



PROPOSED DISTRICT PLAN CHANGE 80:

General Minor Amendments to District Plan Text and Maps VII

Summary of Submissions

***Disclaimer:** This document provides a summary of the decisions requested by persons making submissions on Wellington City Council's Proposed District Plan General Minor Amendments to District Plan Text and Maps VII. Whilst every possible care has been taken to provide a true and accurate summary, the information contained in this document is not required by the Resource Management Act 1991 to provide a full account of the submissions received. Accordingly, readers wishing to understand the submissions are advised to refer to the full copy of the original submissions, available upon request.*

February 2016

Submission No.	Name	Address for Service	Wishes to be heard
1	Wellington Botanical Society C/- Bev Abbott	40 Pembroke Road, Northland, Wellington 6012	Yes

Submission

- Supports five of the proposed rezonings.
- Has concerns about four of the proposed rezonings where officers advise that rezoning to 'housing' is necessary because it is not efficient to have social housing on reserve land. These concerns have arisen from the limited nature of the Section 32 Report.
- The papers presented to the committee in November 2015 do not explain why social housing is now on reserve land at four different locations in the City. The Society wants to know why this has occurred and whether social housing came before or after the reserve status.
- If social housing came before the decision to create a reserve status, then rezoning the sites is likely to be appropriate. However, if social housing came after this decision then the error in decision-making maybe more serious. Housing on reserve land damages the values of the land and the public have been deprived of the benefits of those reserves, possibly in perpetuity.
- While the Society acknowledges the importance of social housing, it cannot ignore the possibility that unfortunate decision-making in the past may have resulted in the loss of reserve land, albeit relatively small areas.
- If any 'inconvenient truths' emerge for any of the four locations, 'putting it right' will require more than a simple rezoning. The Society has outlined several ways of 'putting it right'.

Proposed rezonings supported

- Supports the following proposed rezonings as they will ensure consistency across a reserve management area:
 - Truby King Park, Melrose – to rezone one lot from Residential Outer to Open Space B
 - Bolton St Memorial Park – to rezone the Open Space A portion to Open Space B
 - Wilf Mexted Reserve, 11 Collins Ave, Tawa – to rezone a portion from Business 2 area to Conservation Site.
- Supports the proposal to rezone 14-16 Kotinga Street, Melrose from Open Space B to Residential Outer as both properties contain private dwellings. These sites have also never been in Council ownership or used for open space purposes.
- Supports rezoning the remainder of the 49-69 Epuni Street site from Open Space B to Open Space C as it's consistent with the adjoining Town Belt.
- Has no concerns about rezoning 23 Batchelor Street, Newlands from Open Space A to Residential Outer as the revocation of this reserve was agreed through the formal process, which allows for public consultation.

Submission No.	Name	Address for Service	Wishes to be heard
<p>Proposed rezonings opposed</p> <ul style="list-style-type: none"> • Opposes the following proposed rezonings (based on information currently available): <ul style="list-style-type: none"> - 190-209 Darlington Road, Miramar – to be rezoned from Conservation Site to Residential Outer - 49-69 Epuni Street, Aro Valley – to be rezoned from Open Space B to Residential Outer - 150 Cockayne Road, Khandallah – to be rezoned from Open Space B to Residential Outer - 16 Punjab Street, Khandallah – to be rezoned from Open Space B to Residential Outer <p>Rationale for opposing the proposed rezonings</p> <ul style="list-style-type: none"> • No information has been provided about Council’s future plans for housing on these sites. The Society wants to know whether the proposed rezonings would allow a future council to approve medium density housing at these sites and/or sell the land rather than retain these sites for social housing (e.g. subdivision). The Section 32 report says there is potential for subdivision at one of these locations. • No consideration has been given to the potential for better social and economic benefits by removing/demolishing the houses and investing the associated capital and operational savings in better quality ‘social housing’ elsewhere. Given their age, some of this housing is likely to require increasing maintenance and/or costly redevelopment in the future. Perhaps better quality housing for an equivalent number of people could be provided more efficiently at one or more other sites in the City. • Wellington’s reserves play a vital role in the City’s quality of life. The Society commends Council’s forward thinking in identifying new reserves in the Suburban Reserves Management Plan (April 2015) and other management plans. • The Society sees threats to the reserves in recent and proposed legislative and regulatory changes that government has developed to increase the supply of land for new housing developments. The Society urges Council to be alert to these threats. • Would like to see more rapid progress on updating the Conservation chapter of the District Plan. The current Conservation chapter became operational in July 2000, more than 15 years ago. In September 2014, officers advised that they were expecting to report to the committee on a policy direction for the review of this chapter in the 2014/15 financial year. The Society wants to know whether this has happened or not. <p>Decision requested</p> <p>That the committee asks Council officers for more detailed advice before making its decision on the proposed rezonings.</p> <p>That Council officers report on whether or not previous councils had the necessary powers or authorisations to build social housing on reserve land at four of the locations (those that the Society opposes being rezoned).</p> <p>That Council postpones making a decision on four of the proposed rezonings pending the preparation of a more detailed Section 32 Report and</p>			

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associated advice.			
2	The Thorndon Society Inc. C/- Brett Mckay	380 Tinakori Road, Thorndon, Wellington 6011	Yes
<p>Submission</p> <ul style="list-style-type: none"> • Supports the inclusion of a reference to Central Area Policy 12.2.1.2 in the explanation to Residential Policy 4.2.7.3. • At present, the last paragraph deals solely with the protection of residential amenities whereas proposals under Policy 12.2.1.2 would take into account broader planning and environmental considerations relating to both the Central Area and adjacent Inner Residential Areas. • A standalone statement will provide greater certainty that Policy 12.2.1.2 will not be overlooked when officers are considering applications. • Additional references to Policy 12.2.1.2 will reinforce the proposed introductory statement and ensure this policy is not overlooked. • Supports the Council's proposal as previous oversights in regards to Policy 12.2.1.2 are symptomatic of the confusion and uncertainty that currently applies to Council policies in relation to mixed use development in residential areas. • The laudable aim of promoting more mixed use development in general throughout the City has not been properly reconciled with the situation in the inner city residential suburbs where there is already a relatively high level of mixed use and ongoing pressure for central area uses to encroach into surrounding residential neighbourhoods. • A three storeyed office and retail development at 92 Tinakori Road highlights the problems associated with administering the current District Plan provisions and the shortcomings have been identified. <p>Decision requested</p> <p>That the proposed additional wording in Policy 4.2.7.3 be included as a separate paragraph at the end of the policy.</p> <p>Amend the explanation to Policy 4.2.7.3 under the heading 'full conversion of a residential building to a non-residential use' include a reference to Policy 12.2.1.2 as follows or to the like effect:</p> <p style="text-align: center;"><i>In Inner Residential Areas adjacent to the Central Area, Policy 12.2.1.2 will also be taken into account.</i></p> <p>Amend the explanation to Policy 4.2.7.3 under the heading 'matters to consider when assessing applications for non-residential activities, including work from home activities' to include a reference to Policy 12.2.1.2 as follows or to the like effect:</p>			

Submission No.	Name	Address for Service	Wishes to be heard
<p><i>The application of Policy 12.2.1.2</i></p> <p>That the Council undertake a wider review of the residential provisions of the District Plan to deal with the ambiguity and shortcomings in respect of mixed use development.</p>			
3	Friends of the Bolton Street Cemetery C/- Priscilla Williams	14 Kinross Street, Kelburn, Wellington 6012	No
<p>Submission</p> <ul style="list-style-type: none"> • Supports the lower part of the Bolton Street Cemetery being rezoned from Open Space A to Open Space B. • The lower part will realign with the upper part of the Cemetery, which is already zoned Open Space B. The proposed rezoning (Open Space B) will also be more appropriate than the current zoning (Open Space A) as it is an historic cemetery within the Botanic Gardens. <p>Decision requested</p> <p>That the lower part of the Bolton Street Cemetery be rezoned from Open Space A to Open Space B.</p>			
4	Wellington City Council C/- City Planning	101 Wakefield Street, Wellington Central, Wellington 6014	No
<p>Submission</p> <ul style="list-style-type: none"> • Supports the plan change but requests an amendment to the Residential Vehicle Access Standard. • In circumstances where a site has two road frontages, site access should be from the road that is not an Arterial, Principal or Collector Road. <p>Decision requested</p> <p>Amend Residential Vehicle Access Standard 5.6.1.4 <u>proposed</u> to be deleted:</p>			

Submission No.	Name	Address for Service	Wishes to be heard
<p>5.6.1.4 Site Access</p> <p>5.6.1.4.1 No vehicle access is permitted to a site across any restricted road frontage identified on District Plan Maps 43 to 45.</p> <p><u>There shall be a maximum of one vehicular access to a site except:</u></p> <ul style="list-style-type: none"> • <u>No vehicle access is permitted to a site across any restricted road frontage identified on District Plan Maps 43 to 45</u> • <u>A site with more than one road frontage may have one access per frontage unless the second frontage is to a:</u> <ul style="list-style-type: none"> - <u>State Highway or a restricted road frontage (as shown on Maps 43-45)</u> - <u>An Arterial, Principal or Collector Road (as shown on Maps 33 and 34)</u> <p>5.6.1.4.2 Site access for vehicles must be formalised by a legal right of way instrument where not directly provided from a public road, and must be provided and maintained in accordance with Section 3 of the joint Australian and New Zealand Standard 2890.1 – 2004, Parking Facilities, Part I: Off-Street Car Parking.</p> <p>5.6.1.4.3 There shall be a maximum of one vehicular access to a site, except that a site with more than one road frontage may have one access per frontage (unless the second frontage is to a State Highway).</p> <p>5.6.1.4.4 The maximum width of any vehicular access is:</p> <ul style="list-style-type: none"> - 3.7 metres in the Inner Residential Area and within the Residential Coastal Edge - In Medium Density Residential Areas 3.7 metres for sites containing up to 6 units, and 6.0 metres for sites containing 7 or more units. - 6.0 metres in the Outer Residential Area (excluding the Residential Coastal Edge) <p>5.6.1.4.5 On sites with frontage to a secondary street no access shall be provided to a primary street or state highway.</p>			

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5	Spencer Holmes C/-Sean Murrie	PO Box 588, Wellington Central, Wellington 6140	No

Submission

Rule 34.3.6 (Construction of new residential buildings or the conversion of existing buildings, for residential activities, in Business 1 Areas)

- Supports the proposed change to remove Standard 34.3.6.5 (adequate onsite car parking provision) as a matter of discretion that Council can consider for applications involving new residential buildings. This matter is appropriately addressed under Standard 34.3.6.4.

Decision requested

Rule 34.3.9 (Construction, alterations or additions to buildings and structures)

The non-notification/service provisions of this rule require further correction and changes as follows [proposed] ~~[to be deleted]~~:

In respect of ~~item Rule~~ 34.3.9.4 (yards) applications will not be publicly notified (unless special circumstances exist) or limited notified, except that Greater Wellington Regional Council will be considered to be an affected party- to an application that breaches standard 34.6.2.4.2 in relation to Porirua Stream and tributaries.

In respect of item 34.3.9.8 (high voltage transmission lines) ~~the following items~~ applications will not be publicly notified (unless special circumstances exist) or limited notified, except that Transpower New Zealand Limited may be considered to be an affected party to any application that breaches Standard 34.6.2.8.1 located within 32 metres of a high voltage transmission line.

- ~~34.3.9.4 (yards)~~
- ~~34.3.9.7 (verandahs)~~
- ~~34.3.9.10 (noise insulation and ventilation)~~

In respect of the following items applications will not be publicly notified (unless special circumstances exist) or limited notified:

34.3.9.7 (verandahs)

34.3.9.10 (noise insulation and ventilation)

Submission No.	Name	Address for Service	Wishes to be heard
6	The New Zealand Transport Agency (NZTA) C/- Caroline Horrox	PO Box 5084, Lambton Quay, Wellington 6145	Yes

Submission

- Generally supports the plan change insofar as it supports NZTA's objective of achieving integrated transport planning.
- Specifically supports Residential Vehicle Access Standard 5.6.1.4 being amended.
- State Highway 1 traverses Wellington, crossing a number of residential areas, particularly from the Terrace tunnel to the airport. It is essential that the number, location and design of access points on the State Highway is carefully managed to ensure that any associated additional traffic movements do not adversely impact levels of service, congestion and/or safety. Cumulatively, additional state highway access points may adversely impact on these matters by small amounts but in combination can result in significant adverse effects.

Decision requested

That Standard 5.6.1.4 continues to help protect the State Highway from inappropriate access.

7	Philip and Camilla Peet	18 Punjab Street, Khandallah, Wellington 6035	Yes
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Submission

- Opposes part of 16 Punjab Street, Khandallah being rezoned from Open Space B to Residential Outer.
- The proposed rezoning has the potential to have significant adverse effects on the amenity and environmental quality of their property at 18 Punjab Street.
- The two houses at 16 Punjab Street currently overlook the Peet's property and they are concerned that any further development could exacerbate this, thereby further reducing their privacy, particularly if the land remains as one block.
- Any further redevelopment or intensification of the land at 16 Punjab Street could reduce the environmental benefits of this open space land.
- Concerned that the proposed rezoning would allow further development of the site and increase traffic movements. Such movements will significantly increase the risk of a crash as the reserve driveway is used regularly by families to access the dog exercise area and/or the walking tracks.

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<ul style="list-style-type: none"> • The existing Council houses can continue to operate and be maintained on the site due to existing use rights. The houses should continue to operate until they need to be retired. At this point in time, the land should revert back to being part of the green reserve area as the Council intended. • Considers the proposed rezoning to be contrary to good planning practice and is not in the interest of the wider community. <p>Decision requested</p> <p>That the proposed rezoning at 16 Punjab Street, Khandallah be declined and retain the status quo.</p>			
8	Peter and Sylvia Aitchinson	2/11 Maida Vale Road, Roseneath, Wellington 6011	Yes
<p>Submission</p> <ul style="list-style-type: none"> • Supports the proposal to reduce the maximum height of accessory buildings (Standard 5.6.2.5) but requests that the maximum height should be 3.0m throughout <u>all</u> Residential Areas, including the Roseneath Height and Coverage Area. • The explanation to Policy 4.2.4.1 should be amended to record that the scale and placement of accessory buildings can have a significant impact on the amenity enjoyed by neighbouring properties. <p>Decision requested</p> <p>Confirmation of the 3.0m maximum building height for accessory buildings in <u>all</u> Residential Areas, including the Roseneath Height and Coverage Area</p> <p>That the second paragraph to the explanation to Policy 4.2.4.1 be amended as follows [<u>proposed</u>]:</p> <p style="padding-left: 40px;">The scale and placement of new buildings, <u>including accessory buildings</u>, can have a significant impact on the amenity enjoyed by neighbouring properties.</p> <p>Or words to a similar effect.</p> <p>That the seventh paragraph to the explanation to Policy 4.2.4.1 be amended as follows [<u>proposed</u>]:</p>			

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<p>Maximum building heights, <u>including the maximum building height for accessory buildings</u>, are specified at levels that recognise the scale of existing buildings in the area, while also providing scope to undertake a reasonable scale of building work and allowing sufficient flexibility to cope with variations in topography and slope <u>and relations to neighbouring properties</u>. In the Outer Residential Areas the building height standards provide for a generous two-storey building, <u>although accessory buildings are limited to a single storey</u>. In the Inner Residential Area the heights are usually sufficient to facilitate three-storey buildings, <u>although accessory buildings are limited to a single storey</u>.</p> <p>Or words to a similar effect.</p>			
9	Warren and Robyn Young	24 Punjab Street, Khandallah, Wellington 6035	Yes
<p>Submission</p> <ul style="list-style-type: none"> • Opposes 16 Punjab Street, Khandallah being rezoned from Open Space A to Residential Outer. • Purchased their land on the basis that they would have reserve land next to their property. • Appreciates that there is Council housing on 16 Punjab Street, however they were led to believe that the current designation of that land would prevent the houses on it from being rebuilt or sold and that they would be removed at the end of their useful life. • Have done a great deal to assist Council's Parks and Reserves team in improving the surrounding reserve land and believe that this proposal will undermine those efforts. • The proposed rezoning is justified on the basis that it will enable the current stock of Council housing to be better managed, however it will in fact allow an area of land that is currently a reserve to be sold off and developed as private housing. This is not required in order for the Council to better manage its social housing and is inconsistent with the Council's obligation to maintain the City's green belt. • The proposed rezoning does not appear to provide access to the land in question. The property should not be rezoned without legal access to a public road. If a right of way was granted over the lane, they also want a right of way over that lane including the area of road that is part of the proposed rezoning given that they have a back gate to that area. <p>Decision requested</p> <p>Not specified.</p>			

Submission No.	Name	Address for Service	Wishes to be heard
10	Donna Yule	Avon Street, Island Bay, Wellington 6023	No
<p>Submission</p> <ul style="list-style-type: none"> The proposed change to Rule 5.3.3. (Early Childhood Centres - car parking provision) does not address the fact that there is no parking standards for early childhood centres with over 30 children. It seems odd that there must be 1 car park for every staff member for early childhood centres with under 30 children but if there is over 30 children there is no minimum car parking standard and instead approval is on a case by case basis with the interpretation of any parking standard applied dependent on which particular Council planning officer is involved. Recent interpretation of this Rule for an early childhood centre with over 30 children had a number of Council staff state Standard 5.6.1.3 also applies, however another staff member and a commissioner both said the standard does not apply. Standard 5.6.1.3 clearly states that vehicle parking applies to all activities in residential areas. Standard 5.6.1.3 should apply to all early childhood centres regardless of the number of children. <p>Decision requested</p> <p>That Council clarify whether or not Standard 5.6.1.3 applies to early childhood centres with over 30 children.</p>			
11	Greater Wellington Regional Council (GWRC) C/- Caroline Ammundsen	PO Box 11646, Manners Street, Wellington 6142	Yes
<p>Submission</p> <ul style="list-style-type: none"> Wishes to make a neutral submission on Plan Change 80. The points made in its submissions relate to the operational responsibilities held by GWRC. Under the watercourses agreement with the Wellington City Council, GWRC maintains the Porirua and Takapu streams and is responsible for the Makara, Ohariu and Karori streams outside of the urban area. The Takapu stream is a tributary of the Porirua Stream so is likely to be covered by the change to the non-notification clause. 			

Submission No.	Name	Address for Service	Wishes to be heard
<p>Decision requested</p> <p>That Rule 5.3.4 be amended as follows [<u>proposed</u>]:</p> <p>In respect of item 5.3.4.2 (yards) Greater Wellington Regional Council will be considered an affected party to an application that breaches standard 5.6.2.2.11 in relation to Porirua Stream and tributaries <u>(including the Takapu Stream), Makara and Ohariu Streams and outside the urban area of the Karori Stream.</u></p> <p>That Rule 7.3.7 be amended as follows [<u>proposed</u>]:</p> <p>In respect of Rule 7.3.7.5 (yards) applications will not be publicly notified (unless special circumstances exist) or limited notified, except that Greater Wellington Regional Council will be considered to be an affected party to any application that breaches standard 7.6.2.5.1 in relation to Porirua Stream and tributaries <u>(including the Takapu Stream), Makara and Ohariu Streams and outside the urban area of the Karori Stream.</u></p>			
12	Bruce Welsh	92 Yule Street, Kilbirnie, Wellington 6022	Yes
<p>Submission</p> <p>Residential Height Standard 5.6.2.5</p> <ul style="list-style-type: none"> • The proposal is to limit all accessory buildings to 3.5m in most residential areas and up to 3m in certain inner residential areas. This is an excessive and limiting requirement which has little effect on others. • Typically an accessory building is a garage. A single garage with a 15 degree roof would be approx. 3.1m high and a double garage would be approx. 3.5m high. • If a garage was designed with a steeper roof (often 30 degrees and sometimes 45 degrees) as often happens to match the style of a house the garage height would be higher. • The requirement to obtain a resource consent for these simple structures adds another burden to home owners. • There are other structures that could be assessed as accessory buildings (e.g. a children's play structure) which could easily be over 3.5m but otherwise would be permitted activities. 			

Submission No.	Name	Address for Service	Wishes to be heard
<ul style="list-style-type: none"><li data-bbox="197 225 1189 252">• This provision is excessive and should not be included in the District Plan. <p data-bbox="147 304 465 336">Decision requested</p> <p data-bbox="147 384 1525 416">That the proposed amendments to Residential Height Standard 5.6.2.5 not be included in the District Plan.</p>			