

APPENDIX 2

Proposed District Plan Variation 5

Amendments to District Plan Change 48
(Central Area Review)

9 May 2008



Plan Change Document

Wellington City District Plan

Proposed District Plan Variation 5

Amendments to Plan Change 48 (Central Area Review)

ALTERATIONS TO THE WELLINGTON CITY DISTRICT PLAN – PROPOSED DISTRICT PLAN CHANGE 48

Detailed below are the alterations to the Wellington City District Plan to incorporate changes to Proposed District Plan Change 48 (Central Area Review). To assist the understanding of the new provisions, annotated copies of the Volume One chapters (Chapter 12 & 13) are attached as **Attachment 1** to this document.

A. ALTERATIONS TO VOLUME ONE, CHAPTER 12, CENTRAL AREA OBJECTIVES AND POLICIES

1. Add the following Objective and Policies after the explanatory text for policy 12.2.2.5:

12.2.2A To ensure that retail activities and integrated retail developments do not compromise the sustainability of the Golden Mile or compromise the sustainability of the transport network.

POLICIES

To achieve this objective, Council will:

12.2.2A.1 Manage the location and scale of retail activities and integrated retail developments to ensure that they do not adversely impact on the sustainability of the Golden Mile.

12.2.2A.2 Manage the location and scale of retail activities and integrated retail developments to ensure that they do not lead to an inefficient use of resources or compromise the use and future development of sustainable transport options.

METHODS

- Rules
- WCC operational activities (Urban Development Strategy (2006), Transport Strategy (2006), Economic Development Strategy (2006), Public Space Centres Development Programme)
- Other Mechanisms (the Wellington Regional Strategy)
- Transit NZ and WCC operational activities as road controlling authorities

Wellington City has a well-defined hierarchy of centres, ranging from the CBD and Golden Mile through to small neighbourhood centres. Centres are the focus for much of the economic and social life of their communities. They provide accessible shopping and local services to meet people's day-to-day needs. The larger the centre - the greater the range of activities and

functions that are typically located there. It is the combination of activities and functions that makes centres particularly important places, as it enables them to deliver a range of environmental, social, economic and cultural benefits.

Central Area is the economic engine room of Wellington City and the wider region. Contained within the Central Area, the Golden Mile is the city and region's primary retail centre. The concentration of economic, social and cultural activities within the Central Area is a key physical resource that contributes to the wellbeing of Wellington residents, residents of the wider region and visitors to the city. As an employment centre the Central Area provides jobs for over 70,000 people (over 30% of all jobs within the region). As a shopping centre it has the largest concentration of retail in the region and is dominant in comparison goods, fashion and speciality shopping. The Golden Mile is of particular importance to the City, and is viewed by many as Wellington's 'outdoor mall'. It is an entertainment and events centre and a public transport hub, being the terminus for the region's rail network and the main 'conduit' for most of the City's bus routes. The importance of the central city to the economic and social health of the whole region is recognised in the Wellington Regional Strategy and the Regional Policy Statement.

Council's policy is therefore to maintain and strengthen the central city, to ensure that it retains its primacy as an employment and retail centre, to further grow its residential population, and to strengthen its other roles and functions. The concentration of office-based employment in the central city, combined with the significant retail offer of the Golden Mile, and the high quality of the public spaces is critical to maintaining the international competitiveness of Wellington and achieving sustainable development outcomes. These issues are provided for in the Council's Urban Development, Transport and Economic Development Strategies.

Council is actively supporting the Golden Mile through policy and public investment initiatives. This policy and investment support helps to facilitate further private investment in the Golden Mile. It is therefore important to manage the impact of large retail developments on the Golden Mile and to ensure the maintenance of a compact urban form.

The development of exceptionally large retail activities and integrated retail developments within the Central Area could potentially impact on the efficiency and effectiveness of the Golden Mile and the overall sustainability of the city's transport network.

Exceptionally large retail development means either an individual retail activity with a gross floor area exceeding 10,000m² or an integrated retail development containing a gross floor area in excess of 20,000m². These developments may either be new, or the expansion of an existing activity. Where the development is an expansion of an existing activity, the above size limits will apply to the total gross floor area at completion of the development (including any existing retail floor area retained in the development).

Exceptionally large retail developments are a discretionary activity (restricted). Council's discretion is limited to consideration of the potential impact of the development on the sustainability of the Golden Mile and the transport network.

In terms of these policies, sustainability involves:

- maintaining and reinforcing the vibrancy and vitality of the Golden Mile,
- maintaining and reinforcing the Golden Mile as the primary retail centre in the City,
- consolidation and intensification of urban development along key transport corridors,
- promoting the efficient use of infrastructure,
- enhancement of sustainable transport options, including public transport,
- providing services and facilitate in locations that maximise accessibility to the local community and minimise transport trips,

Council is generally supportive of new retail development locating within the Central Area provided the development is in a location and of a scale that supports and compliments the Golden Mile.

The following matters will be considered when assessing an application for an exceptionally large retail development:

- the impact of the development on the overall vitality and viability of the Golden Mile
- whether the development will promote the efficient use of resources
- whether the development will impact on, or erode the effectiveness of existing public investment in infrastructure and public spaces
- whether the development will enhance public and private accessibility
- the impact of the development on the efficient operation of the transport network
- whether the development will enable sustainable transport choices (including public transport).
- whether the location of the development will assist in minimising trip-generation in private vehicles

Office product suppliers, second-hand goods and yard-based suppliers are excluded from the definition of retail activities for the purpose of rule 7.1.1.11. These activities often require large sites, buildings and service areas which are not generally available physically or economically along the Golden Mile or within established retail centres. The nature and scale of these activities means that they are unlikely to compromise the vitality and viability of the existing centres and accordingly these activities have been made exempt from the definition of retail activity.

The approach taken to managing retail, urban form, traffic, parking demand and transport impacts will enable the Council to give effect to the policies contained in the Urban Development and Transport Strategies, and support the Public Space Centres Development Programme.

B. ALTERATIONS TO VOLUME ONE, CHAPTER 13, CENTRAL AREA RULES

2. **Add** the following text to rule 13.3.3, after standard 13.3.3.13:

13.3.3.13A gross floor area of retail activities and integrated retail developments discretion is restricted to the following matters:

- **The effect of the development on the sustainability of the Golden Mile**
- **The effect of the development on the sustainability of the transport network**
- **The effect of the development on the location of retail activities within Wellington City**

3. **Add** the following bulleted text to the 'Non-notification/service section' of rule 13.3.3, after the third bullet point that reads '13.3.3.10 (screening of activities and storage), and':
- 13.3.3.13A (gross floor area of retail activities and integrated retail developments).
4. **Add** the following text to the 'Relevant policies for preparing resource consent applications' section of rule 13.3.3, after the phrase '12.2.2.2 - 12.2.2.5,':

12.2.2A.1 – 12.2.2A.2,

5. **Add** the following text to section 13.6.2, after standard 13.6.2.8.3

13.6.2.9 Gross floor area of retail activities and integrated retail developments

13.6.2.9.1 The gross floor area for individual retail activities shall not exceed 10,000m².

13.6.2.9.2 The gross floor area for an integrated retail development shall not exceed 20,000m².

Wellington City District Plan

ANNOTATED CHAPTERS OF PROPOSED DISTRICT PLAN CHANGE 48 SHOWING PROVISIONS OF VARIATION 5

Note: This annotated version does not form part of the plan change, and is included for information purposes to show the plan change proposal in context.

*Proposed **additions** to text are shown as underlined (abcdefghijkl) and proposed **deletions** are shown as struck through (~~abcdefghijkl~~).*

12.2 Central Area Objectives and Policies

OBJECTIVE - ACTIVITIES

12.2.2 To facilitate a vibrant, dynamic Central Area by enabling a wide range of activities to occur, provided that adverse effects are avoided, remedied or mitigated.

12.2.2A To ensure that retail activities and integrated retail developments do not compromise the sustainability of the Golden Mile or compromise the sustainability of the transport network.

POLICIES

To achieve this objective, Council will:

12.2.2A.1 Manage the location and scale of retail activities and integrated retail developments to ensure that they do not adversely impact on the sustainability of the Golden Mile.

12.2.2A.2 Manage the location and scale of retail activities and integrated retail developments to ensure that they do not lead to an inefficient use of resources or compromise the use and future development of sustainable transport options.

METHODS

- Rules
- WCC operational activities (Urban Development Strategy (2006), Transport Strategy (2006), Economic Development Strategy (2006), Public Space Centres Development Programme)
- Other Mechanisms (the Wellington Regional Strategy)
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Council's policy is therefore to maintain and strengthen the central city, to ensure that it retains its primacy as an employment and retail centre, to further grow its residential population, and to strengthen its other roles and functions. The concentration of office-based employment in the central city, combined with the significant retail offer of the Golden Mile, and the high quality of the public spaces is critical to maintaining the international competitiveness of Wellington and achieving sustainable development outcomes. These issues are provided for in the Council's Urban Development, Transport and Economic Development Strategies.

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Exceptionally large retail developments are a discretionary activity (restricted). Council's discretion is limited to consideration of the potential impact of the development on the sustainability of the Golden Mile and the transport network.

In terms of these policies, sustainability involves:

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- maintaining and reinforcing the Golden Mile as the primary retail centre in the City,
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- promoting the efficient use of infrastructure,
- enhancement of sustainable transport options, including public transport,

- providing services and facilitate in locations that maximise accessibility to the local community and minimise transport trips.

Council is generally supportive of new retail development locating within the Central Area provided the development is in a location and of a scale that supports and compliments the Golden Mile. .

The following matters will be considered when assessing an application for an exceptionally large retail development:

- the impact of the development on the overall vitality and viability of the Golden Mile
- whether the development will promote the efficient use of resources
- whether the development will impact on, or erode the effectiveness of existing public investment in infrastructure and public spaces
- whether the development will enhance public and private accessibility
- the impact of the development on the efficient operation of the transport network
- whether the development will enable sustainable transport choices (including public transport).
- whether the location of the development will assist in minimising trip-generation in private vehicles

Office product suppliers, second-hand goods and yard-based suppliers are excluded from the definition of retail activities for the purpose of rule 7.1.1.11. These activities often require large sites, buildings and service areas which are not generally available physically or economically along the Golden Mile or within established retail centres. The nature and scale of these activities means that they are unlikely to compromise the vitality and viability of the existing centres and accordingly these activities have been made exempt from the definition of retail activity.

The approach taken to managing retail, urban form, traffic, parking demand and transport impacts will enable the Council to give effect to the policies contained in the Urban Development and Transport Strategies, and support the Public Space Centres Development Programme.

13. CENTRAL AREA RULES

13.1 Permitted Activities

Section 13.1 describes which activities, buildings, structures, signs and subdivisions are permitted in the Central Area.

ACTIVITIES

13.1.1 Any activity is a Permitted Activity provided that it complies with the standards specified in section 13.6.1 (activities, buildings and structures) and 13.6.2 (activities),

except:

- those activities listed in the Third Schedule to the Health Act 1956 (see Rule 13.5)
- the use, storage or handling of those hazardous substances, listed in section 3.5.2.2 (see Rule 13.2.1)
- any activity that disturbs or alters the ground of a contaminated site (see Rule 13.3.11)
- helicopter landing areas (see Rule 13.4.1)
- the creation of vacant land, open land or parking areas (at ground level) that are visible from public spaces (see Rule 13.4.2), except in the Operational Port Area and the Port Redevelopment Precinct where this activity is permitted
- any critical facility within a Hazard Area (excluding port activities located within the Operational Port Area which are permitted) (see Rule 13.3.2)
- the development of new or the modification of existing open space in the Lambton Harbour Area (see Rule 13.4.5)
- a street car race in the Lambton Harbour Area on the seaward side of the Waterloo, Customhouse and Jervis Quays and Cable Street (see Rule 13.5)
- commercial sex activities within the Courtenay Place Area (as shown in Appendix 1) (see Rule 13.4.32)
- within the Port Redevelopment Precinct (as shown in Appendix 2) the area of net lettable floor space occupied by office activities must not exceed 68,200 square metres (see rule 13.4.6)
- office and retail activities within the Pipitea Precinct (as shown in Appendix 3) (see Rule 13.4.4)

Note, Appendix 12 lists the types of activities contained in the Third Schedule of the Health Act 1956

Note, that the activities listed in section 3.5.2.1 do not require a HFSP assessment and are consequently exempt from the hazardous substances provisions of the Plan.

Noise generated from existing electronic sound systems must comply with noise standard 13.6.2.1.3 or seek resource consent as a

- **electronic sound systems erected after 8 October 2007 that are associated with commercial premises and located within any public space (including streets and parks).** *non-complying activity. Proposed new noise generated from electronic sound systems will also be non-complying activities.*

13.3.3 Activities which are Permitted, Controlled or Discretionary (Restricted) Activities that do not meet one or more of the standards outlined in section 13.6.1 (Activities, Buildings and Structures) and 13.6.2 (Activities), are Discretionary Activities (Restricted). Discretion is limited to the effects generated by the standard(s) not met:

13.3.3.1 noise (fixed plant)

13.3.3.2 noise insulation and ventilation

13.3.3.3 vehicle parking, servicing and site access

13.3.3.4 noise (except 13.6.2.1.3 which is a Non-Complying Activity)

13.3.3.5 temporary activity noise

13.3.3.6 Wellington Regional Stadium noise – special entertainment events

13.3.3.7 lighting

13.3.3.8 Wellington Regional Stadium site lighting

13.3.3.9 use, storage, handling or disposal of hazardous substances

13.3.3.10 screening of activities and storage

13.3.3.11 dust

13.3.3.12 electromagnetic radiation

13.3.3.13 street car race

13.3.3.13A gross floor area of retail activities and integrated retail developments discretion is restricted to the following matters:

- **The effect of the development on the sustainability of the Golden Mile**
- **The effect of the development on the sustainability of the transport network**
- **The effect of the development on the location of retail activities within Wellington City**

subject to compliance with the following conditions:

13.3.3.14 noise emission levels under standards 13.6.2.1.1 and 13.6.2.1.2 shall not be exceeded by more than 5 decibels.

This condition does not apply to temporary activity noise.

13.3.3.15 maximum lighting levels under standard 13.6.2.2 must not be exceeded by more than 20 percent.

13.3.3.16 for hazardous substances, the cumulative effects ratio as assessed under the Hazardous Facilities Screening Procedure for the site where the activity is to occur is greater than 0.1 or does not meet the standard 13.6.2.3 unless the site is located in a Hazard Area.

13.3.3.17 for hazardous substances, where the hazardous facility is located in a Hazard Area, the cumulative effects ratio as assessed under the Hazardous Facilities Screening Procedure for the site where the activity is to occur is less than or equal to 0.5 but does not meet standard 13.6.2.3

Non-notification/ service

In respect of rule 13.3.3 applications do not need to be publicly notified and do not need to be served on affected persons in respect of:

- 13.3.3.2 (noise insulation and ventilation), and
- 13.3.3.3 (vehicle parking, servicing and site access), and
- 13.3.3.10 (screening of activities and storage), and
- 13.3.3.13A (gross floor area of retail activities and integrated retail developments).

Relevant policies for preparing resource consent applications

See 12.2.2.2 - 12.2.2.5, 12.2.2A.1 – 12.2.2A.2, 12.2.6.19, 12.2.9.4-12.2.9.5, 12.2.6.16-12.2.6.17, 12.2.14.1 – 12.2.14.5, 12.2.15.1 – 12.2.15.15.

Note that this is an indicative list of relevant policies; applicants should check all policies for relevance to a particular consent application.

<p>13.6.2 ACTIVITIES STANDARDS</p>	<p>These standards apply to all activities in the Central Area</p>
<p><u>13.6.2.9 Gross floor area of retail activities and integrated retail developments</u></p> <p><u>13.6.2.9.1 The gross floor area for individual retail activities shall not exceed 10,000m².</u></p> <p><u>13.6.2.9.2 The gross floor area for an integrated retail development shall not exceed 20,000m².</u></p>	