

**SUBMISSION ON PROPOSED WELLINGTON DISTRICT PLAN UNDER CLAUSE 6 OF THE FIRST
SCHEDULE TO THE RESOURCE MANAGEMENT ACT 1991**

To: Wellington City Council
Attention: District Planning Team
PO Box 2199
Wellington 6140

district.plan@wcc.govt.nz

Name of Submitter: Precinct Properties New Zealand Limited (Precinct)

Address: c/ - Barker & Associates Ltd
Level 3, Suite 3
Brandon House
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Wellington 6011
Attention: Joe Jeffries

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Introduction

1. Precinct Properties New Zealand Limited (Precinct) appreciates the opportunity to make this this submission on the Proposed Wellington District Plan (**PDP**) in accordance with Clause 6 of the First schedule of the Resource Management Act (**RMA**) 1991.
2. Precinct could not gain advantage in trade competition through this submission.
3. Precinct wish to be heard in support of their submission.
4. If any other submitters make a similar submission, Precinct will consider presenting a joint case with them at the hearing.

Overview of Precinct

5. NZX listed Precinct Properties is a long-term investor and developer of premium inner-city real estate with a portfolio of 10 commercial building in the Wellington CBD. Totalling 158,000 sqm in size and valued in excess of \$1.1B, Precinct's portfolio is occupied by the New Zealand Government, corporate and retail businesses together with associated hospitality operations.

6. Precinct is committed to improving the quality of office accommodation stock in Wellington. This includes upgrades to existing stock as well as development of new stock. In 2021, Precinct completed a seven-year Wellington accommodation project, delivering 80,000sqm of upgraded office accommodation in Wellington leased to Government Agencies. Currently, Precinct is completing two new buildings at 40 and 44 Bowen Street together with the seismic upgrade and refurbishment of 1 Bowen Street a further pipeline of commercial development planned

7. Precinct has interests in the following properties in Wellington City:
 - NTT Tower (157 Lambton Quay)
 - Aon Centre (1 Willis Street)
 - 30 Waring Taylor Street
 - No. 1 The Terrace
 - Mayfair House (44 The Terrace)
 - Charles Fergusson Building
 - Defence House
 - Freyberg House (20 Aitken Street)
 - 1 Bowen Street

Relief sought

8. The relief sought by Precinct is set out in **Attachment 1** overleaf.

Dated: 9 September 2022

Address for service of submitter:

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Attachment 1: Submission on Proposed Wellington District Plan on behalf of Precinct

Chapter / Sub-part	Specific provision / matter	Position	Reason for submission	Decisions requested / relief sought
n/a	n/a	Support	<p>Precinct generally supports the aims of the Proposed Plan. In particular Precinct supports the following features and objectives of the plan:</p> <ul style="list-style-type: none"> (a) the creation of well-functioning urban environments (consistent with the direction set out in the National Policy Statement on Urban Development 2020 (NPS-UD)); (b) the provision of sufficient development capacity to meet long term demands for housing and business land; (c) the provision of a compact urban form and urban intensification; and (d) the hierarchy of centres, and the recognition of the City Centre as the primary centre serving the wider Wellington region. 	n/a
Design Guides	Design guides	Amendments sought	<p>Precinct generally supports the intent and provisions of the Design Guide. However, it is not appropriate that the Council's discretion is restricted to all matters in the Design Guide. This does not give any clear direction or certainty for applicants, and would be onerous for the preparation and assessment of resource consent applications. Rather than being formally incorporated into the District Plan, the design guides should be reference documents that sit outside the District Plan. Incorporating the design guides into the district plan elevates these provisions into the form of standards, rather than what they are intended to be as guidance.</p> <p>Accordingly, Precinct seeks amendments to provide the design guides as reference documents outside the plan, to remove all direct references to the design guides in the plan, and for the relevant district plan provisions to instead refer to the specific design outcomes that are being sought.</p>	<i>Delete all direct references to the design guides in the Proposed District Plan provisions and replace with references to the specific design outcomes that are being sought.</i>
City Outcomes Contributions	City Outcomes Contributions	Oppose	<p>Precinct is opposed to the 'City Outcomes Contributions' provisions, and specifically is opposed to requiring 'City Outcomes Contributions' for 'over height' development. While Precinct recognises the intent of these provisions in providing publicly beneficial outcomes, it is inappropriate for the provision of these publicly beneficial outcomes to be connected to non-compliance with height rules. Developments that breach height standards should instead be considered on their own merits and effects. While the provision of beneficial outcomes in any development should be considered separately.</p>	<i>Delete all references to City Outcomes Contributions from the proposed plan and design guides.</i>

City Centre Zone	CCZ-O1 Purpose	Support	Precinct supports CCZ-O1 as notified and seeks that it is retained.	<i>Retain CCZ-O1 as notified.</i>
City Centre Zone	CCZ-O2 Accommodating Growth	Support	Precinct supports CCZ-O2 as notified and seeks that it is retained.	<i>Retain CCZ-O2 as notified.</i>
City Centre Zone	CCZ-O3 Urban Form and Scale	Support	Precinct supports CCZ-O3 as notified and seeks that it is retained.	<i>Retain CCZ-O3 as notified.</i>
City Centre Zone	CCZ-P1 Enabled Activities	Support	Precinct supports the wide range of activities provided under CCZ-P1.	<i>Retain CCZ-P1 as notified.</i>
City Centre Zone	CCZ-P5 Urban Form and Scale	Support	Precinct supports CCZ-P5 as it recognises the benefits of intensification, enables greater heights, and recognises the need for land to be efficiently optimised.	<i>Retain CCZ-P5 as notified.</i>
City Centre Zone	CCZ-P11 City Outcomes Contribution	Oppose	Precinct is opposed to CCZ-P11 for the reasons outlined above in the discussion on the 'City Outcomes Contributions', and seeks that this policy is deleted.	<i>Delete CCZ-P11.</i>
City Centre Zone	CCZ-R1 to CCZ-R12	Support	Precinct supports the range of Permitted activities provided for in the City Centre Zone under rules CCZ-R1 to CCZ-R12.	<i>Retain rules CCZ-R1, CCZ-R2, CCZ-R3, CCZ-R4 to CCZ-R5, CCZ-R6, CCZ-R7, CCZ-R8, CCZ-R9, CCZ-R10, CCZ-R11, CCZ-R12 as notified.</i>
City Centre Zone	CCZ-R14 Carparking activities	Oppose in part	<p>Precinct seeks amendments to CCZ-R14 to remove mandatory notification for at grade car parks. Precinct also seeks amendment of activity status from Discretionary to Restricted Discretionary for non-compliance with the permitted conditions.</p> <p>There may be circumstances where there are functional needs to provide car parking at ground level. It is more appropriate for notification to be determined on a case-by-case basis in these circumstances and for the effects of this activity to be considered as a Restricted Discretionary activity.</p>	<i>Amend CCZ-R14 as described.</i>
City Centre Zone	CCZ-R17 Maintenance and repair of buildings and structures	Support	Precinct supports the permitted status for maintenance and repair of buildings under CCZ-R17 and seeks that this rule is retained as notified.	<i>Retain CCZ-R17 as notified.</i>
City Centre Zone	CCZ-R19 Alterations and additions to buildings and structures	Support in part	<p>Precinct supports CCZ-R19 in part, and in particular supports the preclusion of limited and public notification, and the permitted activity status for activities that comply with the specified conditions.</p> <p>Precinct seeks that the references to the design guides in the matters of discretion of CCZ-R19 are removed and replaced with references to the specific design outcomes that are sought. It is not appropriate to provide the Council discretion to consider all matters in the Design Guide. This does not give any clear direction or certainty for applicants, and would be</p>	<i>Amend CCZ-R19 as described.</i>

			onerous for the preparation and assessment of resource consent applications.	
City Centre Zone	CCZ-R20 Construction of buildings and structures	Amendment sought	<p>Precinct supports CCZ-R20 in part, and in particular supports the preclusion of limited and public notification.</p> <p>Precinct seeks that the references to the design guides in the matters of discretion of CCZ-R20 are removed and replaced with references to the specific design outcomes that are sought. It is not appropriate to provide Council discretion to consider all matters in the Design Guide. This does not give any clear direction or certainty for applicants, and would be onerous for the preparation and assessment of resource consent applications.</p>	<i>Amend CCZ-R20 as described.</i>
City Centre Zone	CCZ-S1 Maximum height	Amendments sought	<p>Precinct seeks amendments to CCZ-S1 to provide unlimited building heights in the City Centre zone.</p> <p>Policy 3 of the NPS-UD requires district plans of Tier 1 urban environments such as Wellington to enable “building heights and density of urban form to realise as much development capacity as possible, to maximise benefits of intensification” in city centre zones. For the City Centre zone this should mean unlimited building heights.</p> <p>Unlimited building heights in the City Centre area are appropriate given the emphasis in the Wellington Spatial Plan and Proposed District Plan on the City Centre for accommodating future growth, recognising the height of existing buildings in these areas, and taking into account the absence of any directly adjoining residential areas that could potentially be adversely affected. This would also be consistent with CCZ-P5 which recognises the benefits of enabling greater height and scale of development in the City Centre.</p> <p>According to CCZ-O1 the Wellington City Centre is intended to be the primary commercial centre for the wider Wellington region. Yet the intensification planning instruments notified in Hutt City and Upper Hutt City provide for a greater scale of development than Wellington City with unlimited heights in their centres. Unlimited building heights in the Wellington City Centre would be consistent with its role as the primary commercial centre for the region.</p> <p>The heights provided under CCZ-S1 are particularly constraining for Precinct’s sites in Thorndon including 20 Aitken Street and the Bowen Campus where a Maximum height of 27m applies. This is despite the fact that some of the existing buildings in this area are over 60m high. If the request to provide unlimited heights is not granted for these areas, Precinct requests that</p>	<i>Amend CCZ-S1 to provide unlimited building heights in the City Centre zone.</i>

			CCZ-S1 is amended to provide for building heights at least as great as that of the existing buildings.	
City Centre Zone	CCZ-S4 Minimum building height	Oppose	Precinct is opposed to CCZ-S4 and seeks its deletion. Precinct considers that it may be appropriate and necessary to provide building heights less than 22m in certain areas and the standard as notified is unnecessarily constraining.	<i>Delete CCZ-S4.</i>
City Centre Zone	CCZ-S5 Minimum ground floor height	Oppose	Precinct is opposed to CCZ-S4 and seeks its deletion. Precinct considers that it may be appropriate to provide ground floor heights lower than 4 metres in certain areas and that the standard as notified is unnecessarily constraining.	<i>Delete CCZ-S5.</i>
City Centre Zone	CCZ-S8 Active Frontage	Amendments sought	<p>Precinct supports this standard in part and generally agrees with its intent, but considers that it provides insufficient exceptions for functional requirements such as vehicle entrances.</p> <p>Precinct therefore seeks amendments to the standard so that only 70% of an active frontage must be built up to the street edge, in order to allow for functional requirements on the remaining 30% of the street frontage.</p>	<p><i>Amend CCZ-S8.1.a as follows:</i></p> <p>a. Be built up to the street edge on all street boundaries and along <u>the full 70% of the width of the site boundary</u> bordering any street boundary, <u>subject to functional requirements.</u></p>
City Centre Zone	CCZ-S12 Maximum Building Depth	Oppose	<p>Precinct is opposed to CCZ-S12, which sets a maximum building depth of 25m.</p> <p>This standard will act as a constraint on appropriate development and design, and it is not clear what positive outcome it achieves.</p>	<i>Delete CCZ-S12.</i>
Natural Hazards	NH-P4 Additions to buildings for potentially hazard sensitive activities and hazard sensitive activities in an identified inundation area of the flood hazard overlay	Support	Precinct supports NH-P4 to the extent that it “provides for” additions to buildings that accommodate existing potentially hazard sensitive activities and hazard sensitive activities in an identified inundation area.	<i>Retain NH-P4 as notified.</i>
Natural Hazards	NH-P6 Potentially hazard sensitive activities and hazard sensitive activities within the identified inundation areas of the Flood Hazard Overlays	Support	Precinct supports NH-P6 as it provides for development for potentially hazard sensitive activities and hazard sensitive activities within the inundation area.	<i>Retain NH-P4 as notified.</i>
Natural Hazards	NH-R4 Additions to all buildings in the inundation area, overland flowpaths or the stream corridor	Support	Precinct supports NH-R4 and in particular supports the Permitted activity status, and the Restricted Discretionary activity status for additions to buildings in the inundation area and overland flowpaths where the permitted activity status is not achieved.	<i>Retain NH-R4 as notified.</i>
Natural Hazards	NH-R9 Activities in the Liquefaction Hazard Overlay	Support	Precinct supports NH-R9 as it provides for all activities except emergency service facilities in the Liquefaction Hazard Overlay to occur as a permitted activity.	<i>Retain NH-R9 as notified.</i>

Natural Hazards	NH-R10 Potentially hazard sensitive activities in the inundation area of the Flood Hazard Overlay	Support in part	<p>Precinct supports NH-R10, as it provides for Potentially Hazard Sensitive Activities in the Inundation Area of the Flood Hazard Overlay as a Permitted activity where conditions around floor levels are met.</p> <p>Precinct also supports the Restricted Discretionary status for Potentially Hazard Sensitive Activities that do not comply with the conditions of NH-R10.1.</p>	<i>Retain NH-R10 as notified.</i>
Natural Hazards	NH-R12 Potentially hazard sensitive activities in the overland flowpath of the Flood Hazard Overlay	Amendment sought	<p>Precinct supports NH-R12 in part, as it provides for Potentially Hazard Sensitive Activities in the overland flowpath overlay as a Restricted Discretionary activity where conditions around floor levels are met.</p> <p>However, Precinct seeks amendments to NH-R12.2 to make the default activity status Discretionary within the overland flowpath for Potentially Hazard Sensitive Activities that do not comply with NH-R12.1, rather than Non-Complying. This would be consistent with the approach taken to Hazard Sensitive Activities within the overland flowpath overlay (as provided in rule NH-R13).</p>	<p><i>Amend NH-R11.2 as follows:</i></p> <ol style="list-style-type: none"> 1. Activity Status: Non-Complying <u>Discretionary</u> <p>Where:</p> <p>Compliance with the requirements of NH-R12.1.a cannot be achieved.</p>
Coastal Hazards	CE-O8 City Centre Zone.	Support in part	Precinct supports CE-O8 to the extent that it is enabling of development in the city centre.	<i>Retain CE-O8 as notified.</i>
Coastal Hazards	CE-P14 Additions to buildings for potentially hazard sensitive activities and hazard sensitive activities within the medium coastal hazard area and high coastal hazard area.	Support	Precinct supports this policy as it provides for additions to buildings for potentially hazard sensitive activities and hazard sensitive activities within the medium coastal hazard area and high coastal hazard area.	<i>Retain CE-P14 as notified.</i>
Coastal Hazards	CE-P16 Potentially hazard sensitive activities within the medium coastal hazard areas.	Support	Precinct supports CE-P16 as it provides for potentially hazard-sensitive activities in the medium coastal hazard areas.	<i>Retain CE-P16 as notified.</i>
Coastal Hazards	CE-P18 Hazard sensitive activities and potentially hazard sensitive activities in the high coastal hazard area	Amendment sought	<p>Precinct seeks amendment of CE-P18 to change the word “avoid” to “only allow where...”.</p> <p>The use of the term “avoid” is unnecessarily onerous and suggests that the establishment of Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities within the High Coastal Hazard Areas should not occur at all.</p> <p>The requested amendment would provide appropriate policy support to the Restricted Discretionary status in rule CE-R20. The Restricted Discretionary status is enabling of activities, potentially hazard sensitive activities or hazard sensitive activities in high coastal hazard areas within the City Centre Zone and this needs to be recognised with appropriate wording in the supporting policy.</p>	<p><i>Amend CE-P18 as follows:</i></p> <p>Avoid <u>Only allow</u> Hazard sensitive activities and potentially hazard sensitive activities in the high coastal hazard area or any subdivision where the building platform for a potentially hazard sensitive activity or hazard sensitive activity will be within the high coastal hazard area where it can be demonstrated that:</p> <ol style="list-style-type: none"> 1. The activity, building or subdivision has an operational or functional need to locate within the high coastal hazard area and locating outside of these high coastal hazard areas is not a practicable option; 2. The activity, building, or subdivision incorporates measures that demonstrate that reduce or <u>do</u> not

				<p>increase the risk to people, and property from the coastal hazard;</p> <p>3. There is the ability to access safe evacuation routes for occupants of the building from the coastal hazard; and</p> <p>4. The activity does not involve the removal or modification of a natural system or feature that provides protection to other properties from the natural hazard.</p>
Coastal Hazards	CE-R18 Additions to buildings within the Coastal Hazard Overlays	Support	Precinct supports this rule as proposed including the Permitted activity status, and Restricted Discretionary activity status for additions to buildings which do not comply with CE-R18.1.	<i>Retain CE-R18 as notified.</i>
Coastal Hazards	CE-R20 Potentially hazard sensitive activities or hazard sensitive activities within the City Centre Zone and are also within the medium and high coastal hazard areas	Support	Precinct supports CE-R20 as notified, as it is enabling of development in medium and high coastal hazard areas in the City Centre Zone.	<i>Retain CE-R20 as notified.</i>
Coastal Hazards	CE-R21 Potentially hazard sensitive activities in the low coastal hazard area	Support	Precinct supports the Permitted activity status for potentially hazard sensitive activities in the low coastal hazard area provided by CE-R21.	<i>Retain CE-R21 as notified.</i>
Transport	TR-S8 Provision of on-site loading areas	Oppose	Precinct is opposed to this standard that requires provision of an on-site loading area for buildings over 450m ² . There may be sites where it is impractical and unnecessary to provide on-site loading and this standard may unnecessarily constrain appropriate development.	<i>Delete TR-S8.</i>
Transport	TR-S9 Design requirements for on-site loading, circulation and manoeuvring	Oppose	Precinct is opposed to TR-S9 and seeks that it is deleted. A design requirement based on a 8 x 2.5m truck, and a 4.5m height clearance is excessive and unnecessary to provide for loading requirements. This will constrain appropriate designs and have negative effects on streetscape and urban design. This is counter to the strategic direction of the Proposed District Plan and the objectives and policies of the City Centre zone, particularly around promoting a walkable city (CCZ-P8) and quality design outcomes (CCZ-P9) as requiring oversized vehicle crossings and loading areas will reduce pedestrian amenity.	<i>Delete TR-S9.</i>
Historic Heritage	HH-P4 Enabling approach to works	Support	Precinct supports HH-P4 as it is enabling of works to built heritage and seeks that it is retained.	<i>Retain HH-P4 as notified.</i>
Historic Heritage	HH-P7 Additions, alterations and partial demolition of heritage buildings and structures	Support in part	Precinct supports HH-P7 to the extent that it is enabling of additions and alterations.	n/a
Historic Heritage	HH-P8 New buildings and structures, and modifications to existing non-scheduled buildings on the site of a heritage building or structure	Support in part	Precinct supports HH-P78 to the extent that it provides for new buildings and modifications to non-scheduled buildings on the site of a heritage building.	n/a

Historic Heritage	HH-R3 Additions, alterations and partial demolition of heritage buildings and heritage structures	Support	Precinct supports the Restricted Discretionary activity status provided under HH-R3 where compliance with the requirements of HH-R3.1 cannot be achieved.	<i>Retain the Restricted Discretionary activity status provided under HH-R3.</i>
Historic Heritage	HH-R4 New buildings and structures on the site of heritage buildings and heritage structures	Support	Precinct supports HH-R4 as notified.	<i>Retain HH-R4 as notified.</i>
Historic Heritage	HH-R5 Additions and alterations to non-scheduled buildings and structures on the site of heritage buildings and structures	Support	Precinct supports HH-R4 as notified.	<i>Retain HH-R4 as notified.</i>