

Recommendations of the Proposed District Plan Independent Hearings Panel (IHP)

Absolutely Positively
Wellington City Council
Me Heke Ki Pōneke

Briefing for Elected Representatives

Hearing Stream 9 & 10

29 April 2025

Designations and District Plans

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Mt Kaukau

Broadmeadows

Johnsonville

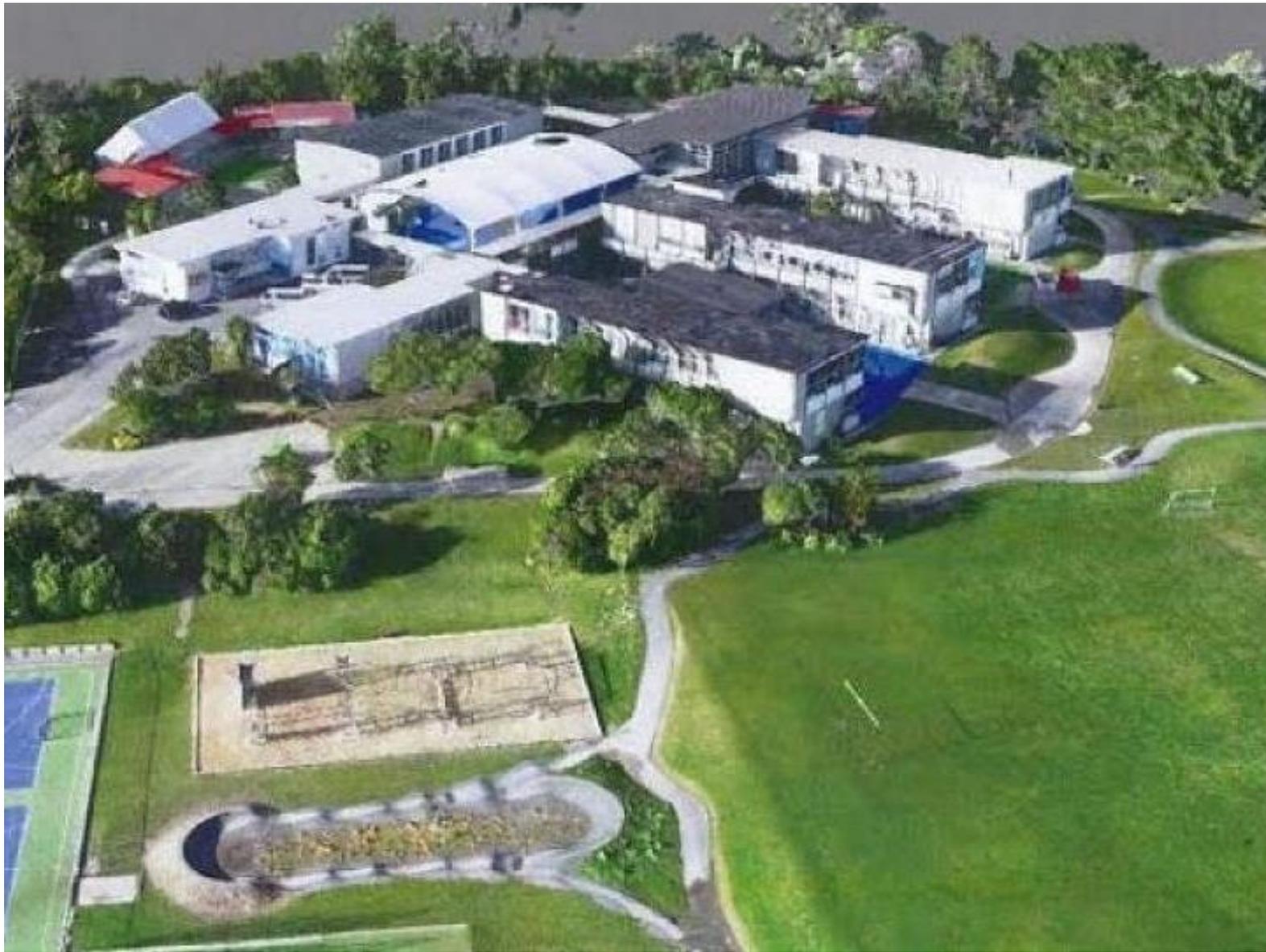
Ngauranga Gorge



NZME

Minister of
Education

Waka Kotahi,
New Zealand
Transport
Agency



Notice of Requirement



Zone Rules



General Rules



What is a designation?

- Planning instrument included in a District Plan that spatially defines an area where a public work is enabled (often subject to conditions)
- Only 'requiring authorities' can hold a designation
 - requiring authority** means—
 - (a) a Minister of the Crown; or
 - (b) a local authority; or
 - (c) a network utility operator approved as a requiring authority under [section 167](#)
- Rules of a district plan do not apply to the designated project or works
- Can also act to protect land from other activities occurring within the designated area (e.g. proposed road or school).

District Plan review and Designations

- District Plan review process requires that each requiring authority advise WCC whether existing designations in the ODP are to be included in the PDP, with or without modification
- Submitters can make a submission on all “rolled-over” or new designations
- If a “rolled-over” designation from ODP to PDP is not modified and not submitted on, it is included in the plan without any further decision-making
- New designations can also be included as part of the plan review process

Decision-making process for Designations

- Process differs to the rest of the plan – Council is not the decision-maker (unless it's a WCC designation)
- With new or modified designations, or where submissions have been received, **Council makes a recommendation to each requiring authority** who is then required to confirm the designation by advising council that either:
 - they accept the Council recommendations
 - or
 - they amend the recommendations, with reasons for doing so
- Council or submitters can appeal the decision of the requiring authority

Hearing Stream 9 & 10 Topics

- Designations (for public works)
- Infrastructure
- Transport
- Renewable Energy Generation
- Contaminated Land
- Hazardous Substances



Tūāhanga Infrastructure



Purpose of Infrastructure Chapter

- Operation, development of infrastructure in the City
- Includes on-road transport infrastructure, rail
- Not community infrastructure like schools, hospitals
- Ports, Airports have their own chapter

Subchapters for infrastructure in:

- Coastal environment
- Ecosystems, indigenous biodiversity
- Natural features and landscapes
- Natural hazards
- “Other overlays”: historic heritage, notable trees, sites and areas of significance to Māori, viewshafts
- NEW National Grid (electricity).

Overview of submissions and key matters considered

- 820 submission points
- 295 further submission points

Key matters considered by Panel

- National Grid alignment with National Policy Statement on Electricity Transmission, National Environmental Standards on Electricity Transmission Activities
- The proposed sub-chapter approach
- How the infrastructure chapters inter-relate with the Port, Airport and Renewable Electricity Generation chapters
- Infrastructure needs when considering private property rights and notification

Panel Recommendations

- Objective and policy text to protect significant infrastructure from incompatible subdivision, use, development, including complaints (i.e. reverse sensitivity)
- Enable bus shelters and electric vehicle charging stations – no resource consent if:
 - Up to 2.5 m high and 6 m² in the road corridor
 - Zone building standards in industrial and rural areas
 - Other zones: Up to 3.5 m and 30 m² (20 m² in residential)
- When building new roads – can pick right tree, right place, including native trees



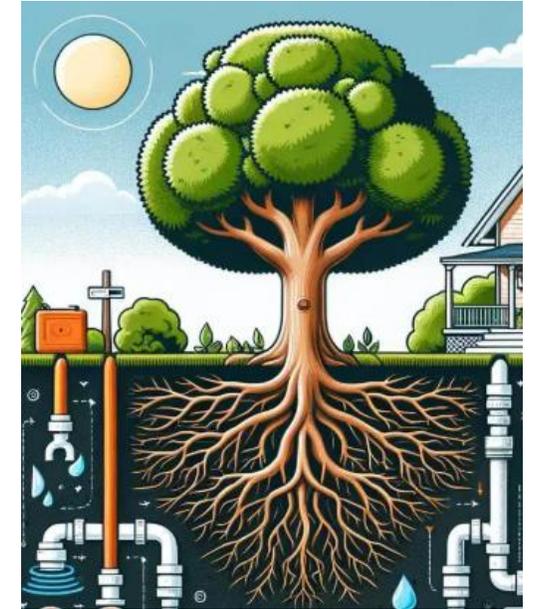
Panel recommendations: National Grid

- National Grid (Transpower's electricity network) provisions moved into a new sub-chapter for the National Grid
- Clarify land uses, buildings, structures must not compromise the National Grid
- Transpower an affected party for these resource consents
- National Grid corridor mapped, but specific setbacks based on on-the-ground structures



Panel Recommendations – Other overlays

- In overlays for historic heritage, notable trees, viewshafts, sites of significance to Māori:
 - Infrastructure allowed where not directly affecting a piped awa
 - Permit underground infrastructure previously disturbed ground
 - Permit above-ground infrastructure if small (2 m high, 2 m²)
 - Permit infrastructure in road corridor away from notable trees, archaeological sites and sites of significance to Māori
 - Permit more customer connections



Tūnuku Transport

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Purpose of Transport Chapter

- Transport activities on-site, and access to site
- Uses WCC's Transport Hierarchy, with standards and rules for walking and cycling
- Road, rail infrastructure are in Infrastructure Chapter
- 307 submission points
- 75 further submission points

Panel recommendations



Buildings >70 m from a road to have access for fire trucks



Integrated Transport Assessment threshold changes:

From 200 to 500 car trips

From 200 to 100 trips for SH1



Applies to drive-thrus, service stations

7 car movements for 1-2 bedroom houses with car parks (was 10)

Wellington Airport exempt



Long-stay cycle parks, residential car parks, must have electrical cable conduit to the edge of the area

Chargers not required

Panel Recommendations - Cycle parking and facilities

- Panel disagreed with submitter requests for showers and lockers for large developments, cycle parking dimensions to fit e-bikes, cargo bikes, manoeuvring (NZTA standards)
- Panel saw this as overly prescriptive, didn't account for costs, market demand
- Other submitters couldn't consider these changes
- Cycle park per residential unit from 1 to 0.25 (one park per four units)
- Cycle (and micromobility) parks in retirement villages down to 1 per 33 units, 1 per 10 staff, 1 per 10 units for visitors – includes mobility scooters

Panel interpretation: Minimum cycle parks

Table 7 – TR: Minimum number of on-site cycling and micromobility device parking spaces

Activity	Minimum number of on-site cycling and micromobility device parking spaces	
	Both short stay and long stay must be provided	
	Short stay (visitors)	Long stay (staff*, residents, students)
<p>Any activity in the following zones:</p> <ul style="list-style-type: none"> • City Centre • Metropolitan • Local Centre • Neighbourhood • Mixed Use 	Nil	In accordance with the rest of this table
<p>Commercial activity</p> <ul style="list-style-type: none"> • Entertainment and Hospitality Activity 	Minimum 2, 0.1 per 100 m ² GFA or as per specific activity below	Minimum 1, 0.1 per 100m ² GFA or as per specific activity below
	0.1 per person that the <u>site</u> is designed to accommodate; or as per specific activity below	Minimum 1, 0.1 per staff member* or as per specific activity below
<p>Community facility</p>	0.1 per person that the <u>site</u> is designed to accommodate	Minimum 1, 0.1 per staff member*
<p>Educational facility</p> <ul style="list-style-type: none"> • <u>Childcare services</u> 	As per specific activities below Minimum 2	Minimum 1, 0.1 per staff member*

Panel recommendation: Minimum cycle parks

Table 11-1: Minimum number of on-site cycling and micromobility device parking spaces

Zones	Activity		Minimum number of on-site cycling and micromobility device parking spaces	
			Both short stay and long stay must be provided	
			Short stay (visitors)	Long stay (staff*, residents, students)
	Any activity in the following zones: <ul style="list-style-type: none"> • City Centre • Metropolitan • Local Centre • Neighbourhood • Mixed Use 		Nil	In accordance with the rest of this table
City Centre Metropolitan Centre Local Centre Neighbourhood Centre Mixed Use	1. Commercial activity	a. All, except as per specific activity below	Minimum 2 0.05 per 100m ² GFA or as per specific activity below	Minimum 1, 0.1 per 100m ² GFA or as per specific activity below
City Centre Metropolitan Centre Local Centre Neighbourhood Centre Mixed Use		b. Entertainment and Hospitality Activity	0.1 per person that the site is designed to accommodate; or as per specific activity below	Minimum 1, 0.1 per staff member* or as per specific activity below
City Centre Metropolitan Centre Local Centre Neighbourhood Centre Mixed Use	2. Community facility		0.1 per person that the site is designed to accommodate	Minimum 1, 0.1 per staff member*
City Centre Metropolitan Centre Local Centre Neighbourhood Centre	3. Educational facility	a. Childcare services	Minimum 2	Minimum 1, 0.1 per staff member*

Effect of Panel-recommended restructure



Cycle parks only required in Centres and Mixed Use Zones

Short-stay cycle parks required in Centres Zones (if short-stay car parks are also on-site)

No cycle parking requirements for Residential Zones

Not a submitter request

Panel-recommended restructure of Table 7-TR

Based on Panel's reading of the effect of the table's structure

Renewable Electricity Generation



Renewable Electricity Generation (REG)

- Gives effect to the National Policy Statement for Renewable Electricity Generation (NPS-REG) which requires district plans to provide for renewable electricity generation activities.
- A “stand-alone” chapter. Attempts to resolve conflict with matters such as landscape and ecology within the chapter itself.
- Provides for small scale, community scale, and large scale REG activities.
- 15 submitters collectively made 171 submission points.



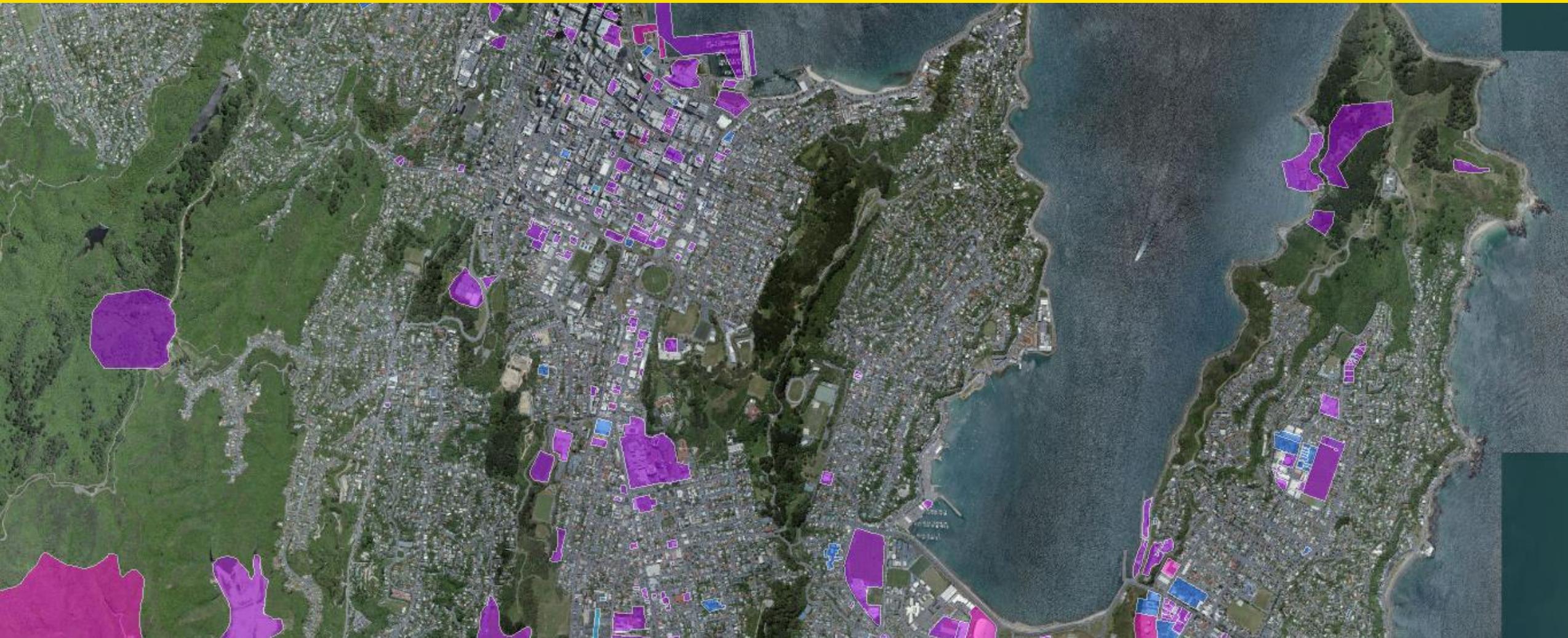
Renewable Electricity Generation: Key Issues

- The extent to which the REG chapter properly gives effect to the NPS-REG.
- Whether the REG chapter appropriately balances the protection of natural environmental and coastal values with the provision of renewable electricity generation.
- The extent to which the REG chapter makes appropriate tradeoffs and reconciles conflicting national policy direction between the: NPS-REG, NPS-Indigenous Biodiversity, and NZ Coastal Policy Statement.

Renewable Electricity Generation Panel Recommendations

- IHP amendments to notified chapter to:
 - better give effect to NPS-REG
 - provide better guidance
 - improve clarity and reduce duplication.
- Deleted REG-P8 (to reduce duplication).
- Added a new policy (to provide guidance on large scale REG in overlays).
- Setback standard for small scale wind turbines reduced from 60m to 15m.
- A number of minor amendments.

Contaminated Land (CL) and Hazardous Substances (HS)



Contaminated Land

- Purpose is to provide objective and policy guidance for decision makers implementing the **National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health** (NESCS) in relation to the identification, management/ remediation of contaminated land
- 12 submissions – only 1 seeking amendment

IHP recommended:

- Adding Mana whenua 'partnership opportunities for remediation and/or site management'



Hazardous Substances

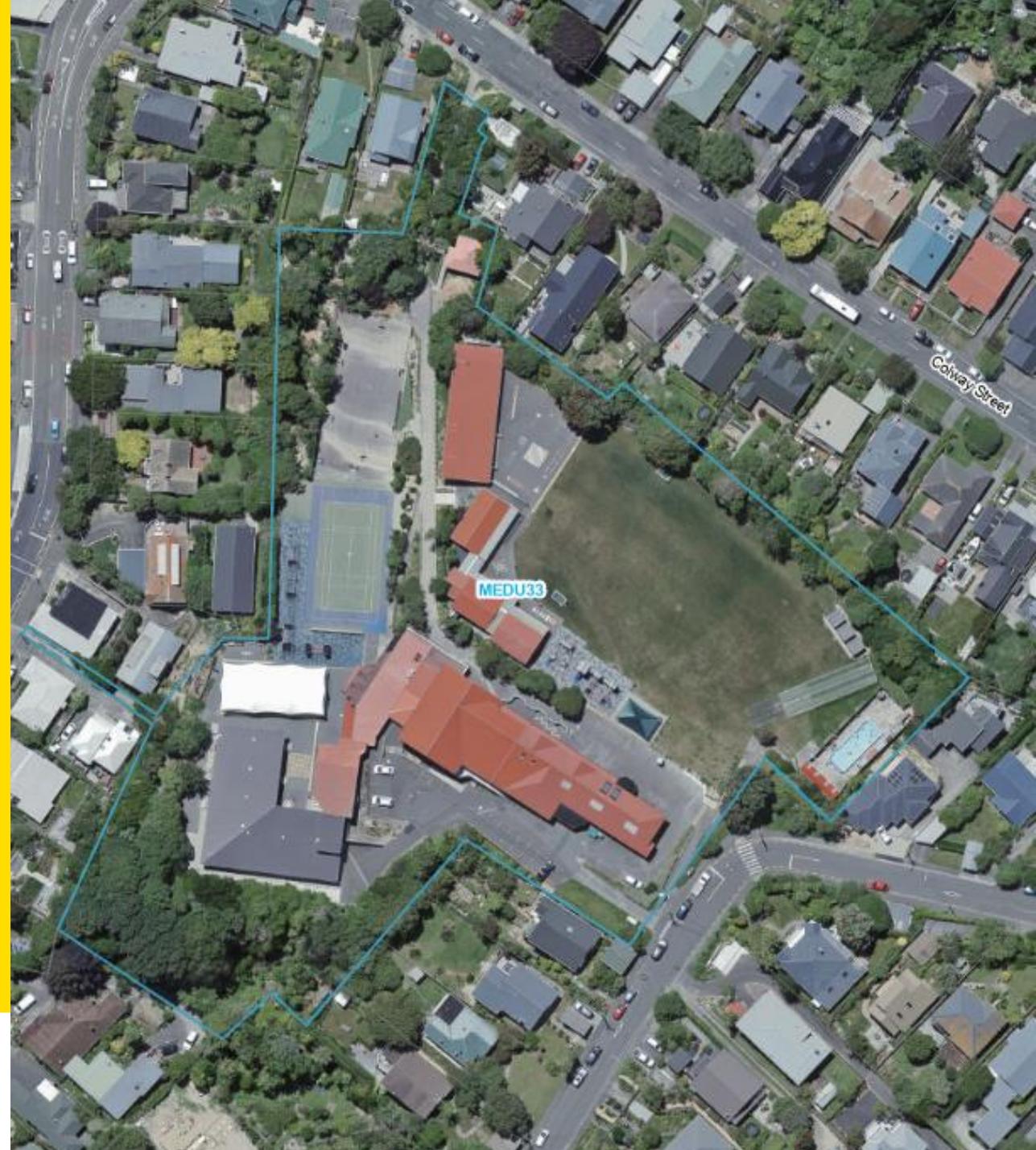
- Purpose is to manage the residual risk and cumulative risk of hazardous substances and Major Hazardous Facilities (MHF)
- 33 submissions and 1 further submission

IHP recommended:

- New 'Hazardous Facility' definition
- New Discretionary Activity rule for MHF in Port Zone
- Minor amendments for clarity



Designations



Decision-making process for Designations

- Many of the “rolled-over” designations included minor amendments / corrections to mapping
- The IHP focused on the effects of any modification to a designation, issues raised in submissions, and the two new designations

Designations – submissions and recommendations

- 19 requiring authorities sought that 156 designations be included from the 2000 Operative District Plan
- 17 designations were 'rolled over' from the ODP to PDP without modification or submissions. These are required to be included in the PDP without any further process
- Two new designations were sought (MOE – two existing schools)

Designations - submissions and matters in contention

- 99 submission points were received on 23 of the designations

The key issues are considered to be:

- The Wellington International Airport Limited Obstacle Limitation Surfaces designation (WIAL1);
- The mapping of the KiwiRail designations to include tunnels under properties previously not covered by the designations.
- The GWRC Stebbings Valley Flood Detention Dam designation

Notable designations – Wellington International Airport

WIAL have four designations:

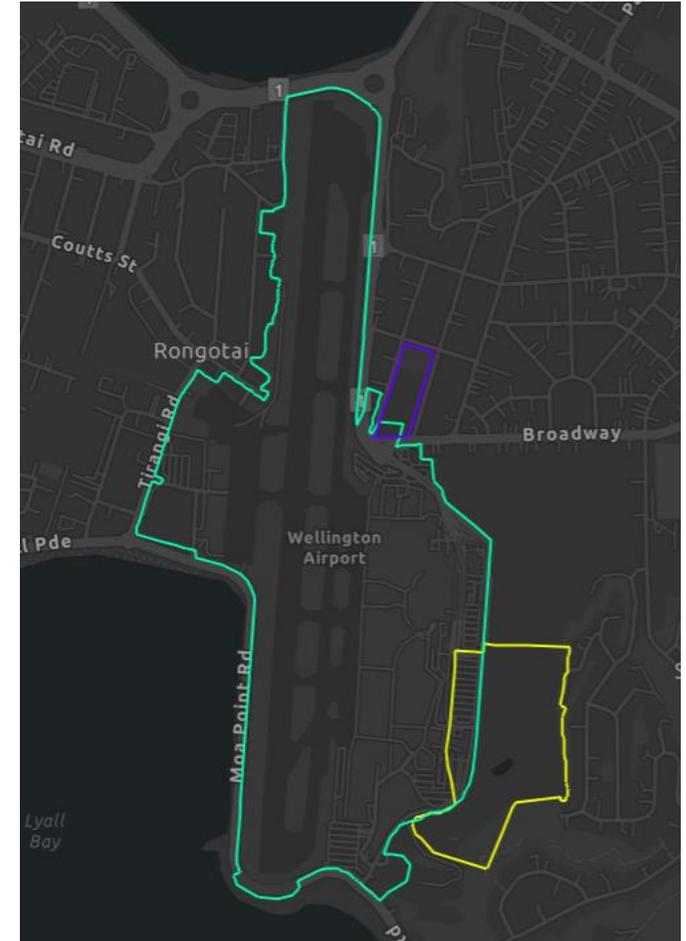
WIAL1 - Obstacle limitation surfaces (rolled-over with significant modifications)

WIAL2 - Miramar South Area (rolled-over with modifications to conditions)

WIAL4 - Main Site Area (addressed as part of separate hearings process)

WIAL5 - East Side Area (addressed as part of separate hearings process)

(WIAL3 was removed from the plan by WIAL)



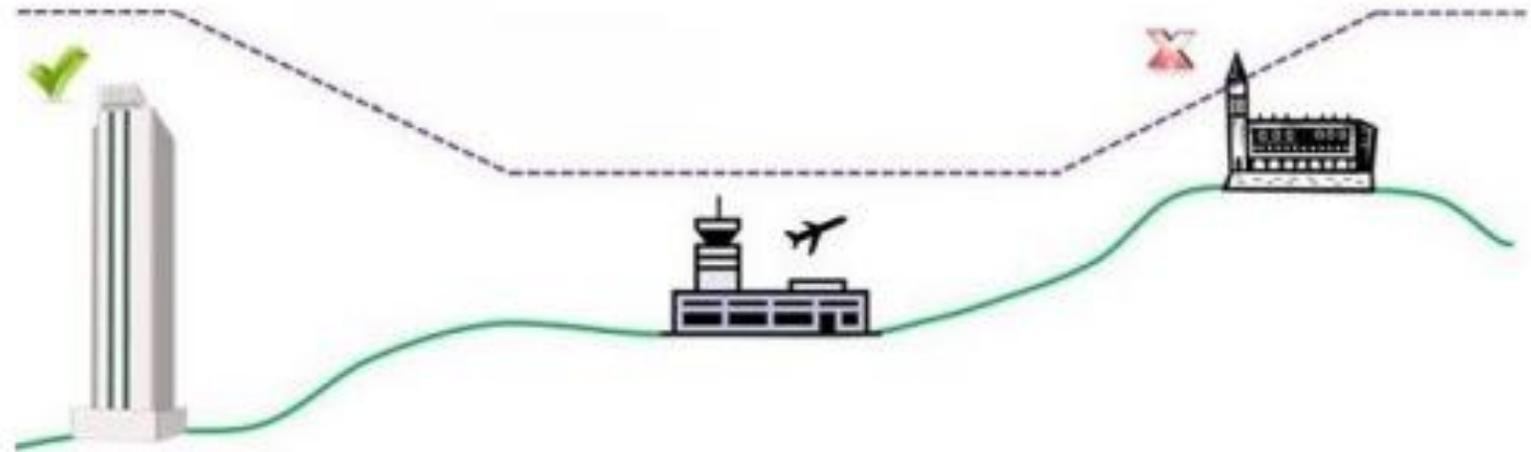
Notable designations – WIAL1 Obstacle Limitation Surfaces

- Airspace above an airport and the surrounding area
- Controls obstacles such as buildings from penetrating into the safe operating manoeuvring space for aircraft landing and taking off from that airport.
- Under both normal operating conditions and if an aircraft is impaired e.g. one engine is inoperative



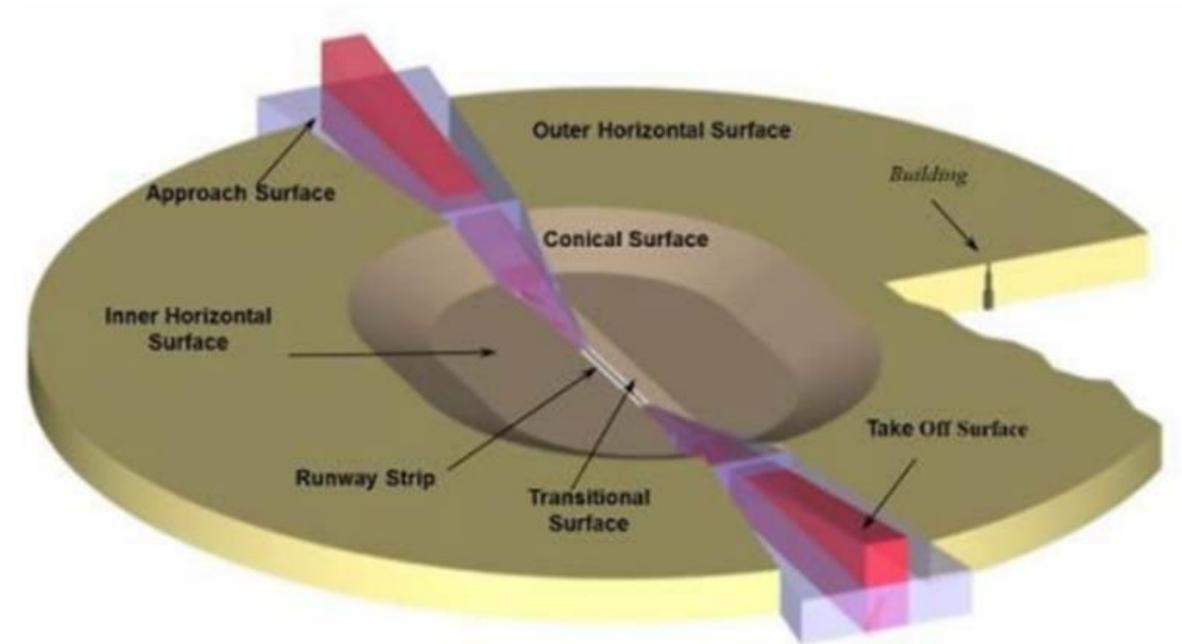
Obstacle Limitation Surfaces – cross section example

It can result in new buildings that penetrate the OLS needing approval from the Airport



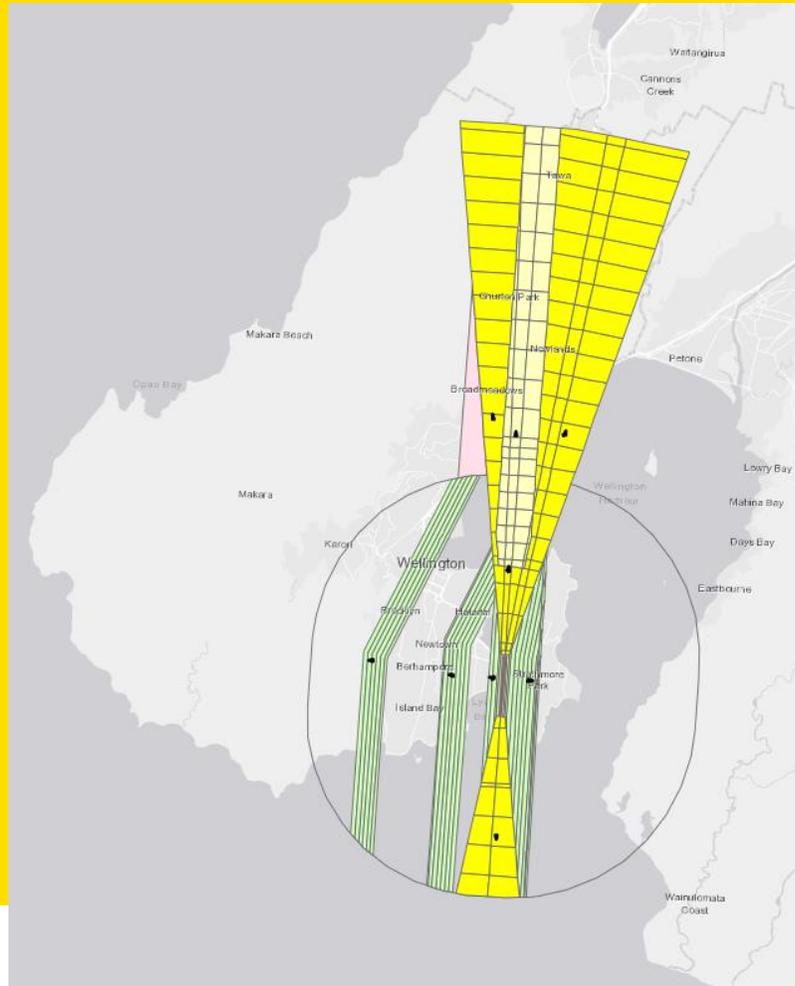
Notable designations – WIAL1 Obstacle Limitation Surfaces

- The 2000 District Plan contained an OLS designation
- The Airport sought significant modifications to the OLS in the PDP to bring into closer alignment with civil aviation requirements
- Applies to a much greater extent of the city and applies closer to ground level

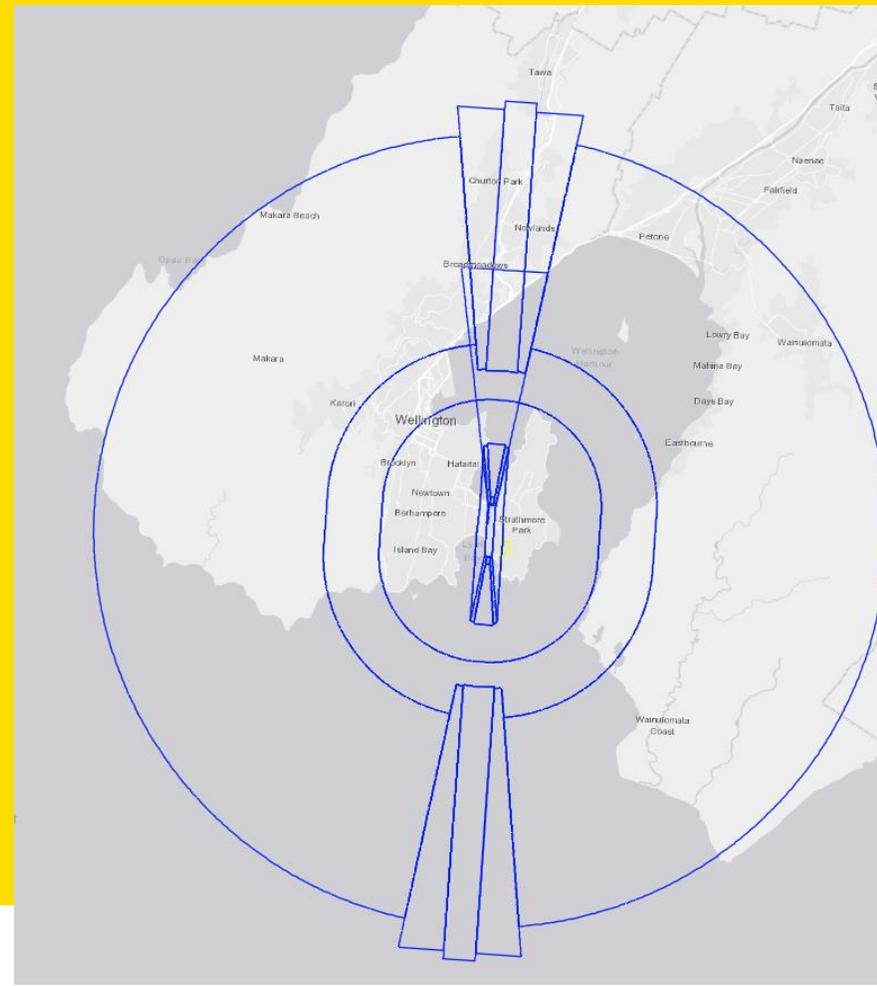


WIAL1 - Obstacle Limitation Surfaces

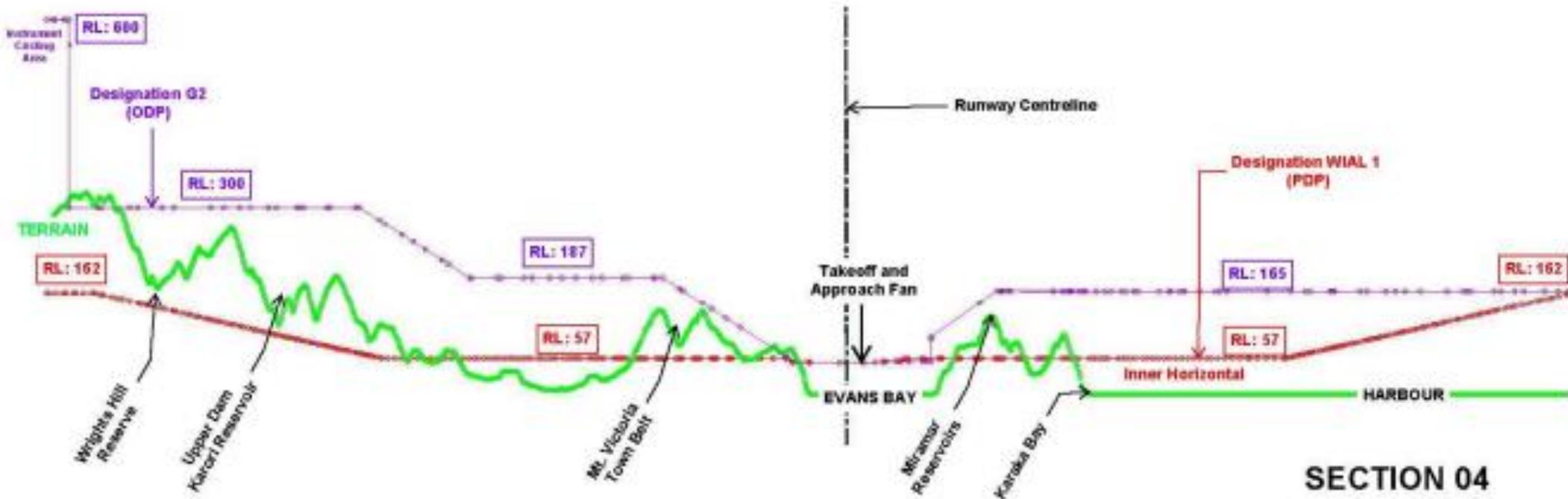
2000 District Plan



2022 Proposed District Plan



Obstacle Limitation Surfaces – cross section example



Airport Obstacle Limitation Surfaces

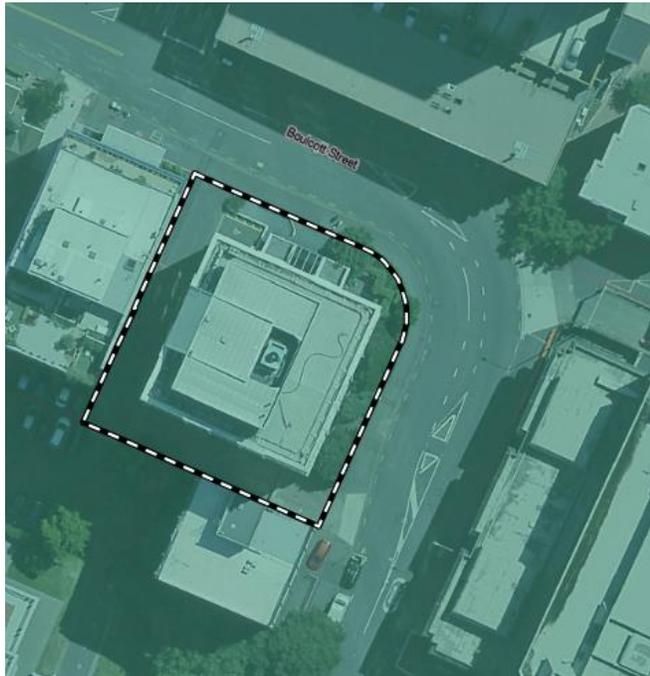
- Terrain and existing development already penetrates the OLS
- The designation includes conditions that allows for buildings to penetrate the OLS
- Max 8m, increased to max 30m in the outer area
- Conditions also provide exemptions for buildings that are shielded by surrounding terrain or buildings that are higher



Airport Obstacle Limitation Surfaces

Example: City Centre Zone

Helpful tool that identifies the height that triggers notification or approval required from the Airport



WIAL - Obstacle Limitation Surface (OLS)

OLS Surface: Conical Surface

Highest Ground Elevation: 29m

Lowest OLS Elevation: 75m

OLS height above or below the ground elevation: 46m

Notification: Approval required from Wellington International Airport

Limited (WIAL) for buildings and structures exceeding 46m in height.

Status: Proposed

- Each site is impacted slightly differently depending on ground level
- While the plan does not impose a height limit in the CCZ, approval from the Airport is required for buildings above the OLS. 46 m on Boulcott.
- Featherstone St example: 86 m building before OLS applies

Airport Obstacle Limitation Surfaces Examples

Location	Karori Rd site	Woodridge	Mirimar North Road	Austin St - Mt Vic
Relevant part of OLS	Outer Horizontal Surface	Approach Surface	Inner Horizontal Surface	Inner Horizontal Surface
Height requiring Airport's approval	Over 30 m	Over 8 m	Over 8 m	16 m
Permitted zone height	18 m	11 m	11 m	22 m

Airport Obstacle Limitation Surfaces – key matters the IHP considered

- WCC submission seeking a greater allowance for buildings of up to 11m (not 8m) before approval from the Airport is required
- WIAL evidence in support of the OLS and retention of the 8m allowance
- Proposed OLS already a compromise of civil aviation regulations recognising existing development
- Concern that a greater allowance (without an assessment) would impact aircraft operations and compliance with regulations
- Economic evidence on impact on housing capacity
- Airport's approval process and recent evidence of approved requests

Airport Obstacle Limitation Surfaces – IHP recommendations

- Panel agrees that the OLS as sought is necessary to better comply with Civil Aviation Regulations and international obligations
- While the Panel does not recommend a change to the 8m allowance they have recommended that the requiring authority consider opportunities for refining the OLS.

*In particular, assessing whether the risks to aeronautical safety may be sufficiently safeguarded with an enabling **tolerance of 11m rather than 8m** to align with the MDRS permitted height limit, particularly in areas of the city where it can be identified in advance that the shielding effect of topography would occur*

KiwiRail – IHP recommendations

- Recommend to KiwiRail that the mapping of the KiwiRail designation areas that cover tunnels is strata-only – i.e. does not apply to above ground land not owned by KiwiRail
- Johnsonville Line: maximum of 40 feet (12.192 metres) of each tunnel.
- North Island Main Trunk Line: subsoil below 40ft (6.1m) from ground



WRC6 - Stebbings Valley Flood Detention Dam designation

- Flood protection and control purpose
- GWRC advised the operation of the dam in high rainfall events is necessary to protect numerous landowners downstream from the impacts of flooding



WRC6 - Stebbings Valley Flood Detention Dam designation

- Submitter sought designation area be updated to reflect either existing flooding easements on property titles or appropriate contour level and new ground levels as a result of approved earthworks
- Reporting officer identified developed areas that appear to no longer form part of the area where flood water would be detained



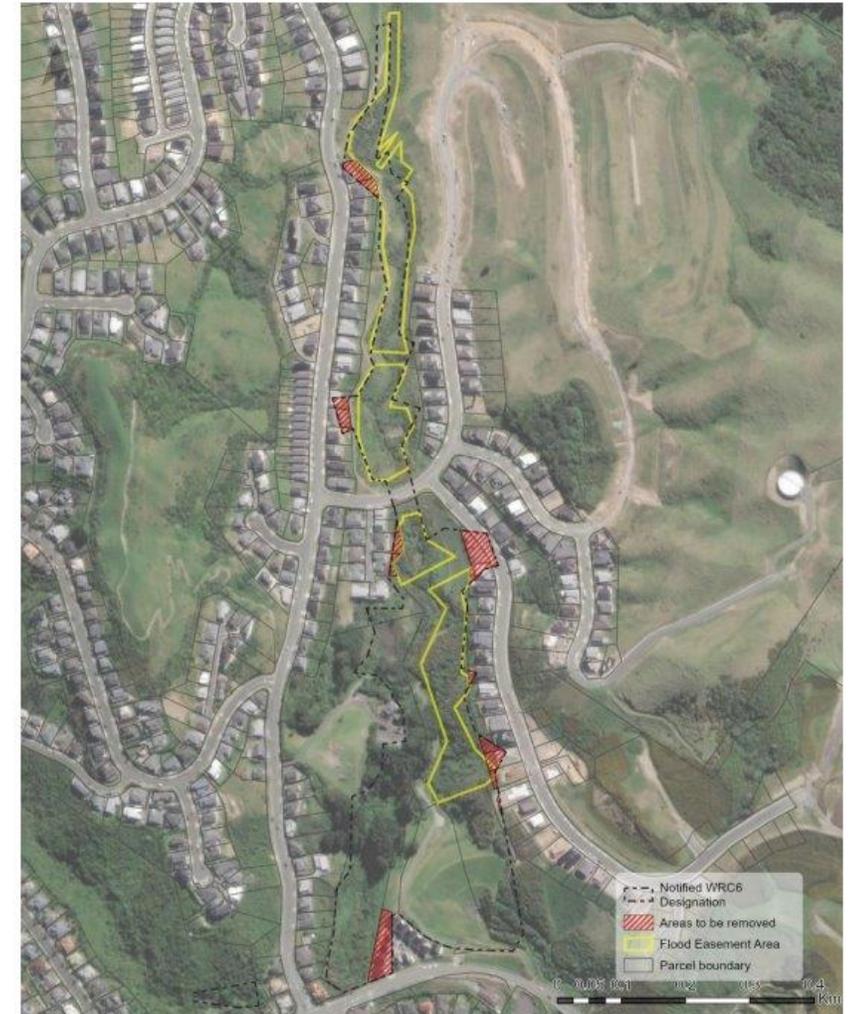
Designations – Panel recommended changes

In addition, in relation to designation WRC6, we recommend that the requiring authority either:

- (a) As a minimum, adjust the designation boundaries to exclude the residential properties that have been developed since the designation was originally confirmed; or alternatively
- (b) Exercise its statutory functions, power and duties in a reasonable and timely manner by committing to undertake the necessary technical assessment required to update and revise the designation boundaries.

Designations - Key changes recommended by the IHP

- Submitter provided extent of the GWRC easement (right to flood /store water) on private titles (yellow line) which differs to the designated area
- Map shows areas in red where development has occurred are outside of the GWRC easement



Amended WRC6 designation that excludes developed areas

Map shows notified extent of WRC6 designation and proposed amendments to the designation to exclude developed areas in Stebbings valley flood detention area

Date: 15/08/2024
Credit: City Insights GIS Team

Basemap credits: LINZ

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Ngā mihi
Thank you