

Proposed Plan Change 73

Volume 1 - Annotated provisions of new Chapter 33 showing proposed changes

Key to the following annotated text

The way in which the changes are to be read is outlined in the key below. This shows what text is being deleted and what text is being added to the provisions since District Plan Change 73 was publicly notified.

Key to Changes:	
Abcdefghijklmnop	Text deleted following the hearing of submissions
<u>Abcdefghijklmnop</u>	Text added following the hearing of submissions

33. BUSINESS AREAS

33.1 Introduction

The commercial and business areas of Wellington are places of employment, commerce, administration, retail, industry and entertainment and residential activities. Geographically spread throughout the City, Business Areas provide focal points of business activity outside of the Central Area and make a substantial contribution to the City's economy by providing for employment generation and economic development.

The Business Areas within the City are extremely varied and generate a range of resource management issues. The diversity of activities within Business Areas is a combination of historical land use patterns and previous regulatory regimes.

A notable trend in the period from 1995-2009 has been the move of residential and retail activities into areas previously dominated by commercial and industrial uses. This has provided a greater mix in some areas, but a downside is that over time it will make it difficult for small to medium-sized industrial activities and businesses to find land and premises within the city boundaries. A tightening of supply for industrial land and significant increases in land residential and retail values and rental rates is tightening supply for industrial and business land and is beginning to push these (industrial and business) uses to outlying areas.

The nature of retail activities has also changed, with increasing pressure for larger scale supermarkets, large format retailing and other shopping destinations to locate in areas outside of the City's traditional town centres - often with Business Areas land creating such opportunities. Activities located away from town centres do not provide for the same synergies as centre-located retail activities and have the potential to adversely affect the viability and vitality of existing centres, as well as reduce the supply of land that can be used for commercial-type activities. Wellington's town centres, which are the focus of economic and social life in our communities and provide shopping and services that complement the Central Area, are dealt with in Chapters 6 and 7 of the District Plan.

The Business Area chapter of the District Plan recognises these changing circumstances and aims to provide a balanced approach to the management of activities and their effects. The philosophy of enabling and providing flexibility has been retained, together with tailor-made provisions intended to foster the diversity of Business Areas.

Two Business Area sub-zones are identified which recognise the different environments created by predominantly commercial-type activity. The Business 1 and Business 2 Areas are characterised as follows:

- **Business 1 Areas**
Contain a range of uses including: employment activities, light industrial, commercial and business services, recreational, residential and entertainment uses, and local community services. In some cases retail activities are also appropriate.
- **Business 2 Areas**
Traditional business areas where a range of industrial activities including warehousing, manufacturing and commercial services can occur. Because

of the industrial nature of the activities in such areas, lower levels of amenity are acceptable compared with other areas in the City. Residential and some retail activities are restricted in Business 2 Areas.

The Plan seeks to ensure that all new development within the Business Areas is provided for in a manner that will maintain existing character and respect the amenity of that particular area. Council's approach is to permit appropriate activities in certain areas and to assess others on a discretionary basis.

Under the Discretionary Activity process, design guides are used to assess most new larger-scale building developments or those that are visible from public spaces, such as those adjoining the state highway. This is to ensure that any new building enhances the public realm. Design guides describe the urban design outcomes that will enhance public amenity, and provide guidance on achieving those outcomes. Specific rules deal with the siting, design and appearance of new buildings so that the existing urban form is maintained and enhanced.

The area at Shelly Bay has special character that has been recognised in the Plan. Shelly Bay is a highly visible coastal area covering the former military base and has important historical associations. The Shelly Bay Design Guidelines promote development generally in accordance with the quality and character of the area and that respects the special coastal location. The Shelly Bay provisions are in accordance with decisions of the Environment Court (refer Minister of Defence v Wellington City Council W66/99 and W85/99).

Like Shelly Bay, Greta Point is a special area which abuts the coastline. Additional provisions have been included at Greta Point to encourage opportunities for public access to the water's edge.

Performance standards have been imposed on all activities in Business Areas to avoid, remedy or mitigate the impact of development on Residential Areas. More stringent standards apply at the interface between Business Areas and Residential Areas so that residents will have added protection. [The Business Area and Residential Area adjacent to the Operational Port Area in Miramar is are affected by noise from port activities. The Plan includes specific provisions to provide for this.]^{PC49} Maintaining the character, appearance and environment in and around any Business Areas is an important objective of the Plan.

Industrial activities are also catered for in Business Areas. For the continued economic development of the City, it is important that sufficient industrial land is available to cater for differing employment activity needs. Council recognises that the District Plan is a vital player in the retention of the City's industrial land supply and therefore the Plan includes specific policies and rules.

The Kiwi Point Quarry is also included as a Business Area. The quarry is subject to specific rules recognising its economic importance to the City and wider region as well as to other relevant rules applying elsewhere in Business Areas to mitigate adverse effects.

33.2 Business Area Objectives and Policies

OBJECTIVE – ROLE AND FUNCTION OF BUSINESS AREAS

33.2.1 To provide Business Areas that can accommodate a wide range of business and industrial activities to meet the social and economic needs of the City.

POLICIES

To achieve this objective, Council will:

33.2.1.1 Recognise and provide for both Business 1 and Business 2 Areas within the City.

METHODS

- Planning Maps
- Rules
- WCC Centres Policy
- Urban Development Strategy
- Proposed Regional Policy Statement for the Wellington Region 2009

To reflect the diverse range of activities that occur in Business Areas, as well as their locations and historical development patterns, Council has identified two separate Business Areas: Business 1 and Business 2. The Business 1 Areas provide mixed use areas, where people can live and work, but with fewer day-to-day conveniences for residents than may be available in Centres. Wellington has a well established network of Centres across the City ranging from Sub-Regional Centres through to small Neighbourhood Centres. Centres provide accessible shopping and local services that meet people's day-to-day needs - the larger the Centre the greater the range of activities and functions.

The Business 2 Areas generally have lower amenity values than other areas of the City and are, by and large, more utilitarian in character. Business 2 Areas provide a place where industry can locate without having to compete for land and without interference from non-industrial activities requiring higher amenity standards.

The environmental result of this policy will be the retention of a sufficient supply of land available for industrial and business activities to meet the social and economic needs of the City.

33.2.1.2 Enable the outward expansion of existing, or the creation of new areas for business and industrial activities, where they:

- are compatible with adjoining landuses; and
- do not undermine existing investment in infrastructure (including water, stormwater, sanitary sewer, roads and footpaths); and
- are accessible from the roading network without generating more than minor adverse effects on the roading network and

the hierarchy of roads (Maps 33 and 34) from potential trip patterns, travel demand or car use; and

- **are designed to cater primarily for industrial and business activities.**

METHODS

- Planning Maps
- Rules
- WCC Centres Policy
- Urban Development Strategy & Growth Spine concept (including Transport and Infrastructure Delivery Projects)
- Master Planning, Structure Planning, Concept Plans
- Plan Changes
- Annual Plan
- Long Term Council Community Plan
- Advocacy

Projections show that Wellington’s population will continue to grow over time and Council is mindful of its role in ensuring the City is able to sustainably cope with this increase. Whilst much of the future growth of the City for residential and employment activities will be focussed in and around our Centres, there will also be an increase in demand for land available for business and industrial activities.

Ideally new business and industrial activities should locate within established Business Areas. This is a sustainable use of City’s existing built environment, infrastructure and transport resources, and builds on the District Plan’s overarching goal of maintaining a sustainable compact urban form.

However, given the shortage of such land within the City, Council does recognise that new activities may need to locate on the fringe of already established areas or in entirely new locations. When Council is considering applications for new or expanded Business Areas, factors such as compatibility with adjoining landuses, accessibility to the road hierarchy and transport links, and whether the proposals are designed to cater primarily for industrial and business activities will be taken into account.

The environmental result will be that industrial and business activities are able to continue to grow and contribute to the economic needs of the City.

33.2.1.3 Promote Maintain and enhance the viability and vibrancy of Regionally Significant Centres in the Wellington region.

The Wellington Regional Policy Statement (RPS) recognises that the Wellington central business district is the key central business district of the Region. It also recognises the commercial areas of Upper Hutt city centre, Lower Hutt city centre, Porirua city centre, Paraparaumu town centre, Masterton town centre, and the other major centres of Petone, Kilbirnie and Johnsonville as Regionally Significant Centres.

The District Plan recognises that promoting the viability and vibrancy of these Regionally Significant Centres is important in order to encourage investment and development that supports an increased range and diversity of activities.

The Regional Policy Statement (RPS) recognises that the Wellington central business district is the key centre within the region, and has a critical role in maintaining and growing the region’s economy. It also recognises a number of other Regionally Significant Centres, which are important centres servicing their sub-regions. This includes centres within and outside of Wellington City. This policy

gives effect to the RPS, and ensures that these Regionally Significant Centres are maintained and enhanced where possible through the application of the District Plan.

OBJECTIVE – ACTIVITIES

33.2.2 To enable an appropriate range of activities to occur in Business Areas, provided they do not undermine the City's Centres, and that adverse effects are avoided, remedied or mitigated.

POLICIES

To achieve this objective, Council will:

Range of activities

33.2.2.1 Maintain a mixed use character in Business 1 Areas by allowing a range of activities to establish provided that character and amenity standards are maintained and any potential adverse effects are able to be satisfactorily avoided, remedied or mitigated.

METHODS

- Planning Maps
- Rules
- Urban Development Strategy & Growth Spine Concept
- WCC Centres Policy

A range of activities are permitted within the Business 1 Areas to allow these areas to continue to develop as mixed-use environments, where people can live and work, and that can include, amongst other things, employment activities, light industrial uses, commercial activities, business services, residential activities, and some retail activities.

This reasonably flexible approach to the location of most land uses or activities will encourage efficiencies in Business 1 Areas by enabling owners or developers to respond appropriately to meet market needs or other economic or technological changes. At the same time, it is acknowledged that Centres are the primary location for retail and service-based activities, some of which have gone through an intensive master/structure/concept plan process to provide the 'big picture' vision for complex development projects or for future urban growth. For this reason, Council seeks to ensure that Business 1 areas complement, rather than undermine, the role and function of Centres.

Some activities in the Business 1 Areas may create adverse effects on neighbouring sites. This can be of particular concern when more sensitive developments such as residential activities establish adjacent to industry-based businesses or when adverse effects, such as dust, vibration and glare, are experienced in sites adjoining Business 1 Areas. Performance standards are applied to manage the potential adverse effects of activities.

In addition, traffic generated by Business 1 Area activities can impact on accessibility and on traffic safety and efficiency. Movement to and from business sites can impede the efficiency of the transport network (particularly the arterial roading system) especially where servicing or large heavy vehicles are frequently involved.

So long as potential adverse effects are able to be satisfactorily avoided, remedied or mitigated, the environmental result will be to allow a mixed range of activities within the Business 1 Areas.

33.2.2.2 Enable business and industrial activities and specified retail activities within Business 2 Areas provided that character and amenity standards of adjoining Residential Areas are maintained, and that any potential adverse effects can be satisfactorily avoided, remedied or mitigated.

METHODS

- Planning Maps
- Rules
- WCC Centres Policy
- Design Guides

Business 2 Areas are traditionally the areas where a range of industrial activities including warehousing, manufacturing and commercial services occur. Business 2 Areas are often utilitarian in character with low pedestrian volumes and only moderate accessibility by public transport at peak times. Because of the industrial nature of the activities in such areas, a lower standard of amenity value is acceptable compared with other areas in the City.

The adverse effects of industrial activities can affect the amenity values of adjoining areas. Industrial activities can create a number of adverse effects including visual impact, noise, fumes, smoke, odour, glare and dust. Where an industrial area is situated in close proximity to residential neighbourhoods or other areas which enjoy higher environmental amenity standards, the generation of such effects can have adverse cross-boundary impacts.

In addition, traffic generated by industrial development can create adverse effects regarding traffic safety and efficiency. The City's industrial areas are clustered along major transportation routes, notably State Highway 1, which provides convenient access. Industrial activities are also more tolerant of the effects of high traffic volumes than are other types of activities. Movement to and from industrial sites can impede the efficiency of the transport network (particularly the arterial roading system) especially where large heavy vehicles are frequently involved.

Those undertaking non-industrial activities in Business 2 Areas may have unreasonable expectations of amenity and as such, reverse sensitivity effects can arise when incompatible activities locate alongside each other. This can place pressure on permitted or lawfully established activities to raise their amenity standards, which can undermine their continued operations. As such, the range of activities within Business 2 Areas has been restricted. With these factors in mind, performance standards are applied to control potential adverse effects of activities.

The environmental result will be to allow a range of business and industrial activities within Business 2 Areas subject to performance standards.

33.2.2.3 Ensure the retention of suitable land for industrial and business activities, by restricting the establishment of non-industrial activities, specifically residential and some retail activities, in Business 2 Areas.

METHODS

- Planning Maps
- Rules

- WCC Centres Policy
- Urban Development Strategy
- Proposed Regional Policy Statement for the Wellington Region 2009

The amount of vacant industrial land in Wellington has reduced dramatically since the early 1990s; however a significant proportion of this land has been developed for retail activities rather than industrial activities. This has resulted in increased pressure on the existing vacant industrial supply. Research undertaken for the Council has identified that the availability of industrial and employment land within Wellington City will continue to be in short supply in the future. Forecast projections indicate there could be a demand for additional industrial land of between 77-100 hectares over the 2007-2021 period.

As a result of land supply and land values, most industrial land activity in the region is situated in the Hutt Valley or Porirua. A future shortfall in industrial land will impact on the overall economy of the City and therefore should be managed in a way which best enables the community to provide for its economic wellbeing and safety.

Industry, by its very nature can create significant environmental effects which need to be addressed by the Plan. The management of industrial effects, such as noise emissions, discharge of contaminants, vehicle generation, and the use and storage of potentially hazardous substances and processes can be achieved by congregating such effects into defined areas.

Whilst it is accepted that some non-industrial activities can be accommodated within the industrial areas, new activities need to be compatible with the lower levels of amenity in these areas. The Plan provides for industrial activities to be able to develop with a level of certainty so they can generate a reasonable level of adverse effects without being unreasonably constrained by other activities.

In addition, there is potential for resource inefficiency related to the use and development of land and infrastructure for non-industrial related activities in Business 2 Areas. One of the most notable trends has been the move of higher order activities, such as residential and retail activities, into areas previously dominated by industrial uses, taking advantage of cheaper land, whilst at the same time increasing land prices. This ultimately has undermined land supply and created reverse sensitivity issues.

Considering the rate of development of industrial land in recent years and trends influencing Wellington's industrial market, it is considered necessary to maintain the stock of existing land and to protect the use of this land for industrial uses. For these reasons, wider commercial, retailing and residential activities will be restricted from establishing in Business 2 Areas.

The environmental result of this policy will be a sufficient supply of land available for industrial and business activities to meet the social and economic needs of the City.

Retail activities

33.2.2.4 Control the establishment of large integrated retail developments and large supermarket developments in Business 1 Areas. Such activities will only be permitted to be located in Business 1 Areas if it can be demonstrated that they:

- will not result in significant adverse cumulative impacts on the viability and vitality of the Golden Mile; and
- will not result in significant adverse cumulative impacts on the viability and vitality of any Sub-Regional, Town or District Centre; and

- will not **significantly** undermine existing investment in infrastructure (including water, stormwater, sanitary sewer, roads and footpaths, and community facilities) in the Golden Mile or any Sub-Regional, Town or District Centre; and
- will not result in significant adverse impacts on the sustainability of the transport network; and
- will not result in significant adverse impacts on the roading network and the hierarchy of roads (see Map 33) from trip patterns, travel demand or vehicle use; and
- will be compatible with adjoining landuses.

METHODS

- Planning Maps
- Rules
- Design Guides (Centres and Business)
- WCC Centres Policy
- WCC operational activities (Urban Development Strategy, Economic Development Strategy (2006), Transport Strategy)
- Other mechanisms (the Wellington Regional Strategy and the Proposed Regional Policy Statement for the Wellington Region 2009)
- New Zealand Transport Agency operational activities as a road controlling authority

Large integrated retail activities exceeding 10,000m² gross floor area, and supermarkets exceeding 1500m² gross floor area are encouraged to locate within Centres. Proposals for such activities elsewhere in the City have the potential to disrupt and undermine the role of Centres and therefore must be able to demonstrate compatibility in order to be considered favourably. In addition, large, out-of-centre developments have the ability to compromise land availability for smaller scale business and commercial activities provided for specifically in the zone.

The Plan therefore seeks to control retail activities in order to protect the vitality and vibrancy of the City's Centres; and to protect the Business Areas from competing interests of retailing.

Large integrated retail activities exceeding 10,000m² gross floor area, and supermarkets exceeding 1500m² gross floor area will be managed in Business 1 Areas and restricted in Business 2 Areas, so as to avoid these activities altering the role and function of Business 1 Areas and undermining the role and function of Centres.

33.2.2.5 Restrict the establishment of retail activities smaller than 450m² gross floor area in the Tawa South and Takapu Island Business Areas to ensure they will:

- **not result in significant adverse cumulative impacts on the viability and vitality of the Tawa Town Centre; and**
- **not undermine existing investment in infrastructure (including water, stormwater, sanitary sewer, roads and footpaths, and community facilities) in Tawa Town Centre.**

METHODS

- Rules
- Design Guide (Business)
- ~~WRC operational activities for the proposed Takapu Island park and ride facility~~

Tawa Town Centre is an important service centre in the northern part of the City. The Centre is of small-medium size and has an established ‘main street’, containing a range of retail and service activities. The Centre is also anchored by a supermarket. Whilst retailing is the predominant activity within the centre, there are also significant numbers of professional offices, commercial trade and service activities. It is important that the Tawa Town Centre is not undermined by retail activities that could significantly reduce its viability and vibrancy. Large-format retail is likely to rely on a different market and would not undermine the convenience-based retail of Tawa Town Centre.

The Council acknowledges that there are limited opportunities within the City’s centres for large format retailing activities. Therefore, large format retail activities in some parts of the city, including Tawa South and Takapu Island is appropriate.

33.2.2.6 Restrict the establishment of all retail activities in Business 2 Areas to:

- **trade supply retail**
- **wholesalers**
- **building improvement centres**
- **service retail**
- **ancillary retail, and**
- **yard-based retail activities**

in order to maintain industrial land availability and the viability and vitality of Centres.

METHODS

- Planning Maps
- Rules
- WCC Centres Policy
- Other mechanisms (the Wellington Regional Strategy and the Proposed Regional Policy Statement for the Wellington Region 2009)

The Business Areas within the City are extremely varied and face a range of different challenges. One of the most notable trends identified has been the locating of residential and retail activities in areas previously dominated by industrial uses, taking advantage of cheaper land, whilst in turn causing land prices to increase. This may ultimately have the long term effect of undermining land supply (for industrial and business uses), but also the integrity and character of these traditionally industrial nodes.

In addition, the location of non-industrial activities in the Business 2 Areas can impact on the sustainable management of the City and lead to the inefficient use of the physical resources available in the zone and increased pressure on the existing vacant industrial supply.

Industrial and business activities, and therefore land suitable for industrial and business activities are important to meet the economic needs of the City. Industrial activities cannot compete with other higher order land uses in terms of land value. It is therefore important to protect industrial areas for industrial or business uses. In addition, allowing the uncontrolled establishment of retail activities in industrial areas has the potential to undermine Centres.

For these reasons, non-industrial activities, particularly general merchandise retail activities, are restricted from establishing in Business 2 Areas. Where a proposed activity requires resource consent, consideration will be given to whether or not it is an activity that supports the roles and functions-based zone structure, and maintains the vitality and vibrancy of Centres.

Activities, such as trade supply retail, wholesalers and yard-based retail activities typically have a significant business or trade customer base. These types of retail activity generate infrequent visits as the purchase price is high and the goods for sale are often not consumables but capital assets. Stores selling these products are by necessity, large, requiring extensive building footprints and large servicing and carparking areas. These types of retail activity are typically found outside of established centres and rather than competing with Centres, these types of activities can complement them. Ancillary retail is also recognised as a necessary component of areas providing for industrial-based activities. Accordingly, these types of retail activities are considered to be appropriate in Business 2 Areas.

The environmental result will be Business 2 Areas with an industrial character, where business and industrial activities, and supporting retail activities such as trade supply and wholesalers are free to operate with lower amenity standards and without undue constraint or competition from non-industry activities.

Kiwi Point Quarry

33.2.2.7 Provide for the development and site rehabilitation of the Kiwi Point Quarry to the extent specified in the Plan in a way that avoids, mitigates or remedies adverse effects.

METHODS

- Rules (including Appendix 2 showing the extent of quarry areas)
- A quarry management plan

Kiwi Point Quarry is an established quarry located in the Ngauranga Gorge, involving ongoing extraction, processing, cleanfilling and rehabilitation. As the continuing availability of aggregate and other quarry materials is economically important for the City and wider region, the Plan makes specific provision for the ongoing use and development of the quarry. For both the older and newer areas of the quarry, specific rules and a development plan are incorporated. These provisions provide for the avoidance or mitigation of adverse effects from the quarry activity and the long-term mitigation of effects on landscape and landform following quarrying. It is the Council's intention that cut faces should be designed to yield a relatively natural landform in the long term and that rehabilitation of cut faces should begin as early as practicable. The staging of quarry development, and the day to day management of quarry activities are further detailed and controlled through the application of a quarry management plan.

A quarry management plan shall be prepared and regularly updated by Council, which sets out:

- *intended staging of the excavation and cleanfilling activities*
- *the means of management of surface and groundwater*
- *management of on-site traffic*
- *provision for any onsite processing and temporary storage of quarry material*
- *any specific provisions relating to onsite management of noise, dust, vibration, visual impact, water quality*
- *a procedure for addressing any complaints*
- *objectives and principles for the rehabilitation of the site, including:*
 - *a timetable for the rehabilitation of prominent quarry faces*
 - *measures to create soil conditions which will support plant growth*
 - *measures to create a variety of site conditions to support a range of species*
 - *means of controlling runoff to avoid erosion*
 - *means of control of plant and animal pests*
 - *measures to avoid fire risks*
 - *means to assist native vegetation to regenerate on grazing land*

- *rehabilitation which is compatible with Open Space strategy for adjacent areas of land*
- *management of buffer areas*
- *practices and methods that will be adopted to ensure that all permitted activity conditions applying to the activities will be met.*

The quarry management plan will complement the other rules applying to the quarry activity and will provide additional management details. It will be reviewed by Council at least every five years and any necessary adjustments will be made.

The progressive rehabilitation of the area is an important aspect of quarry management, and accordingly the Quarry Management Plan includes rehabilitation provisions. As quarrying and cleanfilling activities are completed on the site, an implementation plan shall be prepared annually by the consent holder in accordance with the Quarry Management Plan.

The requirement that regular monitoring is undertaken and regular progress reports are completed and submitted to the Council is a key element. This requirement is included because successful rehabilitation of any disturbed area requires constant monitoring as site conditions vary considerably and evolve over time. Regular observation and recording of results is an essential part of managing the process.

A vegetated buffer area is included within the area as part of the development of the southern part of the quarry. At the northern end, the necessary buffer area is within the Open Space B Area.

It is important also that rehabilitation of the quarry area should recognise and in the longer term be able to be integrated as appropriate with the Open Space strategy developed by the Council for the adjacent areas of land. Current Council policy is for the creation of further Green Belt areas on the steep hill sides of the Ngauranga Gorge and, for instance, it may be possible to allow continuation or linking of proposed walkways.

Overall, the environmental result will be the availability of quarry materials for the City and wider region in the short and medium term, and long-term achievement of well-vegetated quarry faces with the appearance of natural landforms which will be integrated with Council development of Open Space areas in this vicinity.

Temporary Activities

33.2.2.8 Provide for temporary activities that contribute to the social, economic and cultural wellbeing of the community, whilst controlling any adverse effects in a manner that acknowledges their infrequent nature and limited duration.

METHODS

- Rules
- Section 16 of the Act (Duty to avoid unreasonable noise)
- Local Government Act

Activities such as outdoor concerts, parades, sporting events and cultural festivals play an important role in making Wellington a vibrant and lively city that can be enjoyed by all sectors of society. Such temporary activities make an important contribution to the social, economic and cultural wellbeing of Wellington's communities.

Temporary activities can have adverse effects, but these are largely mitigated by the short duration and non-repetitive nature of these activities. Accordingly, temporary activities have been made subject to less restrictive rules compared with other land uses. Excessive noise is generally the most significant adverse effect caused by

temporary activities, and this will be principally controlled using section 16 of the Resource Management Act rather than through District Plan noise levels.

Because the majority of outdoor temporary activities occur on legal road or public land, Council is also able to control noise and other effects through its role as manager of public spaces. In particular, the provisions of the Local Government Act contain an approval process for the temporary closure of roads.

In considering applications for temporary activities, Council will consider the cumulative duration and effect of noise generated by the activity, and whether the intensity of the noise can be appropriately managed. Consideration will also be given to whether the positive effects and public benefits (social, cultural and economic) are sufficient to justify exposure to temporary adverse noise effects.

The environmental result will be Business Areas that are able to accommodate short-term activities within levels of accepted environmental effects.

Noise

33.2.2.9 Control the adverse effects of noise within all Business Areas.

33.2.2.10 Allow residential development in Business 1 Areas so long as it does not constrain established or permitted activities from reverse sensitivity through noise.

33.2.2.11 Ensure that appropriate on-site measures are taken to attenuate intrusive noise effects in Business 1 Areas to protect noise sensitive activities.

~~**33.2.2.12 Require that noise sensitive activities and buildings in the Business 1 Areas of Miramar South, Ropa Lane and Kilbirnie North within the Wellington International Air Noise Boundary identified on planning Map 35, be insulated from airport noise.**~~

~~**33.2.2.13 Require that noise sensitive activities and buildings in the Business 1 Areas of Ropa Lane and Kaiwharawhara within the Outer Port Noise Affected Area and the Inner Port Noise Affected Area on planning Map 55, be insulated from port noise.**~~

METHODS

- Rules
- Other mechanisms (abatement notices, enforcement orders)
- Application of the New Zealand Acoustic Assessment and Measurement Standards

Effective management of noise is particularly important in Business Areas as conflicts can arise between noise sensitive and potentially noisy activities located alongside each other. Specific rules in the District Plan aim to avoid, remedy or mitigate the adverse effects of noise between properties within the Business Areas and in nearby Residential Areas.

Higher noise levels are allowed within Business 2 Areas in order to provide for traditional industrial activities which are inherently noisy activities. ~~This can create conflicts between noise sensitive and potentially noisy activities located alongside each other. As noise can create adverse effects on amenity values, on site measures to protect noise sensitive activities (such as residential) from other permitted or existing activities in the zone, will need to be undertaken. Those undertaking or visiting activities not associated with industry can have higher expectations of amenity than that normally found in these areas. This will put unreasonable pressure both on immediate neighbours and cumulatively on the activities throughout the zone that are dependent on being located in such an area. As such,~~

noise sensitive activities are not provided for in Business 2 Areas. At a zone interface with a more sensitive receiving environment, such as a Residential Area, the Plan requires that appropriate standards of amenity are maintained.

The plan acknowledges that construction noise has effects on the Business Areas but that these are generally temporary in nature. Construction noise is managed using best practical option, in accordance with NZS6803P:1984 The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work.

Fixed plant noise, such as air conditioning and refrigeration, is a distinct contributor to ‘noise creep’ or cumulative noise effects. Therefore stricter standards generally apply to fixed plant than to other sources of noise within Business 1 Areas.

Council is concerned that helicopter operations can cause adverse noise effects and are conducted safely. Helicopters in flight are not subject to control but Council has made landing areas a Discretionary Activity (Unrestricted) to ensure that any adverse effects are avoided, remedied or mitigated.

Matters to consider when assessing applications for helicopter landing areas include:

- The nature, duration and frequency of the activity
- Impact of the activity on the amenity of neighbouring properties
- The extent of compliance with the provisions of NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas
- The extent of compliance with relevant Civil Aviation rules.

However, compliance with NZS 6807:1994 may not necessarily guarantee that the effects from small scale helicopter operations will be without adverse effects. In these cases an assessment should also confirm that the best practicable options have been adopted to ensure a reasonable level under section 16 of the Resource Management Act 1991.

Noise from some sources such as motor traffic cannot be controlled by means of rules. Other actions are needed to avoid, remedy or mitigate intrusions from such sources. The enforcement order and abatement notice procedures of the Act will be used to control unreasonable noise.

When assessing applications to exceed noise standards in the District Plan the Council will consider:

- the extent to which the noise emissions contribute to any cumulative adverse effects on the noise environment
- the extent to which noise emissions will be intrusive

Council will seek to ensure that the best practicable option is used to mitigate noise and that adverse effects are minor.

The environmental result will be the maintenance and improvement of the noise environment for all permitted or existing uses in Business Areas.

33.2.2.12 Require that noise sensitive activities and buildings in the Business 1 Areas of Miramar South, Ropa Lane and Kilbirnie North within the Wellington International Air Noise Boundary identified on planning Map 35, be insulated from airport noise.

33.2.2.13 Require that noise sensitive activities and buildings in the Business 1 Areas of Ropa Lane and Kaiwharawhara within the Outer Port Noise Affected Area and the Inner Port Noise Affected Area on planning Map 55, be insulated from port noise.

METHODS

- Rules
- Other mechanisms (abatement notices, enforcement orders)
- Application of the New Zealand Acoustic Assessment and Measurement Standards

~~In particular, the Port and Airport are two existing noise sources that may be incompatible with residents in nearby Business Areas, and conversely, residential development puts constraints on the airport and port. As the airport and port are cornerstones of Wellington’s economy, they require protection from noise sensitive activities.~~

The Kaiwharawhara and Ropa Lane Business 1 Areas lie within the defined Port Noise Affected Area shown on planning Map 55. Here standards for noise sensitive activities apply to permitted uses such as residential. The provisions for managing the effects of noise from port related activities are based on an assessment of the particular characteristics of port noise, port operations and the relevant surrounding environment

The Miramar South, Ropa Lane and Kilbirnie North Business 1 Areas lie within the defined Wellington International Air Noise Boundary shown on planning Map 35. Here residential activities and developments need to be protected from airport noise through insulation requirements. The Discretionary Activity (Unrestricted) rule relating to residential development in Business 1 Areas near the airport (being the land inside the airnoise boundary depicted on Map 35) reflects these issues. Reference will also be made to the objectives and policies in Chapter 10 (Airport and Golf Course Recreational Precinct) of this Plan when considering resource consent applications for residential development within that area.

~~The Plan allows for a higher noise threshold in Business 2 Areas as noise sensitive activities are not provided for in these areas. However, at a zone interface with a more sensitive receiving environment, such as a Residential Area, the Plan requires that appropriate standards of amenity are maintained.~~

Noise sensitive activities (including residential ones) may wish to establish in Business 1 Areas. Designers, developers and end users need to be aware that higher noise levels are allowed within Business 1 Areas than would normally be provided to adequately protect, say, residential activities. Similarly, the wide range of Permitted Activities within Business 1 Areas may lead to higher noise levels in locations where noise levels may currently be quite modest.

Consequently, specific rules have been included in the District Plan to ensure designers, developers and end users provide for appropriate levels of insulation to buildings to minimise the level of intrusive noise on noise sensitive activities. There may be some limited circumstances in which noise insulation to the standard specified may not be appropriate, for example, due to the location of a site adjoining a Residential Area, or the impacts of renovation on the historic heritage of a listed heritage building.

Ensuring appropriate ventilation and effective noise attenuation is an important part of protecting noise sensitive activities. Natural ventilation requirements, such as openable windows (as required by the Building Code), can compromise measures to attenuate external noise. Therefore, standards have been set to ensure that both ventilation and acoustic insulation requirements are met. The required airflow level is based on the minimum standard for a habitable spaces set out in NZS 4303.

When assessing applications for buildings within the Port Noise Affected Area or within the Wellington Internal Air Noise Boundary, or to exempt new building works from the noise insulation and ventilation standards in the District Plan, the Council will consider:

- *whether the likely exposure to noise will lead to an unreasonable level of health or amenity for occupiers of the building*
- *whether the habitable rooms are located, orientated or designed in such a way which would make insulation to the required standards unnecessary*
- *whether the development is likely to lead to potential conflict with and cause adverse effects, including reverse sensitivity effects, on port and airport activities*
- *whether the building is a listed heritage building and the extent to which it is practicable to insulate to the required standard without compromising the heritage significance and fabric of the building*
- *whether the appropriate noise attenuation and/or management measures can be provided to protect the health or wellbeing of future users*
- *the extent to which the site or building is affected by port noise or airport noise, any special characteristics of the site or building which influence the level of port or airport related noise received, and any mitigation proposals included in the application which will reduce the adverse effects of noise on the activity or building.*

The environmental result will be developments that provide insulation and ventilation to ensure the noise environment of noise sensitive activities are protected to an appropriate level.

Environmental issues

33.2.2.14 Discourage noise sensitive activities from establishing in Business 2 Areas to avoid issues of reverse sensitivity from noise, lighting, dust and discharge of any contaminants affecting industrial or business activities.

METHODS

- Rules
- Standards
- Other mechanisms (Regional Air Quality Plan, abatement notices, enforcement orders)
- Application of the New Zealand Acoustic Assessment and Measurement Standards

Industrial areas typically have lower amenity values when compared with places where people live and socialise. Business 2 Areas have therefore been identified by Council as being suitable for industrial and business activities, where industries are free to operate with less stringent noise emission standards. The only exception to this approach is where there is a Residential Area adjoining a site zoned Business 2.

Whilst the Council has a responsibility to manage the effects of industrial activities so as to avoid, remedy or mitigate any adverse effects on the environment, conflicts can arise between industrial activities and those non-industrial activities which may seek higher amenity.

For this reason noise sensitive activities will be restricted in the Business 2 Areas and the environmental and protection standards will not provide amenity protection for such uses within the zone. Noise sensitive activities are more appropriately located in Centres or Business 1 Areas, as these areas provide a more appropriate level of amenity.

The environmental result will be Business 2 Areas that are suitable for industrial and business uses without competing and reverse sensitivity effects from other land uses.

33.2.2.15 Ensure that activities creating effects of lighting, dust and the discharge of any contaminants are managed to avoid, remedy or mitigate adverse effects on other activities within Business Areas or in nearby Residential Areas.

33.2.2.16 Avoid adverse effects from activities listed under the Third Schedule of the Health Act.

METHODS

- Rules
- Standards
- Other mechanisms (Regional Air Quality Plan, abatement notices, enforcement orders)

The effects generated by the wide range of activities in Business Areas, such as fumes, smoke, smell, vibration, glare or other nuisances can have adverse impacts both within Business Areas or in areas beyond the Business Area boundaries. Some activities will be noxious or dangerous wherever they are sited but others, relatively less harmful, become more dangerous if sited near residential or sensitive areas. For this reason Council seeks to ensure that such activities are contained and do not cause a nuisance or danger.

To do this, Council will also rely on the general duty of every person under the Act to avoid, remedy or mitigate the adverse effects of activities (section 17). Where necessary, Council will also use the enforcement or abatement provisions of the Act to control nuisances.

Activities listed under the Third Schedule of the Health Act are not permitted to be established in the Business Areas because of their offensive or noxious nature.

Other effects identified in the rules will be controlled by applying performance standards.

The environmental results will be that uses or activities in Business Areas will not cause a nuisance or danger either within Business Areas or in nearby Residential Areas.

OBJECTIVE – BUSINESS PRECINCTS

33.2.3 To recognise where unique development opportunity areas exist within Business Areas and encourage redevelopment of these in a manner that is compatible with, and enhances amenity values and contribute to the City’s distinctive physical character, sense of place and contained urban form.

POLICIES

To achieve this objective, Council will:

33.2.3.1 Ensure that any new development at Shelly Bay generally reflects the heritage and landscape character of the area and has regard to the site’s special coastal location.

METHODS

- Rules
- Design Guide (Shelly Bay)

Shelly Bay is a highly visible area covering the former military base. Development on the site is characterised by a collection of individual buildings of one or two storeys above ground level – most of which have important historical associations with its military and maritime past. It is Council’s intention that any re/development at Shelly Bay should reflect the character of established development on both sides of the main road through the site, and provide for a pedestrian promenade along the water’s edge. The Council will work with future landowners to ensure that any redevelopment of the area recognises the heritage values on site. The Council will also seek to ensure that harbour views to the site are not compromised and that redevelopment respects its coastal location.

In assessing an application for a resource consent relating to the construction of, alteration of, and addition to buildings and structures in Shelly Bay Business Precinct Area, the following matters will be considered:

- *The extent to which the proposal meets the provisions of the Shelly Bay Design Guide.*
- *The extent to which the proposal recognises the special heritage values of the area.*

The Design Guide for Shelly Bay will be applied to assist in achieving the design objective and heritage recognition for the site. The general purpose of the Design Guide is to guide development in a manner which recognises and respects the distinctive environmental qualities that give the area its special heritage character.

The environmental result will be the development of Shelly Bay in a manner that reflects the sensitive nature of the site between the sea and the open space of the Miramar headland.

33.2.3.2 Provide for the comprehensive development and redevelopment of those Business Areas which display unique development opportunities through a concept, master or structure plan process.

METHODS

- Rules
- Operational activities (management of infrastructure including through the WCC Centres Policy 2008 and Long Term Council Community Plan)
- Urban Development Strategy & Growth Spine concept (including Transport and Infrastructure Delivery Projects)
- Northern Growth Management Framework
- Master Planning
- Concept Plans (including plans and accompanying text)
- Structure Plans
- Advocacy
- Memorandums of Understanding with land owners

Master planning (sometimes also referred to as structure planning) is the process of creating the 'big picture' vision for complex development projects or for future urban growth. Master plans set out the physical configuration and phasing of buildings, infrastructure and/or public spaces, and are an important planning tool in guiding substantial redevelopment projects. Concept plans are less detailed than

master plans and often relate to landscape plans for street and open space development projects.

In the Wellington context, these plans will focus primarily on key Centres, however opportunities will arise from time to time for redevelopment in Business Areas – especially brownfield sites. When such opportunities arise, Council will ensure that future growth in employment is planned in an integrated manner that maximises benefit to the wider community. These plans also help guide how the Council can capitalise on its investment in infrastructure and how future development can link into, and add value to a particular Business Area. Master/structure/concept plans also help shape opportunities for other stakeholders to invest in the revitalisation of Business Areas and Council will take an active role in advocating for such investment.

As areas are master planned, the plans will be included as appendices to the Business Area chapter.

OBJECTIVE – BUILT DEVELOPMENT, URBAN DESIGN AND PUBLIC SPACE

33.2.4 To ensure that activities and developments at least maintain the amenity values and public safety within Business Areas and those of any nearby Residential Areas.

POLICIES

To achieve this objective, Council will:

Design Guidance

33.2.4.1 Ensure that buildings, structures and spaces in Business 1 Areas are designed to:

- **acknowledge and respect the form and scale of the surrounding environment in which they are located; and**
- **respect the context, setting and streetscape values of adjacent listed heritage items, and Heritage Areas; and**
- **establish positive visual effects; and**
- **provide good quality living and working environments; and**
- **provide conditions of safety and accessibility, including for people with restricted mobility.**

33.2.4.2 Ensure that buildings, structures and spaces in Business 2 Areas that abut or adjoin a state highway are designed to establish positive visual effects through appropriate siting and building design.

METHODS

- Rules
- Design Guides
- Other mechanisms (New Zealand Urban Design Protocol, Advocacy)
- Urban Development Strategy

Urban design assessment is not always required in the Business Areas as these are often utilitarian by character and do not warrant the level of assessment that may be required in more sensitive areas of the City such as the Central Area and Centres. Nevertheless, many of the City's Business Areas are located along major

thoroughfares, or in or near to more sensitive receiving environments. In these cases it may be necessary to apply the principles of the Business Area Design Guide and require urban design resource consent assessment. While the design guide process may not provide quantitative certainty, applicants are encouraged to work with Council at the early stages of a development. A collaborative design-based approach, rather than conforming to quantitative standards, provides greater opportunities to find a solution that works for both the applicant and the public realm and achieve quality urban design. By engaging with Council advisors from the early site-planning stages, applicants are likely to experience a smooth process once a resource consent is submitted. In particular, where there are zone interfaces, Council will seek to balance flexibility of design and use with some urban design guidance in sensitive areas.

Historic development patterns often mean that Business 1 Areas are located in and around more sensitive areas such as Residential Areas. This, along with the varied range of uses in the Business Areas, means that sometimes design guidance is required to help alleviate interface issues between the zones. At the same time, Council also acknowledge that each site has specific characteristics, as well as differing activities and building types that may influence design outcomes. Council will require high standards of urban design for new buildings and structures, and where significant additions and alterations are proposed. Standards have been set in the Plan to ensure a reasonable level of amenity value is maintained. Where resource consent is required, applications will be assessed for their scale and appropriateness and the ability for any adverse effects to be avoided, remedied or mitigated.

In the Business 2 Areas Council acknowledges that urban design assessment will usually not be necessary. For this reason, design assessment is limited to new developments in areas that are visible from some Residential Areas and state highways. Where sites are very visible and prominent Council will discourage the use of large, flat, blank walls facing roading corridors. Assessment through the Business Area Design Guide is required. The Design Guide seeks to ensure that where a building backs onto or is otherwise prominent from a major arterial, irrespective of whether there is any physical connection, appropriate architectural treatment is considered. In some cases Council will encourage landscape treatments as part of a coherent site development to help screen and break down the visual appearance of bulky buildings.

Enhancing accessibility to buildings is also an important aspect of the public environment of Business Areas. Through the resource consent process, Council will advocate for improved provision for older people and all others with mobility restrictions in the design of new buildings and in the refurbishment of those existing buildings which do not provide equitable access in terms of current Building Code requirements.

Likewise, Council will advocate for improved accessibility to public transport for people and goods in Business Areas. Council will continue to work closely with Greater Wellington Regional Council on transportation matters and the District Plan will remain consistent with the Regional Policy Statement, the Regional Land Transport Strategy and other relevant plans.

The environmental result will be buildings that contribute to the positive urban design characteristics of the surrounding locality and the City as a whole.

33.2.4.3 Encourage developments in Business 1 Areas to create an attractive, comfortable and clear street environment through:

- **managing the location and design of land dedicated to outdoor storage and car parking; and**

- **controlling the siting and design of structures on or over roads; and**
- **appropriate siting of buildings and building design.**

METHODS

- Rules
- Operational activities (Urban Design Strategies)
- Business Area Design Guide
- Footpath Management Policy
- Master plan / structure plans/ concept plans

Developments that positively contribute to the streetscape and public environment will be encouraged by Council as they are important to building a sense of place to improve environmental quality. It may be appropriate in some cases to use these aspects of a development to off-set, or balance, any adverse effects from building bulk and location infringements. However, it will not always be appropriate to do so especially where adverse effects from bulk and location infringements generate more than minor adverse effects.

Factors that are particularly important in achieving articulation of larger buildings typically found in Business Areas include the frequency, location and design of entrances and windows of buildings. Large, blank, monotonous building backs are not acceptable at the edge of any street or other public space and Council will ensure that developments do not create this. The type and arrangement of activities, especially at ground level, are also an important consideration.

The Plan recognises that Business Areas are often vehicle-oriented or require space for outdoor storage. Where new developments include these requirements, consideration should be given to designing buildings so that their frontages adjoining streets and other public open spaces. These edges provide a sense of occupancy and natural surveillance, and contribute interest and safety for passersby. When resource consent is required, Council will seek to ensure that car parking, yards and servicing do not compromise the quality of the street edge, nor the status of the main entry to the building.

Verandahs are not required along any frontage in the Business 1 or Business 2 Areas, but where an applicant chooses to provide verandahs, minimum standards must be met.

Trees and vegetation also make an important contribution to the amenity of Business Areas and can help to soften what can often be considered utilitarian environments. Proposals that seek to provide landscaping and retain mature, visually dominant trees and vegetation in Business Areas are encouraged as this will help integrate the new development into the surrounding environment and will be seen as a positive effect of the proposal.

The environmental result will be the maintenance and/or enhancement of the visual quality of Business Area streetscapes and public spaces.

Residential development

- 33.2.4.4 Allow residential development in Business 1 Areas where it utilises upper floors of buildings and provides a secure and pleasant environment for the occupiers.**
- 33.2.4.5 Enhance the quality and amenity of residential buildings in Business 1 Areas by guiding their design to ensure current and future occupants have an adequate standard of amenity and appropriate access to daylight and an awareness of the outside environment.**

METHODS

- Rules
- Design Guides

Encouraging the multi-functional nature of Business 1 Areas is important and accords with overarching District Plan objectives. In order to ensure the Business 1 Areas develop as vibrant mixed-use places, residential uses above ground floor will be allowed to give these areas life outside of normal business hours. Business 1 Areas can provide alternative locations and housing types to traditional residential areas, where residents can enjoy the benefits of a wide variety of social, community, entertainment and shopping activities and transport services.

There has been a steady growth in townhouse development and low rise apartment buildings within some Business 1 Areas. Some of these buildings currently rely on adjacent sites (either vacant or with low height buildings) to provide suitable amenity for occupants e.g. natural light, awareness of the outside environment and sunlight access. Over time, adjacent sites may be developed, leading to a reduction in amenity of occupants of residential buildings.

Residential development in Business 1 Areas will not be encouraged at ground floor level so as to enable commercial and retail activities to establish and to promote connectivity with the immediate public space.

Maintaining reasonable levels of residential amenity in Business 1 Areas is important in order to ensure residential developments are attractive to people over the long term and able to provide a sustainable alternative for residents in Business 1 Areas. The level of amenity for residents in Business 1 Areas will be lower than in residential areas as the same access to daylight, sunlight, outdoor space and carparking may not be available.

Standards have therefore been set for all activities, buildings and developments in order to ensure a reasonable level of amenity value is maintained for residents. Where resource consent is required, applications will be assessed for their appropriateness and the ability for any adverse effects to be avoided, remedied or mitigated, including reverse sensitivity effects. The onus will be on applicants who propose residential development to demonstrate how a suitable level of amenity will be created and how reverse sensitivity issues will be avoided, so as to not restrict permitted industrial and business uses in the zone.

Design guidance and rules ensure that new residential buildings in Business 1 Areas are of high quality and provide residential amenities on-site, and that these will not be adversely affected by potential new development on adjacent sites. The general intention of the design guidance is not to impose specific design solutions but to identify various design principles, aimed at improving the quality of development.

The environmental result will be well considered residential developments that have a reasonable level of amenity which also contribute positively to the vibrancy and mixed use nature of Business 1 Areas.

Zone interfaces

33.2.4.6 Ensure an appropriate transition between activities and buildings within Business Areas and adjoining Residential Areas.

METHODS

- Rules
- Advocacy
- Design Guidance

The interface between Business Areas and adjoining Residential Areas is particularly sensitive. The effects generated by activities and developments within Business Areas can impact adversely on residential properties and enjoyment of their amenity values. Standards for noise, privacy and bulk and location of buildings have been imposed in the Plan to avoid, remedy or mitigate such impacts.

The environmental result will be activities, buildings and developments in Business Areas that do not cause a nuisance or detract from the amenity values in adjoining or nearby Residential Areas.

Building height, bulk and location

33.2.4.7 Manage the height, bulk and location of buildings and developments in Business Areas so that they avoid, remedy or mitigate the adverse effects of shading, loss of daylight, privacy, scale and dominance and any other adverse effects on amenity values within Business Areas and on adjoining Residential Areas.

METHODS

- Rules
- Design Guide for Centres

The scale and placement of building works and the layout of new developments, especially in Business 1 Areas can have a significant impact on the amenity values enjoyed by neighbouring properties and the public environment. The bulk and location standards provide for a level of development that can be reasonably anticipated in Business Areas, subject to design guidance (refer to the Business Areas Design Guide). When processing consent for new building works, Council will seek to work with applicants to ensure the proposed height and bulk of a new building is appropriate to its surroundings. This is particularly important when new developments are located adjacent to or near listed heritage items and Heritage Areas.

Where these standards are exceeded and resource consent is required, applications will need to demonstrate how it is proposed to deal with (avoid, remedy or mitigate), any potential adverse effects. Factors considered will be the level or degree of non-compliance, and whether or not the proposal will detract from rather than maintain or enhance the amenity values in the public or private environments. Proposals may also be measured against any positive effects generated through building design and urban design outcomes in deciding whether or not the adverse effects are acceptable.

In Business 2 Areas, building height is a particular issue when a building is visually dominant, or appears overly bulky in its surroundings. Whilst Council acknowledge that Business 2 Area activities often will require larger buildings, consideration should be given to the appearance of buildings, especially if they can be viewed from the state highway.

Buildings up to 16 metres in height are permitted on several properties towards the southern end of the Rongotai South Business 1 Area zone and fronting onto Lyall Parade (refer to Appendix 4 of Chapter 34). Council wants to encourage high quality development in this location that will improve the existing built edge and take advantage of the area's views and coastal location. A minimum floor stud height of 4 metres is required on the ground floor to encourage a range of non-residential activities fronting Lyall Parade and the adjacent recreation reserve. To ensure this frontage has active edges, residential activities will not be permitted at ground floor level. There is no restriction on activities above ground floor level.

The environmental result will be Business Areas that are both functional and pleasant places to be in.

Health, safety and security**33.2.4.8 Ensure that all spaces accessed by the public are safe and are designed to minimise the opportunities for crime.****METHODS**

- Rules
- Other mechanisms (WCC Bylaws)
- Design Guides (Centres Design Guide, Guidelines for Design Against Crime)
- Centres Plans
- Advocacy (National Guidelines for Crime Prevention Through Environmental Design in NZ)
- Operational activities (City safety initiatives)
- Implementing the Urban Development Strategy, 2006
- Liaising with NZ Police

The promotion of a safe and healthy city is being implemented through a broad range of Council actions, including District Plan rules.

Council uses a range of other mechanisms and general bylaws to promote the health and safety of Wellington’s communities. Some involve physical actions, whereas others centre on providing information.

Urban design measures can minimise or reduce threats to personal safety and security. Guidelines for crime prevention through environmental design are used by Council to promote the development of a safe city.

The environmental result will be Business Areas that provide for the health and safety of people by controlling the adverse effects of activities.

OBJECTIVE – BUILDING EFFICIENCY AND SUSTAINABILITY**33.2.5 To promote energy efficiency and environmental sustainability in new building design.****POLICIES**

To achieve this objective, Council will:

33.2.5.1 Promote a sustainable built environment in Business Areas, involving the efficient end use of energy and other natural and physical resources and the use of renewable energy, especially in the design and use of new buildings and structures.

33.2.5.2 Ensure all new buildings provide appropriate levels of natural light to occupied spaces within the building.

METHODS

- Other mechanisms (Advocacy of Environmentally Sustainable Design principles, Education)
- Design Guides

New buildings works are users of natural and physical resources that can have adverse effects on the environment (including cumulative effects) for example, through high rates of water use or electricity consumption. Opportunities to incorporate sustainable building design features and to use sustainable building methods will be encouraged to minimise potential adverse environmental effects. A development that proposes an environmentally sustainable designed building will be viewed as having a positive effect of the proposal on the environment.

Because sustainable building design involves the site-specific context and function of the building, the options for taking up different design features and methods will vary from case to case. With respect to Business Areas this may be in the form of new development incorporating sustainable and energy efficient building design principles, and the use of renewable energy sources for space and water heating, and electricity generation. This may involve more simple energy efficiency design principles such as correct building orientation to the sun, to assist in passive solar heating, cooling and natural lighting. Many of these activities may not require resource consent, but the Council recognises its responsibility in terms of being a role model and advocate to encourage the use of renewable energy and energy efficiency.

Ongoing developments in the technology and information about sustainable building design mean that options for this type of approach are likely to evolve over the life of the Plan. Accordingly, the Council will look to other research and industry organisations for guidance on the latest technology, methods and tools to achieve environmentally sustainable buildings.

Making provision for natural light to all habitable and high use areas of new buildings will help to reduce the on-going energy requirements of new buildings as well as provide more comfortable living environments for occupants.

Many matters relating to sustainable building design are addressed by the minimum standards outlined in the Building Act 2004 (specifically the Building Code). However, where it is practicable, sustainable building design and associated methods that go beyond the minimum standards of the Building Code will be promoted.

The environmental result will be greater use of natural light as an energy source for providing light to high use and habitable spaces within buildings. The environmental result will also be greater uptake of environmentally sustainable building design of buildings within the Business Areas.

OBJECTIVE – ACCESS AND TRANSPORT

33.2.6 To maintain an efficient and sustainable transport network that enables the provision of convenient and safe access for people and goods to and within Business Areas.

POLICIES

To achieve this objective, Council will:

Multiple transport modes

33.2.6.1 Ensure that activities and developments are designed to be accessible by multiple transport modes.

METHODS

- Planning Maps
- Rules

- Master Plans, Structure Plans and Concept Plans
- Urban Development Strategy & Growth Spine concept (including Transport and Infrastructure Delivery Projects)
- National standard access design criteria including NZS 4121:2001 (or its successor)
- Operational activities (WCC Transport Strategy, Walking and Cycling Plans)
- WCC Centres Policy
- Annual Plan
- Long Term Council Community Plan
- Advocacy (Council Social Policy)
- WRC operational activities for the proposed Takapu Island park and ride facility
- Other mechanisms (Regional Land Transport Strategy)

As Wellington continues to grow, there is likely to be increasing pressure on the City to accommodate larger numbers of people travelling to and within the urban environment. This produces a complex pattern of journeys and places considerable pressure on the road and public transport infrastructure.

While car-based traffic is likely to remain as the predominant transport choice, it can have adverse effects on people's health, on the urban character of Wellington and the economic performance of business areas. These include:

- *road safety problems for residents, drivers and other road users;*
- *the effects on health of vehicle emissions and traffic noise;*
- *road safety problems for residents, drivers and other road users; deterioration in the environment of residential areas and Centres brought about by excessive traffic speeds and use by non-local traffic;*
- *restrictions on the movement of pedestrians, cyclists and people with special mobility needs, as well as severance of local communities, through the presence of roads and heavy traffic;*
- *congestion, resulting in less convenience for people making local trips, by bus and by car;*
- *heavy demand for kerbside parking and loading space leading to 'saturated' parking conditions, with vehicles circulating looking for space.*

For these reasons, Council considers it essential that management of traffic for new activities and development is treated comprehensively, taking account of all road users.

One way in which Council can improve transportation options around the City is through land use planning which carefully considers types of transport modes available in the area, as well as the location and scale of activities and development, parking control and the promotion of environmentally-friendly modes of travel and movement. By supporting this position, improved transportation options can:

- *help reduce traffic congestion, facility costs, road risk, environmental impacts and consumer costs;*
- *provide consumer sovereignty by enabling them to choose the most efficient option for each trip;*
- *help break down personal and economic limitations for people who are physically, economically or socially disadvantaged;*
- *create a more livable City by improving the walking and cycling environment;*
- *create public health benefits from increased walking and cycling; and*

- *help develop a diverse and flexible transportation system that can accommodate variable and unpredictable conditions. Even people who do not currently use a particular form of transport may value its availability as a form of insurance to accommodate future needs.*

Improved transportation modes can give people better options for where they live and work. For example, many people want to continue living in their community as they become older, rather than moving to a specialised retirement community. For this to be possible, the City must provide transportation services for people with various needs and abilities, including good walking facilities, support for mobility aids and wheelchairs, and special mobility services. Similarly, lower-income workers, and families with children, have special needs that require a diverse transportation system and accessible land use patterns.

With this in mind, Council will negotiate improvements to bus and rail services and to pedestrian and cyclist facilities for new activities and developments through the resource consent process.

However, in doing so, the Council recognises that many of the solutions to Wellington's traffic and public transport problems do not lie wholly within its control. The City's transportation system is shaped by the actions of many authorities or organisations, including Greater Wellington Regional Council, the New Zealand Transport Agency and companies involved in the movement of people and freight on land, sea or air. Where there are opportunities for input, Council will advocate for improved accessibility. Council will continue to work closely with Greater Wellington Regional Council and the New Zealand Transport Agency on transportation matters and the District Plan will remain consistent with the Regional Policy Statement, the Regional Land Transport Strategy and relevant plans.

The environmental result will be better access for people and goods in Business Areas.

Managing adverse effects

33.2.6.2 Ensure that the location and design of activities and developments that generate significant levels of traffic or increase demand for parking are accessible by multiple transport modes and do not result in:

- **a significant increase in traffic that would be incompatible with the capacity of adjoining roads and their function in the road hierarchy, or would lead to unacceptable congestion; or**
- **an on-street parking demand that extends into Residential Areas and/or leads to unsatisfactory parking arrangements; or**
- **the creation of an unacceptable road safety risk.**

METHODS

- Rules
- National standard access design criteria including NZS 4121:2001 (or its successor)
- Other mechanisms (Regional Land Transport Strategy)
- Operational activities (WCC Transport Strategy, Walking and Cycling Plans, parking management and enforcement)
- Advocacy (Council Social Policy)
- Other mechanisms (WCC Bylaws and Traffic Regulation Orders)

Council acknowledges that many business activities involve the movement of goods and that these need to be located near, or on major roading networks. Such

locations offer proximity to the business and population centres in the region and access to the airport and port which provide for national and international distribution. Generally, activities involving the large side movement of goods when located on such networks will not create significant increases in traffic congestion.

However, some land uses, notably large format retailing and larger employment activities, can place considerable pressure on the road network both within the immediate vicinity and further afield. Similarly, over time a collection of co-located activities may have a cumulative effect on traffic generation and the road network – particularly adjacent residential areas. This can cause considerable inconvenience to local residents and result in a loss of residential amenity and character. The Council will therefore carefully consider large-scale businesses, large format retailing, and leisure developments in Business Areas and take into account their proximity to regular and frequent public transport facilities and their impact on the road network and surrounding neighbourhoods.

To reduce these problems and general street congestion, the Council will require larger developments and activities in Business Areas which have the potential to generate high trip numbers or large car parking requirements to provide a traffic impact assessment. This will enable Council to consider the appropriateness of the parking provision, balancing the desire for activities to be self-sufficient with the need to reduce traffic generation and encourage the use of alternative transport modes.

The Council will encourage the use of company/organisation and school travel plans for certain activities. The travel plan may include measures such as car sharing, changing working habits and facilities for cyclists.

Residential developments in Business 1 Areas are not specifically required to provide on-site car parking, as in most cases it is likely that the market will ensure the provision of parking. The principal reasoning behind this relates to developing high quality compact urban form and encouraging public transport use and allowing adaptive re-use of existing buildings. Urban design considerations such as visual streetscape appearance and architectural or historic interest may also be important reasons for not requiring on-site car parking. However, when considering larger scale residential developments in Business 1 Areas, Council will ensure that such developments do not generate unacceptable levels of on-street parking demand or exacerbate existing problems in surrounding residential streets. Council will also consider streetscape values as a result of vehicle dominance, loss of street trees or pedestrian safety.

Roading hierarchy

33.2.6.3 Support and maintain the defined road hierarchy as identified on District Planning Map 33.

METHOD

- Rules

The road hierarchy classifies roads according to their function and the various pressures such as traffic volume, peak flows and access. The hierarchy includes State highways 1 and 2 which provide a key transport corridor stretching from the northern edges of the city through to Wellington Airport. Most Business Areas are located on main arterial routes or principal streets, with many areas experiencing pressure, especially in peak traffic times. The road hierarchy is a resource management tool to assist with the sustainable management of roading infrastructure.

High traffic generating developments may be required to include an assessment of effects at the site access points, on the adjoining streets, and the associated

intersections with the arterial or principal road network. Beyond these, Council will generally be responsible for maintaining an appropriate level of service in conjunction with its partners the New Zealand Transport Agency and Greater Wellington Regional Council.

Pedestrian access and accessibility for people with restricted mobility

33.2.6.4 Maintain or enhance safe, convenient and easily legible pedestrian access to buildings.

33.2.6.5 Encourage buildings and spaces to have a high level of accessibility, particularly for people with restricted mobility.

METHODS

- Rules
- National standard access design criteria, including NZS 4121: 2001 (or its successor)
- Other mechanisms (Advocacy)
- Operational activities (urban design strategies)
- Design Guides

Public spaces and amenities should have adequate access, particularly for older people and all others with restricted mobility.

Enhancing accessibility to buildings is an important aspect of the public environment of Business Areas, so Council will advocate improved provision for older people and all others with mobility restrictions in new buildings and in the refurbishment of those existing buildings which do not provide equitable access in terms of current Building Code requirements.

Site layout of developments, including parking areas, in some cases will be assessed for access options. Developments that do not provide a sufficient degree of access have the potential to cause confusion or an unsafe environment for pedestrians and should be avoided. When appropriate, Council will advocate for pedestrian priority facilities such as kerbs and raised footpaths which will help with site legibility. Likewise, where vehicle use is low, shared surfaces may be acceptable. Where necessary, heavy trade vehicles may need to be separated from pedestrians.

Council aims to protect and enhance existing access and to seek new access opportunities. Ensuring that the City's public spaces are accessible to all persons within the community will enhance the quality of the environment and promote equity in the enjoyment of amenity values.

Servicing and site access

33.2.6.6 Require the provision of appropriate servicing and site access for activities in Business Areas.

METHODS

- Rules
- National standard access design criteria, including NZS 4121: 2001 (or its successor)
- Operational Activities (WCC Transport Strategy, Walking and Cycling Plans)
- Other mechanisms (WCC Bylaws and Traffic Regulation Orders)

Well-designed on-site loading and safe access to sites is required to help prevent traffic congestion or conflict between street users. Providing space for vehicles to service sites off the street, and ensuring that all vehicles enter or leave a site in a safe and efficient manner, will help keep traffic flowing smoothly and enable pedestrians to move around more easily. Where significant disruption would occur because of the nature of the traffic or pedestrian environment, access may be restricted. In addition, where any road has been declared to be a limited access road, access to that road shall be subject to the requirements of the New Zealand Transport Agency.

Servicing and site access provisions aim to assist efficient, convenient and safe vehicular access in Business Areas. However, demands of particular developments may justify variations from these standards.

When assessing resource consent applications where the standards relating to parking, service and access cannot be met, Council will consider:

- *whether the activities undertaken or proposed on the site will not generate a demand for the required servicing facilities or require compliance with the site access provisions.*
- *the extent to which topography, size or shape of the site, the location of any natural or built features on the site, or other requirements such as easements, rights-of-way or restrictive covenants impose constraints that make compliance impracticable.*
- *whether suitable alternative provision for servicing or site access can be made.*
- *the extent to which the standards for servicing or site access can be varied without endangering public safety, or the amenities of any shopping street.*

The environmental results will be improved access to streets within Business Areas.

OBJECTIVE – SIGNS

33.2.7 To achieve signage that is well integrated with, and sensitive to, the receiving environment and that maintains public safety.

POLICIES

To achieve this objective, Council will:

33.2.7.1 Manage the design of signs (and their associated structures and fixings) to enhance the quality of signage within Business Areas.

METHOD

- Design Guides (Business Area Design Guide, Design Guide for Signs)

The scale, intensity, placement, type and style of signage can be done in a way that enhances the host building, site and surrounds. Providing guidance assists people to design and assess sign proposals in a way that enhances the amenity of Business Areas and nearby Residential Areas.

The environmental result will be high quality signage that contributes to the amenity of the Business Areas and adjoining zones.

33.2.7.2 Manage the scale, intensity and placement of signs to:

- maintain and enhance the visual amenity of the host building or site, and
- be of a form and scale appropriate to viewer distance and viewing speed
- reduce visual clutter and viewer confusion
- ensure public safety, **including road safety.**

33.2.7.3 Ensure signs in Business Areas do not adversely affect the architectural integrity of the building on which the sign is located.**METHODS**

- Rules
- Design Guides
- Other mechanisms (WCC Bylaws, Encroachment Licenses, Pavement Licences, Building Act, Advertising Standards Authority)

Signs of all types are an established part of the environment of Business Areas. The Council recognises that signs do play a role in helping people understand the goods and services on offer and with orientation. However, the scale, number, illumination, motion and placement of signs are all matters that need to be managed to avoid adverse effects. The Council considers it important to control signs and advertisements. If there is no control over size, design and siting, they may create adverse effects to the amenity, character and appearance of buildings and streets and add clutter and visual confusion to the street scene.

The maintenance of public safety is also important. Because of this, illuminated, animated and flashing signs are controlled to avoid conflict with traffic safety.

As there are pressures to erect signs (especially third party signs) on highly visible sites, particularly those on busy traffic routes such as the state highway, the size and number of signs has been limited to prevent clutter and to preserve the appearance of the City. In particular, third party (billboard) signage is often larger and more visually dominant when compared with signage associated with a specific activity. Third party signage therefore requires special consideration to ensure that it does not detract from the streetscape of the area. Any applications for third party signage will be assessed against the content of the Design Guide for Signs.

Signs affixed to buildings can detract from the way in which people understand the design, role and architectural intent of buildings. Both the Business Design Guide and the Design Guide for Signs, and specific rules seek to ensure the architectural integrity of buildings is not compromised.

When assessing sign proposals that do not comply with the District Plan standards Council will consider:

- *whether the sign is in scale and compatible with the visual amenity of the area in which it is situated;*
- *whether an additional sign will result in visual clutter;*
- *whether the size, number, placement, illumination or movement of the sign/s or sign display will compromise traffic or pedestrian safety;*
- *whether the sign detracts from the architectural integrity of the building on which the sign is located;*
- *whether in respect of freestanding signs they form part of a landscape plan for an area or are designed to screen unsightly sites, activities or buildings;*
- *whether signs are of a scale appropriate to the position of the site in relation to the road hierarchy;*

- whether the sign is obtrusively visible from any Residential Area or public space;
- whether the sign is appropriate for site identification and traffic directional purposes.

The environmental result will be signage within Business Areas that respects the visual amenity of the host building or site, and do not compromise public safety.

33.2.7.4 Ensure that signs contribute positively to the visual amenity of the building neighbourhood and cityscape.

METHODS

- Rules
- Design Guides
- Other mechanisms (WCC Bylaws, Encroachment Licenses, Building Act, Advertising Standards Authority)

Particularly in Business 1 Areas, signs above ground floor are generally more visible and may adversely affect the visual quality of buildings and the surrounding neighbourhood. Above ground floor level, signs can have a wider impact, particularly on surrounding Residential Areas, so their size has been limited. At the wider spatial scale signs are a useful element for way-finding in the city. However, some signs can detract from the way people understand a building's function, ~~or~~ the types of activities associated with a building's use or the visual amenity of the road and state highway network.

The signage provisions provide significant flexibility to respond to the varied nature of activities in Business Areas and their differing signage requirements and as a result do not limit the number of signs permitted on a site. However, in providing this flexibility, Council wishes to ensure that this flexibility is not abused. Council does not accept that making provision for multiple signs should be used as an argument to enable larger, more intrusive signage. Council will not apply a permitted baseline assessment (i.e. a comparison of the proposed sign against a hypothetical signage scenario that complies with the signage standards outlined in the Plan).

This is particularly relevant when assessing third party (billboard) signage. Third party signage is often larger and more visually dominant than signage associated with a specific activity. Third party signage has therefore been restricted to ensure that it does not detract from the streetscape values, traffic safety and other special characteristics of Business Areas.

In addition to assessment matters identified in the above policies, for applications not complying with sign standards in the District Plan, consideration will be given to whether the sign display detracts from the cityscape or building neighbourhood at first floor level and above when viewed from long distances. This is particularly important when considering the appropriateness of third party signage.

The environmental result will be signage that is in context with the host building and its collective building environment.

33.2.7.5 Ensure that signs in Business Areas do not adversely affect the amenities of nearby Residential Areas.

METHODS

- Rules
- Design Guides

- Other mechanisms (WCC Bylaws, Encroachment Licenses, Building Act, Advertising Standards Authority)

Because illuminated or flashing signs can detract from the amenities of adjacent areas, controls have been imposed on their effects.

Council believes that in cities, more sensitive receiving environments cannot always expect the complete exclusion of signs from view and that a balance must exist between providing reasonable protection from annoying signs and encouraging signs as a desirable townscape element. Signs that are obtrusively visible from more sensitive receiving environments such as Residential Areas can be a source of annoyance, and the adverse effects on these areas need to be controlled.

The environmental result will be signage that does not form an obtrusive element in the cityscape and adversely affect the amenity of nearby Centres and Residential Areas.

OBJECTIVE – SUBDIVISION

33.2.8 To ensure that the adverse effects of new subdivisions are avoided, remedied or mitigated.

POLICIES

To achieve this objective, Council will:

33.2.8.1 Ensure the sound design, development and appropriate servicing of all subdivisions.

METHODS

- Rules (Code of Practice for Land Development)
- Design Guides
- Master plans, structure plans, concept plans
- National standard access design criteria, including NZS 4121: 2001 (or its successor)
- Operational Activities (WCC Transport Strategy, Walking and Cycling Plans)
- Other mechanisms (WCC Bylaws and Traffic Regulation Orders)

Council seeks to ensure that all new subdivisions are developed to high standards, and has imposed controls to encourage their sound design, development and servicing. New sites in Business Areas should be suitable for their intended use and appropriate site arrangements established at the time of subdivision. In particular, continued access to off street loading facilities is to be safeguarded together with the efficient arrangement of units.

Applicants are reminded of the need for proposed subdivisions to comply with the City Bylaws. In addition, where private infrastructure is proposed to be vested in the Council or where private stormwater, water and sewerage lines are connected or proposed to be connected to public infrastructure, applicants will need to liaise with the Council concerning the requirements set out in the Council's Code of Practice for Land Development so that the Council will either accept the vesting of such infrastructure or will authorise connection or continued connection to public infrastructure. Refer to Section 3.2.3 of the Plan.

Matters to consider in assessing all applications for subdivision include:

- *the requirements of Section 106 of the Act;*

- *the extent of compliance with the relevant parts of the Subdivision Design Guide, City Bylaws and Council’s Code of Practice for Land Development;*
- *the Business Area Design Guide;*
- *whether proposed allotments are capable of accommodating development that complies with the standards in the District Plan for activities and for buildings and structures;*
- *the extent to which any subdivision within 32 metres of a high voltage transmission line (measured from the centreline at ground level) would:*
 - *impact on the ability of the transmission line owner to operate, maintain and upgrade the high voltage transmission network*
 - *compromise the structural integrity of the transmission line*
 - *create a risk of electrical hazards due to the mature height of any associated vegetation, including within any landscaped areas*
 - *result in exposure to electromagnetic fields, and the degree to which these can be avoided, remedied or mitigated*
 - *comply with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34: 2001, the Electricity (Hazards from Trees) Regulations 2003, and Transpower’s Corridor Management Policy.*

Matters to consider in assessing applications for subdivision for company lease, cross lease and unit title, include:

- *the need to ensure permanent site access and continued provision for on site loading and unloading facilities;*
- *the current and future allocation of subdivisional areas to achieve the efficient use of land and buildings.*

Matters to consider in assessing all applications for subdivisions adjoining the coast and waterbodies include:

- *the extent to which the coast's natural and physical character is maintained or enhanced;*
- *the provision of public access to, and along, the coast and waterbodies;*
- *whether esplanade land is required to be set aside as part of the subdivision. Esplanade land to a maximum of 20 metres is required as a part of subdivision on the following waterbodies or the coastal marine area where they meet the criteria specified within the Resource Management Act:*
 - *all parts of the Wellington Coast*
 - *Porirua Stream and tributaries*
 - *Kaiwharawhara Stream and tributaries.*

A reduction in the width of land required and the appropriate type of land tenure will be assessed as part of the subdivision application. The need for esplanade land will be assessed against the following criteria and whether the land:

- *holds conservation or ecological values;*
- *is necessary to provide or maintain access to the coast or waterbodies for recreational purposes;*
- *is necessary to maintain or enhance conservation or ecological values of the adjacent land, water or the water quality of the sea or waterbodies;*
- *is necessary to provide or maintain public access, both present and future, along the coast or waterbodies;*
- *is necessary to maintain or enhance other natural values of the esplanade land.*

The requirement to provide 20 metres of esplanade land may be waived totally where the land will not:

- contribute to the protection of conservation values;
- enable public access along or to waterbodies or the Coastal Marine Area; or
- enable public recreational use of esplanade land, waterbodies or the coastal marine area.

Where there is no necessity for Council to own esplanade land to achieve the above outcomes, esplanade strips will be considered as mechanisms to ensure access or the maintenance of natural values.

Esplanade land may also be considered for financial contributions where esplanade reserves or strips are not deemed to be necessary. With regard to esplanade land, section 345(3) of the Local Government Act 1974 also applies.

The environmental result will be the development of well-designed and properly serviced subdivisions in Business Areas.

OBJECTIVE – NATIONAL GRID

33.2.9 Manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading and development of the electricity transmission network is not compromised.

POLICIES

To achieve this objective, Council will:

- 33.2.9.1 Restrict the location of buildings and structures near high voltage transmission lines.**
- 33.2.9.2 Discourage the establishment of vegetation near high voltage transmission lines, where the mature height of the vegetation would encroach into the growth limit zone for the line.**
- 33.2.9.3 Reduce the potential risks associated with high voltage transmission lines by encouraging the location of these away from urban areas and by restricting the location of development near such lines.**

METHODS

- Rules
- Advocacy

The efficient transmission of electricity on the national grid plays a vital role in the well-being of New Zealand, its people and the environment. Transporting electricity efficiently over long distances requires support structures (towers or poles), conductors, wires and cables, and sub-stations and switching stations. The operation, maintenance and future development of the transmission network can be significantly constrained by the adverse environmental impact of third party activities and development near the national grid.

In Wellington, parts of the national grid pass over established Business Areas. In these areas Council will seek to ensure that any new buildings and structures that are located near a high voltage transmission line (measured from the centreline at ground level) do not compromise the ongoing operation, maintenance, upgrading

and development of the National Grid.

High voltage transmission lines can also generate potential adverse effects for surrounding land uses. In addition to wind noise and corona discharge noise, high voltage transmission lines generate potentially hazardous electromagnetic fields. In accordance with Policy 9 of the National Policy Statement on Electricity Transmission 2008 (NPSET), these are controlled by reference to the International Commission on Non-ionising Radiation Protection (ICNIRP) Guidelines.

In Business Areas any new buildings and structures, (including additions but excluding structures less than 2 metres in height) must be located further than 32 metres from high voltage transmission lines as defined on the Planning Maps. This is in recognition that development in close proximity to lines may result in increased risk to public health and safety (e.g. risk of electrocution) and may restrict the ongoing operation and maintenance of lines.

While the District Plan does not control vegetation planting, it will consider whether any planting or landscaping associated with a proposal within the transmission corridor, could potentially affect the transmission lines.

Matters to consider when assessing an application to build within close proximity to a high voltage transmission line include:

- the extent that the work would impact on the ability of the transmission line owner to operate, maintain and upgrade the high voltage transmission network;
- the extent that the work would compromise the structural integrity of the transmission line;
- the risk of electrical hazards due to the mature height of any associated vegetation, including within any landscaped areas;
- the extent to which exposure to electromagnetic fields can be avoided, remedied or mitigated;
- whether the proposed works are in compliance with the New Zealand Electrical Code of Practice for Electrical Safe Distances 34: 2001, the Electricity (Hazards from Trees) Regulations 2003, and Transpower's Corridor Management Policy.

Through the utility provisions of the Plan, Council will also encourage the location of new transmission lines away from areas where people live and work.

The environmental results will be the protection of the existing transmission assets and the minimisation of possible hazards to people from the effects of high voltage transmission lines.

OBJECTIVE – COASTAL ENVIRONMENT

33.2.10 To maintain and enhance access to, and the quality of the coastal environment within and adjoining Business Areas.

POLICIES

To achieve this objective, Council will:

- 33.2.10.1 Maintain the public's ability to use and enjoy the coastal environment by requiring that, except in the Operational Port Areas, public access to and along the coastal marine area is maintained, and enhanced where appropriate and practicable.**

33.2.10.2 Ensure that any developments near the coastal marine area are designed to maintain and enhance the character of the coastal environment and waterbodies.

33.2.10.3 To recognise the special relationship of the port to the coastal marine area through identification of the Operational Port Area.

METHODS

- Rules
- Design Guides, eg Shelly Bay
- Advocacy
- Other mechanisms (New Zealand Coastal Policy Statement, Regional Coastal Plan)

The coastal environment is an important asset for Wellington, and Council is concerned that its qualities and character are not lost through inappropriate activities or development. Council aims to maintain and enhance the character and public amenity of the coastal environment by means of rules and strategies.

Additional provisions cover re/development of site which may affect the coastal environment. These rules include limiting the scale and intensity of developments and the control of potential adverse effects, particularly in relation to Greta Point and Shelly Bay.

Maintaining and enhancing public access to and along the coast is an important issue. There are occasions when public access will not be appropriate or practicable. “Appropriate and practicable” means:

“Public access may not be appropriate where it is necessary to protect any Area of Significant Conservation Value, Area of Important Conservation Value, sites of significance to tangata whenua, public health or for safety, animal health, security, defence purposes, or quarantine facilities. In other cases, particularly along sections of coastal cliff, access along the foreshore may not be practicable. Practicable includes recognition of both technical and financial constraints.” (Coastal Plan for the Wellington Region - Explanation to policy 4.2.17).

Within the Operational Port Areas access is to be restricted. In this area, safety, security and operational requirements, as well as the existence of wharves below mean high water springs, means that esplanade land is not required. This exception only applies where the land is utilised for operational port purposes.

The environmental results will be the maintenance and enhancement of the coastal environment where it is within and adjoining Business Areas.

OBJECTIVE – NATURAL AND TECHNOLOGICAL HAZARDS

33.2.11 To avoid or mitigate the adverse effects of natural and technological hazards on people, property and the environment.

POLICIES

To achieve this objective, Council will:

33.2.11.1 Identify those hazards that pose a significant threat to Wellington, to ensure that areas of significant potential hazard are not occupied or developed for vulnerable uses or activities.

33.2.11.2 In relation to the Wellington Fault line, discourage the location of new structures and buildings within the ‘Hazard (Fault Line) Area’.

METHOD

- Rules

Natural and technological hazards pose a threat to health and safety throughout the City. It is therefore necessary to identify the hazards and risks that people face by living in Wellington.

[Council's hazard management involves four phases – mitigation, preparedness, response and recovery. Mitigation is addressed through a combination of land use management within the District Plan and Building Act controls. Control can be exercised over some hazards to avoid the hazard (such as technological hazards), whereas other hazards such as fault rupture and ground shaking from earthquakes are unavoidable. However, the risk to life from these unavoidable hazards can be reduced with appropriate mitigation measures.

Not everyone is able to respond to an event in the same way. Portions of the population (due to factors such as age, health and income) may be less able to cope with an emergency and are more vulnerable. Certain high-intensity land uses (such as public assembly sites, schools, high rise housing) may also increase the hazard risk.]^{PC22}

Limitations have been imposed on developments in fault zones to reduce development intensity and promote safety. The “fault rupture hazard area” is a narrower zone within the wider Hazard (Fault Line) Area. As the fault is expected to rupture within this narrower zone, it is desirable to avoid locating new structures and buildings in this zone. The Hazard (Fault Line) Area extends beyond the fault rupture hazard zone because of inherent uncertainties associated with fault rupture. The Hazard (Fault Line) Areas are shown on the Planning Maps. Engineering measures should also be applied to buildings in this wider hazard area to reduce the effects of a fault rupture.

When assessing applications for the construction, alteration or addition to buildings or structures exceeding a gross floor area of 30m² within a Hazard (Fault Line) Area, Council will consider:

- *the extent to which a geotechnical report and an engineering design report shows that the risk of building failure following a fault rupture can be reduced to minimise the effects of fault rupture on the safety of occupiers and neighbours.*

The provision of site-specific geotechnical and engineering design reports carried out by experts will assist the Council to assess the adverse effects arising from the fault rupture hazard for the development site and how those effects can be minimised.]^{PC22}

In considering applications for resource consent within hazard areas, the applicant will need to demonstrate that the particular site or location for the facility is necessary for the safe and efficient functioning of the city and/or that the structure will perform safely under hazard conditions.

The environmental results will be a reduction in the adverse effects of hazard events, and a reduction in risk to people from natural or technological hazards to an acceptable level.

33.2.11.3 Ensure that the adverse effects of hazards on critical facilities and lifelines are avoided, remedied or mitigated.

METHODS

Refer to Rule 3.2.2.13 for information on geotechnical and engineering design reports

- Rules
- Advocacy

The services people depend on to help them cope with emergencies include the fire, police, ambulance and civil defence organisations as well as other volunteer services. People also rely on other services, such as communications, transport routes, electricity, gas and water, to cope after the event. These essential services are known as lifelines. For these reasons, Council considers it essential to encourage all critical facilities and lifelines to be located in secure areas so as to minimise the risks from ground shaking, fault rupturing and inundation.

The environmental result will be the establishment of critical facilities in locations that avoid, remedy or mitigate the risks from hazards.

33.2.11.4 Ensure that the adverse effects on the natural environment arising from a hazard event are avoided, remedied or mitigated.

METHODS

- Rules
- Advocacy
- Operational mechanisms (WCC enforcement of the Building Act and as a Civic Defence authority)

Planning to cope with the after-effects of a hazard event must include considering contamination of ground water from ruptured pipelines and storage tanks. Some activities may also affect the natural environment under emergency conditions. For these reasons relevant rules have been included in the Plan.

The environmental result will be the better protection of the natural environment from hazard events.

33.2.11.5 Ensure that buildings and structures do not exacerbate natural hazards, particularly flood events, or cause adverse impacts on natural coastal processes.

METHOD

- Rules

Flooding problems exist in the Porirua Stream catchment is subject to flood events which can range in severity from small annual events to much larger ones. The Porirua, Takapu and Stebbings Stream form part of a wider flood protection network that includes dams and culverts in Churton Park, Takapu and Seton Nossitor Park. This is managed and maintained by Wellington Regional Council. To protect the safety of building occupants, the Council will generally require that building floor levels are above the predicted flood levels for the 1 in 100 year flood event. The detail of flood depths for land within the Tawa Hazard (Flooding) Area is held by Wellington City Council. These depths are based on the best information available to the Council and vary with the topography of the area. The Porirua Stream flood hazard information will be reviewed and updated by the Greater Wellington Regional Council on a periodic basis.

Development involving buildings and structures will be controlled to ensure that they do not increase the risk of flooding by blocking flood water flow paths and culverts, and diverting flood waters to other sites. Council is particularly concerned that buildings within 10 metres of the Porirua Stream could impede the flow of flood waters and increase the risk of flooding to other properties. in the respective catchments. Buildings and structures located within 10 metres of the Porirua

~~Stream, and with a floor level below the 1 in 100 year flood event in this situation have therefore been made a Discretionary Activity (Unrestricted) to ensure that the effects of such development are fully considered.~~

The land adjacent to the Takapu Stream, and identified on the District Plan Maps as the Takapu Hazard (Flooding) Area, is also prone to inundation during periods of high rainfall. To protect the safety of building occupants, the Council will generally require that floor levels are above the predicted flood levels. Buildings or structures must ensure that the flood hazard is not worsened and that works do not cause or increase erosion or inundation of buildings or sites.

Flood water detention volumes should not be reduced by future development and Council will consider whether any new development should provide on site compensatory flood water storage capacity.

In assessing an application for a resource consent relating to proposed activities or the construction of buildings within the Tawa or Takapu Hazard (Flooding) Areas, the following matters will be considered:

- whether the size or siting of the building or structure will impede the flow of flood waters;
- whether the building or structure or associated works will accelerate, worsen or result in the erosion or inundation of the site, or any other site or building;
- whether the potential threat to the health and safety of people, property or the environment from flooding is avoided, remedied or mitigated;
- the effect of the building or structure or associated works on the flood hazard;
- whether any additional flood detention area can be provided on site to mitigate any reduction in the total detention volume for flood waters from the building or associated works;
- the extent that the associated structures will be designed to use ‘soft engineering’ practices, which are visually unobtrusive and minimise or enhance the ecology of the stream and the flood-prone area.

Natural hazards, such as tsunamis, coastal erosion and inundation, are a serious concern in the coastal environment. As such, consideration should be given to these matters when assessing applications for resource consent for development within the coastal environment.

The environmental result will be the minimisation of hazard risks on flood plains, flood prone areas or the coastal environment.

OBJECTIVE – HAZARDOUS SUBSTANCES

33.2.12 To prevent or mitigate any adverse effects of the storage, use, disposal, or transportation of hazardous substances, including waste disposal.

POLICIES

To achieve this objective, Council will:

33.2.12.1 Ensure the environment is safeguarded by managing the storage, use, handling and disposal of hazardous substances.

METHODS

- Rules
- Other mechanisms (Health Act, Hazardous Substances and New Organisms Act 1996 and its Transitional Provisions, Health and Safety in Employment Act, 1992)

Council is concerned that the community and environment should not be exposed to unnecessary risk from hazardous substances. The District Plan aims to control the use of land in order to prevent or mitigate any potential adverse effects of hazardous substances by considering the appropriateness of the site location and other site requirements to minimise the risk of accidental release. Although these are only two facets of hazardous substances management, others are outside the scope of the District Plan.

[The hazardous substance provisions of this Plan work in conjunction with the provisions for hazardous substances under the Hazardous Substance and New Organisms Act 1996. Controls imposed on hazardous substances under the Resource Management Act cannot be less stringent than those set under the Hazardous Substance and New Organisms Act 1996. This requirement is reflected in the rules for hazardous substances in this Plan.]^{PC35}

The Regional Council has developed rules in the Regional Plans to control discharge of hazardous substances to land, air and water.

The Hazardous Facilities Screening Procedure has been incorporated into the District Plan. Uses which have unacceptable potential effects will be located and contained where their potential adverse effects can be prevented or mitigated.

The environmental result will be a safer environment as a result of the safer storage, use and disposal of hazardous substances.

33.2.12.2 Reduce the potential adverse effects of transporting hazardous substances.

METHODS

- Rules (conditions on resource consents)
- Other mechanisms (advocacy and bylaws) [and NZ land transport legislation (including Land Transport Act 1998 and Land Transport Management Act 2005 plus all subsequent amendments, Land Transport Rule: Dangerous Goods 1999 and New Zealand Standard 5433:1999).]^{PC35}
- WasteTRACK database tracing system

Because there is always a risk of an accident, the transportation of hazardous substances potentially has adverse effects on the surrounding locality. Where practicable, transport of hazardous substances to a hazardous facility will be restricted to main arterial routes and avoid peak periods of commuter traffic.

A tracking system (such as WasteTRACK) has a number of benefits, primarily the safer transportation of wastes by approved transport providers to approved disposal facilities. Active monitoring of such waste will help to prevent unauthorised or accidental discharges into the environment.

The environmental result will be safer communities.

33.2.12.3 Control the use of land for end point disposal of waste to ensure the safe disposal of solid and hazardous waste to acceptable standards.

METHODS

- Rules

- Operational activities (Waste Management Strategy)
- Designation
- Other mechanisms (Regional Plans [and Hazardous Substances and New Organisms Act 1996].]^{PC35}, MfE Guidelines)

Unrestricted land disposal of waste by landfilling is increasingly less environmentally acceptable as a method of dealing with the City's waste. For this reason, Council wishes to discourage the proliferation of waste disposal sites.

Council's Waste Management Strategy, which addresses waste disposal in Wellington City, includes guidelines on the environmentally acceptable management of the hazardous wastes produced in Wellington.

The environmental result will be fewer and better-managed waste disposal sites.

33.2.12.4 To require hazardous facilities to be located away from Hazard Areas.

METHOD

- Rules

The likelihood of an accidental release of a hazardous substance is increased during a natural hazard event. For this reason, Council wishes to discourage the development of new hazardous facilities in identified Hazard Areas.

The environmental result will be the minimisation of hazards and risk to the environment and people in Hazard Areas.

33.2.12.5 In assessing an application for a resource consent relating to hazardous substances, the following matters will be considered:

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| <ul style="list-style-type: none"> • <i>site layout, design and management to avoid, remedy or mitigate any adverse effects of the activity;</i> • <i>the adequacy of the design, construction and management of any part of a hazardous facility site where hazardous substances are used for their intended function, stored, manufactured, mixed, packaged, loaded, unloaded or otherwise handled such that:</i> <ul style="list-style-type: none"> • <i>any significant adverse effects of the intended use from occurring outside the intended use, handling or storage area is prevented</i> • <i>the contamination of any land in the event of a spill or other unintentional release of hazardous substances is prevented</i> • <i>the entry or discharge of the hazardous substances into surface or groundwater, the stormwater drainage system or into the sewerage system (unless permitted under a regional plan, resource consent or trade waste permit) is prevented.</i> • <i>necessity for secondary containment of bulk storage vessels;</i> • <i>location of and separation distance between the hazardous facility and residential activities;</i> • <i>location of and separation distance between the hazardous facility and critical facilities and lifelines;</i> • <i>location of the facility in relation to the nearest waterbody or the coastal marine area;</i> • <i>access routes to the facility, location and separation distance between the</i> | <p><i>See Exemptions to the Hazardous Facilities Screening Procedure contained in section 3.5.2</i></p> <p><i>Note, section 3.2.2.9 sets out the information required for a Site Management Plan (or Environmental Management System) to include as part of any resource consent application relating to hazardous substances.</i></p> <p><i>Note, Council will require the design of the site to include measures which will prevent the accidental releases of any hazardous substances into the environment.</i></p> |
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facility and sensitive activities and uses, sensitive environments and areas of high population density;

- *transport of hazardous substances to and from the site, including the tracking of waste where it is disposed off-site;*
- *existing and proposed (if any currently under consideration by Council) neighbouring uses;*
- *potential cumulative hazards presented in conjunction with nearby facilities;*
- *potential for contamination of the surroundings of the site and sensitivity of the surrounding environment;*
- *fire safety and fire water management;*
- *site drainage and utility infrastructure;*
- *whether the site has adequate signage to indicate the presence of hazardous substances;*
- *whether adequate arrangement has been made for the environmentally safe disposal of any hazardous substance or hazardous wastes generated, including whether off-site disposal is a more appropriate solution, including whether off-site disposal is a more appropriate solution;*
- *whether the site design has been subject to risk analysis, such as Hazop (Hazard and Operabilities Studies), to identify the potential hazards, failure modes and exposure pathways;*
- *where the hazardous facility is located within a Hazard Area, any additional requirements to mitigate the potential effect of a natural hazard event;*
- *type and nature of the existing facility;*
- *whether appropriate contingency measures and emergency plans are in place;*
- *whether the facility complies with the provisions of the Hazardous Substances and New Organisms Act 1996, and whether more stringent controls are required to take account of site-specific conditions.*

OBJECTIVE – TANGATA WHENUA

33.2.13 To facilitate and enable the exercise of tino rangatiratanga and kaitiakitanga by Wellington's tangata whenua and other Maori.

Maori concepts present a different view for the management of the City's natural and physical resources. In particular, kaitiakitanga is a specific concept of resource management. By acknowledging ancestral relationships with the land and natural world, a basis can be constructed for addressing modern forms of cultural activities.

POLICIES

To achieve this objective, Council will:

- 32.2.13.1 Identify, define and protect sites and precincts of significance to tangata whenua and other Maori using methods acceptable to** *Refer to Chapter 21*

tangata whenua and other Maori.**METHODS**

- Rules
- Information

Particular features of the natural and cultural landscape hold significance to tangata whenua and other Maori. The identification of specific sites (such as waahi tapu/sacred sites and waahi tupuna/ancestral sites) and precincts will ensure that this significance is respected. For this reason, sites of significance and precincts are listed and mapped within the Plan.

The environmental result will be that such sites and precincts are identified and protected from inappropriate development.

32.2.13.2 Enable a wide range of activities that fulfil the needs and wishes of tangata whenua and other Maori, provided that the physical and environmental conditions specified in the Plan are met.

METHOD

- Rules

The Business Areas provisions facilitate a wide range of activities, including marae and papakainga/group housing and kohanga reo/language nests. The performance standards for Business Areas are not intended to act as barriers to the establishment of such uses.

The environmental result of the implementation of this policy will be that such uses establish where there is a need.

32.2.13.3 In considering resource consents, Council will take into account the principles of Te Tiriti o Waitangi/the Treaty of Waitangi.

METHOD

- Rules (condition on resource consent, consultation)

The principles that underlie the Treaty provide a basis for the management of natural and physical resources. The principles include having regard to consultation, partnership and a shared responsibility for decision-making. For this reason, rules have been included in the Plan requiring consultation in specific situations.

The environmental result will be that appropriate developments respect the existence of Maori cultural values.