

# *Proposed District Plan Variation 11*

Amendments to Proposed District Plan Change 48  
(Central Area Review) – Wellington Waterfront

December 200





### WELLINGTON CITY DISTRICT PLAN

### PROPOSED DISTRICT PLAN VARIATION 11: AMENDMENTS TO PROPOSED DISTRICT PLAN CHANGE 48 (CENTRAL AREA REVIEW) – WELLINGTON WATERFRONT

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

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

#### Chapter 12 – Central Area

1. **Delete** the following text from the second paragraph of the introduction under the heading 'Special Areas' as follows:

*This commitment is further described in the Framework, which also proposes governance arrangements requiring ongoing monitoring by a group of both professional and community representatives.*

2. **Add** a new bullet point and text under the methods to Policy 12.2.8.1 after the word 'Rules' as follows:

- Design Guides (The Central Area Urban Design Guide)

3. **Amend** the second bullet point and text under the methods to Policy 12.2.8.3 by **deleting** the words "(The Wellington Waterfront Framework)" and **adding** the following text after the words "Design Guides":

(The Central Area Urban Design Guide)

4. **Amend** the list of 'distinct areas' under Policy 12.2.8.3 by **adding** the following text before the words "North Queens Wharf".

Kumutoto/

5. **Amend** the first bullet point and text under the methods to Policy 12.2.8.5 by **deleting** the words "(The Wellington Waterfront Framework)" and **adding** the following text after the words "Design Guides":

(The Central Area Urban Design Guide)

6. **Add** the following text to the first line of Policy 12.2.8.6 after the words “Provide for new”:

building

7. **Add** a new policy after existing Policy 12.2.8.6 as follows:

**12.2.8.6A Manage the site planning and design of new buildings and related public spaces within identified areas to ensure quality design outcomes.**

8. **Amend** the second bullet point and text under the methods to existing Policy 12.2.8.6 (and new 12.2.8.6A) by **deleting** the words “(The Wellington Waterfront Framework)” and **adding** the following text after the words “Design Guides”:

(The Central Area Urban Design Guide)

9. **Add** a new paragraph of explanatory text after the third bullet point of the methods to existing Policy 12.2.8.6 (and new 12.2.8.6A) as follows:

For a long period of time buildings and a range of port related structures have played an important role in the functioning and public use of the waterfront. They will continue to do so. Some buildings and structures may be new and some may be adapted and altered.

10. **Delete** the following text from the first and second paragraphs of explanatory text under existing Policy 12.2.8.6 (and new 12.2.8.6A):

In the Kumutoto/North Queens Wharf area buildings will be in scale with heritage buildings.

Buildings are modified over time, particularly when they are re-furbished to accommodate new activities and uses.

11. **Add** the following text to the fourth paragraph of explanatory text under existing Policy 12.2.8.6 (and new 12.2.8.6A) after the words “The following”:

general

12. **Delete** the following bullet points and text after the fourth paragraph of explanatory text under existing Policy 12.2.8.6 (and new 12.2.8.6A):

- *the principles and objectives of the Wellington Waterfront Framework.*
- *For building works within the Queens Wharf Special Height Area shown in Appendix 4 the extent to which additions or alterations have regard to the principles and objectives of the Wellington Waterfront Framework and are designed to complement the existing buildings. Particular consideration will be given to ensuring that the pitch of roofs generally match existing roof slopes (other than any gable windows or other minor roof features) and that all new work is strongly modelled and well integrated into the existing design and that any additional floors are clearly articulated in their external appearance.*
- *whether the ground floor of the building has an ‘active edge’ that supports the public use of the space and which is predominantly accessible to the public.*

- *whether the addition or alteration will result in a building that will be complementary to, and of a scale appropriate to, other existing buildings adjacent and nearby.*
- *whether the addition or alteration respects the form and scale of the existing building.*
- *whether the addition or alterations will have a material effect on sunlight access to any open space.*
- *whether the addition or alteration will intrude on an identified viewshaft.*
- *whether the addition or alteration adversely affects the heritage values or significance of the heritage building.*
- *the adverse effects of the building work on wind, views, shading and sunlight on adjacent properties in the Central Area.*

13. **Add** the following text after the fourth paragraph of explanatory text under existing Policy 12.2.8.6 (and new 12.2.8.6A):

- *the relevant provisions of the Central Area Urban Design Guide.*
- *the principles and objectives of the Wellington Waterfront Framework.*
- *whether the ground floor of the building has an ‘active edge’ that supports the public use of the space and which is predominantly accessible to the public.*
- *whether the addition or alteration building work will result in a building that will be complementary to, and of a scale appropriate to, other existing buildings adjacent and nearby.*
- *whether the addition or alterations building work will have a material effect on sunlight access to any open space.*
- *whether the addition or alteration building work will intrude on an identified viewshaft.*
- *the adverse effects of the building work on wind, views, shading and sunlight on adjacent properties in the Central Area.*
- *The amount of vehicle parking and the extent to which any parking (and associated access and manoeuvring spaces) will ensure the protection of the pedestrian environment on the waterfront and the public use of ground floor building space.*

*In addition to the above the following shall also apply:*

**Additions and alterations**

- *whether the addition or alteration adversely affects the heritage values or significance of the heritage building.*
- *whether the addition or alteration respects the form and scale of the existing building.*

**Building works within the Queens Wharf Special Height Area**

- *for building works within the Queens Wharf Special Height Area shown in Appendix 4 the extent to which additions or alterations have regard to the principles and objectives of the Wellington Waterfront Framework and are designed to complement the existing buildings. Particular consideration will be given to ensuring that the pitch of roofs generally match existing roof slopes (other than any gable windows or other minor roof features) and that all new work is strongly modelled and well integrated into the existing design and that any additional floors are clearly articulated in their external appearance.*

**Building works and associated open space within identified areas**

**1. Kumutoto/North Queens Wharf area**

For buildings and related public spaces within the Kumutoto/North Queens Wharf area the extent to which proposals accord with the Kumutoto/North Queens Wharf provisions in Appendix 4 of the Central Area Urban Design Guide.

14. **Add** a new policy 12.2.8.6.B and related explanatory text as follows:

**12.2.8.6B Ensure that significant buildings in the North Kumutoto area and related public spaces display design excellence.**

**METHODS**

- Rules
- Design Guides - The Central Area Urban Design Guide – including North Kumutoto provisions

The Wellington Waterfront is a special public space where there is an expectation that any development will be of a high quality. This is expressed in the Principles of the Waterfront Framework where there is an acknowledgement that the quality of architecture and design is an important element of achieving a waterfront that is distinctly “Wellington”.

In the North Kumutoto area building ‘sites’ have been identified and the associated Plan provisions provide for an appropriate level of development as a Discretionary Activity (Restricted). Through the implementation of the rules which include additional design guide requirements the Council will seek a level of design excellence for buildings and the development of open space that will significantly enhance the waterfront. Careful assessment will also be given to development proposals that might exceed the specified building height and footprint requirements as it is the Council’s view that the issue of design quality is even more important in such cases.

When processing a consent application Council will consider the proposals in relation to their immediate surroundings and the extent to which they will make a positive contribution to the waterfront environment, and deliver design excellence. Particular consideration will be given to the relationship of new buildings with adjacent listed heritage buildings, the maintenance of viewshafts, the protection of pedestrian access through the area and the shading of open space areas including lanes.

15. **Add** a new policy 12.2.8.6.C and related explanatory text as follows:

**12.2.8.6C To ensure that the ground floor of buildings be predominantly accessible to the public and have active edges to significant adjacent public spaces.**

**METHODS**

- Rules
- Design Guides (The Central Area Design Guide)
- Operational activities (The Wellington Waterfront Framework)

The waterfront is one of the City’s prime public spaces. It is important that the entire Waterfront area, including the ground floor of buildings, be predominantly accessible to the public.

To support this principle, specific rule provisions have been included that require the ground floor of buildings to be predominantly accessible to the public and also to have active edges to significant adjacent public spaces. The application of these provisions will work to achieve a high quality public environment.

16. **Amend** the explanatory text to policy 12.2.8.8 by deleting the second and third paragraphs and substituting the following:

The statutory requirements under the Resource Management Act provide for public participation with respect to the development of plans in identified areas or via the resource consent process for specific development proposals outside those areas.

In addition, governance arrangements for the waterfront include a Waterfront Development Plan process which reviews and reflects the on-going planning and development of the waterfront. This is undertaken on an annual basis and confirms the direction of waterfront development over the following year.

The approval process for the Waterfront Development Plan will provide for public submissions, into the decision making process undertaken by the Council in its capacity as land owner.

## Chapter 13 – Central Area Rules

16. **Add** the text “13.3.4A,” after the text “Rule 13.3.4,” in the third paragraph after the heading “13.3 Discretionary Activities (Restricted)”

17. **Add** the following new rule after existing Rule 13.3.3.13:

**13.3.3.13A ground floor accessibility and edge treatment of any building in the Lambton Harbour Area**

18. **Add** the following bullet point after the third bullet point under the non-notification clause of Rule 13.3.3:

- 13.3.3.13A (ground floor accessibility and edge treatment)

19. **Add** the text “12.2.8.6C,” after the text “12.2.6.16 – 12.2.6.17,” under the *relevant policies for preparing resource consent applications* in Rule 13.3.3.

20. **Add** the following text at the end of the first bullet point under Rule 13.3.4:

, except buildings and structures within identified areas under Rule 13.3.4A

21. **Add** a new Rule 13.3.4A after existing Rule 13.3.4, including the amendment to the Non-notification clause for Rules 13.3.4 and 13.3.4A as follows:

**13.3.4A** **The construction or alteration of, and addition to buildings and structures and the development of new Open Space within identified areas in the Lambton Harbour Area (as shown in Appendix 13) are a Discretionary Activity (Restricted) in respect of:**

**13.3.4A.1** **Design, external appearance and siting**

**13.3.4A.2** **height**

**13.3.4A.3** **public space structure and public space design.**

*Building work covered by rule 13.3.4A will be assessed against the provisions of the Central Area Design Guide.*

*Note, section 3.2.4 requires a Design Statement to accompany any application for resource consent that is to be assessed against a Design Guide.*

*Non-notification/ service*

In respect of rules 13.3.4 and 13.3.4A applications do not need to be publicly notified and do not need to be served on affected persons.

*Relevant policies for preparing resource consent applications*

See 12.2.3.2, 12.2.5.10, 12.2.6.1 – 12.2.6.3, 12.2.6.5, 12.2.6.10 – 12.2.6.12, 12.2.6.14 – 12.2.6.18, 12.2.7.1 – 12.2.7.3, 12.2.8.1 – 12.2.8.9.

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

*If the proposal does not comply with standards for buildings and structures in 13.6.1 or 13.6.3, Rule 13.3.8 applies in addition to this Rule.*

*Proposals that do not comply with Rule 13.3.4A. see Rule 13.4.7.*

22. **Add** new Rules 13.3.8.10A and 13.3.8.10B after existing rule 13.3.8.10 as follows:

**13.3.8.10A** **ground floor accessibility and edge treatment of any building in the Lambton Harbour Area**

**13.3.8.10B** **buildings and structures in identified areas within the Lambton Harbour Area which are not within identified building footprints**

23. **Add** a new Rule 13.3.8.14A after existing Rule 13.3.8.14 as follows:

**13.3.8.14A** **except that maximum building height in identified areas within the Lambton Harbour Area must not be exceeded by more than 15 percent.**

24. **Add** the following text to the first bullet point under the exceptions to Rule 13.3.8. after the words “in the Lambton Harbour Area”:

**that are not in an identified area (as shown in Appendix 13),**

25. **Delete** the word “and” at the end of the eighth bullet point under the Non-notification clause of Rule 13.3.8.
26. **Add** the following bullet point after the eighth bullet point under the Non-notification clause of Rule 13.3.8:
- 13.3.8.10A (ground floor accessibility and edge treatment), and
27. **Add** the following text to Rule 13.4.5 after the words “in the Lambton Harbour Area” and **delete** the corresponding margin note:
- , which is not within an identified area (as shown in Appendix 13)**
28. **Delete** existing Rule 13.4.7 (and corresponding margin note) and **replace** with the following new Rule 13.4.7:

**13.4.7** **The construction of new buildings and structures in the Lambton Harbour Area which are not within an identified area (as shown in Appendix 13), or**

**the construction of new buildings and structures or the alteration of, and addition to existing buildings and structures within an identified area (as shown in Appendix 13) which do not comply with Rule 13.3.4A or the relevant provisions of Rule 13.3.8, or**

**the alteration of, and addition to existing buildings and structures in the Lambton Harbour Area, which:**

- **do not satisfy any of the criteria for minor additions and alterations in Rule 13.3.5, or**
- **are within the Queens Wharf Special Height Area (as shown in Appendix 4) but do not meet the standards specified in 13.6.1 (activities, buildings and structures) and 13.6.3 (buildings and structures)**

**are Discretionary Activities (Unrestricted).**

**Relevant policies for preparing resource consent applications**

See 12.2.3.2, 12.2.8.1-12.2.8.9

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

29. **Add** the following standard after existing standard 13.6.1.3.22:

**Lambton Harbour Area ground floor accessibility and edge treatment**

**13.6.1.23** **The ground floor of buildings within the Lambton Harbour Area shall have:**

- (i) no less than 60 per cent of its floor area accessible to the public
- (ii) at least 60 percent of any frontage to a road, lane, boardwalk, promenade, park or square as entrance space or display windows.

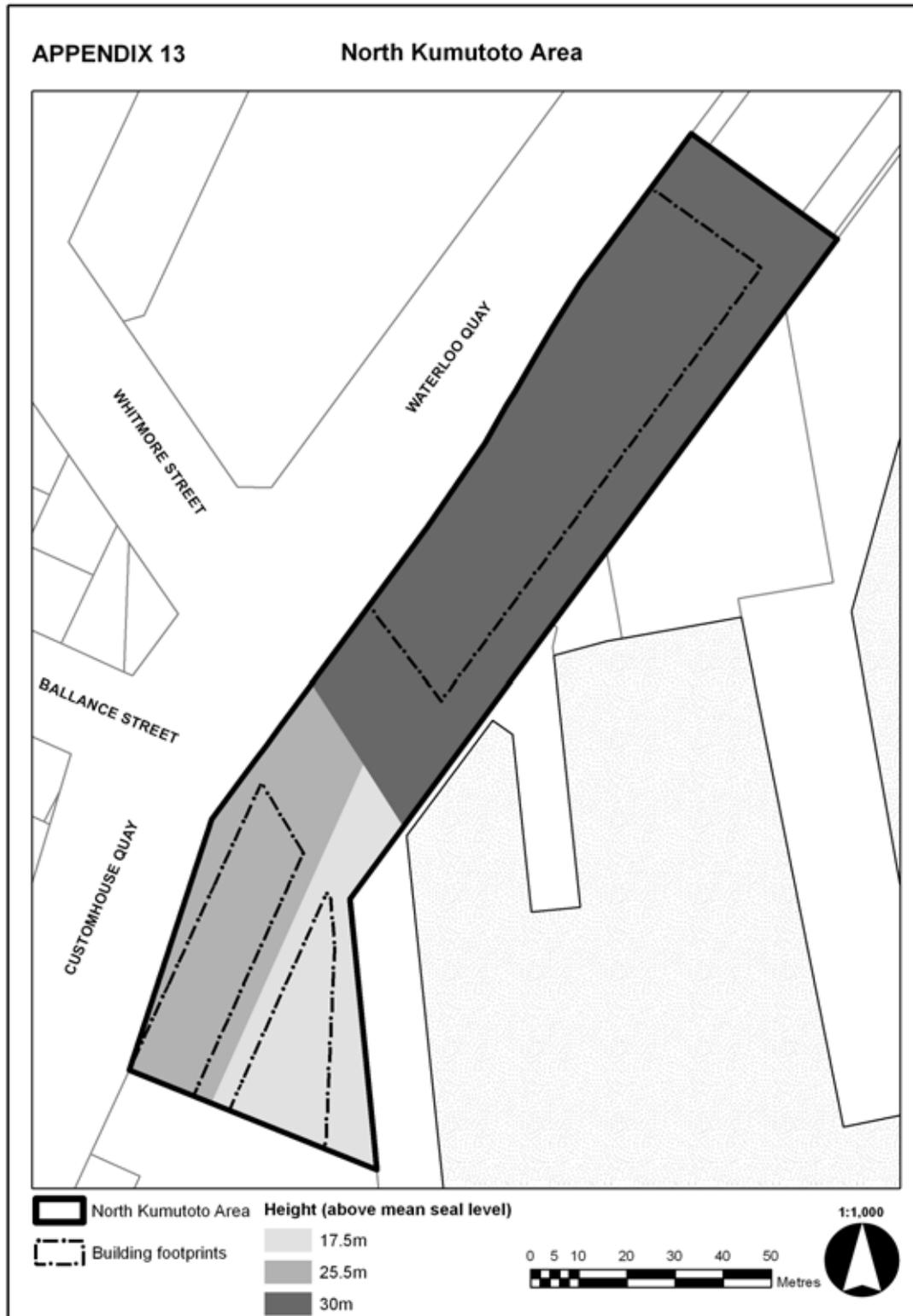
30. **Add** the following standard after existing standard 13.6.3.1.4:

**Buildings within identified areas within the Lambton Harbour Area**

13.6.3.1.4A No building shall extend beyond any building footprint as shown on Appendix 13.

31. Add Appendix 13 to the Central Area Appendices as follows:

### Appendix 13 North Kumutoto Area (Refer to Rule 13.3.4A)



32. **Add** the North Kumutoto Design Guide as Appendix 4 to the Central Area Urban Design Guide as follows:
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# **Central Area Urban Design Guide Appendix 4 – North Kumutoto Precinct (Nk)**

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## **Contents**

### **Introduction**

- Intention
- Character

### **Objectives**

- 1 Design excellence
- 2 Design coherence
- 3 Sense of place
- 4 Building robustness
- 5 Pedestrian experience and links
- 6 Building relationship to public space
- 7 Building relationship to Customhouse and Waterloo Quays

# Introduction

North Kumutoto has been identified as a special area that is needing further guidance to direct how these area should be developed.

This North Kumutoto Precinct Appendix is intended to be read in conjunction with the Central Area Urban Design Guide which addresses generic design issues relating to the construction of new buildings, and additions and alterations to existing buildings.

The North Kumutoto Precinct Appendix provides more site specific guidance to guide deliver of exceptional design both in terms of building design as well as public open space design in North Kumutoto.

# Intention

To achieve high quality buildings, places and spaces in the North Kumutoto area of the waterfront that meet the principles and objectives as set out in The Wellington Waterfront Framework 2001.

These principles and objectives set an expectation of exceptional design for the waterfront generally, and in particular the North Kumutoto area.

# Using this Appendix

There are an infinite range of design solutions as to how a building could sit in Block A, B or C and there needs to be design flexibility that can respond to these locations; hence the requirement of exceptional design that will deliver on the intent of this design guide.



*North Kumutoto Precinct*



**Objective:**

**(Nk) O1.0 To deliver design excellence in the form of buildings and public space**

**Guidelines:**

**(Nk) G1.1** Deliver creativity and imagination in the conceptual design to provide exquisite resolution of buildings and public space to complete the waterfront and elevate the city's reputation as a centre of creativity. Architectural creativity and imagination should be linked with conceptual clarity, conviction and control, and the cleverness of response to the project programme and site. Exquisite resolution will come about through the quality of detailing, and the appropriateness of materials rather than their cost.

**(Nk) G1.2** Be responsive to the context via the recognition of the particularities of site. Complement and enhance other waterfront and adjacent buildings, spaces and activities as well as the broader city context. This could be by employing consistency or contrast or both.

**(Nk) G1.3** Express contemporary culture through the design proposal which is of this time as well as place and relates to international as well as local culture.

**(Nk) G1.4** Deliver on a design that incorporates principles of environmentally sustainable design that are compatible with programme and site.

**(Nk) G1.5** Deliver a functional design where quality of accommodation, environmental conditions appropriate to function, efficiency of spatial relationships, safety and security, provision for flexibility of use, and resolution of access to, through and within the building are paramount.

**(Nk) G1.6** Design for feasibility so that the proposal is able to reconcile conflicting criteria to be financially, technically and politically feasible.



*Architectural detail*

**Objective:**

**(Nk) O2.0 To provide design coherence both within the area and the wider environment.**

**Guidelines:**

**(Nk) G2.1** Respect neighbouring buildings. For this reason, developments on Blocks A, B and C should have a level of consistency that acknowledges each other's presence.

**(Nk) G2.2** The external treatment of the buildings should contribute to the perception that the waterfront is inhabited and active.

(Nk) G2.3 Where buildings exceed (in part or in whole) the specified height limits there is need to show how the design will impact on the public spaces positively.

**Objective:**

(Nk) O3.0 **To compliment and maintain the sense of place and waterfront character of this area.**

**Guidelines:**

(Nk) G3.1 Recognise in new building the height and bulk of the existing heritage buildings and provide for transitional forms or architectural features that respect the existing buildings. The relationship between Shed 13 and Block B is critical.

(Nk) G3.2 Acknowledge aspects of history where opportunities exist. This could be in the form of highlighting traces which include not only the remaining waterfront buildings, but artefacts such as the wharf gates and wharf structures, and the evidence of usage and industrial/maritime wear and tear.

(Nk) G3.3 Complement and maintain consistency with the maritime character. Fishing and recreational boats will continue to be able to moor alongside the Tug Wharf.

(Nk) G3.4 Recognise development of contemporary culture with a change in emphasis from a working port to a recreational and cultural area.

Public art should be promoted on the waterfront and be an integral part of the design of any space or a distinct element, picking up on the waterfront context.

(Nk) G3.5 Maintain the general consistency of aesthetic treatment along the length of the waterfront promenade by maintaining suite of furniture and palette of materials. Design to express the local identity by recognising special characteristics at North Kumutoto.

(Nk) G3.6 Maintain the 'floor' of the public spaces as a single uninterrupted flat surface. This simple horizontal plane is part of the wharf's character.

(Nk) G3.7 Consider environmentally responsible lighting effects which enhance the buildings and contribute to the character of associated public spaces.

Night time illumination should be an integral part of the architectural design concept, and shall conform to the waterfront lighting strategy. External lighting should contribute to the after-dark appearance of this significant part of the waterfront.

(Nk) G3.8 Views to the heritage buildings; Sheds 11 and 13, Eastbourne ferry building and Shed 21 should be enhanced. This could be through framing or adding elements to complement the view.



*Waterfront promenade*



*Public art*

**Objective:**

**(Nk) O4.0 To provide buildings that are robust enough to allow mixed use development and possible changes in use over time.**

**Guidelines:**

**(Nk) G4.1** Maintain generous inter-storey heights to reflect the premise that overall building height has been based on a 6m ground floor inter storey height with each successive floor having 4.2m inter-storey height.

**(Nk) G4.2** Establish conditions that allow for future change to more active uses where activity is not possible in the short term.

**(Nk) G4.3** Locate any parking unobtrusively, this could include below grade or concealed from view above grade within the building. In the latter case, car parks should maintain active ground-level edges, the uninterrupted surface of the Waterfront Promenade or an attractive external appearance for the building.

The Waterfront Framework (p27) notes: Underground parking preferred – an alternative could be above-ground parking in a building on Site 102 (now known as Block A).

**(Nk) G4.3** Provide vehicle access to assist the less able, and to service the buildings, wharves and any parking areas.

**Objective:**

**(Nk) O5.0 To enhance the pedestrian links and experience in the area.**

**Guideline:**

**(Nk) G5.1** Provide a range of possible protected sheltered route that facilitate the primary north-south pedestrian flows. These routes include along the quay's edge, the promenade, the lane and other appropriate building edges. Pedestrians, cyclists, service and emergency vehicles may all share the same space, while still giving pedestrians priority. At grade pedestrian crossing points will be enhanced at the Whitmore and Brandon Street intersections.

Vehicles may be restricted to certain sections of the wharf. However, no part of the wharf shall be dedicated exclusively to vehicle access.



*Pedestrian shelter*

**Objective:**

**(Nk) O6.0 To design and develop buildings that enhance new and existing public spaces.**

**Guidelines:**

**(Nk) G6.1** Provide ground floors of buildings that are predominantly publicly accessible and support adjacent public spaces. Commercial space may be considered 'publicly accessible' where primary uses attract the general public.



*Active frontage*

**(Nk) G6.2** Relate the forms of the new buildings to the scale of adjacent open spaces. Ensure the design proposals support useful, comfortable, well-defined spaces inside and outside the buildings.

**(Nk) G6.3** Use the buildings to create sunny sheltered spaces which are appropriate for a range of weather conditions. Use these to encourage people to stop and spend more time in adjacent public areas.

**(Nk) G6.4** Produce a defined space at the Whitmore Street Gates – a gateway that enhances the view and draws people from Whitmore Street to the waterfront.

**(Nk) G6.5** Use the location and massing of buildings to frame and enhance the view from Whitmore Street to the harbour and hills. A poorer outcome may come about if it was only the view shafts that dictated the building form and design.

**(Nk) G6.6** Orient all buildings outwards so that they present active frontages and shelter to adjacent public spaces. Ensure the upper levels of buildings show signs of inhabitation and contain openings.



*Public space on active frontage*

This is to ensure buildings contribute to the safety of public spaces through passive surveillance.

**(Nk) G6.7** Provide multiple pedestrian entrance points to buildings. As far as possible, locate these along the edge of the Quays, the lane and the waterfront promenade.

This contributes to edge activity and the quality of experience in public spaces, and also provides flexibility to accommodate multiple tenants and uses.

**(Nk) G6.8** Ensure service areas are unobtrusive. Delivery bays, refuse bins and other such elements should be located discretely and concealed from public view as they are likely to be adjacent to main pedestrian routes.

**(Nk) G6.9** Provide a main vehicle entrance at Whitmore Street, and resolve the existing conflict between vehicles and pedestrians here.

The end of Whitmore Street is defined in the North Queens Wharf Brief as a 'city connector space' and a major entry point to the waterfront.

**(Nk) G6.10** Design the spaces so that they interconnect and legible.

**Objective:**

**(Nk) O7.0** To provide a strong built edge to the Quays

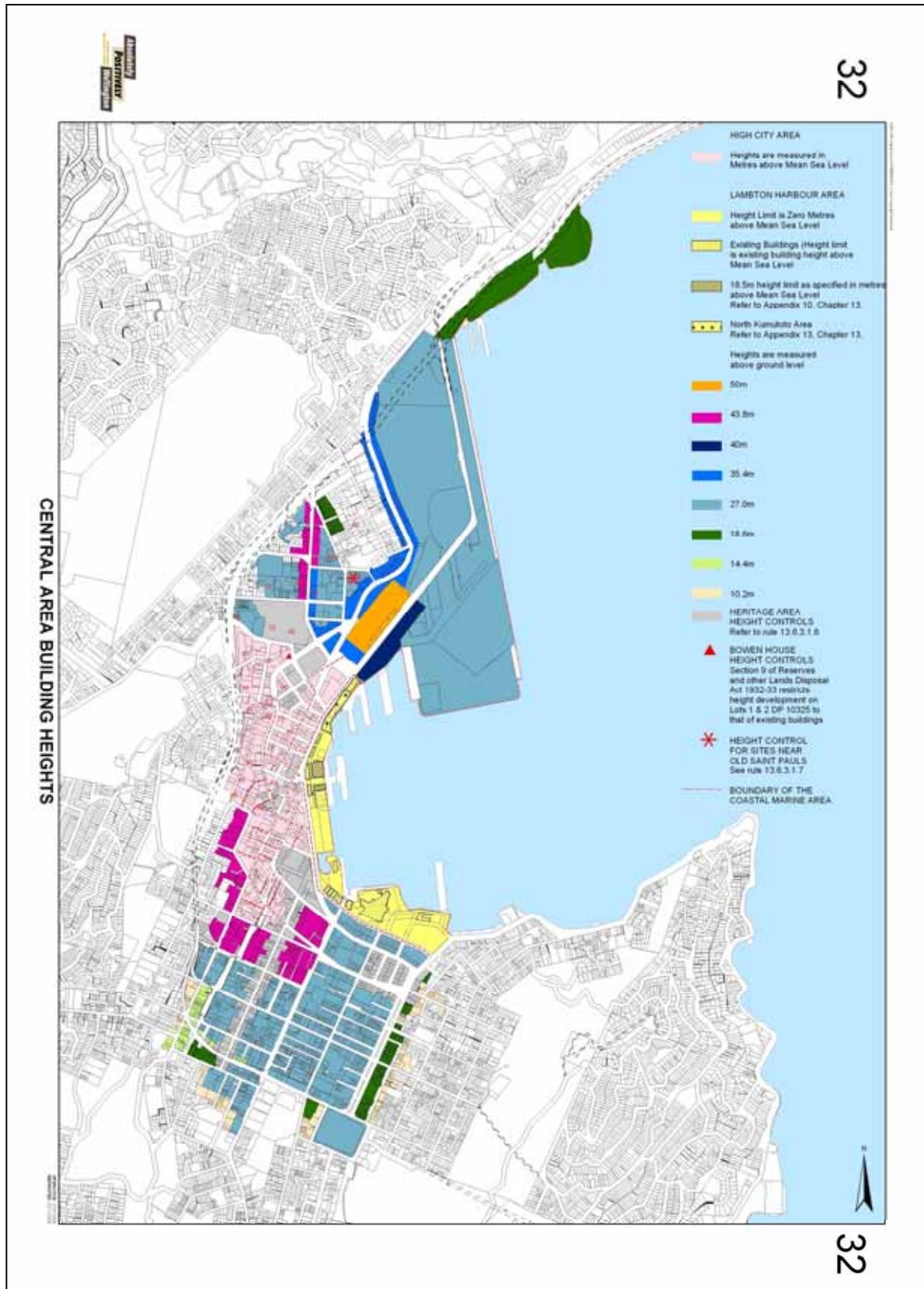
**Guideline:**

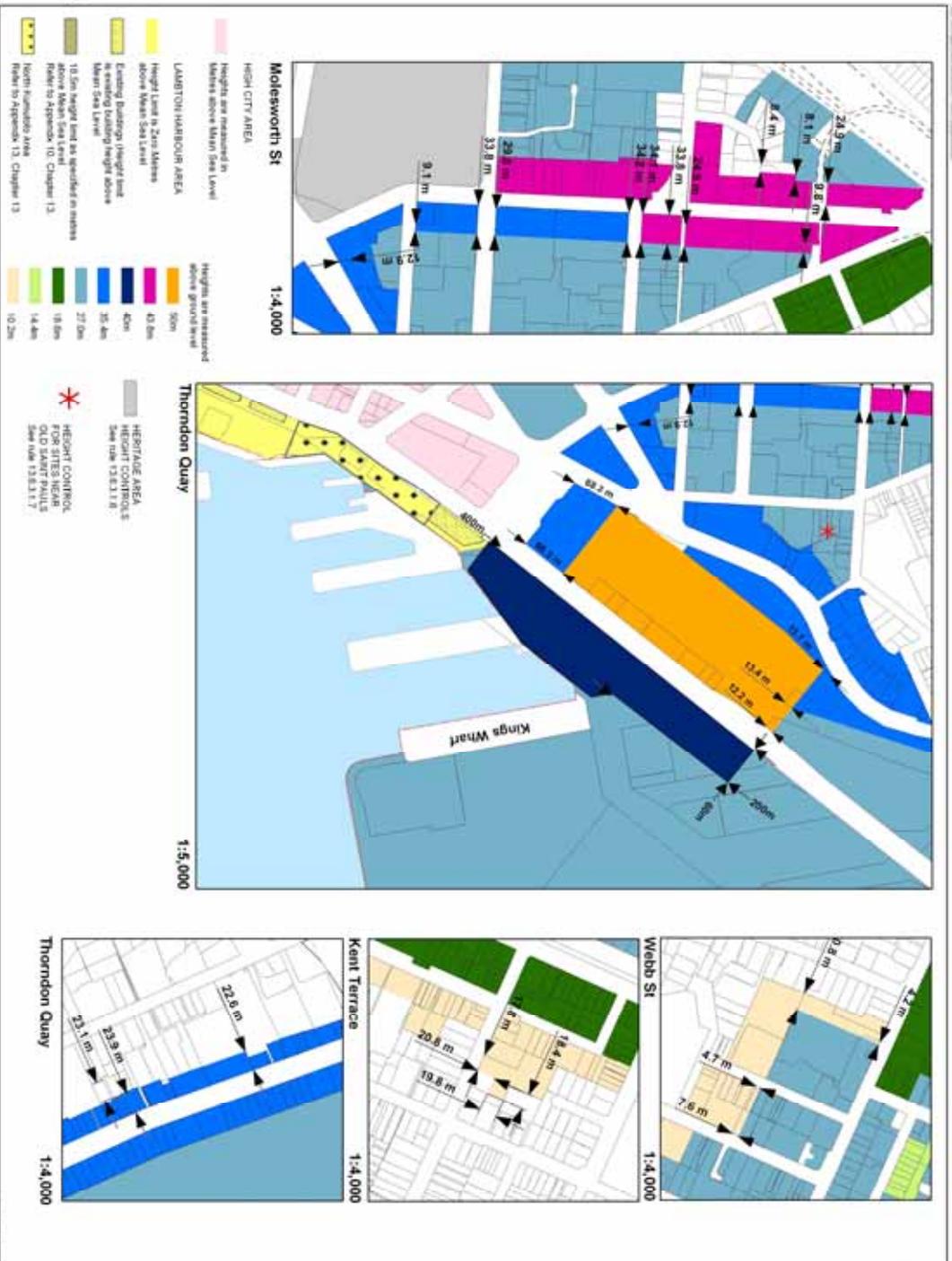
**(Nk) G7.1** Relate the new building edges in block A and B to the current building edges of Shed 21 and Shed 13.



*Shed 21*

32. Amend planning maps 32 and 32a to include a new reference to North Kumutoto Area as follows:





CENTRAL AREA BUILDING HEIGHTS - INSETS OF PLANNING MAP 32a



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# ANNOTATED CHAPTERS OF PROPOSED DISTRICT PLAN CHANGE 48 (CENTRAL AREA REVIEW - APPROVED BY COUNCIL ON 10 OCTOBER 2007) INCLUDING PROPOSED DISTRICT PLAN VARIATION 11 PROVISIONS

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*Note: This annotated version does not form part of the proposed variation. It is included for information purposes to show the variation proposal in context. Proposed additions are shown as underlined and proposed deletions are shown as ~~struck through~~.*

## 12. CENTRAL AREA

### 12.1 Introduction

Reflecting the importance of Wellington's waterfront, in 2004 Council adopted the *Wellington Waterfront Framework* to guide waterfront development in a way that makes the most of this unique and special part of the city. The principles and values of the *Framework* underpin the District Plan's objectives and policies for the Lambton Harbour Area. The *Framework* aims to bring coherence along the waterfront and express its connections with the city and the harbour. To this end, the *Framework* is based around several inter-linking themes: historical and contemporary culture, city to water connections, promenade, open space, and diversity. Because the waterfront is predominantly a public area in public ownership, Council is committed to engage fully with the public on decisions relating to waterfront developments. ~~This commitment is further described in the Framework, which also proposes governance arrangements requiring ongoing monitoring by a group of both professional and community representatives.~~

[.....]

### OBJECTIVE – LAMBTON HARBOUR AREA

**12.2.8 To ensure that the development of the Lambton Harbour Area, and its connections with the remainder of the city's Central Area, maintains and enhances the unique and special components and elements that make up the waterfront.**

### POLICIES

To achieve this objective, Council will:

**12.2.8.1 Maintain and enhance the public environment of the Lambton Harbour Area by guiding the design of new open spaces and where there are buildings, ensuring that these are in sympathy with their associated public spaces.**

### METHODS

- Rules
- Design Guides (The Central Area Urban Design Guide)
- Operational activities (The Wellington Waterfront Framework)

- National Standard Access Design Criteria: NZS 4121:2001

[.....]

**12.2.8.3 Encourage the enhancement of the overall public and environmental quality and general amenity of the Lambton Harbour Area.**

**METHODS**

- Rules
- Design Guides (~~The Wellington Waterfront Framework~~)–(The Central Area Urban Design Guide)
- Operational activities (The Wellington Waterfront Framework)
- Advocacy
- Regional Coastal Plan

*The waterfront as a whole is an area of special character that has five distinct areas at:*

- *Kumutoto/North Queens Wharf*
- *Queens Wharf*
- *Frank Kitts Park*
- *Taranaki Street Wharf / Lagoon*
- *Chaffers*

*These areas will each develop their own “sense of place” or local character but collectively contribute to the overall richness and cohesion that makes the waterfront a unique and special part of the city.*

*The fundamental aim of future development in the Lambton Harbour Area is the achievement of a high quality public environment that provides and supports a range of public spaces and opportunities for vibrant activities, exciting uses and imaginative developments, which in turn encourage an improvement of the amenities of the waterfront for use and enjoyment by the public.*

[.....]

**12.2.8.5 Recognise and provide for developments and activities that reinforce the importance of the waterfront’s Maori history and cultural heritage.**

**METHODS**

- Design Guides (~~The Wellington Waterfront Framework~~)–(The Central Area Urban Design Guide)
- Operational activities (The Wellington Waterfront Framework)
- Information and advocacy

*Maori cultural heritage will have a strong presence on the waterfront and play a key role in identifying the special and unique role that the waterfront has to play in the city. Also refer Objective 12.2.16 and associated policies.*

**12.2.8.6 Provide for new building development which adds to the waterfront character and quality of design within the area and acknowledges relationships between the city and the sea.**

**12.2.8.6A Manage the site planning and design of new buildings and related public spaces within identified areas to ensure quality design outcomes.**

## METHODS

- Rules
- Design Guides (~~The Wellington Waterfront Framework~~) (The Central Area Urban Design Guide)
- Operational activities (The Wellington Waterfront Framework)

For a long period of time buildings and a range of port related structures have played an important role in the functioning and public use of the waterfront. They will continue to do so. Some buildings and structures may be new and some may be adapted and altered.

~~The waterfront is somewhere to live, work and play. The waterfront will meet the needs of a diverse range of people. There will be an allowance for recreational, cultural and civic uses, and also an allowance for some commercial development. Any development should be of a high quality. Any new buildings will be generally complementary, and in a scale appropriate to, the existing buildings around them. In the Kumutoto/North Queens Wharf area buildings will be in scale with heritage buildings.~~

~~Buildings are modified over time, particularly when they are re-furnished to accommodate new activities and uses.~~

~~Any minor addition or alteration to an existing building will be assessed to ensure that there is no significant adverse effect on the overall character of the building, or on the environment of adjacent open spaces, and that the building remains in character with the waterfront as a whole.~~

~~The following general matters will be considered in relation to any application for a new building or structure on the waterfront:~~

- ~~17. the principles and objectives of the Wellington Waterfront Framework.~~
  - ~~18. For building works within the Queens Wharf Special Height Area shown in Appendix 4 the extent to which additions or alterations have regard to the principles and objectives of the Wellington Waterfront Framework and are designed to complement the existing buildings. Particular consideration will be given to ensuring that the pitch of roofs generally match existing roof slopes (other than any gable windows or other minor roof features) and that all new work is strongly modelled and well integrated into the existing design and that any additional floors are clearly articulated in their external appearance.~~
  - ~~19. whether the ground floor of the building has an 'active edge' that supports the public use of the space and which is predominantly accessible to the public.~~
  - ~~20. whether the addition or alteration will result in a building that will be complementary to, and of a scale appropriate to, other existing buildings adjacent and nearby.~~
  - ~~21. whether the addition or alteration respects the form and scale of the existing building.~~
  - ~~22. whether the addition or alterations will have a material effect on sunlight access to any open space.~~
  - ~~23. whether the addition or alteration will intrude on an identified viewshaft.~~
  - ~~24. whether the addition or alteration adversely affects the heritage values or significance of the heritage building.~~
  - ~~25. the adverse effects of the building work on wind, views, shading and sunlight on adjacent properties in the Central Area.~~
- the relevant provisions of the Central Area Urban Design Guide.

- the principles and objectives of the Wellington Waterfront Framework.
- whether the ground floor of the building has an 'active edge' that supports the public use of the space and which is predominantly accessible to the public.
- whether the addition or alteration building work will result in a building that will be complementary to, and of a scale appropriate to, other existing buildings adjacent and nearby.
- whether the addition or alterations building work will have a material effect on sunlight access to any open space.
- whether the addition or alteration building work will intrude on an identified viewshaft.
- the adverse effects of the building work on wind, views, shading and sunlight on adjacent properties in the Central Area.
- The amount of vehicle parking and the extent to which any parking (and associated access and manoeuvring spaces) will ensure the protection of the pedestrian environment on the waterfront and the public use of ground floor building space.

In addition to the above the following shall also apply:

#### **Additions and alterations**

- whether the addition or alteration adversely affects the heritage values or significance of the heritage building.
- whether the addition or alteration respects the form and scale of the existing building.

#### **Building works within the Queens Wharf Special Height Area**

- for building works within the Queens Wharf Special Height Area shown in Appendix 4 the extent to which additions or alterations have regard to the principles and objectives of the Wellington Waterfront Framework and are designed to complement the existing buildings. Particular consideration will be given to ensuring that the pitch of roofs generally match existing roof slopes (other than any gable windows or other minor roof features) and that all new work is strongly modelled and well integrated into the existing design and that any additional floors are clearly articulated in their external appearance.

#### **Building works and associated open space within identified areas**

##### 1. North Kumutoto area

For buildings and related public spaces within the North Kumutoto area the extent to which proposals accord with the North Kumutoto provisions in Appendix 4 of the Central Area Urban Design Guide.

### **12.2.8.6B Ensure that significant buildings in the North Kumutoto area and related public spaces display design excellence.**

#### **METHODS**

- Rules
- Design Guides - The Central Area Urban Design Guide – including North Kumutoto provisions

The Wellington Waterfront is a special public space where there is an expectation that any development will be of a high quality. This is expressed in the Principles of the Waterfront Framework where there is

an acknowledgement that the quality of architecture and design is an important element of achieving a waterfront that is distinctly “Wellington”.

In the North Kumutoto area building ‘sites’ have been identified and the associated Plan provisions provide for an appropriate level of development as a Discretionary Activity (Restricted). Through the implementation of the rules which include additional design guide requirements the Council will seek a level of design excellence for buildings and the development of open space that will significantly enhance the waterfront. Careful assessment will also be given to development proposals that might exceed the specified building height and footprint requirements as it is the Council’s view that the issue of design quality is even more important in such cases.

When processing a consent application Council will consider the proposals in relation to their immediate surroundings and the extent to which they will make a positive contribution to the waterfront environment, and deliver design excellence. Particular consideration will be given to the relationship of new buildings with adjacent listed heritage buildings, the maintenance of viewshafts, the protection of pedestrian access through the area and the shading of open space areas including lanes.

**12.2.8.6C To ensure that the ground floor of buildings be predominantly accessible to the public and have active edges to significant adjacent public spaces.**

**METHODS**

- Rules
- Design Guides (The Central Area Design Guide)
- Operational activities (The Wellington Waterfront Framework)

The waterfront is one of the City’s prime public spaces. It is important that the entire Waterfront area, including the ground floor of buildings, be predominantly accessible to the public.

To support this principle, specific rule provisions have been included that require the ground floor of buildings to be predominantly accessible to the public and also to have active edges to significant adjacent public spaces. The application of these provisions will work to achieve a high quality public environment.

[.....]

**12.2.8.8 To provide for and facilitate public involvement in the waterfront planning process.**

**METHODS**

- \Rules
- Operational activities (The Wellington Waterfront Framework)

*The waterfront is predominantly a public area, a place owned by all Wellingtonians.*

~~*Governance arrangements for the waterfront include a broadly based group consisting of both professional and community representatives.*~~

~~*This group will have primary responsibility for the on-going planning and development of the waterfront, as well as responsibility for monitoring all proposed developments. The group will actively engage the public in waterfront decision-making.*~~

~~*Thus, the public will be consulted the development of plans for the waterfront (Stage 2 of the waterfront planning process) and enabled to participate through the statutory planning process about any proposed new buildings and any significant changes to existing buildings.*~~

~~*The statutory requirements under the Resource Management Act provide for public participation with respect to the development of plans in identified areas or via the resource consent process for specific development proposals outside those areas.*~~

~~*In addition, governance arrangements for the waterfront include a Waterfront Development Plan process which reviews and reflects the on-going planning and development of the waterfront. This is undertaken on an annual basis and confirms the direction of waterfront development over the following year.*~~

~~*The approval process for the Waterfront Development Plan will provide for public submissions, into the decision making process undertaken by the Council in its capacity as land owner.*~~

[.....]

# 13. CENTRAL AREA RULES

[.....]

## 13.3 Discretionary Activities (Restricted)

Section 13.3 describes which activities are Discretionary Activities (Restricted) in the Central Area. Consent may be refused or granted subject to conditions. Grounds for refusal and conditions will be restricted to the matters specified in the relevant Rule. The decision on whether or not a resource consent application will be notified will be made in accordance with the provisions on notification in the Act.

Any activity under Rule 13.3.1 or 13.3.2 that does not meet one or more of the standards specified in 13.6.1 (activities, buildings and structures) and 13.6.2 (activities) is also subject to Rule 13.3.3.

Any building or structure under Rule 13.3.4, ~~13.3.4A~~, 13.3.5, 13.3.6, or 13.3.7 that does not comply with the standards specified in 13.6.1 (activities, buildings and structures) and 13.6.3 (buildings and structures) is also subject to Rule 13.3.8.

[.....]

## BUILDINGS AND STRUCTURES

[.....]

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

**13.3.3.1 noise (fixed plant)**

**13.3.3.2 noise insulation and ventilation**

**13.3.3.3 vehicle parking, servicing and site access**

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

**13.3.3.5 temporary activity noise**

**13.3.3.6 Wellington Regional Stadium noise – special entertainment events**

**13.3.3.7 lighting**

**13.3.3.8 Wellington Regional Stadium site lighting**

**13.3.3.9 use, storage, handling or disposal of hazardous substances**

**13.3.3.10 screening of activities and storage**

**13.3.3.11 dust**

**13.3.3.12 electromagnetic radiation**

**13.3.3.13 street car race**

**13.3.3.13A ground floor accessibility and edge treatment of any building in the Lambton Harbour Area**

**subject to compliance with the following conditions:**

**13.3.3.14 noise emission levels under standards 13.6.2.1.1 and 13.6.2.1.2 shall not be exceeded by more than 5 decibels. This condition does not apply to temporary activity noise.**

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

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

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

*Non-notification/ service*

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

- 13.3.3.2 (noise insulation and ventilation), and
- 13.3.3.3 (vehicle parking, servicing and site access), and
- 13.3.3.10 (screening of activities and storage).
- 13.3.3.13A (ground floor accessibility and edge treatment)

*Relevant policies for preparing resource consent applications*

See 12.2.2.2 - 12.2.2.5, 12.2.6.19, 12.2.9.4-12.2.9.5, 12.2.6.16-12.2.6.17, 12.2.8.6C, 12.2.14.1 – 12.2.14.5, 12.2.15.1 – 12.2.15.15.

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

**BUILDINGS AND STRUCTURES**

<b>13.3.4</b>	<b>The construction or alteration of, and addition to buildings and structures in the Central Area that are not Permitted or Controlled Activities, except:</b>	<i>Building work covered by rule 13.3.4 will be assessed against the provisions of the Central Area Design Guide.</i>
	<ul style="list-style-type: none"> <li>• <b>buildings and structures in the Lambton Harbour Area, <u>except buildings and structures within identified areas under Rule 13.3.4A</u></b></li> <li>• <b>buildings and structures within a Hazard (Fault Line) Area</b></li> <li>• <b>buildings for office or retail activities in the Pipitea Precinct (as shown in Appendix 3)</b></li> <li>• <b>buildings and structures on sites subject to designation H2 (Inner City Bypass)</b></li> </ul>	<i>Note, section 3.2.4 requires a Design Statement to accompany any application for resource consent that is to be assessed against a Design Guide.</i>
	<b>are Discretionary Activities (Restricted) in respect of:</b>	
<b>13.3.4.1</b>	<b>design, external appearance and siting</b>	<i>If the proposal does not comply with standards for buildings and structures in 13.6.1 or 13.6.3, Rule 13.3.8 applies in addition to this Rule.</i>
<b>13.3.4.2</b>	<b>the placement of building mass</b>	
<b>13.3.4.3</b>	<b>pedestrian access (for applications relating to the Wellington Regional Stadium site (Lot 1, DP 85907 and Lot 1, DP 10550))</b>	<i>Note, existing buildings on a site contribute to the total building mass of any new development.</i>
<b>13.3.4.4</b>	<b>public space structure and public space design for applications within the Port Redevelopment Precinct (as shown in Appendix 2) and Pipitea Precinct (as shown in Appendix 3).</b>	<i>Buildings for office or retail activities in the Pipitea Precinct are a Discretionary Activity (Unrestricted) under</i>

**13.3.4A** **The construction or alteration of, and addition to buildings and structures and the development of new Open Space within identified areas in the Lambton Harbour Area (as shown in Appendix 13) are a Discretionary Activity (Restricted) in respect of:**

**13.3.4A.1** **design, external appearance and siting**

**13.3.4A.2** **height**

**13.3.4A.3** **public space structure and public space design.**

*Building work covered by rule 13.3.4A will be assessed against the provisions of the Central Area Design Guide.*

*Note, section 3.2.4 requires a Design Statement to accompany any application for resource consent that is to be assessed against a Design Guide.*

***Non-notification/ service***

In respect of rules 13.3.4 and 13.3.4A applications do not need to be publicly notified and do not need to be served on affected persons.

***Relevant policies for preparing resource consent applications***

See 12.2.3.2, 12.2.5.10, 12.2.6.1 – 12.2.6.3, 12.2.6.5, 12.2.6.10 – 12.2.6.12, 12.2.6.14 – 12.2.6.18, 12.2.7.1 – 12.2.7.3, 12.2.8.1 – 12.2.8.9.

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

*If the proposal does not comply with standards for buildings and structures in 13.6.1 or 13.6.3, Rule 13.3.8 applies in addition to this Rule.*

*Proposals that do not comply with Rule 13.3.4A, see Rule 13.4.7.*

[.....]

- 13.3.8** The construction or alteration of, and addition to buildings and structures which are Permitted, Controlled or Discretionary (Restricted) Activities that do not meet one or more of the following standards outlined in section 13.6.1 (Activities, Buildings and Structures) and 13.6.3 (Buildings and Structures), are Discretionary Activities (Restricted). Unless otherwise noted below, discretion is limited to the effects generated by the standard(s) not met:
- 13.3.8.1** noise - fixed plant (standard 13.6.1.1)
- 13.3.8.2** noise insulation and ventilation (standard 13.6.1.2)
- 13.3.8.3** vehicle parking, servicing and site access (standard 13.6.1.3)
- 13.3.8.4.A** height (standards 13.6.3.1 to 13.6.3.1.4, and 13.6.3.1.7 to 13.6.3.1.10) discretion is limited to the effect of building height on:
- the amenity of surrounding streets, lanes, footpaths and other public spaces; and
  - the historic heritage value of any listed heritage item in the vicinity; and
  - the urban form of the city; and
  - the character of the surrounding neighbourhood, including the form and scale of neighbouring buildings; and
  - any adjacent Residential Area
- 13.3.8.4.B** height control in Heritage Areas (standard 13.6.3.1.5 for listed heritage items) discretion is limited to those matters outlined in section 21.A.2, Chapter 21 – Heritage Rules
- 13.3.8.4.C** height control in Heritage Areas (standard 13.6.3.1.6, where the upper or lower thresholds are not met, but the absolute maximum height is met) discretion is limited to:
- those matters outlined in section 21.B.2, Chapter 21 – Heritage Rules, and
  - all those matters listed under 13.3.8.4.A
- 13.3.8.5** mass (standard 13.6.3.2) discretion is limited to the effect of building mass on:
- the amenity of surrounding streets, lanes, footpaths and other public spaces; and
  - the historic heritage value of any listed heritage item in the vicinity; and
  - the character of the surrounding neighbourhood, including the form and scale of neighbouring buildings; and
  - whether the proposed building will have on-going access to daylight; and
  - any adjacent Residential Area
- 13.3.8.6** view protection – viewshafts (standard 13.6.3.3)
- 13.3.8.7** sunlight protection (standard 13.6.3.4) (discretion is limited to the effect on sunlight access to identified public

spaces)

13.3.8.8 wind (standard 13.6.3.5)

13.3.8.9 verandahs (standard 13.6.3.6)

13.3.8.10 ground floor frontages and display windows (standard 13.6.3.7)

**13.3.8.10A ground floor accessibility and edge treatment of any building in the Lambton Harbour Area**

**13.3.8.10B buildings and structures in identified areas within the Lambton Harbour Area which are not within identified building footprints**

13.3.8.11 site coverage (standard 13.6.3.8)

13.3.8.12 coastal yards (standard 13.6.3.9)

13.3.8.13 windows adjacent to Residential Areas (standard 13.6.3.10)

Subject to compliance with the following conditions:

13.3.8.14 maximum building height assessed under 13.3.8.4.A and 13.3.8.4.B must not be exceeded by more than 35 percent, and the building mass standard must not be exceeded, or;

maximum building height must not be exceeded by more than 15 percent, and the building mass standard must not be exceeded by more than 15 percent;

**13.3.8.14A except that maximum building height in identified areas within the Lambton Harbour Area must not be exceeded by more than 15 percent.**

13.3.8.15 on the land currently occupied by the rail-ferry terminal and on the reclamation to the north the maximum building height shall be 20m (measured above ground level).

13.3.8.16 in relation to height control adjoining Residential Areas, the angle of inclination for sunlight access must not exceed the standard referred to in 13.6.3.1.9 by more than 10 degrees.

*For the purpose of condition 13.3.8.14 the 15 percent increase in building mass shall be calculated using the total building mass for the site (see section 13.6.3.2).*

Except that this rule does not apply to the following:

- buildings and structures in the Lambton Harbour Area **that are not in an identified area (as shown in Appendix 13), which are Discretionary Activities (Unrestricted) under Rule 13.4.7**

[.....]

*Non-notification/ service*

In respect of rule 13.3.8 applications do not need to be publicly notified and do not need to be served on affected persons in respect of:

- 13.3.8.2 (noise insulation and ventilation),
- 13.3.8.3 (vehicle parking, servicing and site access),
- 13.3.8.4 (height)
- 13.3.8.5 (mass)
- 13.3.8.7 (sunlight protection),
- 13.3.8.8 (wind),
- 13.3.8.9 (verandahs),
- 13.3.8.10 (ground floor frontages and display windows),~~and~~
- 13.3.8.10A (ground floor accessibility and edge treatment),  
and
- 13.3.8.12 (coastal yards).

[.....]

## 13.4 Discretionary Activities (Unrestricted)

[.....]

**13.4.5** The development of new, or the modification of existing open space in the Lambton Harbour Area, which is not within an identified area (as shown in Appendix 13) is a Discretionary Activity (Unrestricted)

*Where an application under Rule 13.4.5 is received and is publicly notified, the Council shall notify the Waterfront Development Subcommittee.*

Except that this rule does not apply to:

- the maintenance of existing open space (which is a Permitted Activity)

### *Relevant policies for preparing resource consent applications*

See 12.2.3.2, 12.2.8.1 – 12.2.8.9

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

[.....]

## BUILDINGS AND STRUCTURES

**13.4.7** The construction of new buildings and structures in the Lambton Harbour Area which are not within an identified area (as shown in Appendix 13), or

*Where an application under Rule 13.4.7 is received and is publicly notified, the Council shall notify the Waterfront Development Subcommittee.*

the construction of new buildings and structures or the alteration of, and addition to existing buildings and structures within an identified area (as shown in Appendix 13) which do not comply with Rule 13.3.4A or the relevant provisions of Rule 13.3.8, or

the alteration of, and addition to existing buildings and structures in the Lambton Harbour Area, which:

- do not satisfy any of the criteria for minor additions and alterations in Rule 13.3.5, or
- are within the Queens Wharf Special Height Area (as shown in Appendix 4) but do not meet the standards specified in 13.6.1 (activities, buildings and structures) and 13.6.3 (buildings and structures)

are Discretionary Activities (Unrestricted).

### *Relevant policies for preparing resource consent applications*

See 12.2.3.2, 12.2.8.1-12.2.8.9

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

[.....]

<p><b>13.6.1 ACTIVITIES, BUILDINGS AND STRUCTURES STANDARDS</b></p>	<p>These standards apply to all activities, and the construction of buildings and structures in the Central Area.</p>
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[.....]

**Lambton Harbour Area ground floor accessibility and edge treatment**

13.6.1.23 The ground floor of buildings within the Lambton Harbour Area shall have:

- (i) no less than 60 per cent of its floor area accessible to the public
- (ii) at least 60 percent of any frontage to a road, lane, boardwalk, promenade, park or square as entrance space or display windows.

<p><b>13.6.3 BUILDINGS AND STRUCTURES STANDARDS</b></p>	<p>These standards apply to the construction of buildings and structures in the Central Area</p>
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**13.6.3.1 Height**

***Maximum Building Height (excluding the Wellington Regional Stadium Site, Lambton Harbour Area, and Heritage Areas)***

13.6.3.1.1 No building or structure, (except for cranes, elevators and similar cargo or passenger handling equipment and lighting poles in the Operational Port Area, which may be higher) shall exceed the building height as shown on the Central Area height maps 32 and 32A.

***Wellington Regional Stadium Site Height***

13.6.3.1.2 The stadium building on Lot 1 DP 85907 and Part Lot 1 DP 10550 shall not exceed the maximum building height of 27 metres above ground level, as shown on maps 32 and 32A, except that the lighting towers associated with the stadium shall be permitted up to a maximum height of 60 metres above ground level.

***Height control for sites in the Lambton Harbour Area***

- 13.6.3.1.3 No building shall exceed the building height as shown on the Central Area height maps 32 and 32A.
- 13.6.3.1.4 Other structures including waterfront furniture, play equipment, sculptures, former cargo handling equipment, cranes and similar port related equipment are not subject to standard 13.6.3.1.3.

*Note, the coastal marine area is the responsibility of Greater Wellington Regional Council. Standards for building heights for those parts of the Lambton Harbour Area within the coastal marine area are shown on the Central Area height map 32 for informational purposes only.*

***Buildings within identified areas within the Lambton Harbour Area***

- 13.6.3.1.4A No building shall extend beyond any building footprint as shown on Appendix 13.

[.....]