
REPORT 4
(1215/11/IM)

**DECISION ON DISTRICT PLAN CHANGE 48:
CENTRAL AREA REVIEW**

1. Purpose of Report

To report to Council the recommendations of the District Plan Hearing Committee concerning District Plan Change 48 – Central Area Review.

2. Recommendation

It is recommended that Council:

- 1. Approve the recommendations of the District Plan Hearing Committee in respect of District Plan Change 48 – Central Area Review as set out in Appendices One and Two of this report.*

3. Background

Proposed District Plan Change 48 was a Council initiated plan change and provided a complete review of the District Plan provisions that apply to land within the Central Area. All aspects of the Central Area chapter were open to submission.

The plan change sought to build on those aspects of the operative District Plan that had improved the quality, amenity, vibrancy and vitality of the Central Area. These included:

- A single zone approach that encourages a wide range activities throughout the Central Area
- Reaffirmation of the ‘high city/low city’ model of urban form
- Management of the urban design effects of new building works
- Provisions to maintain and enhance pedestrian amenity and the quality of key public spaces.

The plan change included a number of significant new provisions designed to allow the Council to better manage the effects of new development within the Central Area. These included:

- Improved management of the effects of new building works – height, mass, daylight, wind and heritage
- Creation of nine heritage areas to cover significant and unique neighbourhoods within the Central Area.
- Creation of the Port Redevelopment Precinct and Pipitea Precinct to manage any future office or retail development on port and rail land north of the CBD

- Enhanced integration of the Inner City Bypass route into the urban fabric of southern Te Aro.

The plan change was publicly notified in September 2006, with copies of the notices sent to all ratepayers in Wellington City. Individual letters were also sent to all owners of properties within a proposed heritage area, and to the owners of properties that were subject to the sunlight protection provisions.

The Hearing for District Plan Change 48 was held at Council Offices over nine days between the 16th and 30th May 2007, in conjunction with the hearing of District Plan Change 43 (Heritage Provisions).

4. Discussion

Ninety-one main submissions and nineteen further submissions were received on Proposed District Plan Change 48. The submissions covered a wide range of issues raised by the plan change.

Forty-nine submitters attended the hearing and spoke to their submissions.

The Committee gave careful consideration to all the issues raised by the submitters, including those issues elaborated on in presentations by the individuals who appeared before the Committee.

One submitter opposed the proposed plan change in its entirety on the grounds that the proposed heritage areas were unreasonable and unduly onerous. One submission supported the plan change in its entirety and requested that it be adopted as notified.

The remaining submissions sought various amendments to the provisions contained in the plan change. All of these submissions are considered in detail in the Hearing Committee's decision report attached as Appendix 1.

Having considered the requirements of the RMA and the issues raised in submissions, the Hearing Committee considered that the plan change was generally appropriate and would allow the Council to better manage the effects of new development within the Central Area. The Committee recommends a number of amendments to the provisions (as notified) to improve their clarity, application and effectiveness. These changes include:

- Revision of the height controls that apply within the proposed Heritage Areas
- Additional site specific guidance for new development in the Cuba Street, BNZ/Head Office and Stout Street Heritage Areas
- Amendments to the boundaries of the Courtenay Place, Cuba Street and BNZ/Head Office Heritage Areas
- Deletion of the Wesley Church Heritage Area
- Installation of an office cap for new development within the Port Redevelopment Precinct
- New provisions relating to the development of through block links
- A new 'guiding principle' in section 12.1 relating to the sustainability of the Central Area (12.1.8) and modification of a policy to include a reference to environmental sustainable design principles (ESD).

- Stricter provisions to control the effects of outdoor electronic speaker systems emitting noise into public spaces
- A stricter noise insulation requirement for noise sensitive activities in the Courtenay Place Area (35dB instead of 30dB), in recognition of the reverse sensitivity issues associated with that entertainment precinct
- Two new viewshafts, specifically from Featherston Street looking back up Whitmore Street towards the Beehive, and along Lambton Quay looking towards the MLC heritage building.
- Stronger cross referencing between rules and policies

The Hearing Committee recommends that Council endorse DPC 48, with the above amendments.

Once approved by Council the decision will be publicly notified and notice served on the submitters. Submitters then have the option of appealing the matter to the Environment Court within 30 working days. If no appeals are made the plan change will become operative.

Report from: Alick Shaw - Chair of the District Plan Hearings Committee on District Plan Change 48 – Central Area Review