

Text updates to the Wellington City 2024 District Plan: Appeals Version

Date	Relevant Chapter	Relevant part or provision	Amendment (shown in strikethrough or underline)	Reason	Delegation
12 July 2024	Noise	NOISE-S4.2	gross floor area	The standard relates to alterations or additions to a habitable room and incorrectly references gross floor area which is defined as the sum of the total area of all floors of a building or buildings.	Clause 20A
12 July 2024	Noise	NOISE-S5.2	gross floor area	The standard relates to alterations or additions to a habitable room and incorrectly references gross floor area which is defined as the sum of the total area of all floors of a building or buildings.	Clause 20A
11 October 2024	General Industrial Zone	GIZ-S1	Maximum height of buildings and structures for the purpose of GIZ-R10.1 GIZ-R11.1 and GIZ-PREC01-R1.1	Correct reference to relevant rule.	Clause 20A
11 October 2024	General Industrial Zone	GIZ-S2	Maximum height of buildings and structures for the purpose of GIZ-R10.2 GIZ-R11.2 and GIZ-PREC01-R1.2	Correct reference to relevant rule.	Clause 20A
11 October 2024	Large Lot Residential Zone	LLRZ-S8.1	Where a connection to Council's reticulated wastewater systems is not available, all water supply and wastewater treatment and disposal systems must be contained within the site that the supply or system serves and be connected to a septic tank or soakage field, or an approved alternative means to dispose of sewage in a sanitary manner in accordance with Section 5.2.6 of the Wellington Water Regional Standard for Water Services <u>v3.0</u> December 2021; and	Correct reference to the Wellington Regional Standard for Water Services v3.0 December 2021.	Clause 20A
11 October 2024	Subdivision	SUB-R1	2. The provision of a water supply connection to the Council's reticulated water supply system for each allotment sufficient to meet the levels of service in the Wellington Water Regional Standard for Water Services 2022 <u>v3.0 December 2021</u> and the requirements of the New Zealand Fire Service Firefighting Water Supplies Code of Practice SNZ PAS 4509:2008; 3. The provision of a wastewater disposal connection to Council's reticulated wastewater system for each allotment sufficient to meet the level of service in the Wellington Regional Standard for Water Services 2022 <u>v3.0 December 2021</u> ; 4. The provision of a stormwater connection to Council's reticulated stormwater system for each allotment sufficient to meet the level of service in the Wellington Regional Standard for Water Services 2022 <u>v3.0 December 2021</u> ;	Correct reference to the Wellington Regional Standard for Water Services v3.0 December 2021.	Clause 20A
11 October 2024	Subdivision	SUB-R1.6	The provision of electricity connections to the legal boundary or of each allotment.	Correct spelling/grammar.	Clause 20A
11 October 2024	Subdivision	SUB-R19	Subdivision within the Wellington Fault, Ohariu Fault Overlays	Each fault has its own separate rule. The Wellington Fault is addressed is SUB-R20 and is mistakenly duplicated in the heading of SUB-R19.	Clause 20A
11 October 2024	Subdivision	SUB-R30	Notification status: For a resource consent application made in respect of Rule SUB-R29 <u>SUB-R30</u> , WIAL must be considered to be an affected person in accordance with Section 95E of the RMA.	Correct reference to relevant rule.	Clause 20A

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11 October 2024	Earthworks	EW-R20.2	Notification Status: an application for resource consent made in respect of rule EW-R20.2 is precluded from being publicly notified.	Correct reference to relevant rule.	Clause 20A
11 October 2024	Historic Heritage	HH-R8.2	Compliance with the requirements of HH-R8.1a cannot be achieved.	Correct reference to relevant rule.	Clause 20A
11 October 2024	High Density Residential Zone	HRZ-R11.2	Notification status: An application for resource consent made in respect of rule HRZ-R11.2.a which results from non-compliance with HRZ-S1, HRZ-S3, MRZ-S4 HRZ-S4 or MRZ-S5 HRZ-S5 is precluded from being publicly notified.	Correct reference to relevant standards.	Clause 20A
11 October 2024	SCHED6 - Notable Trees	Reference 229	Remove Notable Tree 229 from SCHED6.	The English Elm at St Mary's College Guildford Terrace, Thorndon died and was removed.	Clause 20A
11 October 2024	SCHED1 - Heritage Buildings	DP Ref # 475	Address: 20, 21, 94 Ballance, Whitmore and Featherston Streets <u>20 Ballance, 21 Whitmore, and 94 Featherston Streets</u> Legal Description: LOT 1 DP 10800, LOT 2 DP 10800, <u>LOT 2 DP 10990, SECTION 4 BLOCK III THORNDON RECLAMATION</u> , LOT 1 DP 4930, SECTION 2 BLOCK III THORNDON RECLAMATION	Clarify and correct address and legal description of the Investment Centre (Former) heritage building.	Clause 20A
11 October 2024	SCHED6 - Notable Trees	Reference 79	Remove Notable Tree 79 from SCHED6 - European Beech at 67 Moxham Avenue, Hataitai.	This European Beech tree was dying, and has been removed. Noted by Oliver Pease, Team Manager Arboriculture, on 28 August 2024.	Clause 20A
11 October 2024	SCHED1 - Heritage Buildings	DP Ref # 302	Add Lot 2 DP 349456 to the Legal Description of DP Ref # 302.	SCHED1 Heritage Buildings identifies two houses at 274 & 276 The Terrace. 276 The Terrace has a separate legal description which needs to be added to the Schedule.	Clause 20A
11 October 2024	Sites and Areas of Significance to Māori	Introduction sub-heading	Sites and Areas of Significance to Māori	Correct spelling/grammar.	Clause 20A
11 October 2024	Sites and Areas of Significance to Māori	SASM-R3.2	Compliance with the requirements of SASM-R43.1 cannot be achieved.	Correct reference to relevant rule.	Clause 20A
11 October 2024	Ecosystems and Indigenous Biodiversity	ECO-P3.1	Applies the effects management hierarchy approach in ECO-P2 ECO-P1 and	Correct reference to relevant policy. The effects management hierarchy is set out in ECO-P1.	Clause 16(2)
11 October 2024	Ecosystems and Indigenous Biodiversity	ECO-R1.3, ECO-R1.4, ECO-R1.5, ECO-R1.6, ECO-R2.2, and ECO-R3.2	Applications for activities within an identified significant natural area must provide, in addition to the standard information requirements, an ecological assessment in accordance with APP15: 1. Identifying the indigenous biodiversity values and potential impacts from the proposal; and 2. Demonstrating that effects management hierarchy at ECO-P2 ECO-P1 has been applied.	Correct reference to relevant policy. The effects management hierarchy is set out in ECO-P1.	Clause 16(2)

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11 October 2024	APP2 – Biodiversity Offsetting	APP2 – Biodiversity Offsetting	1. Adherence to the effects management hierarchy: The proposed biodiversity offset will be assessed in accordance with the management hierarchy set out in ECO-P2ECO-P1 . It should only be contemplated after the management hierarchy steps in ECO-P2ECO-P1 have been demonstrated to have been sequentially exhausted. Any proposal for a biodiversity offset will demonstrate how it addresses the residual adverse effects of the activity.	Correct reference to relevant policy. The effects management hierarchy is set out in ECO-P1.	Clause 16(2)
11 October 2024	APP3 – Biodiversity Compensation	APP3 – Biodiversity Compensation	1. Adherence to effects management hierarchy: Biodiversity compensation is a commitment to redress residual adverse effects. It must only be contemplated after the management hierarchy steps in ECO-P2ECO-P1 have been demonstrated to have been sequentially exhausted and thus applies only to residual adverse effects on indigenous biodiversity.	Correct reference to relevant policy. The effects management hierarchy is set out in ECO-P1.	Clause 16(2)
11 October 2024	APP15 – Ecological Assessment	APP15 – Ecological Assessment	The following sets out the principles for preparing an ecological assessment that will determine the indigenous biodiversity values and the impact of the activity on those values through the application of the effects management hierarchy in ECO-P2ECO-P1 .	Correct reference to relevant policy. The effects management hierarchy is set out in ECO-P1.	Clause 16(2)
11 October 2024	Infrastructure – Ecosystems and Indigenous Biodiversity	INF-ECO-P34	2. Any adverse effects on indigenous biodiversity values within a significant natural area are applied in accordance with ECO-P2ECO-P1 .	Correct reference to relevant policy. The effects management hierarchy is set out in ECO-P1.	Clause 16(2)
11 October 2024	Infrastructure – Ecosystems and Indigenous Biodiversity	INF-ECO-P36	Provide for upgrading of the National Grid within significant natural areas by applying the effects management hierarchy in ECO-P2ECO-P1 .	Correct reference to relevant policy. The effects management hierarchy is set out in ECO-P1.	Clause 16(2)
11 October 2024	Infrastructure – Ecosystems and Indigenous Biodiversity	INF-ECO-P37	Give priority to avoiding adverse effects of the National Grid on significant natural areas by applying the effects management hierarchy in ECO-P2ECO-P1 when located within significant natural areas, by:	Correct reference to relevant policy. The effects management hierarchy is set out in ECO-P1.	Clause 16(2)
11 October 2024	Infrastructure – Ecosystems and Indigenous Biodiversity	INF-ECO-R44.2	Matters of control are: 1. Replanting; 2. Disposal of trees and vegetation; and 3. Ecological effects assessment in accordance with the effects management hierarchy in ECO-P2ECO-P1 .	Correct reference to relevant policy. The effects management hierarchy is set out in ECO-P1.	Clause 16(2)
11 October 2024	SCHED1 - Heritage Buildings	DP Ref # 190.3	<u>Listing excludes retail space (alongside Prudential Building)</u>	Clarify description of protection required to align with the exclusion identified in DP Ref # 30 in SCHED3.	Clause 20A

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17 October 2024	Interpretation	HIGH NOISE AREA definition	<p>HIGH NOISE AREA means land and habitable rooms of buildings located within:</p> <p>a.40m of a State Highway designation <u> ,except where the State Highway is in a tunnel;</u></p> <p>b.40m of a Railway designation <u> ,except where the railway is in a tunnel;</u></p> <p>c.Courtenay Place Noise Area;</p> <p>d.General Industrial Zone;</p> <p>e.Inner Air Noise Overlay.</p> <p>With respect to railway and state highway designations, distance to the nearest habitable room of a building is measured to the closest point of the designation.</p>	Amend the High Noise Area definition to clarify that the area is not based on proximity to sections of designated rail and state highway and tunnels.	Clause 20A
17 October 2024	Interpretation	MODERATE NOISE AREA definition	<p>MODERATE NOISE AREA means land and habitable rooms of buildings located within:</p> <p>a.The area between 40m and 100m of a State Highway designation with a posted speed limit or maximum variable speed limit greater than >70 km/hour, <u>except where the State Highway is in a tunnel;</u></p> <p>b.The area between 40m and 100m of a Railway designation <u> ,except where the railway is in a tunnel;</u></p> <p>c.City Centre Zone;</p> <p>d.Mixed Use Zone;</p> <p>e.Commercial Zone;</p> <p>f.Neighbourhood Centre Zone;</p> <p>g.Local Centre Zone;</p> <p>h.Metropolitan Centre Zone;</p> <p>i.Waterfront Zone;</p> <p>j.Outer Port Noise Overlay;</p> <p>k.Outer Air Noise Overlay.</p> <p>With respect to railway and state highway designations, distance to the nearest habitable room of a building is measured to the closest point of the designation.</p>	Amend the Moderate Noise Area definition to clarify that the area is not based on proximity to sections of designated rail and state highway and tunnels.	Clause 20A
17 December 2024	Interpretation	High Coastal Hazard Area	<p>means the mapped extent within the District Plan for the following coastal hazards:</p> <p>a. Current sea level inundation;</p> <p>b. Coastal erosion from existing sea level</p> <p><u>a. Existing coastal inundation extent with a 1:100 year storm; or</u></p> <p>c. Tsunami – 1:100 year inundation scenario with 1m of Sea Level Rise.</p>	Align terminology relating to the coastal inundation hazard scenario with the terminology used in the Coastal Environment chapter and ePlan mapping legend.	Clause 20A
17 December 2024	Noise	NOISE-R3.1.a.iii	Residential units in the Commercial and Mixed Use Zones (see APP4), except within the Inner Air Noise Overlay; or the Mixed Use Zone.	Remove semi colon after 'Air Noise Overlay' to clarify interpretation of the rule.	Clause 20A

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17 December 2024	Local Centre Zone	LCZ-P10	Recognise the positive outcomes that developments over the height threshold <u>limits</u> in the Local Centre Zone can make to a well-functioning urban environment, as compensation for adverse effects, through the provision of enduring outcomes that provide public benefit and positively contribute to the sense of place and distinctive form, quality and amenity of the Local Centre Zone, including:	LCZ-P10 refers to height thresholds however this should refer to height limits to be consistent with the terminology used in LCZ-S1 and align with the policy wording in MCZ-P10.	Clause 20A
17 December 2024	Medium Density Residential Zone	MRZ-R13.2	Notification status: An application for resource consent made in respect of rule MRZ-R15.2.a <u>MRZ-R13.2.a</u> is precluded from being publicly notified.	Correct reference to relevant rule.	Clause 20A
17 December 2024	Medium Density Residential Zone	MRZ-PREC02-R4.2	Notification status: An application for resource consent made in respect of rule MRZ-PREC01-R5.2.a <u>MRZ-PREC02-R4.2.a</u> is precluded from being publicly notified.	Correct reference to relevant rule.	Clause 20A
17 December 2024	High Density Residential Zone	HRZ-R14.2	Notification status: An application for resource consent made in respect of rule HRZ-R14.1 <u>HRZ-R14.2.a</u> is precluded from being publicly notified.	Correct reference to relevant rule.	Clause 20A
17 December 2024	City Centre Zone	CCZ-R17.2	Notification status: An application for resource consent made in respect of rule CCZ-R17.2.a <u>must be publicly notified</u> .	Clarify reference to relevant rule.	Clause 20A
17 December 2024	City Centre Zone	CCZ-R24.2	An application for resource consent made in respect of rule <u>CCZ-R24.2.a</u> which results in non-compliance with CCZ-S5, CCZ-S9 and CCZ-S10 is precluded from being either publicly or limited notified. An application for resource consent made in respect of rule <u>CCZ-R24.2.a</u> which results from non-compliance with CCZ-S2, CCZ-S3, CCZ-S6, CCZ-S7, CCZ-S8, CCZ-S11, CCZ-S12, CCZ-S13, CCZ-S15 and CCZ-S16 is precluded from being publicly notified.	Clarify reference to relevant rule.	Clause 20A
17 December 2024	City Centre Zone	CCZ-R26.2	Notification status: An application for resource consent made in respect of rule CCZ-R26.2.a <u>is precluded from being publicly and limited notified</u> .	Clarify reference to relevant rule.	Clause 20A
17 December 2024	City Centre Zone	CCZ-R24.2	Matters of discretion are: 1. The matters in CCZ-P4, CCZ-P5, CCZ-P6, CCZ-P7, CCZ-P8, CCZ-P9, CCZ-P10, CCZ-P11 , CCZ-P12 and CCZ-P13;	Including CCZ-P11 in the first matter of discretion incorrectly imposes a requirement to apply the City Development Outcomes policy to all new buildings. Reference to CCZ-P11 is correctly included at matter of discretion 3, which will only apply to over and under height buildings.	Clause 20A

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17 December 2024	Earthworks	Introduction	<p>EW-R1 to EW-R4 and EW-R17 apply to all earthworks activities to the extent expressed within the rule concerned.</p> <p>EW-R4 to EW-R16 and EW-R18 to EW-R20 do not apply to any earthworks activities that are described and catered for solely by EW-R1 to EW-R3 or EW-R17.</p> <p>In addition to the general earthworks requirements set out in EW-R4, EW-R5 to EW-R16 and EW-R18 to EW-R20 apply to earthworks activities in the particular locations and circumstances described in the rule concerned.</p> <p><u>EW-R1 to EW-R3 and EW-R17 apply to earthworks activities to the extent expressed within the rule concerned without the need to refer to any other rules.</u></p> <p><u>EW-R4 applies to all earthwork activities (with the exception of earthworks activities catered for solely by EW-R1, EW-R2, EW-R3 or EW-R17).</u></p> <p><u>EW-R5 to EW-R16 and EW-R18 to EW-R20 apply to earthworks activities in the particular locations and circumstances described in the rule concerned.</u></p>	Clarify the application of rules in the Earthworks chapter.	Clause 20A
17 December 2024	Medium Density Residential Zone	MRZ-R12.1	<p>Matters of discretion are restricted to:</p> <p>1. The extent and effect of non-compliance with any of the following standards as specified in the associated assessment criteria for any infringed standard:</p>	Correct spelling/grammar.	Clause 20A
17 December 2024	Historic Heritage	HH-R8.1.b	Any new structure (excluding buildings provided for in HH-S8.1.a) does not exceed a maximum height of 1.5m.	Clarify reference to relevant rule.	Clause 20A
17 December 2024	SCHED1 - Heritage Buildings	DP Ref # 161	Address: 1 Queen's Wharf	Correct spelling/grammar to remove the apostrophe.	Clause 20A
17 December 2024	SCHED2 - Heritage Structures	DP Ref # 40	Address: 200 Daniell Street (Athletic Park grounds)	Delete reference to "(Athletic Park Grounds)" from listing address as Athletic Park is the name more commonly associated with a historical rugby ground located in Newtown.	Clause 20A
17 December 2024	SCHED1 - Heritage Buildings	DP Ref # 217	HNZPT #: <u>Historic Place Category 1, 1411</u>	Chapman-Taylor Workshop (former) at 113 Molesworth Street requires the addition of HNZPT status.	Clause 20A
17 December 2024	SCHED3 - Heritage Areas	DP Ref # 21	Exclusions - TBC	Delete 'Exclusions - TBC' from DP Ref # 21 (Old Coach Road) as the Heritage Area is operative and no exclusions were identified through the hearings process.	Clause 20A
17 December 2024	General Approach	Notification	"2. The Council decides that special circumstances exist under <u>Step 4</u> of section 95A(4) or section 95B of the RMA"	This statement is incorrect as the content in 95A(4) does not relate to special circumstances. The intended reference is to "Step 4" of section 95A and 95B.	Clause 20A
17 December 2024	High Density Residential Zone	HRZ-R12	An application for resource consent made in respect of rule HRZ-R12.1 that complies with HRZ-S2, HRZ-S3.1 <u>HRZ-S3.2</u> , and HRZ-S4, but does not comply with all other relevant standards is also precluded from being limited notified.	The third notification status statement in HRZ-R12 refers to HRZ-S3.1. This is an error and should refer to HRZ-S3.2, which is the multi-unit standard and the correct standard for HRZ-R12 relating to multi-unit housing.	Clause 20A

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17 December 2024	Local Centre Zone	LCZ-R19.2	Matters of discretion are: 1. The matters in LCZ-P6, LCZ-P7, LCZ-P8, LCZ-P9, LCZ-P10 and LCZ-P11;	LCZ-P10 (City development outcomes) only applies to over height buildings where the high standard (LCZ-S1) is not met. The inclusion of LCZ-P10 in LCZ-R19.2 is an error because this rule does not apply to over height building, which are instead regulated under LCZ-R19.3.	Clause 20A
17 December 2024	Interpretation	Rural Activities	means the use of land and/or buildings for agricultural, pastoral, horticultural, and forestry activities (not covered by the NES-PF <u>NES-CF</u>); and includes: ...	The definition incorrectly refers to the NES-PF. On 4 October 2023 the regulations were changed and renamed to the National Environmental Standards for Commercial Forestry (NES-CF).	Clause 20A