

Appendix 3

Section 32 Report

***Proposed District
Plan Change 40***

**Amendments to Newtown Suburban
Centre Character Area**

**Includes amendments arising from
the hearing of submissions**

SECTION 32 REPORT - PROPOSED DISTRICT PLAN CHANGE 40

PART II - NEWTOWN SUBURBAN CENTRE CHARACTER AREA

1. Introduction

Section 32 of the Resource Management Act (RMA) stipulates a requirement to consider alternatives and assess the benefits and costs of adopting any objective, policy, rule, or method in the District Plan. Before publicly notifying a proposed District Plan Change, the Council is required to prepare a Section 32 Report summarising these considerations.

Proposed District Plan Change 40 focuses on the Newtown Suburban Centre Character Area. The Council has undertaken a monitoring review of recent developments within the Newtown Character Area, as well as a review of the contents of the Newtown Suburban Centre Design Guide. The review has indicated that there is scope for improvement in the content of the design guide and possible amendments to the extent of the character area and verandah frontage requirements.

A range of options were canvassed in the preparation of this proposed Plan Change and this report has been prepared to address the requirements set out in section 32 of the RMA.

2. Context

The purpose of the RMA is to promote the sustainable management of natural and physical resources. Sustainable management includes managing the use and development of natural and physical resources to enable people to provide for their health and safety. The Act also contains an explicit obligation for Territorial Authorities to *maintain and enhance amenity values and the quality of the environment*.

Under the District Plan, the commercial centre in Newtown is zoned Suburban Centre. This zone provides for a wide range of uses including retail, service, industrial and residential activities. The main shopping area in Newtown (which is focused on Riddiford Street) has been identified as having a distinctive nineteenth-century character that has been lost from most other suburban centres and which is important to the city's overall identity. To date the Council has sought to preserve this character by means of a design guide covering new buildings, and additions and alterations to existing buildings. While the guide does not require new developments to copy nineteenth century buildings, they must support the character of the area through the incorporation of certain design elements found in traditional commercial developments in the areas.

This plan change proposes to amend the provisions applying to the Newtown Suburban Centre Character Area to ensure that new developments recognise and enhance the area's existing character. The changes cover four main areas:

- Amendments to the existing Newtown Suburban Centre Design Guide.
- Renaming the design guide to remove current inconsistencies.
- Alterations to the extent of the Character Area.
- Alterations to the frontages where verandahs and display windows are required.

3. Policy Analysis & Consultation

The Council has recently prepared a Sense of Place Strategy and adopted the Built Heritage Policy (2005) for Wellington City both of which make reference to protection of the character of inner city suburban areas. The Council has also been involved in monitoring the level and character of development activity

occurring in the Newtown Suburban Centre. These pieces of work are summarised below to provide the reasoning for proposing this plan change. Details of other reports and meetings conducted are also listed for the record.

Wellington City Council Sense of Place Policy

Recognising and acknowledging the importance of the past also contributes to the community's understanding and awareness of a sense of place. This has been acknowledged in the *Wellington City Council Sense of Place Policy*. In this policy document the Council's goal for Wellington is quality of life, growth and prosperity. In striving for this goal, the Council wants to ensure that what makes Wellington special is preserved.

In preparing the *Sense of Place Policy* research was undertaken to determine what Wellingtonians treasure about their city, and what gives the city its unique character or essence. From the range of factors identified, the following are relevant to proposed District Plan Change 40:

- the compact and integrated urban layout;
- the distinct character of communities, neighbourhoods, urban quarters and suburban centres – people and buildings – and the city's confident, unpretentious personality; and,
- the symbols, images, places and buildings that identify the people of Te Whanganui-a-Tara and Wellington city, and tell their history.

The Council will work to ensure that all new growth respects these values and, if possible, enhances them.

Built Heritage Policy – Adopted by Council 28 June 2005

The Council's built heritage policy includes a number of objectives that, together, aim to achieve the vision that *“Wellington is a creative and memorable city that celebrates its past through the recognition, protection, conservation and use of its built heritage for the benefit of the community and visitors, now and for future generations.”*

One objective of the Policy is to protect the city's built heritage from adverse effects that may compromise the heritage values of a place, including physical deterioration and inappropriate subdivision, development and use. This is relevant to this plan change because one action identified in the Policy is to *“extend the protection of heritage values to suburban areas through identifying more heritage areas and other mechanisms”*.

Key documents

- Newtown Suburban Centre Design Guide Review. Prepared for WCC by Urban Perspectives Limited, August 2005.

Key discussions/briefings

- Meeting with representatives of the Newtown Residents Association (31 October 2005)
- Workshop to consider options for achieving improved urban design outcomes (9 November 2005)

Consultation, in accordance with the First Schedule of the RMA 1991

- Ministry for the Environment
- Greater Wellington Regional Council
- Wellington Tenth Trust
- Te Runanga O Toa Rangatira Inc

4. Options

Objectives

Section 32 requires the Council to be satisfied that the objectives in the District Plan are the most appropriate means of achieving the purpose of the RMA. Proposed District Plan Change 40 does not change any of the objectives in the District Plan, so this evaluation is not relevant in this case.

Policies, rules and other methods

Section 32 requires the Council to consider whether the policies, rules and other methods used in the District Plan are the most appropriate method of achieving the Plan’s objective. In terms of managing the effects of activities in Residential Areas, the District Plan has adopted a rule based regime, based on provisions of a limited range of activities. This approach has been thoroughly considered though the plan preparation, submission and hearing process when the District Plan was originally notified. For this reason it is not proposed to reconsider the merits of this approach in this report.

The table below considers the cost and benefits of the three principle options considered during the preparation of Proposed District Plan Change 40

Option	Key Features	Advantages	Costs and Risks
<p>Option 1 – Do nothing, Status Quo</p> <p><i>Retain the current District Plan provisions in relation to the extent of the Newtown Character Area and the content of the Newtown Suburban Centre Character Area Design Guide.</i></p>	<p>Retain the existing provisions relating to verandahs and shop fronts.</p> <p>Retain the Newtown Suburban Centre Character Area Design Guide in its current form, and apply the design guide to those properties currently located within the character area.</p>	<p>No cost in terms of time and resources required to process a plan change.</p> <p>The current extent of the character area and guidelines are established. No requirement for district plan practitioners to become familiar with new provisions.</p> <p>Would not constrain developments already in the planning phase.</p> <p>No impact on properties that have been purchased with a view to potential re-development.</p>	<p>The existing character of the Newtown Suburban Centre Character Area has been identified in the District Plan as being an important resource which contributes to Wellington City’s sense of place. Monitoring and research indicates that the current District Plan provisions are not as effective as they could be in terms of ensuring that new developments make a positive contribution to the area’s character.</p> <p>If no amendments are made to the current provisions there is the potential that future developments could degrade the existing character of the Newtown Suburban Centre.</p>
<p>Option 2 – Do nothing and consider issues of suburban centre character as part of a city-wide analysis of urban development, and implementation of the growth spine concept.</p>	<p>The Council’s draft Urban Development Strategy considers options for accommodating growth within Wellington City over the next 50 years. It includes the concept of a ‘growth spine’, which proposes to concentrate commercial and residential growth along the main transport corridor stretching from Johnsonville, through Newtown to Kilbirnie.</p>	<p>This option provides an opportunity to undertake a comprehensive review of the Newtown commercial centre based on Council’s latest strategic documents. This review could take into account appropriate:</p> <ul style="list-style-type: none"> • Development intensity • Controls on amenity and design quality • Management of heritage items • Possible rezoning of land on the edge 	<p>The existing character of the Newtown Suburban Centre Character Area has been identified in the District Plan as being an important resource which contributes to Wellington City’s sense of place. Monitoring and research indicates that the current District Plan provisions are not as effective as they could be in terms of ensuring that new developments make a positive contribution to the area’s character.</p>

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<p><i>Wait until a comprehensive, city-wide plan change is put forward for notification.</i></p>	<p>Implementation of the growth spine concept will require re-evaluation of the planning provisions that apply in the suburban centres that are components of the growth spine, such as Adelaide Road and Newtown.</p> <p>Further work regarding the management of the Newtown Suburban Centre Character Area and the suburban centre centred on Adelaide Road could be postponed pending resolution of these issues city wide.</p>	<p>of the existing suburban centre.</p>	<p>If no amendments are made to the current provisions there is the potential that future developments could degrade the existing character of the Newtown Suburban Centre.</p> <p>To date the implementation of the growth spine is not included on the District Plan Team's work programme. The exact timing and prioritisation of this work is therefore uncertain.</p> <p>The proposed plan change would not compromise the ability to undertake further plan changes in the future to implement the growth spine. Notification of proposed District Plan Change 40 would improve the efficiency and effectiveness of the current District Plan provisions pending possible future changes to implement the growth spine.</p>
<p>Option 3 – Amendments to the current District Plan provisions relating to the Newtown Suburban Centre Character Area.</p> <p>This is the recommended option</p>	<p>Amendments to the existing Newtown Suburban Centre Design Guide to clarify existing guidelines and to cover new guidelines that are relevant to the area.</p> <p>Alterations to the extent of the Character Area. It is proposed to exclude properties zoned Inner Residential at the southern end of the character area, and expand the character area to include the New World site between Newtown Avenue and Normanby Street.</p> <p>Alterations to the frontages where verandahs and display windows are required, to cover the properties on side streets and off Riddiford Street that are part of the character area and which share the areas basic built form and characteristics.</p>	<p>Amended content of the design guide will provide greater guidance for developers and assist all parties involved in the consent process to achieve positive urban design outcomes.</p> <p>The original Newtown Suburban Centre Character Area focused on those sites that shared the key characteristics of the area. The proposed revision of the area provides for a more holistic approach of managing urban design by including:</p> <ul style="list-style-type: none"> • Large sites in close proximity to Riddiford Street • Sites with significant development potential. • Sites with significant potential to impact on the existing character of the Newtown Suburban Centres. <p>Verandahs are a key characteristic of the Newtown Suburban Centre. The extension of the verandah frontages will help to ensure that verandahs are retained or provided if properties on Riddiford Street or immediately adjacent to Riddiford Street are redeveloped in</p>	<p>A number of additional properties will require consent to construct a new building, and to undertake additions and alterations to existing buildings. This would add a cost and time delay to the development process for these properties, as the design of the new building works is assessed against the provisions of the Newtown Suburban Centre Character Area Design Guide.</p> <p>A number of additional properties would be required to make provision for verandahs if they are significantly redeveloped in the future.</p>

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		<p>the future. The provision does not apply retrospectively so there is no requirement to provide verandahs unless a site is subject to a significant degree of redevelopment.</p> <p>Provision of verandahs over a wider area will enhance the street level environment for pedestrian moving around the Newtown commercial centre.</p>	
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5.0 Conclusion

The main shopping area in Newtown (which is focused on Riddiford Street) has been identified as having a distinctive nineteenth-century character, which is important to the city's overall identity and that has been lost from most other suburban centres. To date the Council has sought to preserve this character by means of a design guide covering new buildings, and additions and alterations to existing buildings. While the guide does not require new developments to copy nineteenth century buildings, they must support the character of the area through the incorporation of certain design elements found in traditional commercial developments.

The purpose of this plan change is to update the content of the Newtown Suburban Centre Character Area Design Guide, review the extent of the character area, and review the areas of Newtown that are subject to the verandah and display window requirements in the District Plan.

This report has considered a number of options to respond to this resource management issue. These include retaining the status quo (option 1), delaying all work regarding the Newtown Suburban Centre until further work can be undertaken as part of the implementation of the Urban Development Strategy and the growth spine concept (option 2), or amending the current provisions to address identified issues (option 3).

Retention of the status quo provisions (Option 1) is not the favoured option. While the current approach is achieving a degree of success in terms of maintaining character, the monitoring undertaken indicates that there is scope to do better.

Option 2 has merit in that it would allow a comprehensive evaluation of both the issues identified in the Newtown Character Area, and the issues raised by the draft Urban Development Strategy. However it is not considered that pursuing the issues covered by the proposed Plan Change at this stage would compromise the ability to undertake the other tasks at a later date. Indeed the remaining issues are likely to be picked up in future work streams relating to the implementation of the growth spine, consideration of residential infill throughout the city, and the District Plan heritage listings. On this basis Option 2 is not the recommended option.

This report recommends that Option 3 be adopted because the work has been undertaken and can be implemented without undue delay. This option will address a range of concerns raised by the community and the Council regarding the potential adverse impact of new development on the character and streetscape values of the Newtown Suburban Centre Character Area.

On balance it is considered that Option 3 best meets the requirements of section 32 of the Resource Management Act as it represents the most appropriate means of achieving the residential objectives of the District Plan.