

# ***Proposed District Plan Change 52***

**Suburban Centre  
Rule Amendments**

Section 32 Report

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## Proposed District Plan Change 52 – Suburban Centre Rule Amendments

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### Introduction

Before a proposed District Plan change is publicly notified the Council is required to evaluate the proposed change and prepare a report documenting this (refer section 32 of the Resource Management Act 1991 (the Act)). The evaluation must examine:

*An evaluation must examine:*

- (a) the extent to which each objective is the most appropriate way to achieve the purpose of the Act; and*
- (b) whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.*

*An evaluation must also take into account:*

- (a) the benefits and costs of policies, rules, or other methods; and*
- (b) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.*

Benefits and costs are defined as including benefits and costs of any kind, whether monetary or non-monetary.

A report must be prepared summarising the evaluation and giving reasons for the evaluation. The report must be available for public inspection at the time the proposed change is publicly notified.

### Background

Suburban Centres are physically spread across the city, and include traditional retail centres, neighbourhood centres, industrial and work areas (including quarries). Each centre has its own character and role that it plays in the city's day to day functioning.

The former District Scheme separately controlled industrial and retail activities in different zones. This approach was changed in 1994 when the Proposed District Plan introduced a generic Suburban Centre zone to manage all these areas. The Suburban Centre zone became operative in 2000.

Rules in the District Plan provide for a wide range of activities within Suburban Centres as long as certain conditions are met. Similarly, most building developments are permitted (within certain height limits and other controls). This flexibility enables developments in these centres to respond to changing economic and social drivers. It allows residential living, retailing, service providers, entertainment and industrial activities all within the same area (subject to conditions).

This flexibility means there is little control over poor quality development. There is a potential for buildings that have significant adverse effects on the quality of the built environment to occur. Likewise, large format retailing has the potential to cause adverse effects by fragmenting the retail network, detracting from a compact urban form and the viability of existing retail centres.

It has become increasingly clear that the Suburban Centre provisions are not sufficiently refined to deal with two key issues:

1. the adverse effects of larger scale buildings on the urban design and quality of the built environment
2. the adverse effects of 'out of centre' retailing, including potential effects on the viability of existing town centres, a compact urban form and sustainable transport systems.

Pressure for certain types of larger scale development in Suburban Centres is growing.

Currently, large scale building works can – as of right – adversely affect the urban design of most Suburban Centres in which they locate. An example of a poor outcome would be lengthy blank walls that provide little visual interest, and by virtue of having no windows limit informal surveillance. The latter is an important factor in people's safety in public places.

Likewise, larger retailing activities, such as big box retailing, can establish without any need to look at the potential adverse effects on the sustainability and compact urban form of existing retail centres, and their associated services, transport systems and facilities. The extent of these effects depends on the nature of the proposal, and whether it is located in an established retail centre or by itself with no public transport, services or facilities.

The Council has consistently expressed a commitment to promote quality urban design. Likewise, the Council is also committed to promoting a compact urban form in the Central Area and established retail centres.

In response to these commitments and the concerns raised above a new plan change is proposed.

## **Options: status quo and new rules**

The costs and benefits of two options are examined in the table below. These are:

1. The status quo:
2. Two new rules that require:
  - a. new building works with a floor area over 500m<sup>2</sup> to be assessed against urban design principles as part of a resource consent process (as a discretionary activity (restricted)), and
  - b. any retail activity with a gross floor area over 500m<sup>2</sup>, located outside established retail centres (of Tawa, Johnsonville, Karori, Newtown, Kilbirnie and Miramar) to obtain a resource consent (as a discretionary activity (restricted)).

In looking at setting a threshold for the rules, various sub-options were also considered.

In terms of design controls, one option considered was to apply design controls to building works on main retail streets. However, this could simply result in poor design outcomes occurring around the corner of these streets. Another alternative was to apply design

guidance to all building works. However, this would capture all small scale developments and would be administratively inefficient. Likewise, developing design guides for each Suburban Centre is also a comprehensive piece of work, and one that is not needed in every case when standard design principles can be used.

A more targeted approach was to apply design principles to larger scale building developments. These are the developments that have a more lasting and dominant presence in the urban environment, and therefore a potential for greater influence on urban design outcomes. The question was then where to set the threshold? In looking at the building footprints in various Suburban Centres, it was evident that once a building exceeds 500m<sup>2</sup> the scale of building rapidly increases.

In terms of retailing activities, one option considered was to require a resource consent for all larger scale retailing developments. However, this does not encourage retailing activities in appropriate locations such as main retail centres. Such a rule would not be fit for purpose. Another option was to set a different threshold. However, in reviewing other district plans, similar thresholds apply elsewhere, for example in Palmerston North. The threshold of 500m<sup>2</sup> is also applied in proposed district plan change 45 in relation to Lincolnshire Structure Plan.

## **Consultation**

The following agencies were consulted in accordance with the Act (Clause 3, Schedule 1):

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

## **Key Documents**

The following documents are the primary sources for the proposed plan change:

- Christmas Package 2001-2002, Wellington City Council
- Economic Geography – Centre Hierarchy in Wellington
- Urban Development Strategy, Wellington City Council July 2006
- *New Zealand Urban Design Protocol*, Ministry for the Environment 2005
- *National Guidelines for Crime Prevention through Environmental Design in New Zealand*, Ministry of Justice (2005)
- Retailing Strategy, Wellington City Council September 2003
- Spatial Analysis of Retailing in Wellington, 2003
- Urban Development Strategy, Wellington City Council 2006
- Transport Strategy, Wellington City Council 2006
- Christchurch City District Plan
- Hamilton City District Plan
- Tauranga District Plan
- North Shore District Plan
- Palmerston North District Plan
- Porirua City District Plan

## **Evaluation of options**

### Purpose of the Act

The purpose of the Resource Management Act 1991 is described in section 5 of the Act. It is to promote the sustainable management of natural and physical resources.

Sustainable management includes managing the use, development and protection of natural and physical resources to enable people and communities to provide for their social, economic

and cultural well being and their health and safety while avoiding, remedying or mitigating adverse effects on the environment.

### Matters of national importance and other matters

Section 6 lists matters of national importance that are to be recognised and provided for in achieving sections 5. The section 6 provisions of relevance for considering urban development area provisions are:

- The relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga
- The protection of historic heritage from inappropriate subdivision, use and development

### Other matters

Section 7 identifies matters that particular regard must be given to. Of relevance are:

- the efficient use and development of natural and physical resources
- the efficiency of the end use of energy
- the maintenance and enhancement of amenity values
- the maintenance and enhancement of the quality of the environment
- any finite characteristics of natural and physical resources

These matters are considered in the assessment below.

**Table 1: Matrix of Options for the Proposed District Plan Change 52**

	<p><b>Option 1: Status quo –</b></p> <p>Little control of the urban design outcomes of building works, or the effects of large scale retailing outside existing retail centres</p>	<p><b>Option 2: Controls on –</b></p> <ul style="list-style-type: none"> <li>▪ Design guidance for buildings exceeding a gross floor area of 500m<sup>2</sup>, and</li> <li>▪ Retailing activities exceeding a gross floor area of 500m<sup>2</sup> and locating outside main retail centres</li> </ul> <p><b>This is recommended as the most appropriate option</b></p>
<b>Environmental costs</b>	<ul style="list-style-type: none"> <li>• Without control, poor urban design may detract from the quality of urban environments</li> <li>• Large retail activities may put pressure on the compact urban form of retail centres and efficient use of resources</li> <li>• Potential for greater reliance on private vehicles with associated environmental costs</li> </ul>	<ul style="list-style-type: none"> <li>• Small scale developments with poor urban design can establish as a permitted activity</li> </ul>
<b>Environmental benefits</b>	<ul style="list-style-type: none"> <li>• Some developers may choose to build quality buildings</li> <li>• For people located away from established retail centres, there may be benefits if new shopping destinations locate in closer proximity</li> </ul>	<ul style="list-style-type: none"> <li>• Larger scale buildings will achieve a consistent quality of urban design</li> <li>• A compact urban form is promoted and retail centres consolidated</li> <li>• Large scale retail developments will be encouraged to locate along public transport routes, alleviating reliance on private vehicle use</li> </ul>
<b>Social costs</b>	<ul style="list-style-type: none"> <li>• Without control, poor urban design can result in people feeling less safe and being less secure</li> <li>• With potential increases in ‘out of centre’ retailing, the central role of existing retail centres may decline along with people’s sense of place</li> </ul>	<ul style="list-style-type: none"> <li>• Potential for fewer choices in shopping destinations if existing town centres are consolidated</li> </ul>
<b>Social benefits</b>	<ul style="list-style-type: none"> <li>• With any increase in ‘out of centre’ shopping, people may have more choice of shopping destinations</li> </ul>	<ul style="list-style-type: none"> <li>• Promoting established retail centres as the community hub fosters people’s sense of place, as does quality urban design</li> <li>• Potential for more retailing choices within established retail centres</li> </ul>
<b>Economic</b>	<ul style="list-style-type: none"> <li>• The existing retail network may become</li> </ul>	<ul style="list-style-type: none"> <li>• Large scale building works, and large scale retail</li> </ul>

<b>costs</b>	<p>fragmented with increased 'out of centre' retailing</p> <ul style="list-style-type: none"> <li>• With any increase in 'out of centre' shopping, established retail centres may decline, affecting the efficient use of resources associated with the facilities, services, and infrastructure provided in these locations</li> </ul>	<p>activities outside established retail centres will require resource consent at additional cost to the applicant</p>
<b>Economic benefits</b>	<ul style="list-style-type: none"> <li>• Minimising design quality can be a financial saving for some building developments</li> <li>• Shopping destinations may establish with few constraints</li> </ul>	<ul style="list-style-type: none"> <li>• The efficient use of physical resources associated with established retail centres will be promoted</li> <li>• Prevents fragmenting the existing retail network</li> <li>• Small retailing activities and small building developments can develop without additional constraint</li> </ul>
<b>Efficiency and Effectiveness of achieving Objectives</b>	<p>Because of the lack of urban design guidance, this approach is ineffective in:</p> <ul style="list-style-type: none"> <li>• maintaining and enhancing the amenity values of Suburban Centres (objective 6.2.2)</li> <li>• maintaining and enhancing the physical character, townscape and streetscape of Suburban Centres (objective 6.2.3)</li> <li>• promoting the development of a safe and healthy city (objective 6.2.9)</li> </ul> <p>and therefore lacks efficiency in achieving these objectives.</p> <p>This approach could result in a fragmented retail network, which would lack effectiveness in terms of:</p> <ul style="list-style-type: none"> <li>• To promote the efficient use and development of natural and physical resources within Suburban Centre areas (objective 6.2.1)</li> </ul>	<p>New design principles will assist with:</p> <ul style="list-style-type: none"> <li>• maintaining and enhancing the amenity values of Suburban Centres (objective 6.2.2)</li> <li>• maintaining and enhancing the physical character, townscape and streetscape of Suburban Centres (objective 6.2.3)</li> <li>• promoting the development of a safe and healthy city (objective 6.2.9)</li> </ul> <p>This approach seeks to achieve a compact urban form that will help:</p> <ul style="list-style-type: none"> <li>• To promote the efficient use and development of natural and physical resources within Suburban Centre areas (objective 6.2.1)</li> </ul> <p>There may be some loss in development potential of some land where the effects of large developments are not able to adequately avoid, remedy or mitigate adverse effects.</p>
<b>Risk of acting or not acting if there is uncertain or insufficient information</b>	<p>Potential for large scale developments to proceed with potential for lasting adverse effects on the viability of existing town centres, and the quality of the built environment.</p>	<ul style="list-style-type: none"> <li>• Not applicable</li> </ul>

## **Conclusion**

Rules are the most effective means of managing the adverse effects of large new buildings on the quality of the urban environment, and the effects of large scale retailing activities proposing to locate out of established retail centres.

The proposed new rules are effective and efficient because they are targeted at a scale of development that is more likely to generate adverse effects.