a specialised nature occupied neither frequently nor for extended periods of time.

D5.3.6 Services; water supply and wastewater

Any application for a dwelling within the Cluster Residential Area shall demonstrate how that dwelling will be connected to a reticulated water supply and reticulated wastewater services.

D5.3.7 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.

D5.3.8 Building Site 36

The erection of a building within Building Site 36 is allowed as a Controlled Activity subject to construction of the Transmission Gully Motorway having commenced on the designated land between State Highway 58 and Linden.

D5.4 Matters of Control for Controlled Activities

D5.4.1 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 standard 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
- Structure planting
- 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
- Traffic safety

5 See explanation for rule D5.4.3
• The design and layout of the subdivision where any lot may affect the safe and effective operation and maintenance of and access to regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.

• The outcome of consultation with the owner or operator of regionally significant network utilities (excluding the National Grid) located on or in proximity to the site.

Note: Rule D5.4.4 covers subdivision within the National Grid Corridor.

D5.3.4.2 Land use

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

• 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
• Financial contributions under Part E
• Earthworks, including visual effects and the effects of erosion, sediment control and construction management
• The effects of artificial lighting on surrounding rural character
• Amenity planting
• The protection of the existing High Voltage Transmission Line
• Traffic safety

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.

D5.3.4.3 Production Forestry and harvesting activities

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:

• 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

**D5.4 Standards for Restricted Discretionary Activities**

**D5.4.1 Restricted Discretionary Activities under Rule D5.1.2(xviii)-Belmont Regional Park**

Council restricts the exercise of its discretion to:

• The layout, route and standard of formation of any access
• 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 (SNZ HB 8630:2004), and the IMBA’s Trail Solutions.

**D5.4.2 Restricted Discretionary Activities under Rule D5.1.2(xii)- Building Sites 1 and 28**

Council restricts the exercise of its discretion to:

• The effects of potential inundation upon buildings within building sites 1 and 28.

**D5.4.3 Restricted Discretionary Activities under Rule D5.1.2(xxxvii) and Rule D5.1.1(ix) – Building Site 36**

Council restricts the exercise of its discretion to:

• The Matters of Control for Controlled Activities in Rules D5.3.4.1 and D5.3.4.2.
• The likelihood that the Transmission Gully Motorway (between SH58 and Linden) will commence construction within five years from the date of application.

Explanation
Potential effects associated with the subdivision and development of Building Site 36 (and its associated land) may vary in their significance depending on whether or not the nearby planned “preferred route” of the Transmission Gully Motorway (TGM) which was announced on 11 July 2008 is built\(^6\). In the context created by the construction of the “preferred route” motorway, the actual and potential adverse effects of development on Building site 36 will almost certainly be minor, and for this reason it becomes a controlled activity. However, if the preferred motorway is not built, or is built on the designation alignment as set out in the District Plan as 01/09/08, the Council would need to consider the potential adverse effects of development of house site 36 and an application would be treated as restricted discretionary.

A resource consent application for subdivision and / or development on Building Site 36 should be supported by evidence that motorway construction will commence within five years of the date of application. In assessing whether or not the standard is met, the Council will have regard to the TGM project’s achievement of recognised milestones such as finalisation of the designation, gaining all necessary statutory consents, necessary land purchase, the satisfaction of pre-construction conditions, TGM’s priority in the regional transport strategy, the status of funding, and the letting of construction contracts.

D5.4.4 Restricted discretionary activities under Rule D5.1.1.x

The Council has restricted its discretion to the following matters when considering an application for resource consent and/or appropriate conditions:

(i) the extent to which the design, construction and layout of the subdivision (including landscaping) demonstrates that a suitable building platform for a dwelling for each new lot can be provided identified outside of the National Grid Yard to ensure adverse effects on and from the National Grid and on public health and safety are appropriately avoided, remedied or mitigated;

(ii) The provision for the on-going operation, maintenance (including access) and planned upgrade of Electricity Transmission Lines;

(iii) The risk to the structural integrity of the National Grid;

(iv) The extent to which the subdivision design and consequential development will minimise the risk of injury and/or property damage from such lines;

(v) The extent to which the subdivision design and consequential development will minimise the potential reverse sensitivity on and amenity and nuisance effects of the transmission asset

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on the National Grid Operator as the only affected party under section 95B.

\(^6\) See plan “Alignment: 3, Connection Option: 1, JC/0.6”, dated 2 May 2008, located at the end of this chapter of the District Plan
Advice Notes:
Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

Vegetation to be planted within the National Grid Yard as shown on the planning maps should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support structures. To discuss works, including tree planting near any electricity line especially works within the transmission corridor; contact the relevant network utility operator.

D5.4.5 Restricted discretionary activities under Rules D5.1.2xxi and Rules D5.1.2xxii

The Council has restricted its discretion to the following matters when considering an application for resource consent:

(i) Any risk to the structural integrity of the transmission line;
(ii) Any effects on the ability of the transmission line owner to operate, maintain and/or upgrade the National Grid;
(iii) The proximity of buildings and structures to electrical hazards;
(iv) Operational risks relating to health or public safety, and the risk of property damage;
(v) Amenity effects; and
(vi) Any actual or potential reverse sensitivity effects.

Subject to sections 95A(2)(b), 95A(2)(c), 95A(4) and 95C of the Act, a resource consent application under this rule will be precluded from public notification under section 95A, and limited notification will be served on the National Grid Operator as the only affected party under section 95B.

Advice Notes:
Compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) is mandatory under the Electricity Act 1992. All activities regulated by NZECP34, including buildings, structures, earthworks and the operation of mobile plant, must comply with that regulation. Activities should be checked for compliance even if they are permitted by the District Plan.

Vegetation to be planted within the National Grid Yard as shown on the planning maps should be selected and/or managed to ensure that it will not result in that vegetation breaching the Electricity (Hazards from Trees) Regulations 2003 or prevent access to support structures. To discuss works, including tree planting near any electricity line especially works within the transmission corridor; contact the relevant network utility operator.
D5.4.6 For all other Restricted Discretionary Activities, Council restricts the exercise of its discretion to the following matters:

- 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.
- For earthworks that do not comply with the Permitted Activity Standards, Council's discretion is restricted to the effects of the earthworks (including visual effects), the degree of consistency with relevant Objectives and Policies and, for earthworks near high voltage transmission lines, the consistency with NZECP 34:2001.

D5.5 Standards for Discretionary Activities

D5.5.1 There shall be no more than two Certificates of Title for land in the Primary Production Area.

D5.6 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.

D5.6.1 The following matters are to be taken into account in considering any application for resource consent:

- The extent to which the proposal accords with the Judgeford Hills Zone Structure Plan and the Judgeford Hills Design Guide
- The nature and extent of any variation(s) from the zone standards and 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 cumulative effect of multiple (both proposed and existing) wastewater treatment activities.
- 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.

D5.7 **City-wide Provisions**

D5.7.1 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:

- E Financial contributions
- F Information to be supplied
- G Cross boundary issues
- H Car parking, vehicle movements and roads
- HH Historic Heritage
- I Hazardous facility screening procedure
- K Designations
- L Monitoring
- M Interpretation
D5.8 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) **Road** means a Road or any Private Road as defined under the Local Government Act 1974 and includes for the sake of clarity, any easement in gross in favour of the Council and extended to members of the public over the Bradey Road Extension.
(vi) **Bradey Road Extension** means that segment of road as shown on the Structure Plan extending over Lot 9 DP 81760 and parts of Lots 5 and 12 DP 81760.

(vii) **Building site** is a circle with a 20m radius surrounding one of the NZ Geodetic 2000 datum Wellington circuit co-ordinates listed in the table below.

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### JUDGEFORD HILLS DESIGN GUIDE

#### 1 Introduction

Construction of buildings including new dwelling houses and accessory buildings and structures in the Cluster Residential Areas is a Controlled...

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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 D5.3)

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.

A plan located at the end of this chapter of the District Plan, (Preferred Building Sites and Lot Boundaries) 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 2.2 of this guide.

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.

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.
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.

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 on the Preferred Building Sites and Lot Boundaries Plan. 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.

**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.

The Building Sites are located to:

- 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.

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 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 Guidelines).

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.

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.

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.

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.
3 Guidelines

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

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.

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

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

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.

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.

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

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

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.

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.

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 and other potentially affected lots.

The location of alternative building sites must comply with the objectives of the Design Guidelines and 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.

3.12 Amenity planting will be required as part of the establishment of a water reservoir in the Judgeford Hills Zone. The planting will provide visual mitigation for the surrounding area and integration of the reservoir within the landform.
The same grade separated dumbbell interchange as used in Section 7 Alignment 2 Connection Option 1 with an additional connection provided to Waspite Avenue. In every other respect this option is identical to that shown in Section 7. Please refer to Section 8 Alignment 3 for continuation of this Alignment.

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TRANSMISSION GULLY MOTORWAY PLAN [ALIGNMENT: 3, CONNECTION OPTION: 1, DATED 2 MAY 2008]
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