
REPORT 1
(1215/52/IM)

REPORT BACK ON PUBLIC CONSULTATION ON DRAFT RESIDENTIAL AREA AND SUBURBAN CENTRES PLAN CHANGES

1. Purpose of Report

The purpose of this report is to report back to the Committee on the results of the public consultation on the reviews of the Residential Area and Suburban Centre chapters of the District Plan. This includes consultation on draft Residential Area Chapters (Chapters 4 and 5), Suburban Centre Chapters (Chapters 6 and 7), maps and the relevant Urban Design Guides (from Volume II) of the District Plan.

Officers have considered all of the submissions received and propose a revised direction for the review. The Committee's agreement to this revised direction is sought.

2. Executive Summary

The review of the Residential and Suburban Centres chapters is part of the "rolling review" of the District Plan. The review reflects the completion of the policy frameworks developed over the last few years as part of the Infill Housing Review and the Centres Policy, and is an important element in the implementation of the Council's Urban Development Strategy.

The Council publicly consulted on draft changes to the Residential Area and Suburban Centres chapters for an extended period from 8 December 2008 to 1 April 2009. The consultation involved a city-wide mail-out notifying Wellington City residents of the draft plan changes, letters to all property owners affected by proposed Heritage Areas and rezonings, and meetings with professional groups, community groups, and residents associations.

In total, 207 responses were received from the public, including 58 responses on Council's feedback forms, 66 written submissions on the draft Residential plan change, and 83 written submissions on the draft Suburban Centres plan change. In addition, approximately 2500 people signed a petition organised by Rongotai Revived, regarding future uses of the Rongotai South area.

The responses received in public consultation indicate support for many of the changes proposed in both the Residential and Suburban Centres chapters, and the underlying principles guiding the review remain valid. Amendments are proposed to respond to particular issues as follows.

Suburban Centres

- Retain the overall policy direction established by Council's Centres Policy (2008), and create two new zones - a 'Centres' zone to cover all existing centres and a 'Business' zone to cover all other areas where a wide range of commercial, retail and industrial uses will be provided for.
- Provide for a wide range of permitted activities in both zones, but manage the establishment of some residential activities and general merchandise retailing in the 'Business' zone through the resource consent process.
- Create three precincts within the 'Business' zone, including Adelaide Road, Rongotai South and Shelly Bay, to recognise the specific qualities of these areas and the redevelopment opportunities they provide.
- Review the proposed heritage areas and consider alternative mechanisms to protect the identified values. Progress any proposed heritage areas as part of a separate plan change.
- Continue to work with those owners who have individual concerns on proposed rezonings.

Residential Areas

- Refine the boundaries of the Areas of Change in Johnsonville and Kilbirnie. Consider other options for encouraging comprehensive redevelopment while achieving high quality outcomes and review whether the current provisions provide appropriate protection for existing properties.
- Retain the pre-1930 demolition controls, and include three new areas:
 - 43-47 Patanga Crescent, Thorndon;
 - Buildings fronting The Terrace at its mid-northern sections, and areas to the east (including McDonald Crescent, Dixon and Percival Streets and Allenby Terrace); and
 - Easdale and Kinross Streets, including 82 to 102 Bolton Street.Refine the demolition policies and the boundaries of the three new areas, in consultation with the community.
- Continue consultation with the Thorndon community on how the area's heritage values can be most appropriately managed to strike a balance between effectively protecting Thorndon's unique heritage and character, while still allowing local residents to undertake appropriate works on the properties without undue regulation. Progress any proposed heritage area as part of a separate plan change.
- Retain the coastal character area, but refine the rules that apply, especially those that limit building height to 13 metres above sea level and limit the construction of solid fences above the 13 metre contour.

A summary of feedback and a proposed way forward (once agreed by the Committee) will be directly notified to all submitters and to the general public. Officers have also agreed to keep the Rongotai Revived group informed on further development of policies and rules relating to the Suburban Centres review.

A further round of formal consultation will be undertaken once a proposed plan change is notified later this year.

3. Recommendations

Officers recommend that the Committee:

1. *Receives the information.*
2. *Notes the results of the public consultation on the draft plan changes for the Residential Area and Suburban Centre chapters of the District Plan.*
3. *Agrees the with the following approach to the further development of the review:*
 - a. *Retain the overall policy direction established by Council's Centres Policy (2008), but simplify the suggested three zone structure for Suburban Centres by;*
 - i. *creating a 'Centres' zone to cover all sub-regional, town, district and neighbourhood centres*
 - ii. *creating a new 'Business' zone to cover all other areas*
 - iii. *providing for the following precincts to cover areas in the new 'Business' zone that offer unique redevelopment opportunities:*
 - 1) *Adelaide Road – an area where substantial redevelopment should be encouraged including mixed uses*
 - 2) *Rongotai South – an area located adjacent to the south coast and Wellington Airport where redevelopment could provide for activities to support the Airport and some large-format retailing*
 - 3) *Shelly Bay – an ex-Defence site purchased by the Port Nicholson Block Claim Group which could be substantially redeveloped for mixed uses.*
 - b. *Retain a Suburban Centres Urban Design Guide, with refinements to the provisions relating to industrial/commercial areas.*
 - c. *Undertake further discussions with those landowners who have raised concerns about their land being rezoned as part of the proposed Suburban Centre rezonings and reconsider which heritage areas to proceed with or other options where appropriate.*
 - d. *Continue consultation with the Thorndon community regarding the Thorndon Heritage Study, and develop an appropriate set of provisions for managing the heritage values of the suburb.*
 - e. *Develop a separate plan change dealing with heritage matters in both the Residential and Suburban Centres zones.*
 - f. *Retain the Areas of Change in Johnsonville and Kilbirnie but with further refinements to the boundaries and standards that apply to each area.*
 - g. *Refine and clarify the purpose of the pre-1930 demolition rule applying in Inner Residential Areas, and progress the three new identified areas being:*
 - i. *43-47 Patanga Crescent, Thorndon;*

- ii. *Buildings fronting The Terrace at its mid-northern sections, and areas to the east (including McDonald Crescent, Dixon and Percival Streets and Allenby Terrace); and*
 - iii. *Easdale and Kinross Streets, including 82 to 102 Bolton Street.*
 - h. *Retain the Residential Coastal Edge area with further refinements to improve the effectiveness and clarity of the provisions, particularly those relating to how maximum heights (measured above sea level) will be applied to buildings and solid fences.*
 - i. *Review the other matters raised in submissions and update the Residential and Suburban Centres review documents as appropriate.*
4. *Notes that the feedback received and the proposed ways forward will be communicated directly back to the submitters via a letter and to the general public via the Council's website and advertisements placed in the Dominion Post in the second quarter of 2009.*
5. *Notes that proposed plan changes for the Residential and Suburban Centre chapters of the District Plan will be reported back to Committee in August 2009 for approval to publicly notify the changes for formal consultation.*

4. Background

4.1 Purpose of reviews

Under the Resource Management Act (1991) Council is required to review the effectiveness of its District Plan provisions every ten years. The Residential and Suburban Centres chapters are the second set of chapters to be considered as part of the Council's 'rolling review' of the District Plan. The first chapter to be reviewed was the Central Area.

4.2 Strategic Direction

The Residential and Suburban Centre reviews reflect Council's strategic framework, the direction taken by Council in previous plan changes, the results of the District Plan monitoring programme, and other external documents that influence planning policy such as the New Zealand Urban Design Protocol, the proposed Regional Policy Statement for the Wellington Region, and the Wellington Regional Strategy.

Key pieces of work that have been incorporated in the Residential and Suburban Centre reviews include:

- District Plan Change 56 which introduced new provisions to better manage the effects of new infill and multi-unit developments.
- District Plan Changes 52 and 66 which have introduced new provisions to allow consideration of the retail impact of large retail developments on the viability and vitality of established centres (including the Golden Mile), the sustainability of the transport network, and the location of retail activities within Wellington City.

- Areas of Change - Following consultation Council made a decision to pursue a 'targeted approach' to residential intensification. Four initial areas of change were chosen – Johnsonville, Adelaide Road, Kilbirnie and the Central City.
- Centres Policy adopted by the Council on 29 August 2008. This provides a framework to help guide, in an integrated way, the development and management of Wellington's centres.

4.3 Consultation Process

The Council publicly consulted on the draft changes to the Residential Area and Suburban Centres chapters for an extended period from 8 December 2008 to 1 April 2009¹. Council initiated the consultation on 4 December 2008 with advertisements being placed in the Dominion Post and The Wellingtonian. A mailout was also sent to all Wellington City residents and ratepayers on 8 December 2008 advising of the draft plan change consultation. Additional letters and information was sent to all ratepayers that own property in areas that are proposed to be rezoned, where heritage areas were proposed, or where additional provisions, such as proposed demolition rules, would be applied to their properties.

All residents' associations were notified and invited to a Combined Residents' Association briefing session. A number of separate meetings were also held with different residents' associations including the Newtown, Kilbirnie and Mt Victoria Residents' Associations. The Tawa Community Board and Disability Reference Group were also consulted.

A number of workshops were also held with different professional groups, including the New Zealand Institute of Architects, New Zealand Institute of Surveyors, New Zealand Planning Institute, and the Property Council. A briefing was also held with Rongotai Revived, a group of business and property owners in Rongotai South.

In total, 207² responses were received from the public, including 58 responses on Council's feedback forms, 66 letters and written submissions on the draft Residential plan change, and 83 letters and written submissions on the draft Suburban Centres plan change.

Full details of all the consultation undertaken and a summary of the feedback received included in the attached document "Summary of Consultation and Feedback on the Draft Residential and Suburban Centres Plan Changes" in Appendix 1.

¹ Consultation on the proposed Suburban Centres Heritage Areas was carried out from 18 March 2009 to 20 April 2009. Consultation on the proposed Thorndon Heritage Area was carried out from 17 April to 3 May 2009.

² Note that Council officers also received almost 150 telephone calls and emails relating to the draft plan change documents. Whilst many of these people generally supported the proposed changes, they did not make a submission on the documents.

Rongotai Revived

It is noted that Rongotai Revived (a group of local business people and property owners who have interests in land at Rongotai South) included in their submission a summary of comments received by them as part of a petition they had organised. The group have advised Council that they had circulated a brochure, with a feedback form, to more than 25,000 households in the eastern and southern suburbs, and have received around 2500³ responses, the majority of which supported their concerns. The main issues raised in the petition included:

- Concerns that the Council was restricting the shopping choice of Wellingtonians by restricting retail in this area
- The lack of convenient “one-stop” shops close to their homes
- The lack of shopping centres in Wellington City
- The lack of hospitality services in the Rongotai South area, particularly cafés and restaurants
- The rundown nature of the Rongotai South area.

It is worth noting that Rongotai Revived assumed that Council was attempting to mandate industrial areas and exclude most retail activities in the Rongotai South area. This is not the case. Officers requested Rongotai Revived to correct in its communications misrepresentations on the proposed draft changes, however it is noted this request was not implemented. Rongotai Revived’s submission is summarised in Appendix 1.

4.4 Key outcomes

The consultation responses tended to focus on the following key issues:

Suburban Centre Review:

- Strengthening the City’s Centres
- Retail (and particularly out-of-centre retail)
- Work Areas
- Heritage Areas
- Rezonings

Residential Review:

- Areas of Change – Johnsonville and Kilbirnie
- Pre-1930 demolition rule and areas
- Thorndon Heritage Study
- Coastal Character Area

These key outcomes are discussed in more detail in section 5 below.

³ Council officers received a copy these responses at a very late stage, and at the time of writing this report, it was not possible for these to be incorporated into the report or the numbers to be independently verified.

5. Discussion

5.1 Suburban Centre Review

5.1.1 Strengthening the City's Centres

Proposals consulted on:

The Council consulted on a new approach to managing Suburban Centres. A single “one size fits all” Suburban Centres zone currently applies to all of the city's centres (excluding the central city) as well as industrial areas and other mixed-use areas. The rules for this zone place no restriction on activities, subject to compliance with basic environmental standards such as noise, glare, servicing and parking.

While this approach has enabled Suburban Centres to adapt to changing market conditions, having such a flexible approach to land use planning has the potential for some significant impacts on the City's urban form and transport systems. One of the most notable recent trends has been the move of residential and retail activities into areas previously dominated by commercial and industrial uses. While the current approach has provided a greater mix of activities, a downside is that it has made it more difficult for small to medium-sized industrial activities and businesses to find land and premises within the city boundaries.

The nature of retail activities has also changed, with increasing pressure for larger scale supermarkets, large-scale retailing and other shopping destinations to locate in areas outside of the city's traditional town centres with the potential to adversely affect the viability and vitality of existing centres.

To help better manage the diversity of activities in Suburban Centres, it was proposed to split the current Suburban Centres zone into three new sub-zones:

- *Centres* (which include the town centres and neighbourhood centres);
- *Live/Work Areas* (covering a wide range of areas from Adelaide Road to Greta Point and Shelly Bay that do not share the characteristics of Centres or Work Areas); and
- *Work Areas* (which include the traditional industrial/commercial areas of Grenada North, Rongotai South, Ngauranga and the Kiwi Point Quarry).

Feedback received:

The Council received 56 responses on the overall changes to the Suburban Centres chapter of the District Plan. Of these, approximately 61% of respondents were supportive of the proposed approach, whilst approximately 16% of respondents were opposed to the changes to the Suburban Centres chapter of the District Plan.

In addition, the Council received 50 responses on the proposed splitting of the Suburban Centres zone into three sub-zones. Of these, approximately 56% supported the proposed policy approach, while approximately 18% opposed the

proposed policy approach. This was also an issue of particular concern to Rongotai Revived as they oppose the splitting of the Suburban Centres zone and the nomination of Rongotai South as a Work Area.

The respondents that supported the proposed policy approach commented that the new provisions would help provide certainty to both the Council and land developers on the types of activity anticipated in each of the sub-zones.

Those respondents that supported the proposed provisions noted that:

- It is imperative that businesses providing services to airport-related activities have facilities to operate in and that the Rongotai South area does not become retail only
- Approximately half of the land at Rongotai South is within the Air Noise Boundary and is therefore not appropriate for residential use
- The proposed rezoning is welcomed as it seeks to create a specific precinct within the city where industrial-type activities can occur without fear of reverse sensitivity issues
- The existing industries in Rongotai provide suitable employment for people in the community and that there are already ample shopping facilities near Kilbirnie, Miramar and Newtown
- Changes to specific policies and rules need to recognise any potential impacts (transport network, retail offer) on the whole region, not just Wellington; and that cross-boundary issues affecting the Hutt and Porirua need to be adequately addressed
- The use of master planning in all main centres should be encouraged
- Amendments to the proposed definitions were needed to provide clarity, particularly those relating to different types of retail activity.

In addition, some of the respondents commenting on the creation of Rongotai South as a Work Area also requested that consideration be given to rezoning the area as a Live/Work area instead, and create an area at the southern end of Rongotai South that provides for recreation, community and amenity related land uses that recognise the special amenity and coastal location of this area. Requests have also been made to consider a development framework for the Rongotai South area to recognise that the area has special amenity character.

Those respondents opposed to the proposed provisions noted:

- That the three proposed sub-zones may overcomplicate the management of Suburban Centres
- That the proposed restrictions to the Suburban Centres zones are not justified, and would take away people's property rights
- That GWRC, rather than Wellington City Council, would be better to effectively pursue the Centres Policy, as some of the larger retail developments are located outside of WCC's jurisdiction
- The proposed Work Area zoning is anti-competitive and commercially unviable, and has a protectionist bias toward other Suburban Centres and the Golden Mile
- The restriction of retail activities in the Rongotai South area would adversely impact on businesses and customers in the area

- The proposed Work Area zoning is a step backwards as industrial activities have declined
- Rongotai South does not meet modern day standards for industry as it is located away from main arterial routes and other similar employment nodes
- The proposed Work Area zoning will encourage noxious activities to locate in the Rongotai South area
- The Rongotai South area should be included as part of the Kilbirnie Sub-Regional Centre
- There should be no limits on the sizes of trade supply retail activities.

Rongotai Revived have indicated that they want to see the Rongotai South area retain the existing permitted rule approach for all activities. The group considers that the Rongotai South area is sufficiently unique to require special treatment, and that under the current economic conditions, Council should have a flexible approach to allow new investment opportunities.

Way forward:

Officers consider it important that the District Plan maintains the integrity of the City's existing network of suburban centres. Equally important are opportunities to recognise the diversity of areas and activities across the city through place specific District Plan provisions.

Whilst the original philosophy of providing flexibility in Suburban Centres continues to be important, this must strike a balance with clear direction on the appropriate location for future development, where there is potential for significant impacts on the City's environment.

In this regard, Officers recommend retaining the strategic policy direction established by Council's Centres Policy (2008), and which has been woven into the draft provisions. This will help maintain and strengthen the City's centres as well as provide for the development of areas suitable for business, commercial, retail and industrial activities.

It is therefore proposed to dispense with the proposed three sub-zones (Centres, Live/Work, and Work) and to instead create two separate zones, each with simpler, tailor-made provisions. The zones would consist of:

1) Centres - which would apply to the City's existing and proposed centres (ie Kilbirnie, Tawa, Ngaio, Churton Park) and;

2) Business Areas - which would apply to all other areas (ie Kaiwharawhara, South Newtown, Ngauranga Gorge), and would recognise and cater for a mix of business, commercial, retail and industrial activities. The submissions have highlighted that blanket provisions may not always be appropriate, so within the business zone there would be opportunities to recognise different areas that have special qualities or provide significant redevelopment opportunities. Such areas could be recognised as "Business Precincts" and have precinct specific

provisions. It is proposed that these precincts would include: Adelaide Road, Rongotai South and Shelly Bay.

Officers believe that this approach will deliver clarity on the aims and objectives for different parts of the City, and provide for the implementation of Council's strategic direction, whilst at the same time providing sufficient flexibility to cater for development trends as they evolve over time.

5.1.2 Retail

Proposals consulted on:

To help guide retail activities to locate in appropriate places and ensure they support Wellington's compact urban form and the sustainability of transport and infrastructure networks supporting it, new policies and rules were consulted on.

General merchandise retail activities (such as supermarkets, department stores, stores selling homewares, clothing etc) and integrated retail developments (such as shopping malls) were permitted in Centres, but were subject to a size threshold (eg. 10,000m² Or 20,000m² depending on the size of the centre) beyond which resource consent would be required. These provisions aimed to ensure that the proposed activity did not disrupt the role and function of the centre and did not undermine the role of other centres in the centres hierarchy.

Within Live/Work and Work Areas, most retail was permitted (including trade supplies, bulky comparison goods, and yard-based activities), however general merchandise retail activities required resource consent to ensure that adverse impacts on the vitality and viability of existing Centres could be examined, and to retain sufficient land suitable for industrial activities.

Feedback received:

The Council received 63 submissions on the proposed new provisions relating to the management of retail activities. Of these, approximately 56% supported the proposed policy regime, while 25% opposed the proposed policy regime. This was also an issue of particular concern to Rongotai Revived as they oppose any restrictions on any activities.

Those submissions that supported the proposed provisions agreed with the approach that retail should be better managed to avoid adversely impacting on already established centres. Respondents also supported the proposed centres approach that looks to support Wellington's compact urban form and provide for sustainable transport options.

Minor amendments to the wording of the some of the proposed objectives, policies, rules and definitions, were suggested in order to provide more clarity, and to give more effect to the Proposed Regional Policy Statement for the Wellington Region.

The main issues raised by respondents opposing the proposed approach to managing retail activities included:

- Council should retain the current flexibility that the Suburban Centres zone offers and allow for a market-led approach
- Concern that the 2000m² gross floor area (gfa) threshold requiring resource consent for proposed retail activities in District and Neighbourhood Centres was too low and should be increased to 3500m² gfa
- Concerns that the proposed provisions are anti-competitive and overly prescriptive
- Concerns about restrictions being put on retail activities in Work Areas, in particular, Rongotai South.

Way forward:

Centres have important multiple functions, including as community focal points, and are accessible by multiple transport modes - this is particularly important to those without vehicle access (ie. the elderly and young). Retail, particularly key anchors such as supermarkets and department stores, bring in large numbers of shoppers and make viable the co-location of other activities that would not be sustainable outside of a centre. There is also a considerable amount of public infrastructure already invested in centres.

Evidence collected by officers (both international and within a New Zealand context) is clear that out-of-centre retail, if it is of a sufficient scale and if it duplicates 'core retail' activities typically found in town centres, can result in significant adverse impacts on existing centres. This issue is not about trade competition but is about the effects on the future viability of a centre and its ability to support multiple activities.

The key outcome for Wellington should be to clearly define which retail activities could have a significant adverse impact on existing centres if located out-of-centre and to ensure that potential effects are examined. It is also necessary to provide for sufficient land to enable a range of retail activities to be developed to serve the needs of the community.

As such, Officers are recommending that all retail activities be permitted in the proposed 'Centres Zone' with one exception - very large retail activities (ie >10,000m² gfa), which would require resource consent to enable the economic impacts on the viability and vitality of the Golden Mile to be assessed.

In the proposed 'Business Zone' a wide range of commercial, retail and industrial uses will be permitted, however general merchandise retail over a specified size threshold will require resource consent to consider potential impact on existing Centres and transport impacts.

In the case of Rongotai South, which is proposed as a specific 'precinct' in the Business Zone, it is proposed that no maximum size threshold be applied to general merchandise retail, to recognise the opportunities presented by this particular area and the shortage of land available for large format retail activities within Wellington City. However specific policies and provisions would be applied to strongly discourage supermarkets and shopping malls

locating there. Council will also consider the potential traffic effects of any activities that generate high numbers of vehicle trips.

Officers believe that this approach will provide greater certainty and clarity and would more effectively target those activities that would be most likely to significantly impact on existing centres.

Further research is being undertaken on the most appropriate thresholds for requiring resource consent for general merchandise retail, and definitions for various retail activities. This research will be incorporated into the proposed plan change to be considered by the Committee in August.

5.1.3 Heritage Areas

Proposals consulted on:

In 2008, Council completed an audit of all the Suburban Centres to determine whether there were any centres that contained groups of commercial buildings that may warrant identification as Heritage Areas in the District Plan. This work involved surveying every suburban centre throughout the City to identify which centres warranted more detailed heritage investigation and undertaking historical research for ten centres, including desktop research and site visits.

The final result of the study was that seven centres were identified as potential heritage areas.

These areas are:

- Aro Valley
- Berhampore (Rintoul Street)
- Hataitai
- Island Bay (Shorland Park Shops)
- John Street (Newtown)
- Newtown
- Thorndon Village

Of these areas, Thorndon and Newtown currently already have special recognition as 'character areas'. In these two areas, the proposed heritage areas rationalise those boundaries and provide a greater level of protection.

Feedback received:

Those submitters that supported heritage recognition of areas felt that the buildings provided identity to the various suburbs and gave them a sense of history that was valued. It is noted, however, that those who generally supported the concept of creating heritage areas may not have a direct interest in the buildings identified.

The proposed heritage areas generated 77 responses. Approximately 51% of respondents supported the heritage areas, while approximately 40% of respondents opposed the proposals.

The submitters that opposed the heritage areas considered that they would:

- impose unnecessary costs and regulation on property owners

- prevent owners from being able to adapt their properties to meet future needs
- increase maintenance costs, and
- affect the value of their land.

Some submitters also considered that the buildings identified had no heritage merit and are at the end of their economic life.

Way forward:

Officers recommend that further consideration is given to each of the individual areas put forward and consideration of whether Heritage Areas are the best way to manage the identified groups of buildings. This may mean that other management tools would be considered, such as streetscape protection provisions and design guidance via resource consent processes.

It is also recommended that the Suburban Centre (and Residential Thorndon) Heritage Areas be separated and pursued as a separate plan change. This means that heritage issues would be given particular focus and would allow for more targeted consultation with the property owners.

The proposed rules applying to any proposed Heritage Areas will also be re-considered to ensure that they strike an appropriate balance between effectively protecting the heritage and character of these areas, while still allowing building owners to carry on with their day-to-day business without undue regulation or cost.

5.1.4 Rezonings

Proposals consulted on:

There are numerous examples throughout the City of commercial, retail and industrial activities on land currently zoned for residential purposes. In order to better reflect current land uses and to retain flexibility in the activities that can occur on these sites in the future, some of these clusters of non-residential activity sites are proposed to be rezoned from Residential to Suburban Centres. It is noted that a number of these areas are well established and were previously zoned for commercial purposes under the 1980's District Plan Scheme.

In addition, some areas of land are proposed to be rezoned from Residential to Suburban Centres on the edges of both Johnsonville and Karori. This is to allow for additional land to be made available for commercial activities.

It is also proposed to rezone a number of properties from Suburban Centre to Residential to reflect the residential use of the property and its relationship with its surroundings.

Feedback received:

The proposed rezonings generated 45 responses. Approximately 42% of respondents supported the various rezoned areas, while approximately 18% of respondents opposed the proposals. Another 40% of respondents had no

opinion – largely because respondents had no direct interest in the land being considered for rezoning.

The proposed rezonings also generated a number of phone calls to Council officers, most of which were supportive of the proposed rezoning affecting their particular property. However, it is noted that many of these people did not make submissions on the draft plan change.

Those respondents that supported the proposed rezonings were of the view that the rezoning would better recognise the use of their property and also provide greater flexibility for any redevelopment of their property in the future.

The main concerns raised by those respondents opposing the proposed rezonings included perceived impacts on the value of their property and concerns that their property is not suitable for rezoning.

In addition, the Council also received requests from the following property owners to rezone individual parcels of land:

- Karori Baptist Church, 161-163 Karori Rd; seeking rezoning of land from Outer Residential to Suburban Centres
- 673 Hutt Road, Kaiwharawhara; seeking rezoning of land from Rural to Suburban Centres
- 61-85 Curtis Street, Karori; seeking rezoning of land from Open Space and Outer Residential to Suburban Centres
- 29 Evans Bay Parade, Greta Point; should retain Suburban Centres zoning, rather than be rezoned to Open Space B.

Way forward:

Further consultation will be undertaken with those landowners who have raised concerns about the proposed rezonings to try and resolve their issues. Those proposed rezonings that are supported will continue to be pursued. The suggested additional rezonings will be considered against the rezoning criteria and where appropriate will be included in the proposed plan change.

5.1.5 Other Matters (Suburban Centres)

Council also received a number of submissions that raised matters relating to:

- The proposed increased permitted building height limits in Kilbirnie⁴ and Johnsonville centres
- The proposed increased permitted building height limits in Adelaide Road and the potential impacts on Government House
- Urban design requirements for buildings for yard-based/industrial activities, and the identification of primary and secondary frontages
- Provisions relating to traffic and carparking
- Recognition and protection of electricity transmission infrastructure
- Biodiversity protection.

⁴ A petition signed by 19 people opposing the proposed increase in building heights in the Kilbirnie Sub-Regional centre was received by the Council.

Way forward:

Council officers will continue to work through these matters and incorporate appropriate changes into the proposed Suburban Centres plan change that is reported back to the Committee in August.

5.2 Residential Areas

5.2.1 Managing Areas of Change

Proposals consulted on:

Council consulted on two residential Areas of Change surrounding the town centres of Johnsonville and Kilbirnie.

Within these Areas of Change comprehensive redevelopment of housing would be encouraged and facilitated. This would result in significant increases in the residential density of these areas, and may result in changes to existing character.

In terms of bulk and location requirements it was proposed to use a set of provisions similar to the old Inner Residential Area rules (prior to DPC 56). These include a maximum 10 metre building height, 50% site coverage, and building recession planes that alter depending on the orientation of the various site boundaries.

Feedback received:

Council received 69 submissions on the provisions applying in Areas of Change, and 52 submissions relating to the boundaries of the Areas of Change.

Approximately 58% of submitters supported the concept of targeting infill in Areas of Change and the proposed rules for those areas. Approximately 32% of submitters opposed the proposed Areas of Change.

Those in support noted the benefits of promoting residential intensification around existing centres along the growth spine. Some submitters also supported the decision not to proceed with Areas of Change in other centres (ie. Karori, Tawa, Lyall Bay) at this stage.

Submissions against the Areas of Change noted that:

- the proposed rules made inadequate provision for the amenity of existing properties
- the proposals will reduce the value of improvements on properties within the Areas of Change
- residential intensification would place additional pressure on existing infrastructure, especially traffic volumes and on-street parking
- infill should be spread more equitably around the city rather than focusing on Johnsonville and Kilbirnie
- the proposals will lead to over development and buildings that are too big for the areas

- the proposed provisions may not be sufficient to trigger significant levels of redevelopment in the Areas of Change
- the proposed minimum lot size would discourage comprehensive development and remove existing development rights
- Council may struggle to ensure that new developments are of high quality

A number of submitters requested changes to the extent of the Areas of Change:

- Include the following areas within the Johnsonville Area of Change:
 - 2-10 Middletown Road
 - Properties on Sheridan Terrace and Chesterton Road
 - The wider area to the south west of the town centre around Haumia/Fisher/Bannister/Atua and Kipling Streets
- Exclude the following areas from the Johnsonville Area of Change:
 - areas east of the motorway in Johnsonville as these have poor vehicle access and limited pedestrian links to the town centre
 - Phillip Street
 - 2-10 Middleton Road
- Exclude the following areas from the Kilbirnie Area of Change:
 - Parts of Ross Street

Way Forward:

Officers recommend retention of the Areas of Change in Johnsonville and Kilbirnie.

Further work will be undertaken to:

- refine the boundaries of the areas
- consider other options for encouraging comprehensive redevelopment while achieving high quality outcomes (i.e. minimum lot size, urban design assessments, open space)
- review whether the current provisions provide appropriate protection for existing properties.

5.2.2 Pre-1930 demolition provisions (inner city suburbs)

Proposals consulted on:

Pre-1930 Demolition Rule:

Wellington City's original inner city suburbs, wedged between the CBD and the inner green belt, are increasingly recognised as an important feature of our city. Studies have identified that the overall character of the inner city suburbs is principally defined by the high concentration of original dwellings dating from the late 19th and early 20th century. The District Plan controls therefore focus on protecting buildings constructed prior to 1930. The areas covered by the pre-1930 demolition rule are shown in Appendix 2.

The current rules have evolved over time as they have been progressively rolled out to cover new suburbs. It is proposed to apply one consistent set of pre-1930 demolition rules over all suburbs. Key changes include:

- Amending the definition of demolition so that it includes not only the demolition of a building's 'primary form', but also the removal or demolition of architectural features on a building's primary façade.
- A proposed new rule that places a maximum height on new accessory buildings built between the street and an existing residential building, to avoid adverse effects on streetscape character.
- Removal of the existing non-notification statement that applied in Thorndon and Mt Victoria. Officers recommend that this clause should be deleted and that Council should rely on the provisions of the RMA to decide when the effects of a demolition proposal are sufficient to warrant public notification.

It is also proposed to apply the demolition rule to the following additional areas:

- 43-47 Patanga Crescent, Thorndon.
- Buildings fronting The Terrace at its mid-northern sections, and areas to the east (including McDonald Crescent, Dixon and Percival Streets and Allenby Terrace).
- Easdale and Kinross Streets, including 82 to 102 Bolton Street.

Feedback received:

The Council received 60 submissions on the revised pre-1930 demolition controls. Approximately 68% were in support, while approximately 18% were opposed.

Those submissions that supported the proposed provisions also requested:

- That the definition of 'streetscape' be expanded and clarified
- Mandatory public notification for all applications to demolish 'primary form'
- Expand the area to cover additional streets in Mt Victoria
- That the assessment criteria be clarified, and that assessments should focus principally on the contribution made by the existing pre-1930 building
- Removal of the proposed clause allowing Council to consider the financial impact on property owners
- That the rules contain sufficient flexibility to allow consideration of high quality modern architecture.

Those submissions that opposed the proposed provisions noted:

- That it was inappropriate to apply blanket heritage provisions over entire suburbs. Council should apply more targeted controls to individual properties of nominated streets
- Opposed the limits on the height of accessory buildings built between the street and the existing building.

Four submissions were received regarding the potential application of the pre-1930 rule to the Bolton St area. Three were in support while one submission supported the concept in principal but requested that the property at 94 Bolton Street be excluded from the area.

Three submissions were received regarding the potential application of the pre-1930 rule to the residential area around the Terrace. One was in support, one against and one neutral.

Way Forward:

Council officers recommend that the pre-1930 demolition controls be retained and that Council progress the three new areas put forward for demolition controls.

Officers will continue to refine the pre-1930 demolition policies to clarify when resource consent is required, what matters will be assessed, and what thresholds need to be achieved in order to justify demolition. Officers will also work to refine the boundaries of the three new areas based on the feedback received. This work will be undertaken in consultation with the key community groups in the relevant suburbs.

5.2.3 Thorndon Heritage Area

Proposals consulted on:

In 2008 Council completed a full heritage audit of Thorndon suburb. The audit involved a street by street analysis of all of the area to the west of the motorway between Patanga Crescent and Stow Hill. To the east of the motorway the study looked at the area around Hobson Street, as well as the pockets of residential buildings on Hill Street and Hawkestone Street. The results of the audit indicate that the suburb as a whole has significant heritage values. Council consulted on three options for managing heritage values in Thorndon:

- Include the majority of Thorndon in a heritage area
- Identify smaller more targeted heritage areas, and manage the areas outside of the heritage areas using the pre-1930 demolition rule
- Retain the existing pre-1930 demolition controls for Thorndon.

Feedback received:

Council received 57 submissions. Approximately 67% of respondents supported the proposal for a Thorndon heritage area, while 14% opposed the proposal. The majority of submissions acknowledged Thorndon's special character and heritage values, but there was a wide range of opinions on whether additional planning restrictions were required to manage the area.

Those submitters that supported the heritage area noted that the area has special heritage values that were not adequately protected under the current rule regime. A number of submitters considered that the current rules had permitted inappropriate development that had detrimentally impacted on the character of the suburb.

Several submitters requested that similar heritage studies be undertaken in Mt Victoria, Aro Valley, Kilbirnie, Lyall Bay and Seatoun.

The submitters that opposed the heritage area considered that it would impose unnecessary costs and regulation on property owners, and prevent owners from being able to adapt their properties to meet their needs. Submitters were particularly concerned with the requirement to seek resource consent for minor works. Others were concerned as to how well heritage area provisions would work given the existing requirements relating to earthquake strengthening and the new building code.

The Thorndon Resident's Association conducted an on-line survey which generated 17 responses. Of these, one respondent thought that no demolition controls were needed, but the other 16 considered that Thorndon should either retain pre-1930's demolition controls (10), or create a heritage area (4), or develop a combination of the two (2). Respondents generally agreed that Thorndon should not become a museum and that any new provisions need to provide some flexibility for residents to develop their properties.

Way Forward:

Officers are continuing to consult with the Thorndon community on how the area's heritage values can be most appropriately managed and which planning mechanisms should be applied. Any proposed rules will need to strike a balance between effectively protecting Thorndon's unique heritage and character, while still allowing local residents to undertake appropriate works on the properties without undue regulation.

It is intended that the Thorndon heritage study be incorporated into a separate heritage plan change that would also include the seven new heritage areas identified in the Suburban Centre review. The timing of this plan change may be after the proposed Residential Area Plan Change, to allow time for additional public consultation.

5.2.4 Residential Coastal Edge

Proposals consulted on:

Council has identified that along Wellington's coastal edge the relationship between the existing houses, the vegetated escarpments, the openness of the coast and the road contributes particularly to the City's unique character and 'sense of place'. The areas identified are all within the Outer Residential Area and include the parts of Owhiro Bay, Island Bay, Houghton Bay, Lyall Bay, Moa Point, Breaker Bay, Worser Bay, Karaka Bay and Evans Bay identified in Appendix 3.

The key changes proposed for these areas are:

- Building height to be measured in metres above sea level to avoid buildings 'stepping' up the escarpment.
- Placing controls on fences (other than wire fences) and other structures on the middle and upper slopes of the escarpment.
- Additional controls on new accessory buildings on road reserve to avoid unsightly excavations, retaining structures and cable car equipment.

Feedback received:

The proposals were generally well received, with Council receiving 43 submissions. Approximately 60% supported the proposals, with approximately 20% in opposition.

Those in support endorsed greater recognition of the special character of Wellington's coastline and the thin line of coastal housing. A number of submitters requested that the area be expanded to include additional coastal areas. A number of submitters sought greater protection for the vegetation on the escarpment.

Those submitters that opposed the proposal considered that:

- It was an invasion of private property rights, especially the proposal to limit building height to below the 13 metre contour. Submitters argued that private owners are required to maintain this land and should be entitled to develop up the slope to take advantage of views
- There should be no additional building works along the coastal edge due to climate change
- Greater clarification is needed as to what constitutes 'solid fencing'.

Way Forward:

Officers recommend that the coastal character area be retained.

Officers will continue to refine the rules that apply in the coastal area, especially the rules that limit building height to 13 metres above sea level and limit the construction of solid fences above the 13 metre contour.

5.2.5 Other Matters (Residential)

Council also received a number of submissions that raised matters relating to:

- Re-zoning of properties on upper Willis Street
- Re-zoning in Peterhouse Street, Tawa
- Special height limits for Kilbirnie
- Urban design and urban design guides
- Recognition and protection of electricity transmission infrastructure
- Biodiversity protection
- Rules relating to hard surfacing and stormwater
- Non-residential activities (especially in Mt Victoria)
- Promotion of green building technology
- Conversion of existing buildings into two units without carparking (Inner Residential)
- Integration of airport noise insulation study

Council officers will continue to work through these matters and incorporate changes into the proposed Residential Area Plan Change as appropriate.

5.3 LTCCP Implications

There are no specific OPEX or CAPEX proposals directly related to the drafting of the proposed Plan Changes. The proposed new policies and rules are a

Supporting Information

1) Strategic Fit / Strategic Outcome

The draft District Plan changes support a wide range of strategic outcomes in the Long Term Council Community Plan. Specifically, the two draft proposed plan changes will implement a number of goals and outcomes desired by the Urban Development Strategy, Transport Strategy and the Centres Policy.

2) LTCCP/Annual Plan reference and long term financial impact

There are no specific OPEX or CAPEX proposals directly related to the drafting of the proposed Plan Changes. The proposed new policies and rules are a fundamental component of the Council's policy framework on infill housing and centres.

It is noted that funding will be required in order to resolve any appeals that may be received following the notification, submission and hearing process – these will be further discussed in the paper to be presented to the Committee in August.

3) Treaty of Waitangi considerations

All District Plan work is required to take into account the principles of the Treaty of Waitangi (refer to section 8 of the Resource Management Act 1991).

4) Decision-Making

The proposals to change the District Plan are in accordance with Council's wider strategic framework. The Residential and Suburban Centre Reviews also reflect the direction taken by Council in previous plan changes, and the results of the District Plan monitoring programme.

5) Consultation

a) General Consultation

City-wide consultation for an extended period over Christmas on the draft Plan Changes has been undertaken. In addition, briefings were given to key interest groups and professional groups involved in planning and resource management, and presentations were made to community group meetings.

b) Consultation with Maori

The Wellington Tenth Trust and Te Runanga o Toa Rangatira have been informed and asked for feedback on the draft Plan Changes. No comments have been received.

6) Legal Implications

Following further working and amendments on the draft Plan Change documents, Council's lawyers will be consulted with on the finalising of the proposed Plan Change documents.

7) Consistency with existing policy

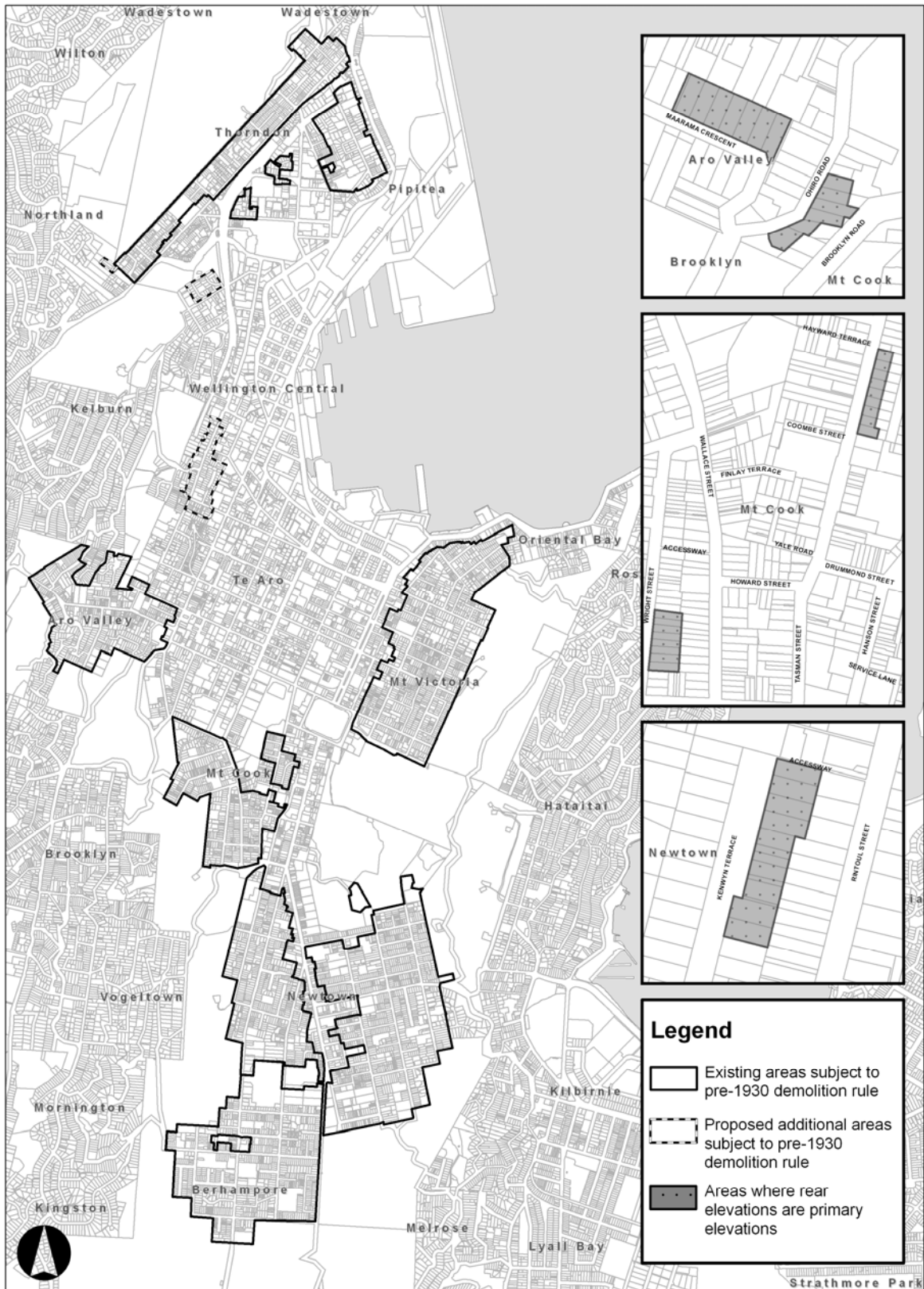
Significant effort has gone into ensuring the draft Plan Changes are consistent with the Council's vision for the city, Sense of Place values, the Urban Development Strategy, the Heritage Policy and the Centres Policy. The proposed plan changes to strengthen the District Plan provisions are consistent with the existing approach.

List of Appendices

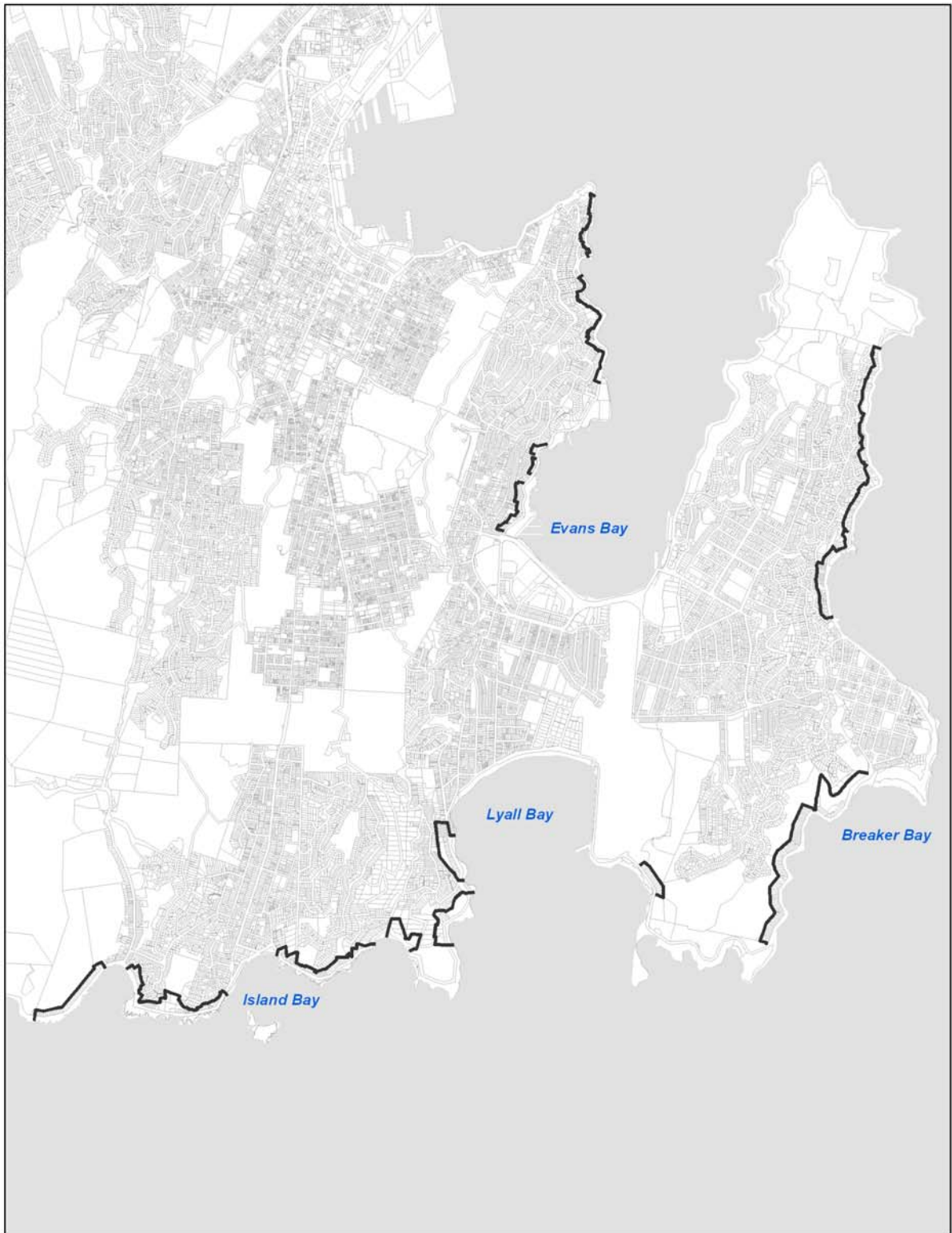
- Appendix 1:** Summary of Consultation and Feedback on the Draft Residential and Suburban Centres Plan Changes
- Appendix 2:** Areas where the pre-1930 demolition rule applies
- Appendix 3:** Residential Coastal Edge

**Appendix 1: Summary of Consultation and Feedback on the Draft
Residential and Suburban Centres Plan Changes**

Appendix 2: Areas where the pre-1930 demolition rule applies



Appendix 3: Residential Coastal Edge



— Residential Coastal Edge

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