

Proposed District Plan Change 39

Residential Character – Controls on Residential Development in Newtown, Berhampore and Mt Cook

Summary of Submissions

Submission Number	Name	Address for Service	Wishes to be heard
1	Elsa Noeline Gannaway	83 Wright Street Newtown Wellington	No
<p>Supports the Plan Change for social, environmental and historic reasons. Limits on multi-unit developments should minimise undesirable visual impacts. “Limits on the size and height of buildings will also minimise encroachment on the natural environment.” The architectural history of these suburbs should be respected. Rules that avoid disturbance to the local character, and assist harmonious integration of new developments, are highly desirable.</p> <p>Decision Requested: Approve proposed District Plan Change 39.</p>			
2	Greg Nicholls	93 Coromandel Street Newtown Wellington	No
<p>The Plan Change will help to preserve the unique character of these suburbs.</p> <p>Decision Requested: Approve proposed District Plan Change 39.</p>			
3	John Finch Cuttance	PO Box 492 Paraparaumu	Yes
<p>Approves of the concept promoted by the plan change, but is concerned about particular provisions: 4.2.3.3.A: Requirement for open space; 4.2.3.3.B: Reduction of hard surfaces; 5.1.3.2.9&10: Requirement for private open space, Requirement for 3m front yard space, Reduction of site coverage.</p> <p>The Plan Change proposed is a blunt instrument, and will probably not achieve its purpose. Of specific concern is the property owned by the Palm Grove Partnership (A.E. Hindmarch & Glass Walls Ltd) situated at 21 Palm Grove/ 94 Britomart Street Berhampore, and managed by the submitter. The plan change will limit future redevelopment of this commercial site to residential development, due to yard, green space, and site coverage requirements. “This property is not covered by Plan Change 38 as it is not a residential property.”</p> <p>Decision Requested: Remove the above property from proposed District Plan Change 39; OR Do nothing at this time and consider issues of residential character as part of a city wide analysis of urban development, containment, and residential infill; OR Retain the status quo.</p>			

4	Dr Stephanie Matich	5 Salisbury Terrace Mt Cook Wellington	No
<p>Opposes the whole Plan Change, as it will stifle development, and result in the degradation of the Mt Cook area's housing stock. Renovation and change have been part of the area since its conception, and its 1890's style is barely recognisable as a result. Over the course of ten years of renovations the above address has been effectively rebuilt. No other house on the street has had similar work done in the past 20 years.</p> <p>It will not be in owners' interests to do structural work on their houses. It will not be worthwhile for them to sell their properties as "the land value will be too high to develop the area such that a reasonable profit can be made on the deal." Old houses will instead "be reconverted back to dingy flats (retaining the exterior façade)."</p> <p>"People are moving into apartments as they don't want lawns and gardens, and yet here is the Council 'protecting our backyards'!!" Mt Cook was a working class suburb, and has few grand houses. There are three modern houses in the Salisbury Tce area. They contribute to the aesthetics of the area, but could not be built under the new regulations.</p> <p>Decision Requested:</p> <p>Reject proposed District Plan Change 39 and retain the status quo.</p> <p>"Let market forces prevail and the present height and light protections continue to protect what may be worth protecting...you cannot or should not stop all development via rules and regulations."</p>			
5	Craig Stewart	CAS Residential Ltd PO Box 11680 Wellington	Yes
<p>Opposes the plan change, as the controls will apply to areas that "are significantly varied in terms of physical characteristics and residential character", as well as condition. Introducing new controls that will apply across all three areas "is not consistent with the sustainable management of the areas' physical (residential) resources."</p> <p>"...the measures designed to ensure a 'quality' outcome in terms of on-site residential amenity for new multi-unit developments are appropriate." However, they should be administered differently.</p> <p>Decision Requested:</p> <p>Replace the proposed new controls with more 'targeted' measures that identify areas where streetscape and heritage values are significant, and areas where they are not. Develop District Plan "provisions which will appropriately address these differing circumstances."</p> <p>Accepts that measures designed to ensure 'quality' outcome in terms of on-site residential amenity for new multi-unit developments are appropriate. However the various objectives and guidelines relating to new multi-unit developments should be administered as 'flexible' measures and not as prescriptive rules.</p>			
6	Dale Mary McTavish	59 Owen Street Newtown Wellington	No
<p>Supports the whole Plan Change. "Heritage areas, whether buildings or landscape in Newtown, Berhampore and Mt Cook can only serve to protect the same to some degree, and could certainly make the area more interesting and engender a sense of pride."</p> <p>Developments should be in groups of not more than twelve units per site. Specimen trees already on site should be retained and designed to be focal points.</p> <p>Decision Requested:</p> <p>Approve proposed District Plan Change 39.</p>			
7	Anthony Hood	126 Tinakori Road Thorndon Wellington	Yes

Does not support the Plan Change. Found that the report was not vigorous enough, and provided biased information. “Ratepayers are entitled to unbiased information that will enable a rigorous debate.”

“Newtown, Berhampore and Mt Cook have survived without a prescriptive regime, and brought character to the city. This can continue while allowing for renewal in a manner appropriate for a modern city.” Design controls can still “be achieved under the current plan if the Council is competent and willing to make judgement calls.”

“The term streetscape is vague, and needs detailed definition.”

“Site coverage is proposed to be 45% but can include pergolas which limits both the new building as well as modification to create a liveable environment.”

“Some houses reach the end of their economic and social life, they should not be continued for the sake of a ‘plan’.”

“Such a prescriptive regime creates the additional burden of a Resource Consent process for minor issues all paid for by the party wanting to progress” – this, in turn, puts the burden and the cost on the owner.

Decision Requested:

Reject proposed District Plan Change 39 and retain the status quo.

8	Anthony Appleyard	119A Grant Road Thorndon Wellington	No
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Disagrees with the provisions that make more than one household a discretionary activity, and require separate onsite open space. Believes that “existing and proposed controls area enough to prevent unsympathetic development and infill. There is no justification in these accessible high-density areas, to make the formation of two household units on a site more than a controlled activity.”

Decision Requested:

Make two household units per site nothing more than a controlled activity, and do not require separate onsite open space.

9	Ernest Albuquerque	31 Wright Street Mount Cook Wellington	Yes
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Supports the proposed District Plan Change, apart from Rule 5.3.10 – Discretionary Activity (Restricted), and two or more units on a site. Firstly “it is not clear how the Discretionary Activity (Restricted) rule applies. The non-notification part of the rule is not clear, as 5.3.10.3A relating to bulk and massing onsite...part of the rule is not included in the ‘non-notification’ part. ...the ‘non-notification’ part of the rule should make it clear that the consents of affected persons must be obtained, and if this is not possible the application should be publicly notified.” Secondly, it is difficult to separate ‘design, external appearance and siting’ from ‘bulk and massing of buildings’ (ie 5.3.10.1 from 5.3.10.3A).

Decision Requested:

That 5.3.10.3A Bulk and massing of buildings onsite be publicly notified if consents of affected persons cannot be obtained.

That rule 5.3.10 be changed so that ‘design, external appearance and siting’, and ‘bulk and massing of buildings’ are combined. It should also be publicly notified if consents of affected persons cannot be obtained.

10	James Saunders	54C Hungerford Road Melrose Wellington	Yes
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Objects to the following provisions in the proposed Plan Change:

- In Chapter 4, Council has not defined the extent to which the word “*generally*” will be implemented in the phrase – “*For this reason the Council will generally not apply a permitted baseline assessment when considering the effects of new multi-unit developments.*”
- Multi-Unit developments of more than one unit per site requiring resource consent,

- Increasing the front yard requirement to 3 metres,
- Decreasing coverage to 45%,
- Decreasing maximum height to 9 metres,
- Rules 5.3.10.3A and 5.3.10.3B – “ In particular, the Change does not include these new clauses in the non-notification clause underneath meaning that notification would apply if a development did not fully comply with the open space requirements.”
- The rule on Shared Open Space - “...which, in small scale schemes, will not achieve any of the objectives of the Plan Change. The submission seeks flexibility in the provision of the open space per unit...” As a result, proposes a re-wording of Rule 5.1.3.2.9 to read: *Open Space shall be provided as private open space as 35 m² per unit being either ground floor open space having a minimum plan dimension of 3 metres or in balconies with a minimum plan dimension of 3 metres.*

“In conclusion, while well intentioned, this Plan Change is a significant down zoning of the development opportunities for small scale infill developments in these areas.”

Decision Requested:

To retain the status quo, or to amend proposed District Plan Change 39 in accordance with suggestions listed in above comments.

11	Craig Hind	6 Dublin Street St Mary’s Bay Auckland	Yes
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Opposes the change to 5.1.3.1 to include Newtown. “Unit title of existing buildings should remain permitted to two units where there is no impact on the external appearance or heritage value of the building.”

Decision Requested:

“That changes to existing buildings to create no more than two units remains a permitted activity in Newtown. That references to Newtown be removed where there is no charge to the external appearance of the building.”

Any further relief that may be necessary to give effect to the decision requested above.

12	Chris Hansen Primeproperty Group Ltd	C/- Tonkin & Taylor Ltd PO Box 2083 Wellington	Yes
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Concerned that the Plan Change will affect the Resource Consent granted to Primeproperty Group Ltd for the construction and use of a multi-unit development at 108-126 Rintoul Street. The proposed development has been through a comprehensive planning and assessment process. Compliance with several of the conditions of the Resource Consent is subject to the approval of the Council’s Compliance Monitoring Officer.

Concerned that the Council will apply the requirements and principles of the Plan Change, in particular the Design Guide, in the approval process for the design documentation and plans that is required by the conditions of the resource consent. As a result, the Council may try to change the external design of Stages 2-6, so that they are different to the approved Stage 1 design. This could cause additional project costs.

Decision Requested:

“...for Council to amend the proposed map titled ‘Appendix (Chapter 5) NEWTOWN’ so that 108-126 Rintoul St (Lots 1-4DP 41765, Lots 1 & 3 DP 89397, Pt Sec 977 Town of Wellington) is not within the area defined as ‘Newtown’.”

13	Sally Ann Evers	14 Emerson Street Berhampore Wellington	No
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Supports the Plan Change. It will maintain the streetscape and heritage values of the area. The aspects of new multi dwellings which could affect local communities, and heritage, have been well considered.

The Council could also consider subsidising alterations/extensions which are in character. For example, group discounts for re-wiring, plumbing etc.

Decision Requested: Approve proposed District Plan Change 39.			
14	Cho Yam Chan	Being Me Properties Ltd 209 The Terrace Wellington	Yes
<p>Opposes the Plan Change because it removes property owners' rights. New Zealand is a free country, and rights to own property, enjoy property and develop property should not be restricted. The Plan Change will reduce property values, and result in properties becoming rundown. The Council should not pay for any upgrading or up keeping of pre-1930's buildings.</p> <p>Decision Requested: Reject proposed District Plan Change 39. Instead, encourage multi storey, multi unit buildings, rather than allowing the city to spread out.</p>			
15	Christine McCarthy	The Architectural Centre Inc PO Box 24178 Wellington	No
<p>While the submitter endorses Council's aim to ensure the residential character of the 3 suburbs is retained, it does not support the proposed plan change in its entirety. They find that the Option of Revised Regulation based on current plan provisions is deficient because the proposal reflects a diluted understanding of the character of existing buildings in the area – particularly the comments on the “tightly packed” nature of the area.</p> <p>Recommends that by allowing the front yard setback to be mobile, the current character of the area's streetscape would be maintained. Submitter also cites that there is an increasing demand for higher density dwellings, and thus, building controls and guidelines should be reconsidered.</p> <p>Decision Requested: Supports certain aspects of the plan change including the proposed maximum building height of 9 metres. However, thinks Council should move forward under the “Revised regulation based on new character based criteria,” and assertively reflect the characteristic built form in the three suburbs – i.e. houses oriented to face the street and located toward the front of the site. Side yards are often very small...heights are generally one or two stories.</p>			
16	New Zealand Historic Places Trust	Attn: Laura Paynter PO Box 19173 Wellington	No
<p>Supports the plan change, but with stipulations. Under the current proposed character maps, there are some areas that appear to be excluded from the new Suburban Character Area that should not be. This should be amended to ensure there are no gaps between the residential and suburban centre character areas.</p> <p>The Trust believes that the neighbourhoods are best protected through minimising changes to the houses/properties that have remained unaltered since construction. Those areas which have largely remained unaltered should be listed as Heritage Areas in the District Plan as part of a future plan change.</p> <p>Decision Requested: Approve proposed District Plan Change 39 with revisions as discussed above</p>			
17	Jocelyn Margaret Morrison	6 Hargreaves Mount Cook Wellington	No
<p>Submitter has several suggested amendments: Requirement 3.2.4.2.1, Item 6 should be changed so that streetscape appraisals for multi-unit developments in the 3 suburbs be required to take into consideration the 4 dwellings on either side of the development.</p>			

The suggested changes to Rule 5.1.3.2.9 and 5.1.3.2.10 should be supported as the open space requirements for new developments will make them more consistent with the current character of the surrounding areas.

Decrease in site coverage and maximum building height limitations also should be supported to maintain a consistent scale and form in the suburbs.

Design Guide guideline 3.1 should be amended to consider cul-de-sac developments – where they contain less than four dwellings, the streetscape on the opposite side of the road should be considered as well.

Design Guide guideline 2.1 should be amended by removing “Differentiate individual units or groups of units by varying colour and materials,” as this would encourage introducing building materials inconsistent with the surround area.

Decision Requested:

Approve proposed District Plan Change 39 with consideration of the above suggestions.

18	Steve Dunn	1 Nikau Street Newtown Wellington	No
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Decision Requested:

Approve proposed District Plan Change 39 in total.

19	Alan Minty	12 Cavalry Close Crofton Downs Wellington	Yes
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Submitter acknowledges difficulties in integrating larger new multi-unit developments into the existing inner city urban fabric. Notes that while it is important to retain the scale and character of these inner city suburbs, it is also important that the dynamics of change and evolution are permitted.

Submitter itemised his opinions on the proposed changes. He accepted the following:

- Additions to Elevation Drawings (3.2.4.2.4)
- Open Space Provisions (4.2.3.3.A)
- Hard Surface Provisions (4.2.3.3.B)
- Open Space (5.1.3.2.9) – Accepts with conditions:
 - Rule should only apply to Multi Unit Developments,
 - Each unit shall have an area of private open space,
 - Open Space at ground level shall be provided at a rate of 35 sq. m per unit, and
 - Space under verandahs should be considered as Open Space

In addition, he offered opposition to the following rule changes:

- Permitted Baseline (4.2.3.3)
- Number of Household Units (5.1.3.1)
- Front Yards (5.1.3.2.1)
- Site Coverage (5.1.3.3)
- Discretionary Activity (5.3.10)

Decision Requested:

Generally supports the intent of the proposed District Plan Change, but considers that some of the specific provisions should be altered to provide for greater design flexibility. The submitter has offered an individual interpretation of how the proposed District Plan Change should be amended – see above comments.

20	Thomas James Chong	PO Box 2692 Wellington	No
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Wishes to have existing use rights retained. The proposed changes will be ineffective in producing new developments of the same character as existing properties. Limitations on multi-unit developments would go against the council’s supportive stand on infill housing.

Additionally, the proposal would reduce diversity of building materials and types – thusly restricting the current character of the 3 suburbs.

“Reducing the maximum height to 9m will not have the desired effect of reducing the overall height of new dwellings.”

“The rationale of reducing the maximum site coverage to 45% does not take into account that allotment sizes in general are small, and ignores current requirements for off street parking.”

Decision Requested:

That proposed District Plan Change 39 not be accepted, and that existing rules be retained. While the existing rules are not perfect the proposed rules are not an improvement and will not produce dwellings that are more in sympathy with the character of the area.

A more detailed study of the area to identify specific areas of architectural merit or ‘heritage areas’ would be more appropriate than revising the District Plan.

21	Newtown Residents’ Association	PO Box 7021 Wellington South	Yes
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“With the minor modifications outlined in the detailed part of this submission, Newtown Resident’s Association strongly supports proposed District Plan Change 39.” The following list is a compilation of those modifications:

Design Guide

- In section 1.0 - Introduction, add “and regional facilities” after “public institutions” to expand the scope.
- Under section 2.0 – Character Overview:
 - Include an analysis of the rear elevation as the backs of buildings are eclectic and often out of character with the street frontage.
 - Include reference to corrugated iron wall cladding in the section on Materials
 - Include a comment on alignment of rear open space.
- Under Section 4 – Setbacks from Street Boundaries, the submitter cites as an amendment, ‘Allow construction of infill second units adjacent to corner buildings to align with the small or non-existent frontage typical of corner sites.’
- In Section 8 – Roof Type, modification to read, “front verandahs & lean-to roofs at rear need to also be identified as existing characteristics.” In addition, “The characteristics identified & the proposed guidelines need a footnote to cover the roof types of the suburban centre.”
- Under Section 10 – Materials, two modifications listed:
 - The Newtown Residents’ Association would like guidelines 10.1 & 10.2 to be advisory only not a requirement.
 - Corrugated iron (nowadays galvanises steel) needs to be included as a characteristic wall cladding.
- In Section 11 – Frontage Landscape & Fencing, their modification is, “ Add ‘out of character’ to ‘multi-unit development’ referred to in the last characteristic listed.” In addition, “Re-number guideline 11 as guideline 8, and slightly adjust the sequence of guidelines that follow.”

Rules

- Under Chapter 5, Rule 5.1.3.2.1 – Front Yards, the submitter cites amendments of, “Allow front yards of sites adjacent to corner buildings to align with the small or non-existent frontage typical of corner building sites,” and “Modify the rule change to also include following the predominant pattern of the four dwellings on either side.”
- In Chapter 5, Rule 5.1.3.3.1 – Site Coverage, the change recommended is: “Allow 50% site coverage where the existing (pre 1996) dwelling is retained, creating an existing building bonus.”
- To modify Chapter 5, Rule 5.3.10 – Two or more units on a site, the submitter cites, “Convene a review panel to comment on / review / assist in Southern Inner Residential Areas Design Guide for Multi Unit Housing assessment.
- Under Chapter 7, Rule 7.3.5 , the changes suggested are:
 - “Modify the sections on materials & roof type in the Southern Inner Residential Areas Design Guide for Multi Unit Housing with a suburban centre footnote to acknowledge surrounding characteristics.”
 - “Modify the rule associated with this criteria so that within the Suburban Centre Areas, the construction of 2 or more household units triggers the need for Design Guide compliance.”
 - “Add a rule that within the Newtown Suburban Centre Character Area, the Riddiford St. Design Guide provisions take top priority.”
- Further amendments include:
 - “The Newtown Residents’ Association recommends amending District Plan Change 39 to confer a bulk,

- location & Design Guide “advantage” to existing pre 1966 structures.”
- “Allow an exemption from the on-site carparking requirements when only 2 units are proposed.”
- “Similarly highlight how an exemption from the Design Guide frontage, set back & cross section requirements will apply when 2 such units are proposed.”
- “For single dwelling or multi units, allow the daylight envelope penetration, height, position of balcony decks to boundary & side yard configuration of the existing structure as if it complied .”

Decision Requested:

With modifications listed above, Newtown Residents’ Association would like Council to approve proposed District Plan Change 39 changing the controls on residential development in Newtown, Berhampore, and Mt. Cook.

22	Alan Kenneth Perry	33 North Terrace Wellington 6005	Yes
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The proposed changes to, or additions of Rules 5.1.3.1, 5.1.3.2.1, 5.1.3.2.9, and 5.1.3.3.1 should be abandoned. Opposes the requirement for:

- 3m front yard
- The changed requirements for open space, including balcony minimum areas of 10m² for units not at ground level
- Reduction of maximum site coverage to 45 %
- The maximum of one household unit per site

The proposed changes do not reflect the existing situation in the suburbs, particularly Newtown. Many houses in Newtown are already converted into units and there is a continuing trend towards dwellings serving fewer people per unit. Many of the occupants of these units are at a stage of life not requiring large private outside spaces.

Decision Requested:

Amend the current Plan Change by deleting the proposed changes to, or additions of the above Rules and additional portions described in bullets.

23	Frank Cook	15 Hargreaves Street Mount Cook Wellington	No
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Feels that current multi-unit developments in the areas are unsatisfactory and out of character, especially in regard to streetscape, bulk, and accessibility. Considers that the new rules and design guide will help to address these problems. Cites open space provisions, and minimisation of hard surfaces as positive changes.

Decision Requested:

Approve Plan Change 39