

Chapter 9: Institutional Precinct Rules

Guide to Rules

NOTE: The following table is intended as a guide only and does not form part of the District Plan. Refer to specified rules for detailed requirements.

P refers to Permitted Activities, C to Controlled Activities, DR to Discretionary Activities (Restricted) and DU to Discretionary Activities (Unrestricted).

Uses/Activities	Rule	P	C	DR	DU
Activities related to the primary function of the Precinct subject to conditions	9.1.1	●			
Activities related to the primary function of the Precinct not complying with conditions for Permitted Activities	9.3.1			●	
Helicopter landing areas (Clinical Services Block Wellington Hospital)	9.1.3	●			
Upgrade and maintenance of existing formed roads and accessways	9.1.4	●			
Activities not provided for as Permitted or Controlled Activities	9.4.1				●
Buildings	Rule	P	C	DR	DU
Construction, or alteration of, and addition to buildings and structures	9.2.1		●		
Demolition of Gordon Wilson Flats at 320 The Terrace	9.2.3		●		
Construction, or alteration of, and addition to buildings and structures at 320 The Terrace	9.3.2			● —	
Pedestrian bridges and other structures/buildings above or over roads	9.4.2				●
Subdivision	Rule	P	C	DR	DU
Subdivision except company lease, cross lease and unit title subdivision, subject to conditions	9.1.2	●			
Company lease, cross lease and unit title subdivision	9.2.2		●		
Subdivision not being a Permitted or Controlled Activity	9.4.4				●
Heritage	Rule	P	C	DR	DU
Activities affecting heritage items	21.0	●	●		●
Utilities	Rule	P	C	DR	DU
Utilities	23.0	●	●	●	●
[Contaminated and Potentially Contaminated Land	Rule	P	C	DR	DU
Investigations on any contaminated land or potentially contaminated land to determine whether the land is contaminated, and the nature and extent of that contamination	32.1.1	●			
The removal of underground petroleum storage systems is a Permitted Activity	32.1.2	●			
The use, development or subdivision of any potentially contaminated land that has been confirmed as not being contaminated through site investigation	32.1.3	●			
The remediation, use, development and subdivision of any contaminated or potentially contaminated land.	32.2.1			● ^{PC69}	

Schedule of Appendices

Number	Appendix
1	Noise

2	Vehicle Parking Standards
3	Site Access for Vehicles
4	Building Standards for 320 The Terrace

9. INSTITUTIONAL PRECINCT RULES

[The following rules apply in the Institutional Precincts. Rules for Earthworks (Chapter 30), Contaminated Land (Chapter 32) and Heritage (Chapter 21) may also apply.

- The sign rules in Chapter 21D apply for all signs on sites where a listed heritage building or object is located (except for individual sites on which listed heritage buildings or objects are located that are also separate heritage areas).
- The subdivision rules in Chapter 21A apply for any subdivision of a site on which a listed heritage building or object is located.
- The subdivision rules in Chapter 21B apply for any subdivision of a site in a listed Heritage Area.]^{PC43}

9.1 Permitted Activities

The following activities are permitted in Institutional Precincts provided that they comply with any specified conditions.

9.1.1 Activities related to the primary functions of the Precinct, and activities ancillary to these primary functions, are Permitted Activities provided they comply with the following conditions:

9.1.1.1 Building Height and Standards

9.1.1.1.1 For building height in the Institutional Precincts refer to the relevant design guide.

9.1.1.1.2 On the King Street site in the Mount Cook Precinct the maximum building height within the area identified for taller buildings shall be 21m measured from street level at the boundary with King Street.

~~9.1.1.1.3 Building standards for 320 The Terrace are specified in Appendix 4.~~

For buildings and associated standards in relation to 320 The Terrace, refer to Rule 9.3.2.

9.1.1.2 Noise

9.1.1.2.1 Noise emission levels when measured at or within the boundary of any site or at the outside wall of any building on any site, other than the site from which the noise is emitted, shall not exceed the following:

At all times 60dBA (L10)
At all times 85dBA (Lmax)

9.1.1.2.2 Where it is impractical to measure outside the building, measurements shall be made inside (with exterior windows closed). Where indoor measurements are made the noise limits stated above shall be reduced by 15dB.

9.1.1.2.3 In relation to rule 9.1.1.2.2 where activities have been noise-proofed in the vicinity of the site to protect noise-sensitive uses (including residential use), then this shall not allow activities to increase noise emission levels above those that would apply if the noise-proofing had not been undertaken.

9.1.1.2.4 Any activity occurring within the Institutional Precinct when measured from any land or premises outside that area shall comply with the noise levels stated in Appendix 1.

9.1.1.3 Discharge of Contaminants

The discharge of contaminants to land, air or water is a Regional Council responsibility and activities causing discharges may need to obtain a relevant consent from the Regional Council. However, every person has a general duty under Section 17 of the Act to avoid, remedy or mitigate the adverse effects of activities. Where adverse effects are generated the Council will use its enforcement powers as appropriate to protect the environment.

9.1.1.4 Dust

Activities must not create a dust nuisance. A dust nuisance will occur if:

- there is visible evidence of suspended solids in the air beyond the site boundary; or
- there is visible evidence of suspended solids traceable from a dust source settling on the ground, building or structure on a neighbouring site, or water.

A rule relating to the generation of dust is included to avoid, remedy or mitigate problems from this source.

9.1.1.5 Lighting

9.1.1.5.1 Any activity which requires outdoor areas to be lit shall ensure that direct or indirect illumination does not exceed 8 lux at the windows of residential buildings in any nearby Residential Area.

9.1.1.5.2 Subject to rule 9.1.1.5.1 any development which includes pedestrian routes and carparks available for public use during hours of darkness shall be lit at a minimum of 10 lux, measured in accordance with NZS CP22:1962 and amendments.

The lighting rules are designed to ensure that places available for public use are safely illuminated, and that where sites on the periphery of Institutional Precincts are illuminated, the amenities of residents in nearby Residential Areas are reasonably protected. In all cases the Council will seek to ensure that the adverse effects of glare from lighting sources are avoided, remedied or mitigated.

9.1.1.6 Electromagnetic Radiation

Activities must be conducted to comply with the New Zealand Standard NZS 6609:1990 (Radio Frequency Radiation) and any subsequent amendment.

A rule relating to the generation of electromagnetic radiation has been included to avoid, remedy or mitigate problems from this source. The Utilities chapters contain rules regarding safety from utility structure from where the highest levels of energy will be created. Council wishes to take a precautionary approach with adverse

effects from other electromagnetic sources and acknowledges the provisions of s17 of the Act regarding the duty to avoid, remedy or mitigate adverse effects.

9.1.1.7 Signs

9.1.1.7.1 For any sign:

- the maximum area of any one sign is 5m²
- signs must serve only to denote the name, character or purpose of any Permitted Activity on the site
- any illuminated sign visible from a Residential Area must not flash.

9.1.1.7.2 Temporary signs:

- the maximum area is 5m²
- the maximum height is 4 metres
- signs shall be removed within 7 days of the completion of the purpose or event for which the sign was erected.

The limitations on signs will help maintain the visual amenities of Residential Areas by ensuring that signs do not become too dominating or too cluttered. Temporary signs are permitted because they fulfil a useful information function and have no lasting environmental effects.

9.1.1.8 Use, Storage or Handling of Hazardous Substances

9.1.1.8.1 For those activities which are not specifically exempted (see Section 3.5.2.2) the cumulative Effect Ratio calculated using the HFSP will be used to determine whether or not those other activities should be Permitted Activities according to the table below.

See Exemptions to the Hazardous Facilities Screening Procedure contained in section 3.5.2

Location	Hazard Area	Not Hazard Area	Not Hazard Area
Effect Ratio	0.002 < ER ^{PC35} ≤ 0.05	0.002 < ER ^{PC35} ≤ 0.1	≤ 0.002
Conditions applying	9.1.1.8.2 to 9.1.1.8.11	9.1.1.8.2 to 9.1.1.8.11	9.1.1.8.8, 9.1.1.8.10 and 9.1.1.8.11 only

Activities that do not meet the above Effect Ratio criteria or do not otherwise comply with the applicable conditions will be Discretionary (Restricted) Activities.

9.1.1.8.2 Except for the storage, use or handling of Liquid Petroleum gas (LPG), any area where hazardous substances are used, stored or handled in any manner on-site shall have secondary containment (via bunding or otherwise) using materials that are resistant to the hazardous substances handled on-site. [Secondary containment systems also need to comply with any relevant provisions under the Hazardous Substances and New Organisms Act 1996.]^{PC35}

- [9.1.1.8.2A Except for the storage, use or handling of Liquid Petroleum Gas (LPG), any secondary containment system shall be maintained to ensure that it will perform the functions for which it was designed and contain any spill or accidental release.]^{PC35}
- 9.1.1.8.3 Except for the storage, use or handling of Liquid Petroleum gas (LPG), any area(s) where hazardous substances are loaded, unloaded, packaged, mixed, manufactured or otherwise handled shall have a spill containment system [that is compliant with relevant provisions under the Hazardous Substances and New Organisms Act 1996.]^{PC35}
- 9.1.1.8.4 Except for the storage, use or handling of Liquid Petroleum gas (LPG), secondary containment systems shall be designed to contain any spill or accidental release of hazardous substance, and any storm water and/or fire water that has become contaminated, and prevent any contaminant from entering the sewerage or stormwater drainage system unless expressly permitted under a resource consent or trade waste permit.
- 9.1.1.8.5 All stormwater grates, collection structures and inspection chamber covers on the site shall be clearly marked as such.
- 9.1.1.8.6 Any area where vehicles, equipment or containers that are or may have been contaminated with hazardous substances are washed down shall be designed, constructed and managed to prevent the effluent from the washdown area from discharge into or onto land, entry or discharge into the sewerage or stormwater drainage system unless expressly permitted by a rule in a regional plan, trade waste permit or resource consent.
- 9.1.1.8.7 Underground tanks for the storage of petroleum products shall be designed, constructed, installed, maintained, operated, managed and at the end of their life removed to prevent leakage and spills. Compliance with [any relevant provisions under the Hazardous Substances and New Organisms Act 1996 and] ^{PC35} the Code of Practice for the “Design, Installation and Operation of Underground Petroleum Storage Systems” (1992) is a minimum [requirement.]^{PC35}

Signage

- 9.1.1.8.8 [All facilities must display signage to indicate the nature of the hazardous substances present (compliance with the provisions of the Hazardous Substances and New Organisms Act 1996 and the requirements of the Building Code (F8) or the Code of Practice “Signage for Premises Storing Hazardous Substances and Dangerous Goods” of the New Zealand Chemical Industry Council (Nov 2004) is a minimum requirement).]^{PC35}

Waste Management

- 9.1.1.8.9 Any process waste or waste containing hazardous substances shall be stored in a manner which complies with 9.1.1.8.1 to 9.1.1.8.8 above.

9.1.1.8.10 Any hazardous facility generating wastes containing hazardous substances shall dispose of these wastes to facilities which, or waste disposal contractors who, meet all the requirements of regional and district rules for discharges to the environment [and also the provisions of the Hazardous Substances and New Organisms Act 1996.]^{PC35}

Other

9.1.1.8.11 Council must be informed of the activity's location, the nature of the activity and when the activity commences and ceases.

[In addition to the provisions of the Plan, all activities which involve the use, storage, handling or transportation of hazardous substances are regulated for on-site and off-site effects by a range of other legislation and regulations, and associated standards and codes of practice which should be complied with. Key pieces of legislation include:

- *the Hazardous Substance and New Organisms Act 1996*
- *legislation, rules and standards relating to the transportation of hazardous substances (Land Transport Act 1993, Land Transport Rule: Dangerous Goods 1999 and New Zealand Standard 5433:1999)*
- *Building Act 1991*
- *Health Act 1956*
- *Fire Service Act 1975*
- *Health and Safety in Employment Act 1992*
- *Radiation Protection Act 1965*
- *Agricultural Compounds and Veterinary Medicines Act 1997]*^{PC35}

[The on-site disposal of hazardous substances will be controlled through Council's Waste Management Strategy, through obtaining the appropriate discharge consents from the Regional Council or trade waste permits, and through relevant controls on disposal of hazardous substances by the Hazardous Substances and New Organisms Act 1996.]
^{PC35}

9.1.2 Subdivision except company lease, cross lease and unit title subdivision is a Permitted Activity provided that it complies with the following conditions:

9.1.2.1 Every allotment must have services in compliance with the City Bylaws or if applicable the Council's Code of Practice for Land Development.

9.1.2.2 The allotment must have practical, physical and legal access directly to a legal road.

9.1.2.3 Every allotment must have drive-on vehicle access and parking constructed in accordance with Appendices 2 and 3.

9.1.2.4 All earthworks needed to complete the subdivision are completed.

9.1.2.5 No subdivision may occur within a heritage area or on a site associated with a heritage item unless in the latter case the subdivision involves land that is not occupied by the heritage items and is not specifically identified for preservation in the Plan as important to the setting of the item.

9.1.2.6 A Certificate of Compliance must be obtained for the subdivision to allow Council to assess survey plans for approval.

An applicant must supply the following:

- information to allow Council to assess compliance with conditions 9.1.2.1 to 9.1.2.5

- a certificate stating that all existing services have been located so that they are all contained entirely within the boundaries of the site being serviced or within such right of way or easement relating to the site and are in accordance with the City Bylaws and if applicable the Council's Code of Practice for Land Development
- current copies of titles for all affected properties
- accurately drawn A4 plans at a scale of 1:500 or at a larger scale as appropriate and copies or reduced copies submitted to be of A4 or A3 size
- a certificate stating that the land is not likely to be subject to material damage by erosion, subsidence, slippage or inundation from any source

All certificates, plans and information supplied must be signed by a registered surveyor or other suitably qualified person certifying their accuracy.

Most forms of subdivision are Permitted Activities, subject to specified conditions. This will facilitate efficient use of the Institutional Precincts with other rules of the Plan controlling building and other land use effects.

9.1.3 Helicopter landing areas related to the primary function of the Precinct from the roof of the Clinical Services Block at Wellington Hospital are Permitted Activities.

9.1.4 Any activity relating to the upgrade and maintenance of existing formed roads and [public]^{PC70} accessways [including associated earthworks]^{PC70}, except the construction of new legal road, is a Permitted Activity.

[Archaeological sites associated with human activity that occurred before 1900 are protected by the Historic Places Act 1993. An archaeological authority will be required from the New Zealand Historic Places Trust to destroy damage or modify these sites.]^{PC70}

9.2 Controlled Activities

Section 9.2 describes which activities are Controlled Activities in Institutional Precincts. A resource consent will be required but consent cannot be refused. Conditions may be imposed relating to the matters specified in 9.2.1 and 9.2.2. 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.

9.2.1 The construction, or alteration of, and addition to buildings and structures except:

- alterations and additions that do not alter the external appearance of the buildings or that are not visible from public spaces
- any building with a gross floor area of less than 100m²
- **any building or structure on 320 The Terrace**

are Controlled Activities in respect of:

9.2.1.1 design, external appearance, siting and verandahs

9.2.1.2 vehicle parking and site access.

Non-notification

The written approval of affected persons will not be necessary in respect of items 9.2.1.1 and 9.2.1.2. [Notice of applications need not be served on affected persons]^{PC28} and applications need not be notified.

Standards and Terms

All parking must be provided and maintained in accordance with the standards set out in Appendix 2.

New vehicular access from roads to which the Precinct has frontage must be provided and maintained in accordance with the standards set out in Appendix 3.

No vehicular access, as shown on Appendix 3.1, shall be situated closer to an intersection than the following:

Arterial and principal streets	20m
Collector streets	15m
Other streets	10m.

Site layout must enable all vehicles to enter [and]^{PC34} leave the site in a forward direction.

Assessment Criteria

In determining the conditions to be imposed, if any, Council will have regard to the following criteria:

9.2.1.3 Design, external appearance, siting and verandahs

The extent to which the proposal meets the provisions of the relevant Design Guide for the area. These Guides are:

- Victoria University Design Guide
- Wellington Hospital Design Guide
- Mount Cook Precinct Design Guide.
- [• Te Aro Corridor Design Guide

Developments located on sites within both the Mt Cook Precinct and Te Aro Corridor Design Guide Area, shall be considered against the content of both design guides. In the event of conflicting design guidance the Te Aro Corridor Design Guide shall be the predominant document.]^{PC48}

The Design Guides were prepared following a detailed urban design analysis of the Precincts and their surrounding areas. They do not aim to control the design details of building or site layout, but to establish the broad parameters within which new building development can be undertaken. They aim particularly to encourage an appropriate relationship between Precinct development and housing in surrounding Residential Areas.

[The Te Aro Corridor Design Guide particularly seeks to ensure that buildings continue to provide a strongly defined street edge on the corner of Buckle and Taranaki Streets.]^{PC48}

9.2.1.4 Vehicle Parking

9.2.1.4.1 Whether parking should be provided for the proposal under consideration. Individual developments may not have a specific parking provision but Council seeks to ensure that the following parking requirements for the precinct will eventually be met:

Victoria University	780 spaces
Hospital	1135 spaces
Mt Cook Precinct	
Massey University (staff and students)	1:14 full time equivalent
Wellington High School	100 spaces

9.2.1.4.2 The extent to which the standards for parking can be varied without endangering traffic or people.

9.2.1.5 Site Access

9.2.1.5.1 Whether the proposed vehicular access will improve access to and within the Precinct by replacing less suitable or unsafe access points and will achieve better internal vehicular access network.

9.2.1.5.2 The extent to which new site access can be created without endangering traffic or people.

The Institutional Precincts involve intensive activities which attract more vehicles than can be accommodated on the site. The overflow of vehicles into surrounding residential streets detracts from the amenities of these Residential Areas.

Council aims to ensure that over the period of this Plan, an adequate level of on-site parking is attained within the Precincts.

As the Precincts also adjoin heavily trafficked arterial or principal streets and quieter local residential streets, all new vehicle crossings will be assessed to ensure that they are located and formed with safety in mind.

9.2.2 Company lease, cross lease and unit title subdivision is a Controlled Activity in respect of:

9.2.2.1 stormwater, sewerage and water supply

9.2.2.2 allocation of accessory units to principal units and the allocation of covenant areas to leased areas to ensure compliance with servicing rules, and to ensure practical physical access to every household unit.

Non-notification

The written approval of affected persons will not be necessary in respect of items 9.2.2.1 and 9.2.2.2. [Notice of applications need not be served on affected persons]^{PC28} and applications need not be notified.

Standards and Terms

All buildings and structures must meet the conditions for Permitted Activities, the terms of any relevant resource consent, or must have existing use rights.

Assessment Criteria

In determining the conditions to be imposed, if any, Council will have regard to the following criteria:

- 9.2.2.3 The requirements of Section 106 of the Act.
- 9.2.2.4 The extent of compliance with the relevant parts of the City Bylaws.
- 9.2.2.5 The need to ensure permanent site access and continued provision for on site loading and unloading facilities.
- 9.2.2.6 The current and future allocation of subdivisional areas to achieve the efficient use of land and buildings.

Council is seeking to retain in a permanent manner appropriate site arrangements that are established at the time of subdivision. In particular, continued access to off street loading facilities is to be safeguarded together with efficient arrangement of units.

9.2.3 The demolition of Gordon Wilson Flats at 320 The Terrace shall be undertaken in accordance with an approved Demolition Management Plan and will be assessed as is a Controlled Activity in respect of:

9.2.3.1 noise effects as assessed in accordance with NZS 6803:1999

Acoustics – Construction Noise

9.2.3.2 **method, duration, timing, and hours of operation of demolition management**

9.2.3.3 **amenity effects**

9.2.3.4 **recording of the building prior to demolition**

Non-notification

In respect of rule 9.2.3 applications will not be publicly notified (unless special circumstances exist) or limited notified.

Note: Council is seeking to ensure that the demolition of the building is undertaken efficiently and in accordance with a Demolition Management Plan containing measures to avoid, remedy or mitigate the temporary adverse effects of the activity. It is also seeking to ensure that an appropriate record of the building is prepared prior to demolition.

Standards and Terms

Any application made under Rule 9.2.3 shall be accompanied by a Demolition Management Plan.

The Demolition Management Plan shall contain the following information as a minimum:

- a. purpose of the Demolition Management Plan;
- b. site and locality description, including existing buildings;
- c. proposed demolition methodology, including sequence and timing;
- d. duration of works and hours of operation;
- e. measures to manage environmental effects, including (but not limited to) dust, construction noise, effects on the local transport network, and site remediation;
- f. communication plan, including:
 - i. any communication undertaken with neighbours in advance of demolition commencing;
 - ii. procedures for receiving and resolving complaints during demolition and site remediation; and
- g. Demolition Management Plan review procedures.

Note: additional information may be appropriate for inclusion in the Demolition Management Plan, including references to other relevant Acts and associated regulations.

9.3 Discretionary Activities (Restricted)

Section 9.3 describes which activities are Discretionary Activities (Restricted) in Institutional Precincts. Consent may be refused or granted subject to conditions. Grounds for refusal and conditions will be restricted to the matters specified in rules 9.3.1 and 9.3.2. 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.

9.3.1 Activities related to the primary functions of the Precinct and activities ancillary to these primary functions that do not comply with one or more of the following conditions for Permitted Activities in Rule 9.1.1:

9.3.1.1 noise

9.3.1.2 dust

9.3.1.3 lighting

9.3.1.4 signs

9.3.1.5 use, storage, handling or disposal of hazardous substances

are Discretionary Activities (Restricted) in respect of the conditions not met.

Non-notification

The written approval of affected persons will not be necessary in respect of item 9.3.1.4. [Notice of applications need not be served on affected persons]^{PC28} and applications need not be notified.

Standards and Terms

Noise emission levels under Rules 9.1.1.2.1 and 9.1.1.2.4 shall not be exceeded by more than 5 decibels.

For hazardous substances, the cumulative Effect Ratio as assessed under the Hazardous Facilities Screening Procedure for the site where the activity is to occur is less than or equal to 2 but does not meet the conditions in rules 9.1.1.8, unless the site is located in a Hazard Area.

For hazardous substances, where the hazardous facility is located in a Hazard Area, the cumulative Effect 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 the conditions in rules 9.1.1.8.

Rule 9.1.1.5, maximum lighting levels, must not be exceeded by more than 20 percent.

Rule 9.1.1.7, conditions relating to any sign dimension, must not be exceeded by more than 50 percent.

Assessment Criteria

In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:

9.3.1.6 Noise

The extent to which noise emissions will be intrusive. Council will seek to ensure that the best practicable option is used to mitigate noise and that adverse effects are minor.

9.3.1.7 Dust

The extent to which amenities are protected. Council will seek to ensure that dust nuisances are mitigated as far as practical.

There may be instances where it may be impractical to prevent dust nuisance, particularly in relation to the variable weather conditions experienced by Wellington. Such proposals will be carefully considered to ensure that any dust nuisance is minor.

9.3.1.8 Lighting

9.3.1.8.1 Applications to provide more intensive lighting near to Residential Areas will take into account the nature of existing and likely future development in the Residential Area, the degree to which topography or other site features may avoid, remedy or mitigate lighting effects and the extent to which planting, screening or the orientation of the light will mitigate lighting effects.

9.3.1.8.2 The consideration of applications to provide less intensive lighting on site areas open to the public use will take into account the nature of the activities on the site, the extent of public use and whether other measures will be taken to maintain public safety.

Development and the nature of landforms on the edge of Institutional Precincts is so diverse that there will be instances where extra illumination can be added without affecting the residents. Applications to exceed the permitted levels will therefore be considered. Similarly, there may also be circumstances where the lighting of publicly used areas may not need to comply with the specified standards.

9.3.1.9 Signs

9.3.1.9.1 Whether signs are obtrusively visible from any residential or public space.

9.3.1.9.2 Whether the area of the sign is in scale with associated activities or building development and compatible with the visual character of the area in which it is situated.

9.3.1.9.3 Whether additional signs will result in clutter.

9.3.1.9.4 Whether the size, number or method of illumination of a sign or signs will compromise traffic or pedestrian safety.

In some circumstances larger or more numerous signs may be needed to identify activities. Signs will be carefully assessed to ensure that visual amenities are maintained.

9.3.1.10 Hazardous Substances

See Exemptions to the Hazardous Facilities Screening Procedure contained in section 3.5.2

- 9.3.1.10.1 Site design and management to avoid, remedy or mitigate any adverse effects of the activity.
- 9.3.1.10.2 The adequacy of the design, construction and management of any part of a hazardous facility site where hazardous substances are used for their intended function, stored, manufactured, mixed, packaged, loaded, unloaded or otherwise handled such that:
- any significant adverse effects of the intended use from occurring outside the intended use, handling or storage area is prevented
 - the contamination of any land in the event of a spill or other unintentional release of hazardous substances is prevented
 - the entry or discharge of the hazardous substances into surface or groundwater, the stormwater drainage system or into the sewerage system (unless permitted under a regional plan, resource consent or trade waste permit) is prevented.
- 9.3.1.10.3 Location of the facility in relation to the nearest waterbody or the coastal marine area.
- 9.3.1.10.4 Location of hazardous facility in relation to residential activities.
- 9.3.1.10.5 Location of hazardous facility in relation to critical facilities and lifelines.
- 9.3.1.10.6 Access routes to the facility, location and separation distance between the facility and sensitive activities and uses, sensitive environments and areas of high population density.
- 9.3.1.10.7 Existing and proposed (if any currently under consideration by Council) neighbouring uses.
- 9.3.1.10.8 Potential cumulative hazards presented in conjunction with nearby facilities.
- 9.3.1.10.9 Transport of hazardous substances to and from the site.
- 9.3.1.10.10 Potential for contamination of the surroundings of the site and sensitivity of the surrounding environment.
- 9.3.1.10.11 Whether the site has adequate signage to indicate the presence of hazardous substances.
- 9.3.1.10.12 Whether adequate arrangement has been made for the environmentally safe disposal of any hazardous substance or hazardous wastes generated.
- 9.3.1.10.13 Whether the site design has been subject to risk analysis, such as Hazop (Hazard and Operabilities Studies), to identify the potential hazards, failure modes and exposure pathways.
- 9.3.1.10.14 Where the hazardous facility is located within a Hazard Area, any additional requirements to mitigate the potential effect of a natural hazard event.

9.3.1.10.15 Type and nature of the existing facility.

[9.3.1.10.16 Whether appropriate contingency measures and emergency plans are in place.]^{PC35}

[9.3.1.10.17 Whether the facility complies with the provisions of the Hazardous Substances and New Organisms Act 1996, and whether more stringent controls are required to take account of site-specific conditions.]^{PC35}

To reduce the potential adverse effects, Council will require the production of a Site Management Plan or Environmental Management System when a resource consent application is made, this will be before hazardous substances are brought onto the hazardous facility. In addition, Council will require the design of the site to include measures which will prevent the accidental releases of any hazardous substances into the environment. Through this process, Council seeks to protect the surrounding environment from any adverse effects of the hazardous facility.

9.3.2 The construction, alteration of, and addition to any buildings and structures on 320 The Terrace is a Discretionary Activity (Restricted) in respect of:

9.3.2.1 design, external appearance and siting

9.3.2.2 site landscaping

9.3.2.3 vehicle parking, servicing and site access

Non-notification

In respect of rule 9.3.2 applications will not be publicly notified (unless special circumstances exist) or limited notified.

Standards and Terms

Any construction, alteration of, or addition to any building or structure must be in accordance with the standards set out in Appendix 4.

Relevant policies for preparing resource consent applications

See 8.2.3.1, 8.2.7.2 and the Victoria University Design Guide.

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

9.4 Discretionary Activities (Unrestricted)

Section 9.4 describes which activities are Discretionary Activities (Unrestricted) in Institutional Precincts. 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.

9.4.1 Activities not specifically provided for as Permitted or Controlled Activities or as a Discretionary Activity (Restricted) under Rule 9.3.2 are Discretionary Activities (Unrestricted).

Assessment Criteria

In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:

- 9.4.1.1 Whether the future use or development of the Institutional Precinct for its intended purpose, as described in 8.1.1, will be significantly diminished.
- 9.4.1.2 Whether the existing amenities of adjacent or nearby Residential or Open Space Areas will be lessened to any significant extent. Particular consideration will be given to maintaining a quiet night time environment.
- 9.4.1.3 Whether vehicular traffic generated by any activity can be accommodated without a loss of amenity, safety or without causing congestion.
- 9.4.1.4 In respect of helicopter landing areas the extent of compliance with the provisions of NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas and the extent of compliance with relevant Civil Aviation rules.

In some cases activities not related to the primary function of the Precincts may be considered. The Council's aim is to maintain the Precincts for their intended purpose but allowing more mixed activity may help to achieve more efficiency of resource use.

Council will take particular care to ensure that any Non-Precinct activity is in keeping with its surroundings and will have particular regard to the nature of adjacent areas. It is considered important that the amenities of Residential Areas be protected.

Council is concerned that helicopter operations do not cause adverse noise effects and are conducted safely. Helicopters in flight are not subject to control but Council has made landing areas (with the exception of the roof of the Clinical Services Block at Wellington Hospital) a Discretionary Activity (Unrestricted) to ensure that adverse noise effects and public safety issues can be addressed.

For the above reasons Non-Precinct activities have been included as Discretionary Activities (Unrestricted). This enables the full effects of a proposal to be evaluated and where necessary, protective measures imposed.

9.4.2 Buildings and structures, including pedestrian bridges, located above or over the street that exceed 25 percent of the width of the road at any point are Discretionary Activities (Unrestricted).

Assessment Criteria

In determining whether to grant consent and what conditions, if any, to impose Council will have regard to the following criteria:

- 9.4.2.1 Any relevant provisions of a Precinct Design Guide.
- 9.4.2.2 The impact of the structure on the visual qualities of the streetscape, including its impact on views.
- 9.4.2.3 The effect of the structure on neighbouring properties.
- 9.4.2.4 The effect of the structure on the wind environment of the street and the extent to which sunlight levels in the street will be reduced.
- 9.4.2.5 The potential of the structure to restrict access in the event of a natural hazard. Council will consider the design, placement and construction materials to avoid or mitigate any potential hazard.

Bridges and similar structures over a road can have both visual and physical impacts. Council is particularly concerned about effects of such structures on the visual qualities of the streetscape. Such structures have the potential to block roads or access links in the event of a natural hazard occurring. Developments of this type are Discretionary Activities so their impacts can be assessed.

Rule 9.4.3 has been deleted as a result of District Plan Change 69.

9.4.4 Any subdivision which is not a Permitted Activity or Controlled Activity, is a Discretionary Activity (Unrestricted).

Assessment Criteria

In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:

- 9.4.4.1 The requirements of section 106 of the Act.
- 9.4.4.2 Whether proposed allotments are capable of accommodating Permitted Activities in compliance with the Institutional Precinct rules.
- 9.4.4.3 The extent of compliance with the relevant parts of the Council's Code of Practice for Land Development.

Subdivision which is not a Permitted or Controlled Activity will be assessed as a Discretionary Activity. This will enable the full effects of a subdivision to be considered with public involvement where appropriate. The resource consent process will be used to determine the extent of land considered suitable for subdivision and the most appropriate design, having regard to the intended future use.

9.5 Non-Complying Activities

Activities that contravene a rule in the Plan, and which have not been provided for as Discretionary Activities (Restricted) or Discretionary Activities (Unrestricted) are Non-Complying Activities. Resource consents will be assessed in terms of section 105(2A)(b) of the Resource Management Act.

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.

Appendix 1. Noise

Activities must comply with the following noise limits.

Residential (Inner)

Noise emission levels when measured on any residential site in the Inner Residential Area must not exceed:

<i>Monday to Saturday 7am to 7pm</i>	<i>55dBA(L10)</i>
<i>Monday to Saturday 7pm to 10pm</i>	<i>50dBA(L10)</i>
<i>At all other times</i>	<i>40dBA(L10)</i>

<i>All days 10pm to 7am</i>	<i>70dBA(Lmax)</i>
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Where it is impractical to measure outside a dwelling, then measurements shall be made inside (with windows closed). Where indoor measurements are made the noise limits stated above shall be reduced by 15dBA.

Residential (Outer)

Noise emission levels when measured on any residential site in the Outer Residential Area must not exceed:

<i>Monday to Saturday 7am to 7pm</i>	<i>50dBA(L10)</i>
<i>Monday to Saturday 7pm to 10pm</i>	<i>45dBA(L10)</i>
<i>At all other times</i>	<i>40dBA(L10)</i>

<i>All days 10pm to 7am</i>	<i>65dBA(Lmax)</i>
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Where it is impractical to measure outside a dwelling, then measurements shall be made inside (with windows closed). Where indoor measurements are made the noise limits stated above shall be reduced by 15dBA.

Rural Area

Noise emission levels when measured at or within the boundary of any site (other than the site from which the noise is generated) in the Rural Area must not exceed:

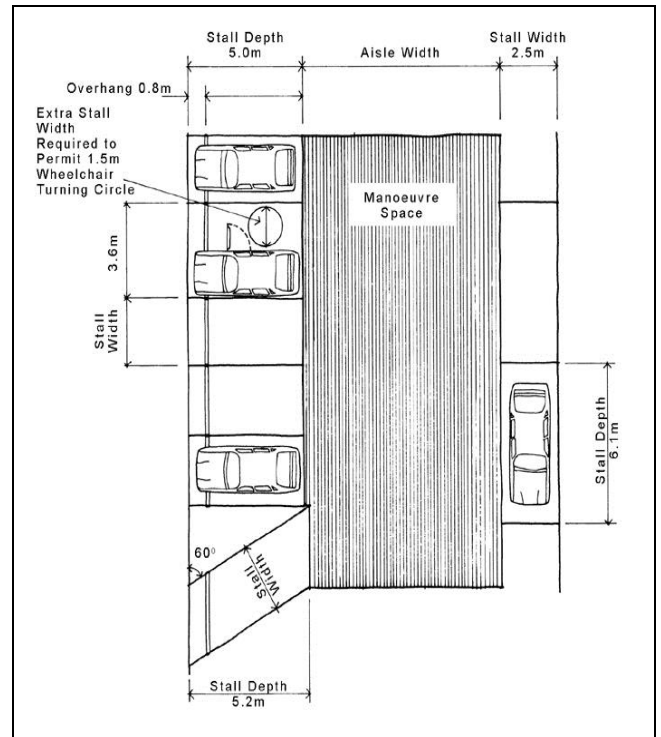
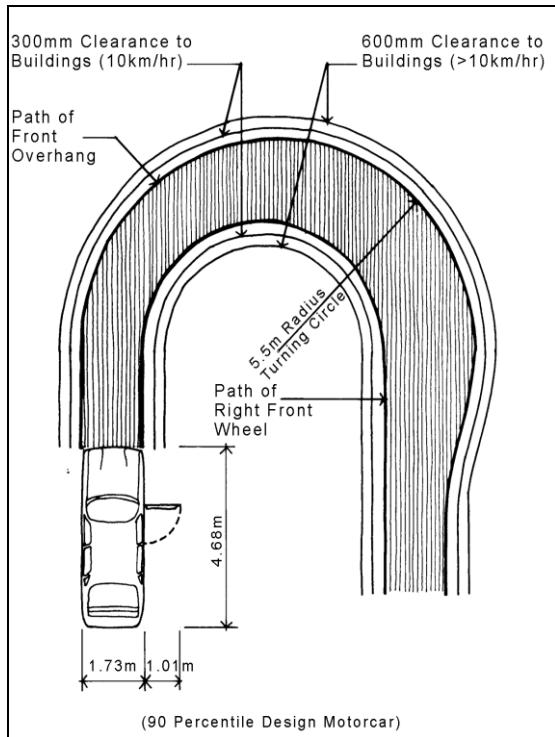
<i>At all times 55dBA</i>	<i>(L10)</i>
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and

Noise emission levels when measured on any Conceptual Boundary of a residential building must not exceed:

<i>Monday to Saturday 7am to 8pm</i>	<i>45dBA (L10)</i>
<i>At all other times</i>	<i>35dBA (L10)</i>
<i>All days 8pm to 7am</i>	<i>60dBA (Lmax)</i>

Appendix 2. Vehicle Parking Standards



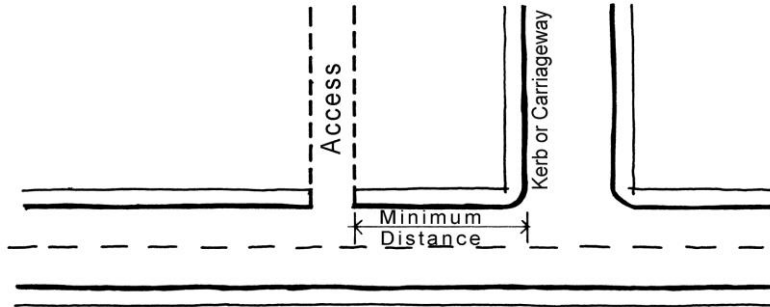
Type of User	Parking angle	Stall Width (metres)	Aisle Width (metres)	Stall Depth (metres)	Parking angle	Stall Width (metres)	Aisle Width (metres)	Stall Depth (metres)
Regular	90°	2.4	7.0	5.0	60°	2.4	4.5	5.2
		2.5	6.6	5.0		2.5	4.1	5.2
		2.6	6.2	5.0		2.6	3.5	5.2
Casual	90°	2.5	8.0	5.0	60°	2.5	4.8	5.2
		2.6	7.0	5.0		2.6	4.4	5.2
		2.7	6.6	5.0		2.7	3.3	5.2
People with Disabilities	90°	3.6	8.0	5.0				
All	0° (Parallel)	2.5	3.5 (one-way) 5.5 (two-way)	6.1				

Notes:

- Regular users are people whose regular use gives them a familiarity with the carpark that permits smaller but safe clearances.
- Casual users are people (usually short-term visitors) who would not be familiar with the parking layout.
- Stall widths shall be increased 300mm where they abut obstructions such as columns or walls.
- All parking and manoeuvring dimensions assume the use of a 90 percentile design motor car. Compliance with the above requirements will be assessed using this standard of vehicle.

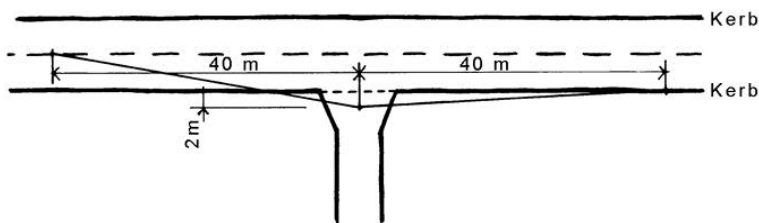
Appendix 3. Site Access for Vehicles

1. Vehicular access near intersections.



2. Access sight lines.

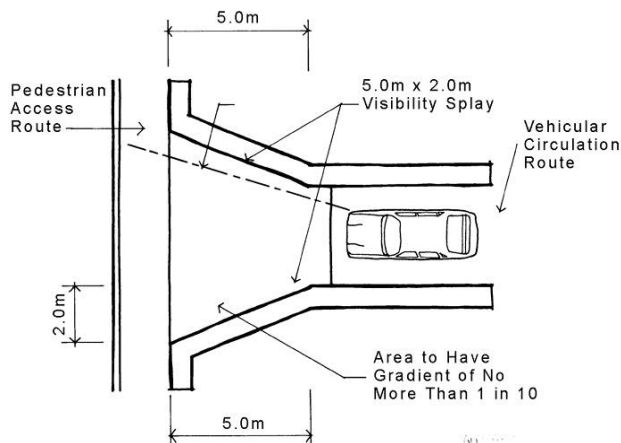
2.1



Within the area represented by the visibility splay, full visibility is required above a level of one metre above the level of the adjacent carriageway.

For one-way streets and dual carriageway visibility will only be required in the direction of approaching traffic.

2.2 Access sight lines for access drives which cross a pedestrian access route.



Appendix 4. Permitted Building Standards for 320 The Terrace

1. Permitted height of buildings and structures is 10m above ground level (AGL) except as where a permitted height above mean sea level (AMSL) is specified on the plan below.
2. Permitted site coverage is 50%. However, coverage within the escarpment sub-area shown hatched on the plan below shall not exceed 35% of this sub-area.
3. The recession planes standards for the Inner Residential Area under 5.6.2.8 shall apply to the boundaries with the Inner Residential Area except for the boundaries indicated in blue on the plan below.
4. A 5m yard shall apply to the boundaries with the Inner Residential Area except for:
 - i. the boundaries indicated in blue on the plan below where a 1m yard shall apply; and
 - ii. the boundary adjoining 324 The Terrace where a 10m yard shall apply.
5. No building within 10m of an Inner Residential Area boundary façade along a single building plane shall exceed 30m in length measured along the Inner Residential Area boundary without a minimum building setback of 10m from the boundary for a length of 10m.

