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**REPORT 1**  
(1215/11/IM)

## **DECISION ON DISTRICT PLAN CHANGE 56: MANAGING INFILL HOUSING DEVELOPMENT**

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### **1. Purpose of Report**

To report to Council the recommendations of the District Plan Hearing Committee concerning District Plan Change 56 – Managing Infill Housing Development.

### **2. Recommendation**

It is recommended that Council:

- 1. Receive the information.*
- 2. Approves the recommendations of the District Plan Hearing Committee in respect of District Plan Change 56 – Managing Infill Housing Development as set out in Appendices One and Two of this report.*

### **3. Background**

Proposed District Plan Change 56 was a Council-initiated plan change in response to concerns about the quality of infill development occurring throughout the Residential Areas of the city. Key components of the Plan Change included:

- Strengthening of the residential amenity and residential streetscape policies
- Reducing the permitted height of the second unit on a site to 4.5m (i.e. a single storey)
- Introduction of an open space requirement per dwelling (i.e. 35m<sup>2</sup> for Inner Residential zoned areas or 50m<sup>2</sup> for Outer Residential zoned areas)
- Tighter controls on subdivision, and a revised subdivision design guide
- Updated Multi-unit Design Guide, renamed the Residential Design Guide
- Revised definitions of 'site area' and 'access strip'
- Revised non-notification statements for development that enables infill housing, with a view to increasing affected party involvement in resource consent processes.

Plan Change 56 was one of two concurrent projects being completed by Council officers to better manage infill housing development. The other project relates to the strategic review of where infill housing (and intensification) should or should not go.

The concept of a 'Targeted Approach' is still being investigated, but public feedback on the first discussion document saw significant endorsement for the idea (over 80% of respondents).

Plan Change 56 was publicly notified on Saturday 5th May 2007, with a public notice sent to all ratepayers in Wellington City, outlining the Plan Change in brief. The hearing was held over 4 days in September 2007.

#### **4. Discussion**

A total of 122 submissions were received on the Plan Change. 85 submissions were lodged with Council during the first submissions process, with another 37 submissions received by the end of the further submissions process (being 13th August 2007). The submissions reflected a wide range of opinions on the issues raised by the Plan Change. Twenty-one 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.

A number of submitters opposed the Plan Change in its entirety on the grounds that the provisions were too restrictive and unnecessary. Many submitters supported the plan change in its entirety as they considered the plan change would enable the adverse effects of infill to be better managed and would provide more opportunities to be involved in the planning process. Most of the remaining submitters supported the intent behind the plan change, but considered significant amendments were needed to some of the rules to make them more realistic for Wellington's specific characteristics, most notably its topography. 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 infill development in the Residential Areas. However, the Committee did recommend a number of amendments to the provisions, precisely to address the concerns by some submitters that the provisions should be more flexible to allow people to respond to particular site circumstances. The most significant of the changes to the notified provisions made by the Committee include:

- Revision of rule 5.1.3.4.3 (height of a second household unit) so that it is applicable to flat and sloping sites.
- A definition of Infill Household Unit is introduced.
- Some increased flexibility in the Outer Residential open space requirement of 50m<sup>2</sup>, so that no more than 15m<sup>2</sup> of the open space area may be used for vehicle access ways.
- A Controlled Activity rule for a narrower range of subdivisions has been re-introduced. One such subdivision scenario outlined as a Controlled Activity is the situation where a freehold lot greater than 400m<sup>2</sup> is proposed. Any lot less than 400m<sup>2</sup> will be processed as a Discretionary Restricted Activity.

- A return to the pre-Plan Change 56 definition of 'access strip', albeit that improvements to clarify the definition (but not change its effect) have been retained.
- Amendment of the visitor parking rule so that it triggers for developments containing more than 6 units
- Improvements to the Residential Design Guide to include references to apartment style developments

The Hearing Committee recommends that Council endorse DPC 56, 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 56