

Part C. Appropriateness of policies and methods

The evaluation in the following sections indicates the extent to which the proposed policies, methods and rules contained in the Residential Area Review are the most appropriate for achieving the District Plan’s objectives.

The District Plan has adopted a rule based regime, based on compliance with relevant environmental standards. This approach has been thoroughly considered though the plan preparation, submission and hearing process when the operative District Plan was originally notified. For this reason it is not proposed to reconsider the merits of this approach in this report.

Section 32 of the Act requires the appropriateness of the proposed policies, methods or rules to be examined in terms of achieving the objectives of the District Plan. In examining the policies and methods, regard should be had to their effectiveness and efficiency. The benefits, costs and relevant risks associated with the provisions are also examined.

For your guidance – report structure:

- **The following analysis of provisions is structured around each objective** (highlighted in a grey shaded box at the beginning of each section). The numbering of the objectives reflects the numbering in the District Plan.
- The set of policies and methods proposed to achieve each objective is listed (in a white box) under the relevant objective at the beginning of each section.
- An individual analysis of each group of policies and methods proposed to achieve the relevant objective follows on under each objective.

For more significant changes an in depth analysis of the different options examined is provided, whereas for matters largely remaining unchanged the options are more briefly canvassed.

3. Containment and intensification

4.2.1 To enhance the City’s natural containment, accessibility and residential amenity by promoting the efficient use and development of natural and physical resources in Residential Areas.

3.1 Proposed Policies and Methods

- 4.2.1.1 Encourage consolidation of the established urban area.**
- 4.2.1.2 Encourage residential intensification and comprehensive redevelopment within identified Areas of Change**
- 4.2.1.3 Discourage piecemeal development in Areas of Change when this would inhibit comprehensive redevelopment of the site or surrounding area**
- 4.2.1.4 Promote the provision of a variety of household types and sizes as part of new development within Areas of Change**
- 4.2.1.5 Enable residential intensification within the Inner and Outer Residential Areas provided that it does not detract from the character and amenity of the neighbourhood in which it is located.**
- 4.2.1.6 Encourage the retention and adaptive re-use of existing houses in the Inner and Outer Residential Areas**

METHODS

- Rules
- Operational activities (management of infrastructure)
- The Urban Development Strategy
- Other mechanisms (Northern Growth Management Framework)

3.1.1 Background

The District Plan sets out policies and rules to manage the city’s natural and physical resources. It guides development and land use activities in the city. One of the key issues it addresses is how and where the city will grow to accommodate an increasing population. The Plan zones land specifically for residential activities (i.e. most suburbs), but is also reasonably permissive about residential activities occurring in other areas of the city (e.g. city centre apartments, townhouses in former commercial/industrial areas or as part of shopping centres).

The main principle of the Plan is to promote a sustainable city. The Plan hopes to achieve this by drawing on one of Wellington’s key strengths, being its compactness. The Plan aims to retain a compact city and does this by supporting well-designed *infill housing* throughout the city.

The operative District Plan (notified 1994) sought to provide for containment by limiting residential growth beyond the outer green belt, and enabling infill and multi-unit development to occur within established residential areas. Since 1994 Council

has undertaken a number of key projects that have led to refinements of the containment policy.

- Northern Growth Management Framework (2003) – which provides strategic direction for ‘green field’ growth to the north of the city. The outcomes of the framework were incorporated into the District Plan through Plan Change 45.
- Infill Housing Review (2006-08) – in the mid-2000’s Council undertook a review of infill housing across the City. While infill housing was not a new phenomenon (it has been occurring throughout the city for decades, especially from the 1950s onwards) the scale and nature of infill in the years leading up to the study had become a significant concern to some communities. The review of infill resulted in Council adopting a two pronged approach to managing residential intensification:
 1. More effective management of the effects of infill and multi-unit development in existing residential areas. The new approach places a strong focus on ensuring that new development respects and complements existing residential character. This first stage of the residential infill review was incorporated into the District Plan by DPC 56.
 2. Identify areas around the city where residential intensification will be facilitated and encouraged. These areas tend to be located close to existing town centres and along public transport routes where the benefits of intensification will be greatest. Council initially identified a dozen possible areas of change. Following public feedback, and having further considered the feasibility of rolling out the area of change concept, the Council¹ voted to focus Council’s energy initially on the areas of change located along the ‘Growth Spine’ (as identified in the Council’s Urban Development Strategy 2006). These are Johnsonville, Adelaide Road and Kilbirnie. The changes to the District Plan required to facilitate the Areas of Change are discussed in more detail in section 3.1.2 below.

The residential review continues Council’s existing approach of general urban containment. The review incorporates the provisions contained in Plan Changes 45 and 56 as they represent the Council’s current policy on managing ‘green field’ and ‘infill’ development. Some of the provisions of Plan Change 56 have been amended to fit the new plan structure and to improve clarity and effectiveness.

3.1.2 Areas of Change

When Council initiated Plan Change 56 it was acknowledged that the new plan provisions could make it harder to undertake infill development on some sites and therefore reduce the amount of residential growth that could be accommodated in existing residential areas. Council proposes to focus its efforts on accommodating residential growth in the Central Area, town centres, and in identified ‘areas of change’. The residential review considers two new areas of change surrounding the Johnsonville and Kilbirnie towncentres.

Within Areas of Change comprehensive redevelopment of housing will be encouraged and facilitated. This will result in significant increases in the residential density of

¹ Council meeting: 29 March 2008

these areas, and may result in changes to the existing character. The success of the Areas of Change will depend on achieving high quality urban design both in terms of the buildings and the associated private and public spaces.

It is anticipated that these areas will eventually have a more intensive, urban character. The provisions encourage residential development of 3-4 storeys in height with open space requirements. The quality of the building stock and the spaces that are provided will be important in terms of creating a positive streetscape and high levels of amenity for residents.

High quality medium density housing is most likely to be achieved if sites are comprehensively redeveloped. There is a risk that on-going piecemeal development (and subdivision) in Areas of Change will further fragment land ownership and make it more difficult to accumulate parcels of land for comprehensive redevelopment. Council will therefore generally discourage piecemeal, less intensive development and subdivision in Areas of Change.

Less intensive development however (such as back yard infill) may have a role within Areas of Change particularly when it can be demonstrated that it represents the most efficient use of the site (for example when a single lot is surrounded by properties that have already been redeveloped) and when it helps to add diversity to the housing stock in the area. However further development will not be supported if it does not represent the most efficient use of the site, and when it would inhibit future comprehensive redevelopment of the site (and possibly adjoining sites) through the fragmentation of land ownership.

Table 1 below summarises the key considerations of the two main options considered to assist the Council meet the containment and intensification objective, and recommends that Option 2 be adopted.

The table below considers the cost and benefits of principle options considered during the preparation of the Residential review.

Table 1: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change – Containment and Intensification			
Option	Key Features	Advantages	Costs and Risks
<p>Option 1 – Do nothing, Status Quo <i>Retain the current District Plan provisions (including Plan Change 56) in relation to urban containment and the management of residential intensification.</i></p> <p>This option is not recommended.</p>	<p>General containment of residential growth within the existing urban limit.</p> <p>Provide scope for some expansion into 'greenfield' areas to the north of the city.</p> <p>Ensure that any infill development within existing residential areas respects and complements the character of the surrounding neighbourhood.</p>	<p>Council policy of urban containment (in tandem with its topographical constraints) has resulted in an intensive urban form that is well served by existing centres and transport networks.</p> <p>The Central Area and town centres have significant capacity to accommodate further residential growth. Intensification in these areas will support existing centres and make efficient use of established infrastructure.</p> <p>The flexible approach to managing residential intensification in established residential will allow development to respond to market demand when appropriate sites become available.</p> <p>Current rules 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>District Plan Change 56 has made it more challenging to undertake residential intensification in established suburban areas. If less growth is accommodated in existing residential areas then there will be increased pressure for outward expansion of the city and possible issues around housing affordability due to limited housing supply.</p> <p>Focusing the provision of residential intensification in town centres or in green-field areas may limit the ability of the market to deliver a full range of housing options.</p>
<p>Option 2 – Amend Provisions <i>Retain the existing District Plan provisions in relation to urban containment and the management of residential intensification, while also making provision for areas of</i></p>	<p>General containment of residential growth within the existing urban limit.</p> <p>Provide scope for some expansion into 'greenfield' areas to the north of the city.</p> <p>Ensure that any infill development within existing residential areas respects and complements the</p>	<p>The majority of the existing District Plan provisions are retained in this option. Council policy of urban containment (in tandem with its topographical constraints) has resulted in an intensive urban form that is well served by existing centres and transport networks.</p> <p>The Central Area and town centres have significant capacity to accommodate further residential growth. Intensification in these areas will support existing</p>	<p>Increased residential density in Areas of Change may impact on the residential amenity of existing property owners within the Area of Change.</p> <p>Increased traffic will be an effect and from existing residents perspective may increase their concerns about congestion and road safety, but road capacity is understood to be able to cope with additional units in most streets.</p> <p>Increased densities of residential development is</p>

Table 1: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change – Containment and Intensification			
Option	Key Features	Advantages	Costs and Risks
<p><i>change around the Johnsonville and Kilbirnie towncentres.</i></p> <p>This option is recommended.</p>	<p>character of the surrounding neighbourhood.</p> <p>Provide for areas of change around the Johnsonville and Kilbirnie town centres. This includes comprehensive redevelopment of housing in these areas:</p> <ul style="list-style-type: none"> • Medium to high density residential development • High levels of amenity for occupants of new residential developments • High quality development, both in terms of building design and streetscape character • Variety in the built form (including variation in style, type and scale of buildings) • Variety in household type (1, 2, 3, and 3+ bedroom units) • Appropriate levels of protection for existing neighbours. 	<p>centres and make efficient use of established infrastructure.</p> <p>The flexible approach to managing residential intensification in established residential will allow development to respond to market demand when appropriate sites become available.</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>Intensification within the Areas of Change will allow efficient use of existing infrastructure, support existing centres, services and facilities, and allow people to live close to jobs and close to public transport.</p> <p>The Area of Change zoning may be rolled out in other areas if monitoring indicates that it is successful in delivering high quality medium density residential development that enhances existing town centres and ultimately decreases pressure to expand the urban area of the city.</p>	<p>likely to generate increased demand for on-street public parking. While the District Plan requires one car-park to be provided per unit, actual car ownership patterns may exceed this requiring additional vehicles to seek alternative parking.</p> <p>Impact on property values. Council has commissioned a report on possible changes in land values from DTZ. The report notes that property values depend on many different things and each site is different, but a general finding was that the overall land values are likely to remain the same. There may, however, be some adjustments between land values and improvement values based on the current condition of the house and whether prospective owners perceive there are future development opportunities for a site.</p>

3.1.3 Background documents

- Wellington City Council - Plan Change 45 – Urban Development Area and Structure Plans
- Wellington City Council - Plan Change 56 – Managing Infill Housing Development

- Wellington City Council (2006) - Urban Development Strategy
- Wellington City Council (2006-2008) – working papers prepared to support the Urban Development Strategy:
 - Working paper 1 - City Profile and Policy Stock take
 - Working paper 2 – Preliminary ideas, directing new growth
 - Working paper 3 – Draft principles and directions for urban development
 - Working paper 4 – Place based workshops
 - Working paper 6 – Social and environmental effects of residential infill housing
 - Working paper 7 – Impacts of long term climate change on weather and coastal hazards for Wellington City
 - Working paper 8 – Adelaide road study on residential intensification
 - Working paper 9 – Quantifying the growth spine
 - Working paper 10 - Identifying sites for residential infill development in Wellington City
 - Working paper 11 - Walkability and access to public transport and town centres
 - Working paper 12 - Creating the right conditions for intensive residential development along the growth spine
 - Working paper 15 - Issues and Options for Facilitating and Managing Intensive Residential Development in Wellington City
 - Working paper 14 – Roading constraints and opportunities for infill housing and intensification
 - Working paper 16 – Wellington City character Assessment
- Wellington City Council (2006) - Transport Strategy
- Wellington City Council (2006) - Environment Strategy
- Wellington City Council (2006) - Retail Strategy
- Wellington City Council (2004) - Wellington – our sense of place: building a future on what we treasure
- Wellington City Council (2006) - *Qualitative research report: Residential infill in Wellington: The resident's view*, Prepared by TNS Research.
- Wellington City Council (2006) - November Residents Satisfaction Survey
- Wellington City Council (2006) - Long Term Council Community Plan 2006/07 – 2015/16
- Wellington City Council (2006-2007) – Density in Wellington
- Wellington City Council (2007) – Johnsonville Town Centre Draft Plan

- Wellington City Council (May 2008) - How and where will Wellington Grow?
- Wellington Regional Strategy (June 2007) – Internationally Competitive Wellington, a sustainable economic growth strategy for our region.
- Boffa Miskell (Jan 2008) – Residential Character Study (Pt 1 Study Findings, Pt 2 Policy Report)
- Boffa Miskell (Nov 2008) – Areas of Change, Possible Development Scenarios
- Hill Young Cooper (Dec, 2007) – Intensification and the District Plan
- DTZ New Zealand (2009) – Proposed Changes to the District Plan (inc. Impacts of Areas of Change on Land Values)

4. Heritage and sense of place

4.2.2 To recognise and enhance those characteristics, features and areas of the Residential Area that contribute positively to the City’s distinctive physical character and sense of place.

4.1 Proposed Policies and Methods

4.2.2.1 Maintain the character of Wellington’s inner city suburbs.

4.2.2.2 Ensure that development within the Residential Coastal Edge recognises and responds to the unique character of the coastal edge.

METHODS

- Rules
- Residential Design Guide
- Operational activities (encroachment licenses)
- Monitoring and research

4.1.1 Background

All of the policies relating to heritage and sense of place in residential areas have either been revised or are new.

Monitoring of the effectiveness and efficiency of the District Plan and other research has indicated some deficiencies in the way existing provisions are protecting the special areas within the Residential Areas and particularly areas of significant character or heritage values associated to areas or specific collections of buildings. In response, the policies and methods to achieve the above objective are proposed to be strengthened. In particular:

- Clearer policy guidance and a consistent rule structure relating to the 1930 demolition rule that applies within the Inner City suburbs.
- Introduction of a new policy, rules and design guidance for managing development in the Residential Coastal Edge.

4.1.2 Pre-1930 Demolition Rule

Wellington City’s original inner city suburbs, wedged between the CBD and the inner green belt, are increasingly recognised as an important feature of our city. Their high visibility and original building stock make a significant contribution to Wellington City’s unique character and are important in helping to define Wellington’s sense of place. Studies have identified that the overall character of the inner city suburbs is principally defined by the high concentration of original dwellings dating from the late 19th and early 20th century. While the suburbs contain notable buildings from other periods, it is the concentration of fine grained, detailed, articulated, predominantly wooden houses, that is most evident and which lends a unique ‘sense of place’ to central Wellington as a whole. The District Plan controls therefore focus on buildings constructed prior to 1930. The areas covered by the pre-1930 demolition rule are Thorndon, Mt Victoria, Aro Valley, Newtown, Berhampore and Mt Cook.

The operative district plan uses the term ‘streetscape’ to implement the pre-1930 rule. However this has led to some applicants focusing purely on the effect from the immediately adjacent streets, and not on views from other public spaces or further afield. To remedy this it is proposed to introduce the term ‘townscape’.

The District Plan is focused on maintaining and enhancing the distinctive townscape character of these suburbs. The special character of these neighbourhoods is perceived, by the public at large, from the street and other public spaces. What can be seen from these areas is collectively referred to as townscape.

At present the Council uses a pre-1930’s demolition rule to manage the townscape character of these suburbs. These demolition controls have been retained, but it is proposed to apply one consistent set of provisions throughout the areas affected. The current rules have evolved over time as different suburbs have been added by way of plan changes. As a result the provisions that apply to Newtown, Berhampore and Mt Cook are no longer the same as the provisions that apply to Thorndon and Mt Victoria. The provisions have therefore been updated to apply to all areas, and amended as follows:

- Revised policy to more clearly outline the matters to be considered when assessing an application to demolish a pre-1930 building, and the thresholds that must be met in order to justify demolition.
- Amending the definition of demolition so that it includes not only the demolition of a building’s ‘primary form’, but also the removal or demolition of architectural features on a building’s primary façade.
- Identification of two additional collections of buildings where the primary elevation includes the rear elevation of the building. These areas are 27-39 Ohiro Road and 6-18 Maarama Crescent in Aro Valley.
- A proposed new rule that places a maximum height on new accessory buildings built between the street and an existing residential building, to avoid adverse effects on streetscape character.
- New standards to provide for the conversion of existing buildings into two residential units without car-parking, to encourage the retention of existing buildings.
- The non-notification statement that applied in Thorndon and Mt Victoria has been removed. The current statement requires Council to process applications as non-notified, if the applicant submits written evidence of consultation with the local Residents Association. However the clause does not refer to the outcome of the consultation, and as a result an applicant can undertake consultation with the residents association and irrespective of the outcome will become exempt from public notification. Officers recommend that this clause should be deleted and that Council should rely on the provisions of the RMA to decide when the effects of a demolition proposal are sufficient to warrant public notification.

Council has also researched the remainder of the Inner Residential Area to see if there are any remaining areas that have such a concentration of prominent buildings that warrant protection under the pre-1930 rule. It is proposed to apply the demolition rule to the following additional areas:

- A group of houses accessed from a right-of-way off Patanga Crescent (43-47 Patanga) that are contiguous with existing older parts of Thorndon to the north.
- Buildings fronting The Terrace at its mid-northern sections, and areas to the east. This is from 192 to 276 The Terrace on the west, and 193 The Terrace to McDonald Crescent on the east, including McDonald Crescent, Dixon and Percival Streets and Allenby Terrace. These adjoin and have similar profile and character.
- Easdale and Kinross Streets, including 82 to 102 Bolton Street. This area is somewhat unique in that it gains its character from a highly intact concentration of buildings built between 1920 and 1930. The houses which were designed in the ‘Art and Crafts’ style are also unique in that they feature tile roofs with brick and timber construction.

4.1.3 Residential Coastal Edge

In 2007 Council commissioned Boffa Miskell to undertake a citywide character study to identify areas of the city that are ‘sensitive to change.’ This included investigation into:

- Whether the area was identified as an area sensitive to change in the Character Study
- Strength of the values that exist in the place as noted in the detail of the Character Study
- Whether the character of the area is unique from a city or local perspective
- Level of risk of change – this is likely to be higher in areas with high amenity values
- Degree to which the existing planning provisions are insufficient to protect the character.

The study showed that, along the city’s harbour and coastal edges, the relationship between the existing houses, the vegetated escarpments, the openness of the coast and the coastal road contribute significantly to the city’s unique character and ‘sense of place’. The idea of putting in place provisions to protect this special coastal character was consulted in mid-2008 as part of the discussion paper *How and where will Wellington grow? – proposals for change and character protection* and received favourable support from local communities.

In 2008 Council commissioned Boffa Miskell to do further work on the coastal area to define the characteristic development patterns and attributes of the area, define and map the areas of special character and identify, and detail any potential threats to existing character. The areas identified were all within the existing Outer Residential zone and include parts of Owhiro Bay, Island Bay, Houghton Bay, Lyall Bay, Moa Point, Breaker Bay, Worser Bay, Karaka Bay and Evans Bay. They have been collectively termed the ‘residential coastal edge.’

4.1.3.1 Coastal Edge Policy

The Residential Coastal Edge is not currently recognised in the District Plan and therefore there are no existing provisions to allow for consideration of the effects of new buildings and/or structures in this area above and beyond those that are already applied through the Outer Residential zoning. As discussed above, research has shown that the Residential Coastal Edge makes an important contribution to the city’s unique

sense of place, and provides an important visual amenity to local residents and to the public generally.

The research undertaken by Boffa Miskell in 2008 identified the following potential threats to the existing character of the Residential Coastal Edge:

- Buildings and other development creeping up or down the escarpment with advanced building technology enabling building on steep escarpments
- Visual intrusion for access to buildings
- Removal of vegetation on the escarpment
- Tall or bulky buildings obscuring views of the escarpment from the coastal road
- Buildings close to the top edge of the escarpment
- Earthworks modifying and ‘frittering’ the escarpment to increase the depth of the site
- ‘Shotcrete’ to stabilise cuts in the escarpment
- Multi-unit developments with a lack of visual complexity and detail
- Non-active street frontages and a lack of street edge definition

To provide greater guidance as to how the Council will manage the development of buildings/structures in this area and to protect residential amenity it is proposed to include the Residential Coastal Edge as a new appendix area and introduce the following policy:

4.2.2.2 Ensure that development within the Residential Coastal Edge recognises and responds to the unique character created by the relationship between the coast, and the adjacent road, buildings and coastal escarpment.

The proposed assessment criteria and methods outlined in the policy reflect the issues identified in the Boffa Miskell study. Particular emphasis is placed on the protection of the escarpment from development that would be visually intrusive and detract from its visual qualities.

4.1.3.2 Residential Coastal Edge Rules and Standards

The areas identified are all within the Outer Residential Area and include the parts of Owhiro Bay, Island Bay, Houghton Bay, Lyall Bay, Moa Point, Breaker Bay, Worsler Bay, Karaka Bay and Evans Bay (identified on planning maps and in Appendix 2, Chapter 5).

New provisions have also been added specific to this area, including:

- Building height will continue to be measured both in metres above ground level, but buildings will be limited to the area below the 13 metre contour to avoid buildings ‘stepping’ up the escarpment. Buildings already located above the 13 metre contour will retain the current building height provisions.
- Consideration of the impact of new multi-unit developments on existing character. The key focus will be on ensuring that new buildings respect existing patterns of development. It is particularly important that development on amalgamated sites respects existing lot patterns.
- Reduced the width of vehicle access ways and managing the height of fences on front boundaries to protect the strongly defined street edge.

- Placing controls on fences (other than wire fences) and other structures on the middle and upper slopes of the escarpment.
- Additional controls on new accessory buildings on road reserve to avoid unsightly excavations, retaining structures and cable car equipment.

4.1.3.3 Residential Coastal Edge Design Guide

To better manage this area a new appendix is proposed in the Residential Design Guide to acknowledge the character attributes of the Residential Coastal Edge, and to provide guidance for multi-unit and infill development within this area.

This appendix provides specific guidance for new multi-unit buildings in the Residential Coastal Edge to ensure that common development patterns are maintained. In particular the Residential Coastal Edge appendix seeks to:

- maintain and enhance the relationship between the built and natural environment in particular the relationship between the escarpment, the buildings, the road and the coast
- reinforce the character of the street frontage by encouraging active building frontages, fine grain and a defined building edge
- encourage the retention of vegetation of the escarpment
- discourage new buildings and structures on prominent escarpment faces.

The tables below consider the cost and benefits of principle options considered during the preparation of the Residential review.

Table 2: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change – Pre-1930 Demolition Rule			
Option	Key Features	Advantages	Costs and Risks
<p>Option 1 – Do nothing, Status Quo <i>Retain the current District Plan provisions in relation to pre-1930 demolition.</i></p> <p>This option is not recommended.</p>	<p>Control retained over the demolition of the primary form of pre-1930 buildings in all areas.</p> <p>In Newtown, Berhampore and Mt Cook the rules also cover the demolition or removal of architectural features from a buildings 'primary elevation'.</p>	<p>Wellington's inner city suburbs make an important contribution to the city's character and this should be recognised.</p> <p>The current provisions have been relatively successful at managing the impact of building demolition and replacement buildings on the character of the city's inner city suburbs.</p> <p>Process of obtaining resource consent requires applicants to consider alternatives and this may identify other acceptable solutions instead of the removal or demolition of the building (i.e. house moved further forward on site, and townhouses built behind it).</p>	<p>The current policies and rules have not delivered consistent decision making processes. There is a risk that this inconsistency would continue if the current policy is retained.</p> <p>The current interpretation of demolition of 'primary form' in Thorndon, Mt Victoria and Aro Valley permits additions and alterations that could significantly alter the character of pre-1930 buildings.</p>
<p>Option 2 – Clarify Provisions <i>Amend the current District Plan provisions in relation to pre-1930 demolition.</i></p> <p>This option is recommended.</p>	<p>Amend policies to clarify what matters will be considered when an application is made to demolish a pre-1930 dwelling.</p> <p>Apply one consistent set of rules across all of the areas subject to the pre-1930 provisions.</p> <p>Control both the demolition of the building primary form, and the removal of architectural features from the buildings primary elevation.</p> <p>Add three new areas to be subject to the pre-1930 demolition rules:</p> <ul style="list-style-type: none"> • Patanga Crescent • Bolton Street 	<p>Wellington's inner city suburbs make an important contribution to the city's character and this should be recognised.</p> <p>The revised provisions will enable Council to more effectively manage the potential impact of building demolition and replacement buildings on the character of the city's inner city suburbs.</p> <p>The revised policy will provide a clear structure for decision making and facilitate consistent decision making over time.</p> <p>Having a consistent set of rules applying across all areas subject to the pre-1930 demolition controls, will make the District Plan easier to implement and reduce confusion.</p> <p>Process of obtaining resource consent requires applicants to consider alternatives and this may identify other acceptable solutions instead of the</p>	<p>Altering the primary elevation in a manner that goes beyond repair and maintenance will require a resource consent.</p> <p>Works that were previously permitted in some areas will now require consent. As a result there will be a financial impact on property owners seeking to redevelop their dwellings.</p>

Table 2: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change – Pre-1930 Demolition Rule			
Option	Key Features	Advantages	Costs and Risks
	<ul style="list-style-type: none"> The Terrace and surrounds 	<p>removal or demolition of the building (i.e. house moved further forward on site, and townhouses built behind it).</p> <p>Extending the pre-1930 demolition rule to three new areas will ensure that the demolition rule is applied to all areas in the Inner Residential Area that have a high concentration and consistency of pre-1930 buildings.</p>	

Table 3: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change – Residential Coastal Edge			
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 residential development in coastal areas.</i></p> <p>This option is not recommended.</p>	<p>Retain existing Outer Residential provisions.</p>	<p>Existing provisions are known</p> <p>No change to the development potential of properties</p>	<p>Current provisions do not explicitly recognise, and respond to, the unique character of Wellington's suburban coastal areas and the contribution they make to the City's sense of place and the amenity of residents and visitors to the city.</p> <p>There is potential for increased development on slopes of the coastal escarpment, potentially to the detriment of the character of the residential coastal edge.</p> <p>There is the potential for new multi-unit development to adversely impact on existing development patterns and character</p>
<p>Option 2 – Clarify Provisions</p> <p><i>Amend the current District Plan provisions in relation to residential development in coastal areas.</i></p> <p>This option is recommended.</p>	<p>Implement specific controls that recognise the special character of the residential coastal edge:</p> <ul style="list-style-type: none"> Restrict the height that buildings and fences can extend up the coastal escarpment Specific design guidance to reflect the character of the 	<p>The amended provisions recognise, and respond to, the unique character of Wellington's suburban coastal areas and the contribution they make to the City's sense of place and the amenity of residents and visitors to the city.</p> <p>The amended provisions clearly signal how and where development should occur in order to maintain and enhance the existing character of the residential coastal edge</p>	<p>Implementing a maximum height above sea level will reduce the development potential on some sites.</p> <p>Works that were previously permitted in some areas will now require consent. As a result there will be a financial impact on property owners seeking to redevelop their dwellings.</p>

Table 3: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change – Residential Coastal Edge			
Option	Key Features	Advantages	Costs and Risks
	residential coastal edge.	The amended provisions provide scope to consider, through the resource consent process, the merits of proposals that do not meet the specified standards	

4.1.4 Background documents

- Wellington City Council, DPC 38 – Character Controls in Newtown, Berhampore and Mt Cook
- Wellington City Council, DPC 50 - Pre-1930 demolition rule in Aro Valley
- Wellington City Council (2006) - Environment Strategy
- Wellington City Council (2006) - Retail Strategy
- Wellington City Council (2004) - Wellington – our sense of place: building a future on what we treasure
- Graeme McIndoe (Oct 2008) – Character Analysis of Inner Residential Areas
- Boffa Miskell (Jan 2008) – Residential Character Study (Pt 1 Study Findings, Pt 2 Policy Report)
- Boffa Miskell (Sept 2008) – Wellington Coastal Edge Residential Review

5. Urban form

4.2.3 Ensure that new development within Residential Areas is of a character and scale that is appropriate for the area and neighbourhood in which it is located.

5.1 Proposed Policies and Methods

- 4.2.3.1 Ensure that new developments in the Inner and Outer Residential Areas acknowledge and respect the character of the area in which they are located.**
- 4.2.3.2 Manage Areas of Change to ensure that new developments contribute to a high quality, intensive, diverse, and safe residential environment.**
- 4.2.3.3 Manage residential development in the Oriental Bay Height Area in a manner that recognises the area’s unique characteristics and development potential.**
- 4.2.3.4 Facilitate the integrated development of the Tapu Te Ranga Marae site (Island Bay) in an manner that recognises the unique landscape, conservation, geo-technical and urban design issues raised by the site.**
- 4.2.3.5 Require on-site, ground level open space to be provided as part of new residential developments to enhance visual amenity and assist with the integration of new developments into the existing residential environment.**
- 4.2.3.6 Minimise hard surfaces by encouraging residential development that increases opportunities for permeable open space areas.**
- 4.2.3.7 Encourage the retention of mature, visually prominent trees and bush in association with site redevelopment**
- 4.2.3.8 Control the siting and design of structures on or over roads and promote townscape improvements.**

METHODS

- Rules
- Residential Design Guide
- Subdivision Design Guide
- Other mechanism (Building Act)
- Master planning
- Advocacy

5.1.1 Background

Different suburbs have different character depending on their age, topography, social history etc. The District Plan seeks to recognise, and where appropriate protect, this variation.

Three key issues were addressed in this aspect of the review:

- The appropriateness of introducing a new residential sub-zone known as Areas of Change - small, tightly defined areas around existing town centres where

Council will encourage comprehensive redevelopment of medium density housing.

- The appropriateness of the current provisions in the Inner and Outer Residential Areas.
- The appropriateness of the Residential Design Guide.

5.1.2 Areas of Change

To assist in the delivery of high quality development, it is proposed to install a minimum lot dimension for new development. Requiring a minimum lot dimension for intensive development will provide additional flexibility on how buildings are massed, and provides scope for different building layouts. It also reduces the risk of a single development type being rolled out on all sites, and reduces the number of driveways required, helping to ensure that the streetscape is not overly dominated by vehicle crossings and manoeuvring spaces.

It is also proposed to require a front yard requirement in the Areas of Change. As individual units will not be required to provide ground level open space it is important to provide space for greening at the front of the site to help ‘soften’ the impact on the streetscape.

All new developments in Areas of Change will be assessed against the Residential Design Guide. This will allow Council to consider not only the impact of the development’s impact on local streetscape and neighbouring properties, but also the levels of amenity that will be provided for occupants (including privacy, access to daylight etc.).

In terms of bulk and location requirements it is proposed to use a set of provisions similar to the rules that applied to the Inner Residential Area prior to DPC 56. These include a 10 metre building height, 50% site coverage, and building recession planes that alter depending on the orientation of the various site boundaries. These provisions have facilitated relatively intense and successful residential development in parts of the Inner Residential Area.

5.1.3 Inner and Outer Residential Areas

The majority of the City’s residential properties are located within the Inner and Outer Residential Areas. Within these areas the District Plan provisions are focused on maintaining amenity values and reinforcing existing suburban character:

Inner Residential Area – older, inner city suburbs. These suburbs are relatively intensely developed and have a strong built character.

Outer Residential Area – this area covers the majority of the city’s residential areas. These suburbs are generally newer, less developed and located further from the city centre.

The Inner and Outer Residential provisions remain largely consistent with those in District Plan Change 56. Some provisions have been modified slightly either to

provide additional guidance as to the outcomes sought, or to remove ambiguity or uncertainty. These include:

- Additional guidance as to when it may be appropriate for an infill or multi-unit development to exceed 4.5 metres in height (or 6 metres on a sloping site).
- Additional guidance as to when it may be appropriate to reduce or alter the provision of open space.
- Clarify the differing roles of ‘ground level open space’ and ‘amenity open space’ as components of new residential development.

In order to enable the efficient use of land, the District Plan provides for some degree of residential intensification within these areas. However, in contrast to the identified Areas of Change, any residential intensification that occurs within these areas must acknowledge and complement that neighbourhood in which it is located. This means buildings must be of a type and scale that can be integrated into the surrounding environment, and avoid impacts on the amenity of neighbouring residential properties.

In the Inner Residential Area it is proposed to extend the rule that permits the conversion of houses built before July 2000 into two household units, without the need to provide off street parking. This rule currently only applies in Newtown, Berhampore and Mt Cook where it was introduced as part of DPC 39. The rule will provide increased flexibility to property owners, help facilitate variety in household type, and will have little impact on streetscape character. This exemption reflects the fact that the intensity of use is likely to remain similar. Experience also shows that when off-street car-parking is provided it is often at the expense of an existing on-street car park and it is usually located in the front yard which can be detrimental to streetscape character.

5.1.4 Residential Design Guide

The Residential Design Guide (known previously as the Multi-Unit Design Guide), has evolved over the life of the plan, as new areas and issues have been added. The content of the guide was amended by District Plan Change 56 in order to widen the scope of the design guide beyond just assessing multi-unit developments.

The District Plan currently contains a variety of design guides that apply to different residential areas. These are:

- Residential Design Guide (with appendices for Thorndon, Mt Victoria, Aro Valley, and Newtown, Berhampore and Mt Cook)
- Thorndon Character Area Design Guide
- Mt Victoria North Character Area Design Guide
- Oriental Parade Design Guide

The structure of the current design guides has some limitations. Having four separate design guides and appendices can at times prevent Council from applying the most relevant guidelines when assessing an application. There is also significant repetition between the different design guides.

The content and structure of the Residential Design Guide has been fully reviewed resulting in the following key changes:

- The design guide has been re-structured to form a single document. The majority of the content is contained within the main design guide, with smaller appendices for specific issues or areas. All key guidelines are contained in the main body of the design guide. This will ensure that all relevant guidelines can be considered in all locations. The new structure is consistent with the structure for the Central Area Design Guide and proposed Suburban Centre Design Guides.
- The guidelines have been amended to remove repetition in the current content, especially in the guidelines covering the inner residential suburbs. While some of the guidelines have been consolidated, the intent and scope remain the same.
- Acknowledgement of the new Areas of Change and the outcomes sought in those areas in terms of high quality medium-high density residential development.
- A stronger focus on maintaining and enhancing amenity and character in the Inner and Outer Residential Areas.
- Additional guidance as to when it may be appropriate to vary the standards contained in the Plan.
- Additional guidance as to when it may be appropriate to introduce a new building type within an established residential area.
- New policy and design guidance has been included to help manage the issue of excavation being used to facilitate significantly oversized buildings. Because height is measured above existing ground level new developments can create additional building height by excavating down. Modest increases in height are usually not a problem, but buildings that are significantly larger than anticipated by the District Plan can impact adversely on the character of the surrounding neighbourhood.

Officers are confident that the re-drafted Design Guide covers all relevant design issues and will allow Council to negotiate high quality outcomes through the resource consent process.

The tables below consider the cost and benefits of principle options considered during the preparation of the Residential review.

Table 4: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change – Urban Form, Areas of Change			
Option	Key Features	Advantages	Costs and Risks
<p>Option 1 – Do nothing, Status Quo <i>Retain the current District Plan provisions in relation to Areas of Change.</i></p> <p>This option is not recommended.</p>	<p>Apply existing Outer Residential Area provisions in the new Areas of Change.</p>	<p>Existing provisions are known.</p> <p>There would be no change in development potential or levels of amenity protection for properties within the Areas of Change.</p>	<p>The existing Outer Residential provisions, particularly the site coverage, open space and building recession planes are tailored to deliver a more expansive ‘suburban’ form of residential development. These provisions are unlikely to facilitate medium density residential redevelopment.</p>
<p>Option 2 – Clarify Provisions <i>Amend the current District Plan provisions in relation to Areas of Change</i></p> <p>This option is recommended.</p>	<p>Create new provisions to facilitate medium density residential development in Areas of Change, including:</p> <ul style="list-style-type: none"> • Policies encouraging comprehensive residential development within Areas of Change • Minimum site dimension • Area specific bulk and location controls similar to the Inner Residential standards. • Requiring assessment against the Residential Design Guide. 	<p>New provisions are tailored specifically towards achieving quality medium density residential development. Similar bulk and location provisions have been successful in delivering medium-density housing in parts of the Inner Residential Area (prior to Plan Change 56).</p> <p>New provisions strike an appropriate balance between encouraging comprehensive redevelopment and protecting reasonable levels of amenity for existing property owners within and surrounding Areas of Change.</p> <p>There will be an increase in the development potential for many properties within the Areas of Change due to the proposed bulk and location controls.</p>	<p>Requiring a minimum site dimension may work as a disincentive to investment within the Areas of Change.</p> <p>Increased residential density in Areas of Change may impact on the residential amenity of existing property owners within the Area of Change.</p> <p>Increased traffic will be an effect and from existing residents perspective may increase their concerns about congestion and road safety, but road capacity is understood to be able to cope with additional units in most streets.</p> <p>Increased densities of residential development is likely to generate increased demand for on-street public parking. While the District Plan requires one car-park to be provided per unit, actual car ownership patterns may exceed this requiring additional vehicles to seek alternative parking.</p> <p>Impact on property values. Council has commissioned a report on possible changes in land values from DTZ. The report notes that property values depend on many different things and each site is different, but a general finding was that the</p>

Table 4: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change – Urban Form, Areas of Change			
Option	Key Features	Advantages	Costs and Risks
			overall land values are likely to remain the same. There may, however, be some adjustments between land values and improvement values based on the current condition of the house and whether prospective owners perceive there are future development opportunities for a site.

Table 5: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change – Urban Form, Inner and Outer Residential			
Option	Key Features	Advantages	Costs and Risks
<p>Option 1 – Do nothing, Status Quo <i>Retain the current District Plan provisions in relation to urban form.</i></p> <p>This option is not recommended.</p>	Retain existing provisions.	<p>Existing provisions are known.</p> <p>The provisions are tailored to the existing built form within the Inner and Outer Residential Areas.</p> <p>The existing provisions (post-Plan Change 56) have been relatively successful in ensuring that new residential development is of a form and scale that complements existing residential areas.</p> <p><i>See also the section 32 report for Plan Change 56.</i></p>	<p>A number of provisions introduced by way of Plan Change 56 are not as clear as they could be, particularly:</p> <ul style="list-style-type: none"> • When it may be appropriate to develop infill and multi-units above 4.5 metres in height (or 6 metres on sloping sites). • When it may be appropriate to vary the area and type of open space provided as part of a multi-unit development. • Clarify the role of ‘ground level’ and ‘amenity’ open space in new multi-unit developments. <p>In some instances this ambiguity has made it difficult for applicants and decision makers to determine where infill and multi-unit development may be appropriate and what effects should be considered as part of the consent process.</p> <p><i>See also the section 32 report for Plan Change 56.</i></p>
<p>Option 2 – Clarify Provisions <i>Refine the current District</i></p>	Refine the existing provisions to clarify the outcomes sought and improve their effectiveness.	The existing provisions (post-Plan Change 56) have been relatively successful in ensuring that new residential development is of a form and scale that	

Table 5: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change – Urban Form, Inner and Outer Residential			
Option	Key Features	Advantages	Costs and Risks
<p><i>Plan provisions in relation to urban form.</i></p> <p>This option is recommended.</p>	<p>Reformat the Residential Design Guide to improve clarity and remove duplication.</p>	<p>complements existing residential areas.</p> <p>The proposed refinements will improve the clarity and effectiveness of the provisions helping to increase certainty for all parties as to whether an application is likely to be successful or not. In particular greater clarity is provided around:</p> <ul style="list-style-type: none"> • When it may be appropriate to develop infill and multi-units above 4.5 metres in height (or 6 metres on sloping sites). • When it may be appropriate to vary the area and type of open space provided as part of a multi-unit development. • Clarify the role of ‘ground level’ and ‘amenity’ open space in new multi-unit developments. <p>The revised Residential Design Guide is clearer and more concise.</p> <p>The clearer provisions will help to focus and streamline the consent process, resulting in shorter timeframes and decreased costs.</p> <p><i>See also the section 32 report for Plan Change 56.</i></p>	

5.1.3 Background documents

- Wellington City Council - Plan Change 9, Tapu Te Ranga area Zone Change
- Wellington City Council - Plan Changes 38 and 39, Residential Character in Newtown, Berhampore and Mt Cook
- Wellington City Council - Plan Change 56, Managing Infill Housing Development
- Wellington City Council (2006) - Urban Development Strategy
- Wellington City Council (2006-2008) – working papers prepared to support the Urban Development Strategy:
 - Working paper 6 – Social and environmental effects of residential infill housing

- Working paper 10 - Identifying sites for residential infill development in Wellington City
- Working paper 11 - Walkability and access to public transport and town centres
- Working paper 12 - Creating the right conditions for intensive residential development along the growth spine
- Working paper 15 - Issues and Options for Facilitating and Managing Intensive Residential Development in Wellington City
- Working paper 14 – Roading constraints and opportunities for infill housing and intensification
- Working paper 16 – Wellington City character Assessment
- Wellington City Council (2004) - Wellington – our sense of place: building a future on what we treasure
- Wellington City Council (2006) - *Qualitative research report: Residential infill in Wellington: The resident's view*, Prepared by TNS Research.
- Wellington City Council (2006-2007) – Density in Wellington
- Wellington City Council (May 2008) - How and where will Wellington Grow?
- Boffa Miskell (Jan 2008) – Residential Character Study (Pt 1 Study Findings, Pt 2 Policy Report)
- Boffa Miskell (Nov 2008) – Areas of Change, Possible Development Scenarios
- Hill Young Cooper (Dec, 2007) – Intensification and the District Plan
- DTZ New Zealand (2009) – Proposed Changes to the District Plan (inc. Impacts of Areas of Change on Land Values)

6. Residential Amenity

4.2.4 Ensure that all residential properties have access to reasonable levels of residential amenity.

6.1 Proposed Policies and Methods

4.2.4.1 Manage adverse effects on residential amenity values by ensuring that the siting, scale and intensity of new residential development is compatible with surrounding development patterns.

4.2.4.2 Manage the design and layout of new infill and multi-unit developments to ensure that they provide high quality living environments and do not result in inappropriate adverse effects on neighbouring properties.

4.2.4.3 Provide for appropriate additions and alterations on existing buildings (built before July 2000) that do not comply with the current planning standards.

4.2.4.4 Ensure that new residential developments recognise and provide for the health and safety of people.

METHODS

- Rules
- Residential Design Guide
- Subdivision Design Guide
- National standard access design criteria
- Advocacy (crime prevention design guidelines)
- Other mechanisms (WCC Bylaws)

6.1.1 Background

Maintaining reasonable levels of residential amenity for properties in residential areas is one of the key drivers behind the District Plan's management regime for these areas. Monitoring of the operative District Plan has indicated that the District Plan provisions have been relatively successful in maintaining reasonable levels of amenity. The one exception to this has been the effects of infill and multi-unit housing on neighbouring amenity. The provisions of the operative District Plan (pre Plan Change 56) provided for infill development around the city, some times at scales and densities that created adverse effects for neighbouring properties.

When infill is situated very close to a property boundary, or when a multi storey house overlooks its single storey neighbours, there is the risk of unreasonable overlooking into their homes and private garden space. Another common cause of frustration experienced by residents is the feeling of being



Two additional 2-storey units in the rear yard reduce residential amenity for existing dwelling and adjoining sites.

hemmed in or dominated by their physical surroundings as a result of larger scale infill buildings.

The existing provisions in the District Plan (pre Plan Change 56) for the Outer Residential Area allow for a second unit to a height of 8 metres as permitted as of right (additional height can be also achieved by ground level excavation). Provided the plans meet the sunlight access planes, 35% site coverage and parking provisions the new dwelling did not need to take into consideration any impact on privacy of neighbouring properties.

To help redress the balance between facilitating residential intensification and protecting the amenity of adjacent residential properties District Plan Change 56 put in place additional controls on the height of infill units and multi-unit developments.

6.1.2 Managing the height of infill development

DPC 56 placed two new controls on infill and multiunit development:

- The height of a second infill units was set at one storey (taken to be 4.5 metres, or 6 metres in a sloping site)
- The rules relating to multi-unit developments were amended so that the presumption for non-notification was removed if a multi-unit development exceeds a single storey (taken to be 4.5 metres)

These provisions were based on the observation that the most common forms of intrusion created by new infill housing relates to two or three storey dwellings that often have a direct line of vision into neighbouring properties. Developments that exceed the 4.5 metre height require resource consent to allow consideration of the impact on neighbouring properties, including an assessment against the revised Residential Design Guide.

It is recognised that people's perception of what constitutes acceptable levels of privacy will differ. The rule is not intended to preserve complete privacy – what it is designed to do is manage adjoining neighbour amenity to ensure residents are not suffering unreasonable levels of overlooking as a result of new development. The rule sets a height restriction for the second unit on a site but still allows for infill housing to occur as of right. The proposed change narrows in on the key issue being the height and scale of additional dwellings on a site. It sets the permitted activities standards at a level where the Council can be certain that the effects do not unduly affecting neighbouring properties.

Most importantly, the rule still retains opportunities for smaller households (e.g. elderly, single parent households, young couples) to find or build dwellings that will suit their particular needs without placing undue restrictions on them.

It also allows for larger scale development of up to 8 metres in Outer Residential Areas, albeit in a more comprehensive manner (under the Residential Design Guide). The assessment of larger scale infill against Residential Design Guide is much more likely to result in a more cohesively designed development that responds to the concerns of adjoining neighbours and to the wider environment. In this way, it acts as

an incentive for landowners to achieve greater building height by going through the design assessment process.

District Plan Change 56 has been in force for approximately 18 months. While the provisions have proven to be effective in allowing Council to more appropriately balance the effects of infill development, it has become apparent that greater clarification is needed on:

- when it may be appropriate for an infill or multi-unit development to exceed 4.5 metres in height (or 6 metres on a sloping site), and
- when it may be appropriate to reduce or alter the provision of open space.

These matters have been addressed in the revised policies.

The Residential Review also amends the rule requiring that decks over 1.5 metres in height be more than 2 metres from a site boundary. The rule has been amended to clarify that it is only the accessible part of the deck that needs to be set back 2 metres. Structure that is associated with the deck, but which cannot be occupied by deck users, may be closer than 2 metres to the boundary provided it complies with the appropriate building recession plane.

6.1.2 Works to buildings with existing non-compliance

The issue of undertaking works on buildings with an existing ‘non-compliance’ first arose as part of the discussions on Plan Change 39 (Character controls in Newtown, Berhampore and Mt Cook). It became apparent that many ‘so-called’ complying additions to properties were triggering a resource consent due to existing non-compliances of the existing building on the site. The consent was required to allow consideration of the combined effect of the proposed work and the existing areas of non-compliance. Unfortunately this means that there is no certainty for architects and landowners as to whether their proposed ‘permitted’ additions will be able to be built due to existing non-compliances with the Plan.

District Plan Changes 39 and 56 both included new permitted activity rules to clarify the scope of activities that could be carried out on an existing ‘non-complying’ building as a Permitted Activity. Essentially the rules provide for single storey additions (taken to be 4.5 metres high, or 6 metres on a sloping site) as of right on the grounds that single storey additions are unlikely to significantly compound the effects of the existing non-complying structure. These rules have been carried over into the review with some minor amendments to improve clarity.

The tables below considers the cost and benefits of principle options considered during the preparation of the Residential review.

Table 6: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change – Residential Amenity			
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 residential amenity.</i></p> <p>This option is not recommended.</p>	<p>Retain the existing provisions</p>	<p>Existing provisions are known.</p> <p>The provisions are tailored to the existing built form and levels of amenity received by properties within the Inner and Outer Residential Areas.</p> <p>The existing provisions (post-Plan Change 56) have been relatively successful in ensuring that new residential development does not unduly affect the amenity of adjoining properties.</p> <p><i>See also the section 32 report for Plan Change 56.</i></p>	<p>A number of provisions introduced by way of Plan Change 56 are not as clear as they could be, particularly:</p> <ul style="list-style-type: none"> • When it may be appropriate to develop infill and multi-units above 4.5 metres in height (or 6 metres on sloping sites). • Clarify the role of ‘ground level’ and ‘amenity’ open space in new multi-unit developments. <p>In some instances this ambiguity has made it difficult for applicants and decision makers to determine where infill and multi-unit development may be appropriate and what effects should be considered as part of the consent process.</p> <p><i>See also the section 32 report for Plan Change 56.</i></p>
<p>Option 2 – Clarify Provisions</p> <p><i>Amend the current District Plan provisions in relation to residential amenity.</i></p> <p>This option is recommended.</p>	<p>Refine the existing provisions to clarify the outcomes sought and improve their effectiveness.</p>	<p>The existing provisions (post-Plan Change 56) have been relatively successful in ensuring that new residential development does not unreasonably affect the amenity of adjoining properties. However there are a number of provisions that require clarification around:</p> <ul style="list-style-type: none"> • when it may be appropriate to develop infill and multi-units above 4.5 metres in height (or 6 metres on sloping sites). • the differing role of ‘ground level’ and ‘amenity’ open space in managing the effects of new multi-unit developments. <p>The proposed refinements will improve the clarity and effectiveness of the provisions reducing potential delays and costs.</p>	

Table 6: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change – Residential Amenity			
Option	Key Features	Advantages	Costs and Risks
		See also the section 32 report for Plan Change 56.	

Table 7: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change – Existing Buildings with Non-Compliance			
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 additions to existing 'non-complying' buildings.</i></p> <p>This option is not recommended.</p>	<p>Resource consent planners complete a s10 (RMA) assessment for every resource consent application and certificate of compliance that is processed to see whether existing use rights are maintained or lost by the proposed work.</p>	<p>The process remains as stated in the law.</p>	<p>Section 10 process of assessing existing use rights (particularly where they are lost) is not well understood by non-planners, architects and designers.</p> <p>There is no certainty for architects and landowners that the nature of their proposed 'permitted' additions will be able to be built due to existing non-compliances with the Plan. Architects typically design work to comply with the current rules of the Plan, not being aware that an existing non-compliance of the building may trigger a resource consent.</p>
<p>Option 2 – Clarify Provisions</p> <p><i>Amend the current District Plan provisions in relation to additions to existing 'non-complying' buildings.</i></p> <p>This option is recommended.</p>	<p>A new rule in the Plan outlines the scope of activities able to be completed as permitted activities even if there are some 'existing non-compliances' with the current planning rules. Essentially alterations outside the footprint of the existing house must be kept below 4.5m to retain existing use rights for other areas of non-compliance.</p>	<p>The permitted activity rule provides an alternate process for some activities to the s10 process where the nature of the permitted activities is limited to matters that are unlikely to cause adverse effects to neighbours.</p> <p>In this way it will increase certainty to landowners and their architects that if the proposed additions fall within the scope of the rule then the council will not also do a s10 assessment.</p> <p>Fewer costs and delays due to no resource consent being required.</p>	<p>With any generic rule there is a risk that a small number of developments will be permitted that do create adverse effects for neighbours.</p>

3.2.4 Background documents

- Wellington City Council - Plan Changes 38 and 39, Residential Character in Newtown, Berhampore and Mt Cook

- Wellington City Council - Plan Change 56, Managing Infill Housing Development
- Wellington City Council (2006) - Urban Development Strategy
- Wellington City Council (2006-2008) – working papers prepared to support the Urban Development Strategy:
 - Working paper 6 – Social and environmental effects of residential infill housing
 - Working paper 10 - Identifying sites for residential infill development in Wellington City
 - Working paper 12 - Creating the right conditions for intensive residential development along the growth spine
 - Working paper 15 - Issues and Options for Facilitating and Managing Intensive Residential Development in Wellington City
 - Working paper 16 – Wellington City character Assessment
- Wellington City Council (2004) - Wellington – our sense of place: building a future on what we treasure
- Wellington City Council (2006) - *Qualitative research report: Residential infill in Wellington: The resident's view*, Prepared by TNS Research.
- Wellington City Council (2006-2007) – Density in Wellington
- Wellington City Council (May 2008) - How and where will Wellington Grow?

7. Sustainability

4.2.5 To encourage the energy efficiency and sustainability of buildings and subdivisions in Residential Areas

7.1 Proposed Policies and Methods

4.2.5.1 To promote a sustainable built environment in the Residential Area, involving the efficient end use of energy (and other natural and physical resources), especially in the design and use of new buildings and structures.

4.2.5.2 Encourage the development and efficient use of renewable energy within Residential Areas.

4.2.5.3 Support the uptake of new vehicle technologies by enabling supporting infrastructure in order to reduce reliance on fossil fuels.

METHODS

- Rules
- Design Guides (Residential and Subdivision)
- National standard access design criteria
- Other Mechanisms (Advocacy of Environmentally Sustainable Design principles, Education)
- Advocacy

7.1.1 Background

As part of the review officers considered whether the District Plan could be used to promote, or require, more sustainable construction in Wellington. While ‘green buildings’ can cover a range of different environmental impacts (including water conservation and re-use, environmentally friendly building materials, and recycling), officers considered that the greatest potential gains could come through improving the energy efficiency of the building stock and make buildings easier and cheaper to heat.

From a District Plan perspective there are three options for tackling energy efficiency and green buildings:

- Encourage the uptake of green building technologies through policies.
- Remove barriers to the implementation of green building technologies.
- Require the uptake of green building technologies.

These options are discussed in further detail below.

7.1.2 Options for enhancing the uptake of sustainable building technologies

7.1.2.1 Removing disincentives

The residential provisions have been reviewed to assess whether they help or hinder the adoption of green building technologies such as solar water heating. Where possible barriers have been identified the provisions have been amended to facilitate the green building technologies as far as practically possible. Key changes that have been made are:

- Solar panels (up to a certain size) have been exempted from building recession planes and height controls.
- The provisions of Plan Change 32 has been rolled over making small scale wind turbines of less than 5kW a permitted activity in Residential Areas subject to compliance with the noise and height requirements for the area in which they are located.

New rules were also considered to exempt wind turbines on residential buildings from height rules. However this is not recommended on the basis that the current turbines must be positioned at least 3 metres above the top of any trees or buildings located within 100 metres to allow them to be effective. The topography of Wellington would mean that in certain (and often the more windy and therefore more desirable) places these would be highly visible and would have a significant visual impact.

Officers also considered whether the current rules discourage the use of grey water tanks, but are satisfied that the current standards for yards and building recession planes provide sufficient flexibility to facilitate the installation of tanks on or near the boundary. However officers have exempted water tanks from the calculation of site coverage so as not to discourage grey water recycling on properties that already exceed the maximum site coverage standard.

7.1.2.2 Mandatory Requirements

One option considered in terms of energy efficiency was whether Council could use the Energy Efficiency and Conservation Authority's Home Energy Rating Scheme (HERS) to set a minimum energy efficiency standard for all new residential units. This would mean that to be a Permitted Activity any new building would have to achieve a certain HERS rating. However this approach was not pursued on the grounds that the associated risks were too great. These risks include:

- the HERS system is still relatively new and is being implemented as a voluntary system.
- the HERS scheme is dependent on securing on-going government funding, which is not guaranteed.
- the HERS system relies on people becoming certified HERS assessors. Currently there is limited capacity within the building industry to undertake HERS assessments.
- there could potentially be an increase in construction costs for new residential buildings. To date EECA have not provided any firm data on whether there are additional construction costs.

In March 2008 the latest amendments to the Building Code came into effect. Under the code all new residential buildings are required to achieve certain energy efficiency standards or BPI (building performance indicators). Through the building consent process consideration is given to the types of materials, insulation levels, lighting etc used in the proposed building. With mandatory requirements for double glazing and significant increases in minimum insulation standards the new code is a major step forward in terms of improving the energy efficiency of new residential buildings.

Given the improvements to the building code, and the relatively 'untested' nature of the HERS scheme, officers consider that it would be premature to pursue additional building energy standards in the District Plan.

Officers recommend that at this time, the most effective approach for council to take to renewable energy and energy efficiency in residential areas is to recognise their benefits in policy (so they could be considered in a consent application) and to remove any potential barriers contained within the existing district plan provisions.

8. Subdivisions

4.2.6 To ensure that the adverse effects of new subdivisions are avoided, remedied or mitigated.

8.1 Proposed Policies and Methods

4.2.6.1 Encourage subdivision design and housing development that optimises resource and energy use and accessibility.

4.2.6.2 Ensure the sound design, development and servicing of all subdivisions.

4.2.6.3 Control subdivision lot size and design within established residential suburbs to provide for flexibility in future land use, while ensuring that the subdivision will not result in patterns of development that would adversely impact on the townscape character of the surrounding neighbourhood or the amenity of adjoining properties.

4.2.6.4 Discourage incremental subdivision in Areas of Change when this would result in the fragmentation of land parcels, thereby inhibiting comprehensive redevelopment of the site or surrounding area.

4.2.6.5 Control green-field subdivision to ensure that adverse effects are avoided, remedied or mitigated and that neighbourhoods are created which have a high amenity standard and which are adequately integrated with existing and planned infrastructure.

METHODS

- Rules (compliance with Code of Practice for Urban Land Development)
- Design Guide (Subdivision)
- National standard access design criteria
- Advocacy
- Information (promotion of good subdivision practice)
- Other mechanisms (Northern Growth Management Framework)

8.1.1 Background

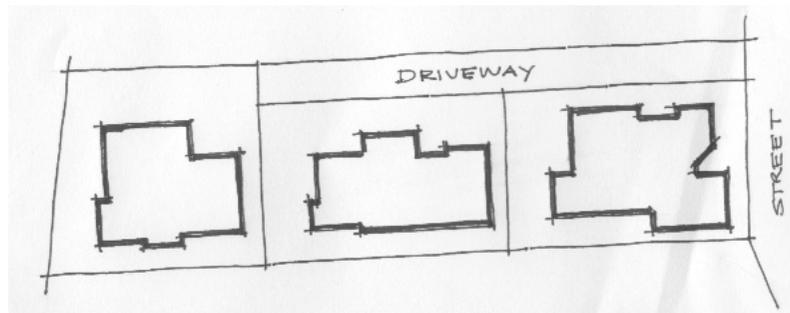
The size and shape of allotments created by the subdivision of land is directly linked to the scale, size and type of residential buildings able to be constructed on site and the quality of space around those buildings. Monitoring and feedback on the subdivision provisions indicates that they are generally working well. However there are issues surrounding the quality of infill subdivision and the development that follows. Infill subdivision typically results in smaller allotments being created due to the absence of a ‘minimum lot size’ requirement in the Plan. The removal of the minimum lot size provision from the 1994 District Plan was deliberate. It acknowledged the lack of large sections able to be subdivided. It was seen as a way to help achieve infill within established suburbs and came from a philosophy (that is

still valid today) that provided the dwelling and space around it was well designed, the size of the section was less relevant.

Implementation and monitoring of the effectiveness and efficiency of the District Plan indicates that, with the exception of infill subdivision which is discussed in more detail below, the subdivision provisions are generally working well.

8.1.1.1 Infill Subdivision

During the preparation of District Plan Change 56 the Council undertook monitoring of the effects of the operative subdivision provisions. The monitoring indicated that the effectiveness of the ‘Controlled Activity’ consent category had been significantly undermined in the previous 10 years since the Plan was first drafted. The Controlled Activity rule provided for subdivisions of up to five residential lots, subject to certain criteria. The intent of the controlled activity status was for Council to provide certainty to applicants that the consent would be granted, but that the Council could still work to achieve quality outcomes by imposing conditions on the consent. While there are some good examples of small lots with well designed dwellings, there are also many examples where the Controlled Activity subdivision rule meant that good design has not always been achieved. RMA case law that has developed over the past 15 years has clarified the status of Controlled Activity provisions and has significantly narrowed the scope of consent conditions able to be imposed.



Typical subdivision plan for a site redevelopment to create infill housing

There is also clear evidence from reviews of consent applications that some developers deliberately use the ‘Controlled Activity’ subdivision process to avoid the requirement to undertake a multi-unit assessment process (and associated assessment against the multi-unit design guide). This is achieved through first subdividing land and then building units as a permitted activity on newly created allotments.

To help counter these issues District Plan Change 56 added the following criteria to the Controlled Activity subdivision rule:

- *results in an allotment less than 400m² and cannot contain a circle with a radius of 7 metres; or*
- *results in an increase in the degree of non-compliance with the residential permitted activity conditions;*

These provisions are intended to help ensure that proposed allotments are well designed and able to easily accommodate residential activities that are compatible with the character of the surrounding neighbourhood.

Further to this, Plan Change 56 added a new section to the Subdivision Design Guide which is purely dedicated to individual lot design. This new section focuses on small scale infill subdivision and requires that applicants clearly demonstrate that a proposed allotment can accommodate acceptable levels of amenity and that it fits cohesively within an already established neighbourhood pattern. New information requirements showing indicative building footprints, parking and access provision should demonstrate that the lots created within the subdivision provide a realistic means of addressing the District Plan standards for building ('Individual Lot Design' in the Subdivision Design Guide in Appendix 1).

DPC 56 revised the provisions to ensure that the subdivision provisions complemented and reinforced the Councils efforts to better manage the effects of infill development. The Residential Review proposes to roll these over with only minor amendments where these are required to fit the revised chapter structure or to improve the clarity of the provisions. Until such time as further monitoring or practice indicates these provisions are deficient, it is accepted on the basis of the recent review that the provisions are appropriate.

8.1.1.2 Areas of Change

In general the subdivision provisions for Areas of Change are the same as those for other Residential Areas. However there is a risk that on-going incremental development and subdivision (such as back yard infill units) in Areas of Change will further fragment land ownership and make it more difficult to accumulate parcels of land for comprehensive redevelopment. Council will therefore generally discourage infill subdivision in Areas of Change.

Infill housing has a role within Areas of Change, particularly when it can be demonstrated that it represents the most efficient use of the site (for example when a single lot is surrounded by properties that have already been redeveloped) and when it helps to add diversity to the housing stock in the area. However further infill development will not be supported if it does not represent the most efficient use of the site, and when it would inhibit future comprehensive redevelopment of the site (and possibly adjoining sites) through the fragmentation of land ownership.

The table below considers the cost and benefits of principle options considered during the preparation of the Residential review.

Table 8: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change – Subdivision			
Option	Key Features	Advantages	Costs and Risks
<p>Option 1 – Do nothing, Status Quo <i>Retain the current District Plan provisions in relation to subdivision.</i></p> <p>This option is not recommended.</p>	<p>Retain the current provisions relating to subdivision (as amended by Plan Change 56).</p>	<p>Plan Change 56 amended the Controlled Activity rule by adding a minimum lot size and a minimum lot dimension. These standards have helped to ensure that any lot created by a Controlled Activity subdivision will be of a size and shape that is generally compatible with the surrounding environment.</p> <p>The subdivision rules created by Plan Change 56 have helped Council to better manage the effects of small scale subdivisions that can potentially result in the over-development of a site. They have also helped to close the loop-hole whereby low quality, intensive developments were able use subdivision as a means of avoiding a stricter land use assessment process that would allow Council to consider the impact on adjoining sites and neighbourhood character.</p> <p>The current provisions do not prevent applicants from seeking smaller lots, or lots of unusual shape, but these will be processed as a Discretionary Activity. Applicants will need to demonstrate that the proposed subdivision will not result in development that is incompatible with existing neighbourhood character or detracts from the amenity of surrounding properties.</p>	<p>Proposals for subdivisions in established residential suburbs that involve 2 storey units will require a greater level of information to be provided to ensure that the Council can assess the effects of the subdivision. It may require surveyors to seek additional expertise from other experts (incl. architects or designers).</p> <p>There are social implications with this in that it may reduce the supply of development sites within established residential suburbs, leading to higher land values and reducing affordability of infill housing.</p>
<p>Option 2 – Clarify Provisions <i>Refine the current District Plan provisions in relation to subdivision.</i></p> <p>This option is recommended.</p>	<p>Refine the current provisions to reflect the revised plan structure, and to improve the clarity and effectiveness of the controls.</p> <p>Revise the Controlled Activity rule to clarify that new lots must be over 400 sq.m. <u>and</u> be able to contain a circle with a radius of 7</p>	<p>The provisions contained in Plan Change 56 have improved the effectiveness with which Council can manage the effects of smaller scale infill subdivision. However there has been some uncertainty as to how the new provisions relating to minimum lot size and minimum lot shape should be applied. The controlled rule has been amended so that it is clear that any new lot must be able to meet both the lot shape and lot size requirement.</p>	<p>Proposals for subdivisions in established residential suburbs that involve 2 storey units will require a greater level of information to be provided to ensure that the Council can assess the effects of the subdivision. It may require surveyors to seek additional expertise from other experts (incl. architects or designers).</p> <p>There are social implications with this in that it</p>

Table 8: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change – Subdivision			
Option	Key Features	Advantages	Costs and Risks
	metres.	The advantages described in Option 1 above apply equally to this option.	may reduce the supply of development sites within established residential suburbs, leading to higher land values and reducing affordability of infill housing.

3.2.3 Background documents

- District Plan Change 45 – Urban Development Areas and Structure Plans
- District Plan Change 46 - Subdivision Design Guide
- District Plan Change 56 – Managing Infill Housing Development

9. Activities

4.2.7 To facilitate a range of activities within Residential Areas provided that adverse effects are suitably avoided, remedied or mitigated, and amenity values are maintained or enhanced.

9.1 Proposed Policies and Methods

4.2.7.1 Control the potential adverse effects of residential activities.

4.2.7.2 Control adverse noise effects within Residential Areas.

4.2.7.3 Provide for a range of non-residential activities within Residential Areas, provided character and amenity standards are maintained, and any adverse effects are appropriately avoided, remedied, or mitigated.

4.2.7.4 Ensure that non-residential activities in Residential Areas do not compromise the role and function of centres.

4.2.7.5 Facilitate a range of non-residential activities at ground floor in the Oriental Bay Height Area, provided amenity standards are maintained, and any adverse effects are appropriately avoided, remedied, or mitigated.

4.2.7.6 Manage the establishment of early childhood centres in Residential Areas

4.2.7.7 To provide for temporary activities that contribute to the social, economic and cultural wellbeing of the community, and control the adverse effects of temporary activities in a manner that acknowledges their infrequent nature and limited duration.

METHODS

- Rules
- National standard access design criteria
- Advocacy
- The Urban Development Strategy
- The Centres Policy
- New Zealand Acoustic Assessment and Measurement Standards
- Other mechanisms (Enforcement Orders, Abatement Notices)

9.1.1 Background

The District Plan manages non-residential activities in Residential Areas on the understanding that these areas are primarily intended for residential activities. The over riding objective is therefore to maintain levels of amenity that are suitable for residential uses. However it is acknowledged that non-residential activities can provide necessary facilities, services and work opportunities for local residents. Providing for non-residential activities in residential areas can assist in achieving Council's aim of a more sustainable city by offering residents the benefits of convenience, and improved access without the need for additional travel.

Monitoring of the effectiveness and efficiency of the current District Plan provisions and other research has indicated some deficiencies in the way the provisions are

achieving the objectives to avoid, remedy and mitigate adverse effects and to maintain and enhance amenity values. In response, the following changes are proposed:

- Filling gaps in rules to control adverse noise effects, and to provide stronger guidance on managing helicopter landing areas
- Clearer policies and methods for managing non-residential activities, including early childhood centres
- Clearer policies and methods for managing temporary activities

9.1.2 Controlling the potential adverse effects of noise

The District Plan contains several standards controlling the effects of noise. The main rule controls the level of noise received at the boundary of any site, other than the site from which the noise is emitted. Additional standards require buildings in noise sensitive areas to insulate against intrusive noise effects and to provide appropriate ventilation. A further rule has also been added to control the effects of helicopter landing areas.

The current approach to managing noise in the District Plan has proven to be adequate however the review has provided an opportunity for a number of outstanding issues to be considered and remedied. Key issues that have been identified are as follows:

- The existing stringent controls on background noise levels on Sundays
- Confusion around where noise levels in Residential Areas should be measured from
- Limited control over helicopter noise
- New national noise standards have been introduced and the Plan needs to be updated to reflect these.

9.1.2.1 Noise levels on Sundays

The setting of appropriate permitted noise levels is based on pre-existing background noise levels. Monitoring carried out in background surveys and for resource consents of the appropriate noise levels in Residential Areas has shown that background levels on Sundays are now no different from any other day of the week. This is mainly due to increases in road traffic. For this reason it is now proposed to bring noise standards for Sundays in line with week day levels.

9.1.2.2 Managing noise generated by residential activities

It is proposed that the noise limits specified in the District Plan will only apply to noise emanating from non-residential activities and mechanical plant associated with residential activities as these activities can be effectively controlled by noise limits. Noise limits applied to general residential activities are impractical to enforce and the limits would unduly restrict typical residential activities. The noise limits will be too stringent for typical activities associated with normal residential living which when carried out in a reasonable manner will have little impact on neighbours. Examples include lawn mowers, well run parties, playing stereos, outside people noise, barbeques and children playing outside. These activities are better controlled using the excessive noise provisions which are complaint based and require a subjective analysis by a noise officer (independent person) who uses common sense and set criteria to assess whether the noise is excessive.

9.1.2.3 Noise Limits

Council officers carried out ambient noise monitoring at numerous properties within the various suburbs throughout Wellington between 2002 and 2005. The data was provided to an acoustic engineer to analyse and provide a report. A report titled, “Wellington City Council 2002 -2005 Ambient Noise Survey, Summary Results and Discussion Document”, was provided to Council by Malcolm Hunt Associates. The report concludes that:

The Outer Residential Area has an L10 45 dBA daytime limit. Consideration should be given to increasing this value based on the results of the ambient noise survey.

And

There is solid evidence to support night time noise limits being 10 dBA more stringent than daytime limits. The monitoring supports the notion that adequate control of potential adverse noise effects across the 10 dBA transition from day to night (and vice versa) can usefully be achieved by the noise rules applying by an evening shoulder period (7pm to 10pm).

Earlier analysis of data in the report shows that the ambient noise levels in the Outer Residential Area are more or less the same as the ambient noise limits in the Inner Residential Area during the day.

	DAY				NIGHT			
	LMax	L 10	L 90	Leq	LMax	L 10	L 90	Leq
Average INNER RESIDENTIAL	79.1	51.6	41.4	49.6	70.8	41.1	33.3	40.5
Average OUTER RESIDENTIAL	77.0	53.4	41.3	51.9	67.8	42.8	32.1	42.1

The current noise limits in the District Plan have daytime limits set in the Outer Residential Area (45 dBA L10) that are ten decibels lower than the limits set in the Inner Residential Area, (55 dBA L10). The New Zealand Standards state 45 dBA is the upper recommended limit for night time. This is a stringent limit for daytime and can be unduly restrictive. 55 dBA is the upper recommended limit for daytime and is quite permissive. Council’s Noise Control Officers recommend that a daytime limit of 50 dBA be applied in all residential areas. They consider that this level would provide adequate amenity protection for residents while allowing non-residential activities where noise effects are reasonable to be carried out in the residential area. 45 dBA would be suitable in the evening (7pm to 10pm) in Outer Residential Areas where ambient levels can be low.

Any noise from mechanical plant, both non residential or residential must comply with a level of 45 dBA in the Outer Residential Area. Mechanical plant is often a constant sound that may occur throughout the day and can have greater effects in a residential setting. Constant sound can raise the background sound environment and noise limits for mechanical plant should be set 5 dBA lower than noise limits that control general activities.

Inner Residential Area and Change Areas (Standard 5.6.1.1)

<i>Monday to Sunday</i>	<i>7am to 10 pm</i>	<i>50 dB Laeq (15 min)</i>
<i>All days</i>	<i>10pm to 7am</i>	<i>40 dB Laeq (15 min)</i>

70 dB LAF max

Outer Residential Areas

<i>Monday to Sunday</i>	<i>7am to 7pm</i>	<i>50 dB Laeq (15 min)</i>
<i>Monday to Sunday</i>	<i>7pm to 10 pm</i>	<i>45 dB Laeq (15 min)</i>
<i>All days 10pm to 7am</i>		<i>40 dB Laeq (15 min)</i>
		<i>70 dB LAF max</i>

9.1.2.4 Measuring noise levels

The current rule “any activity occurring within the Residential Area when measured from any other area listed in Appendix 1 must comply with the stated noise limits” does not make it clear that the rules also apply to residential activities when applied to another location in the same residential area. In addition, the use of “any other area” does not provide adequate guidance as to where the measurement will be taken from. To avoid any confusion around measuring noise levels in residential areas it is proposed to amend the current rule to: “Any activity other than those listed in standard 5.6.1.1.1 occurring within the Residential Area when measured at or within the boundary of any site, other than the site from which the noise is emitted, must comply with the stated noise limits.” This will provide more explicit guidance around where noise measurements will be taken from.

9.1.2.5 Managing helicopter noise emissions

Noise emissions from helicopters over flying, landing and taking off near to built up areas in the city has been found to be very sensitive attracting a high annoyance value, compared with other noise sources. However, there are no specific noise rules to control the operation of helicopters in the District Plan, other than those in the Central Area.

Helicopter noise may be assessed by NZS 6807:1994, however the limits of acceptability contained in the standard are dose based over 24 hours and do not reflect the nuisance effects of single flights. This method of assessment over a reasonably long period of time is similar to that adopted to control aircraft noise from the airport.

The methodology in NZS 6807:1994 is also designed for the assessment of a purpose designed heliport such as that found at the airport. It does not provide for the assessment of small scale operations which have limited flights from a helipad in the residential area. The standard is therefore not suitable on its own for reference in the District Plan if controls were to be applied for all types of helicopter operations.

To ensure that public amenity (in particular neighbour amenity) is protected from adverse noise effects and public safety issues can be addressed, a new rule is proposed to manage helicopter noise in residential areas. Assessment criteria are also proposed to be added to the noise policy.

9.1.2.6 Noise Standards

The older provisional noise standard NZS 6803:1984 has been updated by NZS 6803:1999. This revision introduced night time noise limits and extended guidance about predicting noise from construction activities, mitigation and noise management plans. The revision has also changed the noise descriptors to LEQ and L90. To be consistent with the changes the current noise descriptors in the Plan have been

changed from L10 and L95 to LEQ and L90. These changes align the Standards with international equivalents that have established LEQ and L90 as the main descriptors for environmental noise.

Depending on the circumstances of the noise sources being measured, the LEQ values can typically be around 1 - 3 dB lower than the corresponding L10 values for the same measurement. Corresponding differences can also be found between the L95 and L90 values. However, it is not proposed that the current DP noise limits should be changed to reflect these potential differences.

The old standards would still be referenced for the enforcement of resource consent conditions and activities established before that date.

9.1.3 Managing non-residential activities

Our residential areas accommodate a variety of non-residential activities. These activities provide needed services, facilities or work opportunities for local residents. However as residential areas are dedicated primarily for residential purposes any non-residential activity needs to be carefully controlled so that they do not adversely impact on residential amenity and character or compromise the role and function of centres.

The current situation allows for the effects of non-residential activities to be considered however in order to be consistent with the approach taken in the Suburban Centres chapter of the District Plan, the Centres Policy, and to provide greater guidance on the scale and location of non-residential activities it is considered appropriate for further policy guidance to be provided for non-residential activities.

Policy analysis and the restructuring of the Residential chapter has also indicated that early childhood centres warrant specific policy guidance and as a result a separate policy has been proposed.

The overarching policy to manage the effects of non-residential activities has been tweaked to allow for greater consideration of the effects a non-residential activity may have on residential amenity. In particular Council will discourage clusters of non-residential activities that result in the loss of residential use on the site and can create 'dead' frontages outside of normal working hours. Occupying these premises only during working hours can reduce casual surveillance of adjoining public spaces, and leading to a reduction in the area's round the clock activity and perceived safety.

From a policy perspective there is currently no guidance in the District Plan to allow for the effect of non-residential activities on centres to be considered. The current policy's focus is very much on the amenity protection of the residential neighbourhood making it difficult to sustain a wider argument regarding the effect on nearby centres. To provide greater guidance as to the scale of non-residential activities and to discourage any non-residential activity that may compromise the role and function of nearby centres a new policy has been included. This is in response to the Council's approval of the Centres Policy in August 2008. The Centres Policy provides a framework to guide the development and management of Wellington City's centres.

Further policy guidance has also been given on non-residential activities in the Oriental Bay Height Area which is recognised as being not only a residential area, but also a popular recreational destination. Non-residential activities proposed at ground level in this area will generally be supported so long as the activity is compatible with surrounding residential activities.

9.1.4 Managing early childhood education centres

Early childhood centres provide an important community service and this is recognised in the District Plan. However, to date early childhood centres have been considered under the broader non-residential policy. While there are some benefits in this approach, officers consider that early childhood centres present a set of different issues and clearer policy guidance is needed to ensure that the potential effects on neighbouring amenity are considered fully. As a result a new policy has been included under this objective.

At present Early Childhood Education Centres are a Controlled Activity where a proposed centre can meet the noise standards specified in the Plan. Because consent cannot be declined for a Controlled Activity the current rule structure provides a strong incentive for any proposed centre to meet the noise standards, often requiring significant noise mitigation works. At times the physical mitigation measures (such as acoustic fences or structures) can result in significant adverse effects on neighbours due to reduced outlook, views and sunlight. These factors suggest that it is not possible to adequately manage all of the potential effects of childcare centres (on all sites around the city) using the Controlled Activity status. It is considered that the range of effects generated by childcare centres would be better managed as a Discretionary Activity (Restricted).

9.1.5 Temporary Activities

Temporary activities make an important contribution to the vibrancy and vitality of the city as a whole. Activities such as outdoor concerts, parades, sporting events and cultural festivals play an important role in making Wellington a vibrant and lively city that can be enjoyed by all sectors of society. Temporary activities can have adverse effects, but these are largely mitigated by the short duration and non-repetitive nature of these activities.

There is currently no guidance in the District Plan to allow the positive and negative effects generated by temporary activities to be balanced. To provide greater guidance as to how the Council will manage temporary activities it is proposed to introduce a policy that recognises that these activities need to be controlled in a manner that acknowledges their infrequent nature and limited duration.

At present temporary activities are exempt from the noise standards in Residential Area. Because most temporary activities occur on road reserve or in a park or other public space Council, as land owner, has been relatively successful in managing temporary activities. However it is considered that the current rules, particularly the blanket exemption from the noise standards, are overly permissive.

It is also proposed to amend the rules that apply to temporary activities in the Residential Area to exempt them from the standard noise requirements between the hours of 9am and 9pm (Sunday to Thursday) and 9am to 10pm (Friday to Saturday),

and 9am to 1am on New Years Eve. This would provide greater flexibility to organisers, and recognise the role played by temporary activities.

Under section 16 of the RMA, Council can take action to avoid unreasonable noise irrespective of whether the activity is allowed in the District Plan and whether it complies with the permitted activity standards.

The proposed approach is considered to be a more effective tool for managing temporary activities because it recognises both the positive and negative effects of temporary activities. This option endorses the role of temporary activities in creating a vibrant and dynamic city, but also recognises the needs to provide for the amenity of residents.

9.1.6 Brothels

The Prostitution Reform Act 2003 placed additional requirements on Council when considering resource consents for brothels. In particular the Act requires that:

(1) When considering an application for a resource consent under the Resource Management Act 1991 for a land use relating to a business of prostitution, a territorial authority must have regard to whether the business of prostitution—

- (a) is likely to cause a nuisance or serious offence to ordinary members of the public using the area in which the land is situated or*
- (b) is incompatible with the existing character or use of the area in which the land is situated.*

(2) Having considered the matters in subsection (1)(a) and (b) as well as the matters it is required to consider under the Resource Management Act 1991, the territorial authority may, in accordance with sections 104A to 104D of that Act, grant or refuse to grant a resource consent, or, in accordance with section 108 of that Act, impose conditions on any resource consent granted.

The policy relating to non-residential activities in residential areas has been amended to make reference to issues (a) and (b) above.

The tables below consider the cost and benefits of principle options considered during the preparation of the Residential Area review.

Table 9: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change – Non-residential Activities			
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 non-residential activities.</i></p> <p>This option is not recommended.</p>	<p>Make provision for a range of non-residential activities:</p> <ul style="list-style-type: none"> • Work from home as a Permitted Activity • Early Childhood Education Centres as a Controlled Activity 	<p>Existing provisions are known</p> <p>Provision of non-residential activities in residential areas can enhance convenience and sustainability as people can access services close to where they live.</p> <p>Provides a greater level of certainty to applicants that childcare centres (being a community service in high demand) are able to be established in residential areas.</p>	<p>The current provisions are at times failing to adequately manage the effects of non-residential activities, especially early childhood education centres.</p> <p>The existing policies provide limited guidance on when it is appropriate to permit full non-residential activities (i.e. activities with no residential component) in residential areas.</p> <p>The existing policies provide no guidance on managing the effect that non-residential activities in residential areas might have on established town and neighbourhood centres.</p>
<p>Option 2 – Clarify Provisions</p> <p><i>Amend the current District Plan provisions in relation to non-residential activities.</i></p> <p>This option is recommended.</p>	<p>Make provision for a range of non-residential activities:</p> <ul style="list-style-type: none"> • Work from home as a Permitted Activity. • Early Childhood Education Centres as a Discretionary Activity (Restricted) • Make reference to the requirements of the Prostitution Reform Act 2003 	<p>Provision of non-residential activities in residential areas can enhance convenience and sustainability as people can access services close to where they live.</p> <p>Amended provisions will allow Council to more effectively manage the potential effects of non-residential activities.</p> <p>The Resource Management Act now provides for limited notification procedures. For activities such as early childhood education centres, the limited notification process can allow neighbours to participate in the planning process without forcing applicants to meet the costs of full public notification.</p>	<p>Making early childhood education centres a Discretionary Activity may serve as a disincentive to people wishing to establish a childcare centre in a residential area.</p>

9.1.7 Background documents – non-residential activities

- Wellington City Council, August 2008, Centres Policy
- Ministry of Justice, November 2005, National Guidelines for Crime Prevention through Environmental Design in New Zealand
- Prostitution Reform Act 2003

9.1.8 Key discussions/briefings – non-residential activities

- Glynn Jones, Noise Control Officer, Compliance Monitoring and Enforcement, Discussions held August 2008 – May 2009
- Matt Borich, Noise Control Officer, Compliance Monitoring and Enforcement, Discussions held August 2008 – May 2009
- Dr Michael Dale, Senior Policy Advisor, Policy Unit - 30 October 2008

Table 10: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change – Noise			
Option	Key Features	Advantages	Costs and Risks
<p>Option 1 – Do nothing, Status Quo <i>Retain the current District Plan provisions in relation to noise.</i></p> <p>This option is not recommended.</p>	<p>Retain existing noise standards for the Inner and Outer Residential Areas</p>	<p>Existing provisions are known.</p>	<p>There is a lack of clarity about where noise levels should be measured within Residential Areas</p> <p>The noise standards are not consistent with the results of monitoring of the residential noise environment.</p> <p>The current noise standards are not consistent with New Zealand Standard 6803:1999</p> <p>The current noise standards make no provisions to manage the noise effects generated by fixed plant.</p> <p>The current noise standards make no provisions to manage the noise effects generated by helicopter landing areas.</p>
<p>Option 2 – Clarify Provisions <i>Amend the current District Plan provisions in relation to noise.</i></p> <p>This option is recommended.</p>	<p>Amend the existing noise standards for the Inner and Outer Residential Areas to:</p> <ul style="list-style-type: none"> • Clarify where noise levels should be measured from • Make the noise provisions consistent with the New Zealand Standard • Bring the noise standards into line with the results of 	<p>The amendments will bring the noise standards into line with current best practice, the New Zealand Standard, and the existing noise environment and will provide greater certainty on the methodology required to be following by officers measuring noise.</p> <p>Noise will be more effectively managed and noise complaints will be able to be assessed and managed more efficiently</p> <p>Will remove stricter noise standards for noise on Sundays increasing flexibility for activities.</p>	<p>May impose additional costs to ensure fixed plant standards can be met e.g. additional screening or landscaping to reduce noise.</p> <p>Will increase regulation (i.e. costs and delays) for applicants seeking to land helicopters where none previously existed.</p>

Table 10: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change – Noise			
Option	Key Features	Advantages	Costs and Risks
	monitoring of the residential noise environment • Make provision for fixed plant noise		

9.1.9 Background documents - noise

- Wellington City Council 2002 -2005 Ambient Noise Survey, Summery Results and Discussion Document, Malcolm Hunt Associates
- New Zealand Noise Standard NZS 6803:1999

9.1.10 Key discussions/briefings - noise

- Glynn Jones, Noise Control Officer, Compliance Monitoring and Enforcement, Discussions held August – November 2008
- Matt Borich, Noise Control Officer, Compliance Monitoring and Enforcement, Discussions held August – November 2008

Table 11: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change – Temporary Activities			
Option	Key Features	Advantages	Costs and Risks
Option 1 – Do nothing, Status Quo <i>Retain the current District Plan provisions in relation to temporary activities.</i> This option is not recommended.	Retain the existing provisions relating to temporary activities. Temporary Activities would remain permitted activities at all times, and includes a complete exemption from the noise standards for the duration of the temporary activity.	The current provisions are highly permissive and allow temporary activities to occur at any time as a permitted activity. This option endorses the role of temporary activities in creating a vibrant and dynamic city.	The current approach requires the Council to act retrospectively (under section 16 of the RMA) to control a Temporary Activity that creates a noise nuisance during the hours of exemption from the noise standards. Managing the effects (particularly noise effects) of an activity once it has started can be difficult and can raise the possibility for episodes of civil disobedience. There is the potential for an increased number of noisy events in the Residential Area, possibly to the detriment of the amenity of some public spaces and private residences. The current District Plan provisions do not provide policy guidance to aid the assessment of resource

Table 11: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change – Temporary Activities			
Option	Key Features	Advantages	Costs and Risks
			consent applications for temporary activities that would exceed noise limits or other standards.
<p>Option 2 – Clarify Provisions</p> <p>Provide additional policy guidance regarding temporary activities, amend the hours for which temporary activities are exempt noise limits.</p> <p>This option is recommended.</p>	<p>Install a policy that recognises the temporary nature of the effects of temporary activities. Exempt Temporary Activities from the Residential Area noise standards between the hours of:</p> <ul style="list-style-type: none"> • 9am and 9pm (Sunday to Thursday) • 9am to 10pm (Friday and Saturday) • 9am to 1am the following day on New Years Eve <p>Install assessment criteria to guide assessment of Temporary Activities that do not comply with the noise standards outside the hours specified above.</p>	<p>Provides a greater degree of certainty to Residential Area residents and tenants regarding the potential impact of temporary activities undertaken in the Residential Area.</p> <p>This option endorses the role of temporary activities in creating a vibrant and dynamic city, but also recognises the needs to provide for the amenity of the growing number of people living in the inner city.</p> <p>The proposed approach provides a more versatile and flexible regime for managing Temporary Activities. It acknowledges that the Council can also manage the effects of Temporary Activities outside the District Plan through its role as the owner of the legal road and public which serve as a venue for the majority of outdoor temporary events.</p> <p>Under the proposed approach Temporary Activities that cannot apply meet the noise provisions in the District Plan will require resource consent. However the scope of the consent will limited to considering the potential effects of the excess noise as a discretionary (restricted) activity. This would make the consent application process cheaper, easier and more focused than at present, with many applications currently processed as non-complying activities.</p>	<p>The proposed approach will require the Council to act retrospectively (under section 16 of the RMA) to control a Temporary Activity that creates a noise nuisance during the hours of exemption from the noise standards.</p>

9.1.11 Background documents – Temporary Activities

- **WCC - Wellington – our sense of place: building a future on what we treasure (2004)**

The document promotes ten key characteristics for Wellington City:

- The growing range and size of the creative and cultural sectors

- The range of events and recreation activities, both outdoors and indoors

- **Economic Strategy (2006)**

A goal of the Strategy is that Wellington will be more eventful so the city maximises the economic value from promoting and hosting high profile events.

- **WCC – Long Term Community Council Plan (2006)**

Outcomes sought in the Long Term Council Community Plan 2006/07-2015/16 include:

- *Wellington will maximise the economic value from promoting and hosting high profile events* (Economic Development, 3.3).
- *Wellington will be recognised as the arts and culture capital, and known for its exciting entertainment scene and full calendar of events, festivals, exhibitions and concerts* (Culture, 5.2)

10. Natural features

4.2.8 To maintain and enhance natural features (including landscapes and ecosystems) that contribute to Wellington's natural environment.

10.1 Proposed Policies and Methods

4.2.8.1 Protect significant escarpments, coastal cliffs and areas of open space from development and visual obstruction.

4.2.8.2 Ensure that adverse visual effects of development are avoided, remedied or mitigated in ways that achieve a relatively undeveloped character within identified ridgelines and hilltops..

4.2.8.3 Encourage retention of existing vegetation, especially established trees and existing native vegetation.

METHODS

- Rules
- Design Guide (Subdivision)
- Conservation Strategy
- Open Space Strategy

10.1.1 Background

Monitoring of the effectiveness and efficiency of the District Plan, and other research and consultation has not indicated the need to change existing provisions at this time.

In the majority of the Residential Area private properties are separated from the coast by public road. This helps to ensure that the public can maintain access to these coastal areas, and also helps to ensure that residential activities do not encroach into the coastal area and compromise the natural values of the coastal area.

It is noted that the Residential Coastal Edge has been created as part of this review (see Section 4 above) to recognise that unique character created by the combination of the coast, road, linear residential development and the coastal escarpment. These provisions will help to ensure that new development maintains and enhances the character of the coastal environment.

It is also noted that Plan Change 33 introduced new provisions relating to development within identified Ridgelines and Hilltops. Some of the identified ridgelines and hilltops traverse across the residential zone, and the provisions of DPC 33 have been rolled over in the Residential Review.

10.1.2 Background documents

- Wellington City Council – District Plan Change 33, Ridgelines and Hilltops
- Boffa Miskell (Jan 2008) – Residential Character Study (Pt 1 Study Findings, Pt 2 Policy Report)
- Boffa Miskell (Sept 2008) – Wellington Coastal Edge Residential Review

11. Coastal Environment

4.2.9 To maintain and enhance the quality of the coastal environment within and adjoining Residential Areas.

11.1 Proposed Policies and Methods

4.2.9.1 Maintain the public's ability to use and enjoy the coastal environment by requiring that access to and along the coastal marine area is maintained, and enhanced where appropriate and practicable.

4.2.9.2 Enhance the natural values of the urban coastal environment by requiring developers to consider the ecological values that are present, or that could be enhanced on the site.

4.2.9.3 Ensure that any developments near the coastal marine area are designed to maintain and enhance the character of the coastal environment.

METHODS

- Rules
- Advocacy
- Other mechanisms (New Zealand Coastal Policy Statement, Regional Coastal Plan)

11.1.1 Background

Monitoring of the effectiveness and efficiency of the District Plan, and other research and consultation has not indicated the need to change existing provisions at this time.

In the majority of the Residential Area private properties are separated from the coast by public road. This helps to ensure that the public can maintain access to these coastal areas, and also helps to ensure that residential activities do not encroach into the coastal area and compromise the natural values of the coastal area.

It is noted that the Residential Coastal Edge has been created as part of this review (see Section 4 above) to recognise that unique character created by the combination of the coast, road, linear residential development and the coastal escarpment. These provisions will help to ensure that new development maintains and enhances the character of the coastal environment.

11.1.2 Background documents

- Boffa Miskell (Jan 2008) – Residential Character Study (Pt 1 Study Findings, Pt 2 Policy Report)
- Boffa Miskell (Sept 2008) – Wellington Coastal Edge Residential Review

12. Natural and technological hazards

4.2.10 To avoid or mitigate the adverse effects of natural and technological hazards on people, property and the environment.

12.1 Proposed Policies and Methods

- 4.2.10.1 Identify hazards that pose a significant threat to people and property in Wellington and ensure that appropriate mitigation measures are taken to reduce risks to health and safety.**
- 4.2.10.2 Ensure that structures within the Hazard (Fault Line) Area are not occupied by or developed for vulnerable uses.**
- 4.2.10.3 Ensure that structures in Residential Areas do not exacerbate natural hazards, particularly flood events.**
- 4.2.10.4 Ensure that critical facilities are located to avoid, remedy, or mitigate the adverse effects of hazards.**
- 4.2.10.5 Ensure that the adverse effects of hazards on the natural environment arising from a hazard event are avoided, remedied or mitigated.**

METHODS

- Rules
- Provision of information (Wellington Regional Council and Wellington City Council)
- Other mechanisms (Building Act controls)

12.1.1 Background

While most of the rules and other methods relating to natural and technological hazards in the Residential Area have been retained, the overarching policy has been reworded and a new policy has been introduced to recognise the potential risk posed by fault line hazards.

Implementation and monitoring of the effectiveness and efficiency of the District Plan and other research has not indicated any deficiencies in the way existing provisions achieve the above objective. The policies and methods are workable and only very minor wording changes have been made to enhance the effectiveness of provisions.

As part of the ongoing review of the District Plan, Proposed Plan Change 1 considered the specific flood hazard found in the Tawa and Takapu Area. Proposed Plan Change 22 considered the specific matter of identifying the Hazard (Fault Line) Area. Plan Change 1 became operative in 2002 and Plan Change 22 in 2004. Until such time as further monitoring or practice indicates these provisions are deficient, it is accepted on the basis of the recent review that the provisions are appropriate. Likewise, the appropriateness of the other provisions was considered at the time of being included in the ‘first generation’ District Plan, and these remain relevant and appropriate.

3.2.3 Background documents

- District Plan Change 1 – Tawa and Takapu Flood Hazard Areas
- District Plan Change 22 – Hazard (Faultline) Areas Realignment and Rules

13. Hazardous substances

4.2.11 To prevent or mitigate adverse effects of the storage, use, disposal, or transportation of hazardous substances, including waste disposal.

13.1 Proposed Policies and Methods

4.2.11.1 Ensure the environment is safeguarded by managing the storage, use, handling and disposal of hazardous substances.

4.2.11.2 Reduce the potential adverse effects of transporting hazardous substances.

4.2.11.3 Control the use of land for end point disposal of waste to ensure the environmentally safe disposal of solid and hazardous waste.

4.2.11.4 To require hazardous facilities to be located away from Hazard Areas.

METHODS

- Rules
- Other mechanisms (Health Act, Hazardous Substances and New Organisms Act 1996 and its Transitional Provisions, Health and Safety in Employment Act, 1992, advocacy, Regional Discharges To Land Plan, Regional Plans and bylaws) and NZ land transport legislation (including Land Transport Act 1993, Land Transport Rule: Dangerous Goods 1999 and New Zealand Standard 5433:1999)
- Operational activities (Waste Management Strategy)
- Designation
- Building Act

13.1.1 Background

Council is concerned that the community and environment should not be exposed to unnecessary risk from hazardous substances. The District Plan aims to control use of land in order to prevent or mitigate any potential adverse effects of hazardous substances by considering the appropriateness of the site location and other site requirements to minimise the risk of accidental release. Although these are only two facets of hazardous substances management, others are outside the scope of the District Plan.

The hazardous substance provisions of this Plan work in conjunction with the provisions for hazardous substances under the Hazardous Substance and New Organisms Act 1996. Controls imposed on hazardous substances under the Resource Management Act cannot be less stringent than those set under the Hazardous Substance and New Organisms Act 1996. This requirement is reflected in the rules for hazardous substances in this Plan.

Plan Change 35 reviewed all hazards substances provisions throughout the Plan. That plan change sought to update the provisions in response to amendments to the HSNO Act and also to incorporate the updated Hazardous Facilities Screening Procedure.

Until such time as further monitoring or practice indicates these provisions are deficient, it is accepted that the provisions should be retained.

It is noted that the operative District Plan policies relating to contaminated land have been deleted from the review. These policies have been incorporated into a separate chapter as a result of proposed District Plan Change 69.

Plan Change 69 has also removed the policy and rule relating to the remediation of the contaminated Fort Dorset site in Seatoun on the basis that the site has been capped, and development is almost completed.

3.2.3 Background documents

- District Plan Change 35 – Hazardous Substances
- District Plan Change 69 – Contaminated Land

14. Convenient and safe access

4.2.12 To enable efficient, convenient and safe access for people and goods within Residential Areas.

14.1 Proposed Policies and Methods

4.2.12.1 Seek to improve access for all people, particularly people travelling by public transport, cycle or foot, and for people with mobility restrictions.

4.2.12.2 Manage the road network to avoid, remedy or mitigate the adverse effects of road traffic within Residential Areas.

4.2.12.3 Provide for and, in certain circumstances, require extensions to the existing road network.

4.2.12.4 Require appropriate parking, loading and site access for activities in Residential Areas.

4.2.12.5 Manage the road system in accordance with a defined road hierarchy.

4.2.12.6 Protect and enhance access to public spaces in all areas of the city.

METHODS

- Rules
- National standard access design criteria
- Other mechanisms (Regional Land Transport Strategy, WCC Bylaws)
- Operational activities (WCC Transport Strategy, Traffic Management)
- Advocacy (Council Social Policy)
- Walking and Cycling Plans

14.1.1 Background

The Council's Transport Strategy provides the context for the District plan provisions relating to parking, servicing and site access. The strategy works to ensure that

Wellington’s transport system supports the city’s vision for its future growth and function. More specifically the strategy, among other things, seeks to ensure that roading network functions effectively for people and goods.

The existing policies that are proposed to be retained generally build on existing premises of the District Plan to:

- Improve access for all people,
- Maintain the efficiency of the road network,
- Manage the road system with a defined road hierarchy,
- Permit and provide for appropriate extensions to the road network

Implementation and monitoring of the effectiveness and efficiency of the District Plan and other research has indicated that while the existing provisions are generally working well, they can be improved to better achieve objective 4.2.12. In response, the following changes are proposed:

- Updating the road hierarchy,
- Updating maps to show possible future road alignments. This includes the addition of an indicative route from Wrights Hill, Karori, around the Karori Sanctuary to the Southern Landfill,
- Existing household in inner res split into 2 units –parking,
- Clarifying how to calculate ‘full time equivalent’ staff members,
- Clarifying car parking requirements for boarding houses.

Generally, the best practice for parking and access is provided by the Australian and New Zealand Standard 2891.1 – 2004, Parking Facilities, Part 1: Off-Street Car Parking. This Standard has been based on extensive research and consultation over a long period and is widely used. Compliance with this Standard is also recommended under the Building Code. As the existing District Plan provisions duplicate the Standard and differ in various respects this has caused administrative confusion. It is therefore appropriate that the District Plan requirements be amended to refer to the Standard.

The table below considers the cost and benefits of principle options considered during the preparation of the Residential review.

Table 12: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change – Access			
Option	Key Features	Advantages	Costs and Risks
<p>Option 1 – Do nothing, Status Quo <i>Retain the current District Plan provisions in relation to access.</i></p> <p>This option is not recommended.</p>	<p>District Plan specifies standards relating to vehicle parking and site access.</p>	<p>Current provisions have generally been effective in maintaining the efficient functioning of the road network. Wellington has low levels of congestion compared to some other cities and high levels walking and public transport use.</p> <p>Plan users are familiar with the current provisions.</p>	<p>The current parking and site access standards do not align with NZ Standard 2891.1 – 2004. This has created confusion for some plan users.</p> <p>The road hierarchy shown in Map 33 does not reflect a number of important changes to the road network in Wellington, particularly the development of the Inner City Bypass and the designation of SH1 out to Wellington Airport. Ignoring these changes could, over time, detrimentally impact on the efficiency and effectiveness of the road network by allowing the development of inappropriate access points onto key vehicle routes.</p>
<p>Option 2 – Clarify Provisions <i>Amend the current District Plan provisions in relation to access.</i></p> <p>This option is recommended.</p>	<p>Specify existing standards relating to vehicle parking and site access with the following amendments:</p> <ul style="list-style-type: none"> • Waiving the car-parking requirement for the conversion of existing houses in the Inner Residential area into two units • Clarifying the car parking requirements for childcare centres and boarding houses • Reference to the Australian and New Zealand Standard 2891.1 – 2004 for parking and site access conditions • Revised road hierarchy map 	<p>Wellington has low levels of congestion compared to some other cities and high levels walking and public transport use. However the city does face traffic challenges because peak hour traffic volumes are close to or at the capacity along key routes.</p> <p>The proposed changes to the vehicle parking and access provisions will complement the Transport Strategy (2004) and Transport Strategy (2006) by encouraging more efficient and safer vehicle parking, servicing and access arrangements.</p> <p>Reference to NZ Standard 2891.1 – 2004 will bring the Residential parking and site access standards into alignment with nationally accepted practice, and will make the chapter consistent with the Central Area requirements.</p> <p>Waiving the requirement for car-parking for two flat conversions of existing Inner Residential houses will</p>	<p>The waiving of the off-street parking for flat conversions in the Inner Residential area, may increase pressure for existing on-street car parking in some areas.</p>

Table 12: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change – Access			
Option	Key Features	Advantages	Costs and Risks
	<p>to reflect changes in road layout and levels of road use</p> <ul style="list-style-type: none"> • New indicative road link from Wrights Hill to Southern Landfill. 	<p>enable the flexible re-use of these buildings, and provide a more appropriate balance between retaining streetscape character and requiring provision of off-street car-parking.</p> <p>The updated road hierarchy shown on map 33 more accurately reflects the existing road network, and will allow Council to more effectively manage land development along key vehicle routes.</p> <p>The indicative road link from Wrights Hill to the Southern Landfill would help to future proof access in and out of Karori and to provide better local connectivity between these two suburbs. For Karori this link would create more resilience in the roading network and provide route security in the case of an emergency. It would also improve connectivity and provide more opportunities for sustaining walking, cycling and public transport routing on local roads and negates the need for trips between the suburbs to traverse the city and other arterial routes. It is noted that any proposed extensions to the existing road network will be implemented through the designation process allowing for a full assessment of potential effects.</p>	

3.2.3 Background documents

- Transport Strategy (2004) and Transport Strategy (2006)

The Council's transport strategy is designed to ensure that the city's transport system is sustainable in the long term and supports the city's vision for its future growth and function. The strategy provides direction for Council on decisions for transport infrastructure and management of the system, and to link to other strategies and policies.

The strategy aims to build on the strengths of the Wellington City transport system. The city has inherent advantages as a compact, liveable city because of its topography and development pattern, resulting in a concentration of activities in the inner city. This compact urban form is an important factor in ensuring the sustainability of the city.

Wellington has low levels of congestion compared to some other cities and high levels walking and public transport use. However the city does face traffic challenges because peak hour traffic volumes are close to or at the capacity along key routes.

The proposed changes to the vehicle parking and access provisions will complement the Transport Strategy (2004) and Transport Strategy (2006) by encouraging more efficient and safer vehicle parking, servicing and access arrangements.

- The Australian and New Zealand Standard 2891.1 – 2004, Parking Facilities, Part 1: Off-Street Car Parking

The Australian and New Zealand Standard 2891.1 – 2004 is the primary source document for the design of parking and site access. The foreword to the standard notes:

“The success of a parking development requires an efficient design. It must represent a balance between function, economics, safety and aesthetics. Consideration must be given to the speed and quality of parking service, the traffic circulation, access to and fro the street, the external traffic network, car manoeuvring and convenience for the drivers and pedestrians, including people with disabilities.”

The proposed changes will ensure that the parking requirements of Wellington City are in full accordance with best practice as outlined by the Standard.

15. National Grid

4.2.13 Manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading and development of the electricity transmission network is not compromised.

15.1 Proposed Policies and Methods

- 4.2.13.1 Restrict the location of buildings and structures near high voltage transmission lines.**
- 4.2.13.2 Discourage the establishment of vegetation near high voltage transmission lines, where the mature height of the vegetation would encroach into the growth limit zone for the line.**
- 4.2.13.3 Reduce the potential risks associated with high voltage transmission lines by encouraging the location of these away from urban areas and by restricting the location of residential development near such lines.**

METHOD

- Rules
- Advocacy

15.1.1 Background

The efficient transmission of electricity on the national grid plays a vital role in the well-being of New Zealand, its people and the environment. Transporting electricity efficiently over long distances requires support structures (towers or poles), conductors, wires and cables, and sub-stations and switching stations. The operation, maintenance and future development of the transmission network can be significantly constrained by the adverse environmental impact of third party activities and development near the national grid.

In Wellington, parts of the national grid pass over established residential suburbs. In these areas Council will seek to ensure that any new buildings and structures located near a high voltage transmission line (measured from the centreline at ground level) do not compromise the ongoing operation, maintenance, upgrading and development of the National Grid.

High voltage transmission lines can also generate potential adverse effects for surrounding land uses. In addition to wind noise and corona discharge noise, high voltage transmission lines generate potentially hazardous electromagnetic fields. In accordance with Policy 9 of the National Policy Statement on Electricity Transmission 2008 (NPSET), these are controlled by reference to the International Commission on Non-ionising Radiation Protection (ICNIRP) Guidelines.

The policies have been refined to acknowledge the benefits provided by the national grid and to recognise the potential for land use development to compromise the ongoing operation, maintenance, upgrading and development of the transmission lines.

In Residential Areas any new buildings and structures, (including additions but excluding structures less than 2 metres in height in order to provide for fences) must be located further than 32 metres from high voltage transmission lines as defined on

the Planning Maps. This is in recognition that development in close proximity to lines may result in increased risk to public health and safety (e.g. risk of electrocution) and may restrict the ongoing operation and maintenance of lines.

The table below considers the cost and benefits of principle options considered during the preparation of the Residential review.

Table 13: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change – National Grid			
Option	Key Features	Advantages	Costs and Risks
<p>Option 1 – Do nothing, Status Quo <i>Retain the current District Plan provisions in relation to buildings and structures in close proximity to high voltage transmission lines.</i></p> <p>This option is not recommended.</p>	<p>New buildings (including additions) must be located further than 30 metres from high voltage transmission lines, to protect occupants from potential health hazards.</p>	<p>Existing provisions are known</p>	<p>Council's consideration is limited to the potential health risk of occupants of the buildings in close proximity to the transmission lines. The current rules do not provide for consideration of new buildings on the operation of the national grid network.</p> <p>The current provisions are not consistent with the National Policy Statement on Electricity Transmission.</p>
<p>Option 2 – Clarify Provisions <i>Amend the current District Plan provisions in relation to buildings and structures in close proximity to high voltage transmission lines.</i></p> <p>This option is recommended.</p>	<p>New buildings (including additions) and structures must be located further than 32 metres from high voltage transmission lines, to ensure that land development does not compromise the transmission network and to protect occupants from potential health hazards.</p>	<p>The proposed provisions are consistent with the National Policy Statement on Electricity Transmission. Resource consents for new buildings and structures within close proximity to transmission lines will be able to consider the possible impact of the work on the national grid.</p>	<p>May limit the scope of additions able to be carried out as of right by landowners.</p> <p>May result in a slight increase in the number of proposals that trigger the need for resource consent, increasing costs for applicants.</p>

3.2.3 Background documents

- National Policy Statement on Electricity Transmission 2008 (NPSET)
- International Commission on Non-ionising Radiation Protection (ICNIRP) Guidelines

16. Signs

4.2.14 To achieve signage that is well integrated with and sensitive to the receiving environment, and that maintains public safety.

16.1 Proposed Policies and Methods

4.2.14.1 Control the erection of signs within Residential Areas.

METHODS

- Rules

16.1.1 Background

The suburban residential area is generally free from signs except for those on commercial premises. For this reason, District Plan controls seek to prevent the proliferation of signs, thereby protecting existing residential amenities. Temporary signs are permitted for specified purposes.

Limiting the size and type of signs will help maintain the appearance of Residential Areas by ensuring that individual signs are not a dominant element of the townscape and that a cluttered sign environment will not result. Temporary signs are permitted because they carry useful information and have no lasting environmental effects.

Feedback from the Council's consent team indicates that the current sign rules have been effective in controlling the effects of signs in Residential Areas. Accordingly it is proposed to roll-over the current provisions, with one additional standard which limits the maximum height of signs in residential areas to 2 metres.

The table below considers the cost and benefits of principle options considered during the preparation of the Residential review.

Table 14: The Efficiency, Effectiveness and Appropriateness of the Proposed Plan Change – Signs			
Option	Key Features	Advantages	Costs and Risks
<p>Option 1 – Do nothing, Status Quo <i>Retain the current District Plan provisions in relation to signs.</i></p> <p>This option is not recommended.</p>	<p>Standards place controls on the number and size of signs that can be established as of right in residential areas.</p>	<p>Some degree of signage is very useful as it aids people to easily find and access goods and services located within residential areas.</p> <p>The current standards help ensure that new signage is of a size and scale that is appropriate for the residential context.</p> <p>The rules are sufficiently flexible to allow most properties to erect signs to advertise on-site businesses</p> <p>Providing for temporary signs means that community events and short term signs do not require consent.</p>	<p>Resource consent is required to establish signage that is not anticipated by the plan provisions.</p>
<p>Option 2 – Clarify Provisions <i>Amend the current District Plan provisions in relation to signs.</i></p> <p>This option is recommended.</p>	<p>Retain existing standards that control the number and size of signs that can be established as of right in residential areas. Add a standard to control the maximum height of signs in residential areas.</p>	<p>In addition to the above advantages, the improvement of the current std to include a height requirement will help to prevent signs being erected to unreasonable heights in order to increase their visual prominence.</p>	<p>Resource consent is required to establish signage that is not anticipated by the plan provisions.</p>

17. Tangata Whenua

4.2.15 To facilitate and enable the exercise of tino rangatiratanga and kaitiakitanga by Wellington's tangata whenua and other Maori.

17.1 Proposed Policies and Methods

4.2.15.1 Identify, define and protect sites and precincts of significance to tangata whenua and other Maori using methods acceptable to tangata whenua and other Maori.

4.2.15.2 Provide the opportunity for establishing marae, papakainga/ group housing, kohanga reo/language nests and similar activities in Residential Areas that relate to the needs and wishes of tangata whenua and other Maori, provided that the physical and environmental conditions specified in the plan are met.

4.2.15.3 In considering resource consents, Council will take into account the principles of the Treaty of Waitangi/Te Tiriti o Waitangi.

METHODS

- Rules
- Information

17.1.1 Background

Maori concepts present a different view for the management of the City's natural and physical resources. In particular, kaitiakitanga is a specific concept of resource management. By acknowledging ancestral relationships with the land and natural world, a basis can be constructed for addressing modern forms of cultural activities.

Particular features of the natural and cultural landscape hold significance to tangata whenua and other Maori. The identification of specific sites (such as wahi tapu/sacred sites and wahi tupuna/ancestral sites) and precincts will ensure that this significance is respected. For this reason, sites of significance and precincts are listed and mapped within the Plan.

Monitoring of the effectiveness and efficiency of the District Plan, and other research and consultation has generally not indicated the need to change existing provisions at this time. Council will continue to work with local iwi to identify sites and precincts of interest to tangata whenua, which may result in further plan changes in the future. The Plan may also need to be updated to recognise any future Iwi Management Plans.

Chapter 2 of the District Plan which deals with Issues for Tangata Whenua will be reviewed as part of the Council's ten yearly review of the plan.

18. Definitions

The Residential Review also proposes a variety of amendments to existing definitions that will aid the implementation of the plan. These include:

- Amend the definition of **access lot** by removing the term ‘primarily’. This will remove the element of discretion currently contained in the definition.
- Amend the definition of **access strip** by removing the term ‘or intended to provide’. This will remove the element of discretion currently contained in the definition.
- Simplifying the **ground level** definition to clarify how to calculate assessed ground level below existing buildings.
- Simplifying the definition used to determine **ground level** for the purpose of applying building recession planes.
- A new definition for **ground level open space** to aid in the implementation of the policies and rules relating to open space
- Amend the definition of **height** to:
 - Clarify that exemption for sloping roofs applies only to sloping roofs that rise to a central ridge or peak
 - exclude satellite dishes up to 1 metre in diameter from the measurement of building height.
- A new definition for **multi-unit development** to aid in the implementation of the policies and rules relating to building height, neighbourhood character and residential amenity.
- Amend the definition of **demolition** relating to pre-1930 buildings to clarify that it includes:
 - Demolition of the primary form
 - Additions that render the primary form illegible
 - Removal of architectural features from the primary elevation
- Amend the definition of **primary elevation** to clarify that this provisions now applies to all areas covered by the pre-1930 demolition rule.
- **Sunlight access planes** have been re-named as **building recession planes** in recognition that their role extends beyond just protecting neighbours access to direct sunlight. They also serve to protect neighbours from over-bearing, loss of privacy and reduction in daylight levels.
- A new definition for **townscape** has been added to aid implementation of the pre-1930 demolition rule.

The revised definitions will provide for simpler, more effective implementation of the Residential Area provisions. In this regard they are necessary to enable Council to deliver on the objectives for the Residential Areas.

19. Rezoning

The Residential Review also proposes to re-zone a small number of sites to Residential.

Location and Proposed Re-zoning	Image
<p><u>Fraser Ave, Johnsonville</u></p> <p>This is relatively small (2697m²) triangle of land located between Fraser Ave and Kiwi Point Quarry (Lot 3, DP 89275). The site is currently zoned Open Space but is held in private ownership. The owners have requested that the current zone be replaced by either an Outer Residential or Suburban Centre zoning. On the basis that Council generally does not zone private land as Open Space without the agreement of the land owner (a principle endorsed by the Environment Court in its decision on WCC v Capital Coast District Health Board) it is proposed that the site be rezoned to Outer Residential. It is considered that a residential zone is more appropriate, as the site is steeply sloping with poor access and fairly isolated.</p>	
<p><u>Peterhouse Street, Tawa</u></p> <p>Two properties at the end of Peterhouse Street, at the very edge of the urban area. The properties are relatively large and are currently zoned Rural-Residential. The existing plan provisions anticipate some degree of residential development on the site, and the existing owners have requested that the front portion of each site be re-zoned to residential to match neighbouring properties and to facilitate residential development without the need to seek resource consent (a requirement of the current rural residential provisions). The areas proposed to be rezoned do not contain any significant vegetation. Due to the shape of the sites facilitating residential development at the street edge may result in the upper slopes being retained in bush. The northern most of the two lots has an existing consent for a single residential dwelling.</p>	

12 Mulgrave Street, Thorndon

A small site containing the relocated Thorndon Fire Station on Mulgrave Street, Thorndon.

At present half of the property has no zoning as a result of an anomaly in the planning maps. It is proposed to zone the property Inner Residential to match adjoining properties

Cnr Bowen Street and Tinakori Road, Thorndon

This property, containing a small house, is located on the corner of Tinakori Road and Bowen Street. At present the property has no zoning as a result of an anomaly in the planning maps. It is proposed to zone the property Inner Residential to match adjoining properties



20. Conclusion

Many of the existing policies and methods applying to the Residential Areas have been retained in the Residential Review. These provisions were either part of the operative District Plan or were introduced by way of a district plan change.

Since the current District Plan was made operative in July 2000, it has been subject to a number of plan changes to amend and refine the operative provisions. While many of the plan changes were minor, or site specific, a number of the plan changes resulted in significant changes to the Residential Area policies and rules. These key plan changes included:

- Plan Change 6 – Residential Definitions and Rules
- Plan Change 38 & 39 – Residential Character in Newtown, Berhampore and Mt Cook
- Plan Change 45 – Urban Development Area and Structure Plans
- Plan Change 56 – Managing Infill Residential Development

Overall, the existing policies and methods to achieve the plan objectives were examined at the time of being included in the ‘first generation’ District Plan or as part of a subsequent plan change. Based on Council’s monitoring and experience in implementing these provisions, it is considered that these provisions remain relevant and appropriate at this time.

Significant new proposals introduced by the residential review include:

- Areas of Change in Johnsonville and Kilbirnie

- Residential Coastal Edge including properties stretching from Point Jerningham, around Miramar Peninsula to Owhiro Bay
- Rationalisation of the pre-1930 demolition rules that apply to the inner city suburbs
- Revised chapter structure.

Based on the analysis contained in this report it is considered that the changes introduced by the Residential Review are appropriate and necessary to enable Council to achieve the objectives for the Residential Area.

Appendices

Appendix 1. References from Parts A, B and C.

- The New Zealand Urban Design Protocol (2005)
- National Guidelines for Crime Prevention through Environmental Design in New Zealand (2005)
- Department of Conservation (1994) New Zealand Coastal Policy Statement
- Greater Wellington Regional Council (1995) Wellington Regional Policy Statement
- Greater Wellington Regional Council (2009) Proposed Wellington Regional Policy Statement
- Upper Hutt City Council, Porirua City Council, Hutt City, Greater Wellington Regional Council, Kapiti Coast District Council, Masterton District Council, Carterton District Council, South Wairarapa District Council, Wellington City Council (2005) *Internationally Competitive Wellington, a sustainable economic growth framework for our region*
- Ministry for the Environment (2005) *Summary of The Value of Urban Design - The economic, environmental and social benefits of urban design*
- The Ministry for the Environment (2005) *Value Case for Sustainable Building in New Zealand*
- Ministry of Economic Development (2004) Sustainable Energy: Creating a Sustainable Energy System for New Zealand - Discussion Paper
http://www.med.govt.nz/templates/MultipageDocumentPage_10137.aspx
- Beacon Pathways (June 2009) Building Sustainable Homes, A Resource Manual for Local Government
- Wellington City Council (2005) Built Heritage Policy
- Wellington City Council (2006) Urban Development Strategy
- Wellington City Council (2006-2008) – working papers prepared to support the Urban Development Strategy:
 - Working paper 1 - City Profile and Policy Stocktake
 - Working paper 2 – Preliminary ideas, directing new growth
 - Working paper 3 – Draft principles and directions for urban development
 - Working paper 4 – Place based workshops
 - Working paper 6 – Social and environmental effects of residential infill housing
 - Working paper 7 – Impacts of long term climate change on weather and coastal hazards for Wellington City
 - Working paper 8 – Adelaide road study on residential intensification
 - Working paper 9 – Quantifying the growth spine
 - Working paper 10 - Identifying sites for residential infill development in Wellington City
 - Working paper 11 - Walkability and access to public transport and town centres

- Working paper 12 - Creating the right conditions for intensive residential development along the growth spine
- Working paper 15 - Issues and Options for Facilitating and Managing Intensive Residential Development in Wellington City
- Working paper 14 – Roading constraints and opportunities for infill housing and intensification
- Working paper 16 – Wellington City character Assessment
- Wellington City Council (2006) Transport Strategy
- Wellington City Council (2006) Environment Strategy
- Wellington City Council (2006) Economic Strategy
- Sustainable Development for New Zealand Programme of Action, 2003
- Wellington City Council (2006) Long Term Council Community Plan 2006/07 - 2015/16
- Wellington City Council (2004) Wellington – our sense of place: building a future on what we treasure
- Wellington City Council (2006) - *Qualitative research report: Residential infill in Wellington: The resident's view*, Prepared by TNS Research.
- Wellington City Council (2006) - Long Term Council Community Plan 2006/07 – 2015/16
- Wellington City Council (2006-2007) – Density in Wellington
- Wellington City Council (2007) – Johnsonville Town Centre Draft Plan
- Wellington City Council (May 2008) - How and where will Wellington Grow?
- Hill Young Cooper (Dec, 2007) – Intensification and the District Plan
- Boffa Miskell (Jan 2008) – Residential Character Study (Pt 1 Study Findings, Pt 2 Policy Report)
- Boffa Miskell (Nov 2008) – Areas of Change, Possible Development Scenarios
- Boffa Miskell (Sept 2008) – Wellington Coastal Edge Residential Review
- DTZ New Zealand (2009) – Proposed Changes to the District Plan (inc. Impacts of Areas of Change on Land Values)
- Graeme McIndoe (Oct 2008) – Character Analysis of Inner Residential Areas
- NZ Noise Standard NZS 6803:1999
- New Zealand Standard 2891.1 – 2004, Parking Facilities, Part 1: Off-Street Car Parking
- National Policy Statement on Electricity Transmission 2008 (NPSET)
- International Commission on Non-ionising Radiation Protection (ICNIRP) Guidelines