

# ***Proposed District Plan Change 61***

Re-zoning of land off Huntleigh Park Way,  
Heke Street, & Thatcher Crescent (Ngaio)  
from Rural Area to Residential (Outer)

8 September 2007

# Proposed amendments to Chapter 5. Residential Area Rules

## Guide to Rules

1. **Insert** into the table after the last reference (‘Buildings, structures and other utility activities’) the following:

<b>Huntleigh Park</b>	<b>Rule</b>	<b>P</b>	<b>C</b>	<b>DR</b>	<b>DU</b>
Minor activities relating to existing residential uses subject to conditions	5.1.13	•			
New dwellings and indigenous vegetation clearance	15.4.10				•

## Schedule of Appendices

2. **Insert** reference to new Appendix 25 into the Schedule of Appendices:

<b>Number</b>	<b>Appendix</b>
25	Huntleigh Park, Ngaio

# 5. RESIDENTIAL RULES

## 5.1 Permitted Activities

3. **Insert** a new permitted activity rule after Rule 5.1.12 as follows:

**5.1.13 Within the land shown in Appendix 25 (11A Huntleigh Park Way, 79 and 83 Heke Street, 19 and 21 Thatcher Crescent, Ngaio):**  
**Any existing use or activity, including the alteration of, and addition to existing buildings or structures, is a permitted activity, provided it complies with the following conditions:**

*Refer to Rule 5.4.10 for activities that require a resource consent on these properties*

- 5.1.13.1 Compliance with Outer Residential Area rules 5.1.1, 5.1.2, 5.1.6, 5.1.8, and 5.1.10
- 5.1.13.2 Compliance with Outer Residential Area permitted activity conditions 5.1.3.2, 5.1.3.3, 5.1.3.4, 5.1.3.5, and 5.1.3.6.
- 5.1.13.3 Compliance with Rule 5.1.9 (Earthworks), except that no earthworks shall extend beyond the area developed for residential purposes as of 8 September 2007. This 'area' shall include land occupied by the existing dwellings, driveways, paths, lawns and outdoor areas associated with the dwelling.
- 5.1.13.4 The activity does not involve modification, damage, removal or destruction of indigenous vegetation totalling more than 100m<sup>2</sup> as of 8 September 2007. This shall not apply to:
- wind thrown trees, standing dead trees that have died as a result of natural causes, or vegetation that has become dangerous to human life or property as a result of natural causes.
  - The pruning around existing residential buildings or residential structures.

*This rule provides for residential additions and earthworks, associated with the existing houses. Some minor vegetation trimming and clearance is permitted to enable normal residential maintenance activities to be undertaken without the need for a resource consent. More intensive development and subdivision on this land are controlled by Rule 15.4.10.*

## 5.4 Discretionary Activities (Unrestricted)

**4. Insert** a new rule after Rule 5.4.9 as follows:

**5.4.10 Within the land shown in Appendix 25 (11A Huntleigh Park Way, 79 and 83 Heke Street, 19 and 21 Thatcher Crescent, Ngaio):**

**Any subdivision, use or activity, including vegetation clearance, earthworks and the construction, alteration of, and addition to buildings or structures, that is not a permitted activity, is a Discretionary Activity (Unrestricted).**

*Appendix 25 shows where some limited residential development can occur on this land*

***Standards and Terms***

5.4.10.1 The erection of new residential buildings, residential structures and the construction of new driveways shall be restricted to the 'indicative residential building sites' and 'indicative driveways' identified in Appendix 25.

5.4.10.2 No more than two household units shall be permitted on each of the 'indicative residential building sites' as identified in Appendix 25.

Note: For the avoidance of doubt, residential dwellings, residential structures and indigenous vegetation clearance on land not associated with the 'indicative residential building sites' and non-residential activities are not provided for by this rule (and will be assessed as a non-complying activity).

***Assessment Criteria***

In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:

5.4.10.3 The extent to which the development minimises the amount of vegetation removal and earthworks beyond the 'indicative residential building sites'. This should involve consideration of alternative access, earthwork and vegetation clearance options where relevant.

5.4.10.4 The environmental effects caused during the construction phase.

5.4.10.5 The proposed remediation measures employed during and after completion of the works and the timeframe for giving effect to these.

5.4.10.6 Whether traffic, parking and site access issues are adequately addressed through the design of the proposal.

5.4.10.7 Whether proposed allotments are capable of accommodating activities in general compliance with the relevant District Plan rules.

5.4.10.8 The extent of compliance with the relevant parts of the Code of Practice for Land Development.

5.4.10.9 The requirements of section 106 of the Act.

### ***Explanation***

*These site-specific provisions reflect a number of important resource management issues associated with the land.*

*The land is contiguous with the Huntleigh Park Conservation Site (5D) Site. Assessments undertaken as part of this plan change confirm that the majority of the land is ecologically significant and that as much of the indigenous vegetation on the land should be protected as possible from inappropriate use and development.*

*There are some opportunities for further residential development provided it is undertaken in a manner which maintains the ecological integrity of the land. These areas have been identified on a map contained in Appendix 25.*

*Rule 5.4.10 allows no more than two household units per 'indicative residential building site'. Careful consideration will be given to the impact of earthworks and vegetation clearance from residential development and associated driveways.*

*Vegetation clearance and development outside of the 'indicative residential building sites' and 'indicative driveways' is discouraged and will be assessed as a non-complying activity.*

(note the Appendix 25 map attached is to be included at the end of Chapter 5)

## **DISTRICT PLAN MAPS**

Rezone the six properties off Huntleigh Park Way, Heke Street and Thacher Crescent currently zoned Rural Area to Residential (Outer) as shown on the zoning map attached.

Include on District Plan Map 21 a notation which refers to the properties to be subject to Rules 5.1.13 and 5.4.10 which reads:

*“Refer to Rules 5.1.13 and 5.4.10 and Appendix 25 – Chapter 5”*

Proposed District Plan Change 61 - Area affected by zone change



 Land currently zoned Rural to be zoned Residential (Outer)



**Appendix 25. Land off Huntleigh Park Way, Heke Street, and Thatcher Crescent, Ngaio (subject to rules 5.1.13 and 5.4.10).**

