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## AMENDMENT TO TERMS OF REFERENCE AND DELEGATIONS

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### Purpose

1. The purpose of the report is to amend the Terms of Reference and Delegations for the Environment Committee and Council to give effect to the enactment of the Wellington Town Belt Act 2016 (the Act).

### Summary

2. The recent enactment of the Wellington Town Belt Act 2016 imposes responsibilities on the Council and provides the Council with powers, to protect, manage, and enhance the Wellington Town Belt (Town Belt) and recognise the history of the original Town Belt and its significance to mana whenua and the inhabitants of Wellington.
3. As a result, the Act specifies what powers and to whom, the Council can delegate. Under the new Act the Council is no longer able to delegate to a committee of Council (currently the Environment Committee) certain powers listed in recommendation 2 below, e.g. the ability to approve a management plan for the Town Belt.
4. The report also amends the delegations for the Environment Committee. There are no new delegations to the Committee. They are reworded to clarify what the Committee can decide.
5. The Committee will have the ability to make recommendations to the Council on a number of matters as listed under recommendation 3 (3.1 to 3.5 below).
6. The amended terms of reference and delegations are attached.

### Recommendations

That the Council:

1. Receive the information.
2. Agree to amend the Terms of Reference and Delegations to the Council as listed below to give effect to the Wellington Town Belt Act 2016:

#### **Council:**

- 1.2 (n) the power to add land to the Wellington Town Belt under section 21;  
(o) the power to agree compensation under section 23;  
(p) the power to impose charges under section 10;  
(q) the power to adopt, replace, or amend a management plan under section 11;  
(r) the power to grant leases under section 17.
3. Agree to amend the Terms of Reference and Delegations to the Environment Committee as listed below to give effect to the Wellington Town Belt Act 2016:

#### **2.4 Environment Committee**

1. For all Council-owned land that is either open space under District Plan, reserve under the Reserves Act 1977 **(but not including land subject to the Wellington Town Belt Act 2016)**...
2. **For all Council-owned land that is subject to the Wellington Town Belt Act**

**2016, the power to:**

- 2.1 consent to the disposal of a lessee's interest under section 17; or**
- 2.2 grant licenses or consent to the disposal of a licensee's interest under section 17; or**
- 2.3 grant leases and licenses under section 19; or**
- 2.4 grant easements, leases and licenses under section 20.**

**3. Review and recommend to the Council whether it should:**

- 3.1 add land to the Wellington Town Belt under section 21;**
- 3.2 agree compensation under section 23;**
- 3.3 impose charges under section 10;**
- 3.4 adopt, replace, or amend a management plan under section 11;**
- 3.5 grant leases under section 17.**

## **Background**

7. In 2009 the Council commenced a major review of the legislative and policy framework for the Wellington Town Belt. One of the main pieces of work involved the drafting of a local Bill to Parliament sponsored by Wellington Central MP Grant Robertson.
8. The objectives of the Bill were to:
  - Be the principal source of the Council's powers for protecting, managing and enhancing the Wellington Town Belt
  - Provide a transparent statutory basis for the Council's trusteeship and management of the Town Belt
  - Provide a mechanism for land to become part of the Town Belt and a process through the Public Works Act 1981 to remove land in certain circumstances.
9. The draft Wellington Town Belt Bill was approved by the Council on 30 September 2014. The Bill was introduced into Parliament on 7 September 2014 and was finally passed into law on 9 May 2016.
10. The enactment of the Act has removed the Wellington Town Belt from the auspices of the Reserves Act 1977 which outlined the delegations from the Minister of Conservation to approve certain activities and/or processes on the Town Belt land. The new Act specifies what powers and to whom, the Council can delegate (section 15).
11. The terms of reference and delegations to Council need to be amended to ensure they are consistent with the Act.

## **Options**

12. There are two options:
  - a. Option 1 would be to leave the delegations for the Council and the Environment Committee as they currently are. However, this would be contrary to the new Act and could be challenged as not meeting the legislative requirements.
  - b. Option 2 the preferred option, amends the delegations and give effect to the new Act.

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## **Attachments**

Attachment 1. Amendments to Terms of Reference and Delegations

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## **SUPPORTING INFORMATION**

### **Consultation and Engagement**

Consultation occurred through the passage of the Act. No further consultation is required as the Council is giving effect to the Act.

### **Treaty of Waitangi considerations**

The preamble of the Act notes the “significance of some of the land to mana whenua...” and consultation took place in bringing the Act to Parliament

### **Financial implications**

There are no financial implications.

### **Policy implications**

There are no policy implications.

### **Risks / legal**

The Council is required through its terms of reference and delegations to give effect to any legislative changes. This report does that.

### **Climate Change impact and considerations**

There are no climate change considerations needed.

### **Communications Plan**

A media release/communications plan was in place when the Act was passed.



## **1.2. Council**

The following matters cannot be delegated to Committees, Subcommittees, Officers or any other subordinate decision-making body:

- (a) the power to make a rate; or
- (b) the power to make a bylaw; or
- (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the Long-term Plan; or
- (d) the power to adopt a Long-term Plan, Annual Plan, or annual report; or
- (e) the power to appoint a Chief Executive; or
- (f) the power to adopt policies required to be adopted and consulted on under the (Local Government Act 2002) in association with the long-term council community plan or developed for the purpose of the local governance statement; or
- (g) the power to adopt a remuneration and employment policy; or
- (h) the power to approve or change a plan (RMA); or
- (i) the power to approve or amend the Council's Standing Orders; or
- (j) the power to approve or amend the Code of Conduct for elected members; or
- (k) the power to appoint and discharge members of committees or;
- (l) the power to establish a joint committee with another local authority or other public body; or
- (m) the power to make the final decision on a recommendation from the Ombudsman where it is proposed that Council not accept the recommendation.

**The following resolutions relate to the Wellington Town Belt Act 2016**

- (n) the power to add land to the Wellington Town Belt under section 21;**
- (o) the power to agree compensation under section 23;**
- (p) the power to impose charges under section 10;**
- (q) the power to adopt, replace, or amend a management plan under section 11;**
- (r) the power to grant leases under section 17.**

Note: for (a) – (g) see clause 32(1) Schedule 7 Local Government Act 2002 and for (h) - (m) see clauses 15, 27, 30 Schedule 7 of Local Government Act 2002 and section 34A of Resource Management Act 1991

The Council has also decided to retain the following powers:

- (a) to approve Council strategy and policy
- (b) to discharge chairpersons of committees and subcommittees and portfolio leaders;
- (c) to approve Council's recommendation to the Remuneration Authority for the remuneration of elected members;
- (d) to approve the Triennial Agreement;
- (e) to approve the Local Governance Statement;
- (f) to determine whether or how to fill any extraordinary Council vacancies;
- (g) to make decisions on representation reviews;
- (h) to appoint and discharge trustees, directors or office holders to Council's Council-Controlled Organisations (CCOs) and Council Organisations (CO's) and to other external bodies;
- (i) in respect of District Plan decisions:

- to approve the recommendation of hearings commissioners on a proposed plan, plan change or variation (including private plan change)
- to approve a proposed plan or a change to a district plan under clause 17 of the First Schedule.
- (j) to exercise any authority which it has delegated to a committee, subcommittee or officer, which is referred to it for decision;
- (k) to approve the final design and commercial terms for development proposals under the Waterfront Project.
- (l) In respect to the Housing Accord and Special Housing Areas Act (HASHAA):
  - the power to terminate the Housing Accord is retained by Council
  - to approve Special Housing Areas and criteria for qualifying developments, and the disestablishment of special housing areas, to the Minister of Housing under the Housing Accords and Special Housing Areas Act.
- (m) to approve the Council's Policy programme

## **2.4. ENVIRONMENT COMMITTEE**

### **Area of focus**

The Committee will focus on climate change initiatives, enhancing the city's open spaces, protecting biodiversity in plant, bird and animal life, and ensuring there are high quality outdoor areas for residents and visitors to enjoy. The committee is also responsible for waste minimisation, energy efficiency and the three waters (drinking water, stormwater and wastewater).

### **Terms of Reference (Delegations)**

The Environment Committee will have responsibility for:

- Climate Change
- Gardens and Beaches
- Walkways
- Town Belt
- Reserves
- Energy Efficiency
- Waste Minimisation
- Recycling
- Botanic Gardens
- Three Waters
- Environmental Attractions

In addition to the common delegations identified in section 1.5, the Environment Committee has the following responsibility and authority as follows:

1. For all Council-owned land that is either open space under District Plan, reserve under the Reserves Act 1977 (**but not including land subject to the Wellington Town Belt Act 2016**) the power to:
  - 1.1 Agree leases, subleases and easements (in relation to land or buildings);
  - 1.2 Agree that a Permanent Forest Sink Initiative covenant to be added or removed;
  - 1.3 Adopt management plans and amendments to management plans;
  - 1.4 Adopt names;
  - 1.5 Make any decision under a management plan which provides that it may not be made by a Council officer (for example agree a concession);
  - 1.6 Make decisions that would change the legal status of such land, including under the Reserves Act 1977 to classify a reserve, declare land to be a reserve and revoke the reservation of land;
  - 1.7 Recommend to Council for approval anything that would change the ownership of such land.
2. For all Council-owned land that is subject to the Wellington Town Belt Act 2016, the power to:
  - 2.1 consent to the disposal of a lessee's interest under section 17; or
  - 2.2 grant licenses or consent to the disposal of a licensee's interest under section 17; or
  - 2.3 grant leases and licenses under section 19; or
  - 2.4 grant easements, leases and licenses under section 20.

3. Review and recommend to the Council whether it should under the Wellington Town Belt Act 2016:

- 3.1 add land to the Wellington Town Belt under section 21;
- 3.2 agree compensation under section 23;
- 3.3 impose charges under section 10;
- 3.4 adopt, replace, or amend a management plan under section 11;
- 3.5 grant leases under section 17.

Except that all decisions (in paragraph 1 above) requiring Council or Committee approval under the Leases Policy for Community and Recreation Group must be made by the Community, Sport and Recreation Committee).

**Note that decisions (in paragraph 1 of the Environment Committee delegations) relating to the Trading in Public Places Policy (December 2014) can be made by officers and do not need to be referred to the Environment Committee.**

Note: Some of the powers delegated to the Environment Committee may themselves be delegated to Council by the Minister of Conservation.

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## **PRELIMINARY RESILIENCE ASSESSMENT**

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### **Purpose**

1. This report seeks Council endorsement of the discovery areas outlined in the Preliminary Resilience Assessment (PRA).

### **Summary**

2. Wellington's membership of the Rockefeller Institute's 100 Resilient Cities is centred around the development of a Resilience Strategy that draws on models, guidelines and resources developed by 100RC to assist Cities to better survive, and then thrive, in the face of the shocks and stresses of the 21st Century. For Wellington, we have engaged widely to settle on four areas that are presented in this Preliminary Resilience Assessment; earthquake recovery, sea level rise, quality of life and economic prosperity.

### **Recommendations**

That the Council:

1. Receive the information.
2. Agree to the four discovery areas presented in the Preliminary Resilience Assessment.
3. Note that officers will report back to Council on 27th September with a draft Resilience Strategy.

### **Background**

3. Wellington has a history of adapting successfully to deal with the shocks and stresses that nature throws at us, as well as manmade challenges. By joining Rockefeller Institute's 100 Resilient Cities (100RC), Wellington has been given the capacity to reflect on what the main future challenges might be, and to develop a Strategy that might mitigate some of the effects of these shocks and stresses.
4. In developing the PRA we engaged with key people and experts, as well as online engagement through social media:
  - 600 people received Resilient Wellington newsletters
  - 170 people responded to the survey identifying key Wellington's resilience factors
  - 160 people participated in the Agenda Setting Workshop
  - 100 people discussed resilience with the CRO
  - 95 people participated in two focus groups (assets and risks/ shocks and future scenarios/ stresses) and three regional workshops.
5. 100RC has provided extensive feedback, and has supplied examples of Resilience Assessments from other Cities in the network that have completed their PRAs. These include New Orleans, Rotterdam, Melbourne and Christchurch, and have provided useful references in guiding Wellington's PRA development.
6. Using the 100RC process, we have settled on four key focus areas:

- Our citizens, institutions, businesses, and systems will function well and grow stronger in recovering from a severe seismic event, such as earthquake, tsunami, a combination of earthquake and tsunami, and post-earthquake fires.
- Adapt Wellington so that our residents, businesses, ecosystems and sense of place are prepared for the effects of sea level rise.
- All sectors of our society are able to withstand a sustained period of economic adversity, such as a prolonged financial crisis. In particular, the CBD's vibrancy and creativity is underpinned by resilient infrastructure and communities.
- All Wellingtonians enjoy access to healthy, resilient and affordable housing, employment and nourishment.

There is substantial work already underway in these areas – it is not proposed to replicate this work, but rather to augment it. 100RC is able to provide resources to assist.

7. Officers propose to use these four areas as the basis for developing a draft Resilience Strategy to be presented to Council in September 2016. The Strategy is likely to contain proposed actions. These will be presented as part of the Annual Plan or Long Term Plan processes.

### **Next Actions**

8. Officers will continue to work with stakeholders to develop a draft Resilience Strategy to present to Council in September 2016.

### **Attachments**

Attachment 1. Draft Preliminary Resilience Assessment

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## **SUPPORTING INFORMATION**

### **Consultation and Engagement**

A wide range of views has been sought as described above. Where there are resource implications, the usual Council planning processes will be followed.

### **Treaty of Waitangi considerations**

Tangata whenua have provided input into the PRA and we will continue to work alongside them as we develop the Strategy

### **Financial implications**

To be addressed through the Annual Plan and Long Term Plan.

### **Policy and legislative implications**

There are overlaps with Social Strategy and Climate Change Action Plan, however the PRA's objective is to dovetail or assist existing initiatives rather than replicate or constrain them.

### **Risks / legal**

N/a

### **Climate Change impact and considerations**

N/a

### **Communications Plan**

It is intended to post the PRA on the Council's website.



# 100 Resilient Cities

## Preliminary Resilience Assessment

Wellington

Draft 22 June 2016







#### MESSAGE FROM CO-CHAIRS OF THE STEERING GROUP

According to Māori legend, Wellington harbour was originally a lake. In the lake lived two taniwha called Ngake and Whātaimai.

One day, Ngake managed to jump over the edge of the lake into the sea, smashing open the harbour entrance as he did so. Later, his brother Whātaimai went to follow, but he became stuck. He died and turned to stone, forming an area that overlooks the central city.

Today's scientists tell the same story of upheaval differently. Certainly this is a spectacular place to live, at the edge of the world.

Wellington is "the coolest little capital in the world" and the centre of New Zealand. Wellington is compact, creative, and innovative, with a CBD that has more bars and cafes per capita than New York. Native wildlife is returning to our hills and harbour.

Over our history we have learned to live with many shocks and stresses, and we have designed and adapted our City accordingly. Already we've assessed 5000 buildings for seismic risk, strengthened reservoirs, painted tsunami lines and encouraged neighbours to get to know each other. There are other issues to face too; economic challenges, inadequate housing, and the huge matter of sea level rise. There's much more to do.

We want to share information and ideas globally so we applied to become a member of Rockefeller Foundation's 100 Resilient Cities. 100RC has led us through a process that systematically highlights future challenges for Wellington. I'd like to thank the many participants, local, regional, national and international, who have shared their ideas and time so generously. This process will prioritise our finite funding and the Resilience Strategy will inform our next ten year budget.

I am pleased to be introducing this Preliminary Resilience Assessment, which outlines our challenges and poses some key questions as to how we can become better placed to deal with them, so that together we can build Wellington's future wellbeing for the long term.

Kia kaha. Kia toa, Kia manawanui. Be Resilient.

Celia Wade Brown  
Mayor



Wellington has always been at the forefront of progressive change. From Nuclear Free to Smoke Free, lively debate has been encouraged and embraced as a key component of our vibrant and dynamic culture.

And now we are debating Resilience. Resilience is a complex concept that means different things to different people, yet everyone wants more of it. I have no doubt there will be further rigorous debate as we start to crystallise what Resilience means to the citizens of the Region.

The emergence of initiatives such as Sendai Framework for Disaster Risk Reduction show that resilience is now at the forefront of global thinking. At home, Central and Local Government have realised this, and the establishment of the National Science Challenges, QuakeCoRE and other initiatives marks a new, collaborative way of thinking that can only be good for New Zealand.

I am thrilled to be co-chairing the City's Resilience Steering Group with the Mayor. We now have over 85% of New Zealanders living in cities, and cities are ideally placed to be leading the charge on key challenges such as sea level rise, poverty and economic development.

This Preliminary Resilience Assessment is an important first step in addressing our overall direction. I am pleased that it recognises that resilience decisions must be based on sound knowledge, and freely admits where knowledge gaps exist. Wellington is uniquely placed with Universities, NIWA and GNS Science all willing to collaborate with each other and with others for the betterment of our communities.

What better place for a living laboratory of research and learning to support real decisions?

I am encouraged that the PRA acknowledges that true resilience needs partnerships at the local, national and international level. We are of course, the Capital City, and so uniquely placed for Local and Central Government, research agencies and communities to work alongside one another

Floreat Scientia – let knowledge flourish.

Professor David Johnston  
Massey University /GNS Science



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### Te Whanganui-a-Tara (Wellington)

*Sometimes it does us a power of good to remind ourselves that we live on two volcanic rocks where two tectonic plates meet, in a somewhat lonely stretch of windswept ocean just above the Roaring Forties. If you want drama - you've come to the right place<sup>1</sup>*

On a good day, it's easy to see why Wellington is rated the best little capital in the world. Blessed with a stunning natural setting, Wellington combines the sophistication of a capital and a big city economy, with the warmth and personality of a village.



On a bad day, that's debatable.



Often wild, but sometimes calm, Wellington's natural environment has always demanded that her inhabitants be resilient. Early Maori found the going tougher than the warmer climes of the Bay of Plenty and Waikato. And early European settlers weren't convinced either. James Cook never entered Wellington Harbour, worried about the Southerly wind, and the first European settlement near the mouth of the Hutt River was flooded within months, leading to settlers moving to Lambton Harbour – even though the land had not been sold by its Māori occupants.

<sup>1</sup> Sir Geoffrey Palmer, former Prime Minister of New Zealand





**Today's Wellington**

We love living here, in New Zealand's second largest metropolitan area. Our region has kept its historic form, with growth being achieved through developments and linkages with the Hutt Valley and Porirua.

Wellington is the home of several academic, research, artistic and cultural organisations. Recent years have seen a new joint creative campus in Cuba Street. Victoria University is continuing to invest in new facilities and halls of residence.

Around half Wellingtonians are employed in knowledge intensive industries. Wellingtonians have the highest per capita income in New Zealand, and are the most qualified. Wellingtonians have always embraced diversity and connectedness.

Wellington is the Arts Capital of New Zealand, and enjoys a thriving outdoors scene. Wellingtonians have a keen sense of social justice and have often been at the forefront of social change.

Residents are highly mobile, and are drawn to work, live and play here because of our unique blend of economic, social, cultural and natural environments.

It hasn't all been music and light though. Wellington has confronted and adapted in times of economic and natural adversity. We've survived then thrived. We've not just rolled with the punches, we've anticipated them and either avoided them or taken early steps to minimise the damage.

Some of these punches have been obvious: living in an area of seismic activity with interesting weather keeps us on our toes. But other punches have been more insidious: growing gaps in income equality, cuts in Government spending and rising sea levels are less obvious and more complex stresses.

Today, indications are that Wellington is poised for a period of growth and prosperity. Now is the time for us to think about investing in our resilience - you make hay when the sun is shining because you can't make hay in the rain.



Wellington Region population 450,000	Wellington City 41% of Regional population
13% Maori, 8% Pacific, 8% Asian	80+ ethnic groups
184,000 dwellings	38% with degrees, highest in NZ
Younger than average Region for NZ	40% forecast population growth in CBD
23% born overseas	27% forecast increase number of dwellings
38% adults single	GDP \$18,333 million (8.4% of national GDP)



## Resilient Wellington

### Our challenge

We are seeking to determine those key facets of Wellington life in which we need to invest to assure Wellington's wellbeing in the face of shocks and stresses. We need to inspire people to want to join us in this challenge, and to take ownership of various parts of it. We want to partner with our communities, with business, institutions and Central Government, and we want to do this now, so that we are ready when we are confronted with the shocks and challenges.

The Sendai Framework<sup>2</sup> focusses communities around the world on risk reduction rather than emergency response. For coastal cities like Wellington, this coincides with the need to start adapting the City to the effects of a changing climate and sea levels. Around the world, it is suggested that half of the infrastructure that will be in place by the year 2050 hasn't yet been built.

This presents a unique occurrence – emergency responders, engineers and environmentalists are aligned. We have the chance to get Wellington right for our children and grandchildren – we must not lose this opportunity.

### Our goal

The aim of Resilient Wellington is to develop a strategy that will support Wellingtonians in growing their capacity to survive, adapt and thrive, no matter what chronic stresses and shocks we experience.

The initiative is managed from Wellington City but in close partnership with Porirua and Hutt City Councils and the Greater Wellington Regional Council. The New Zealand Transport Agency, The Wellington Region Emergency Management Office, Wellington Electricity and Wellington Water Limited are heavily involved.

A Steering Group with formal terms of reference provides oversight, strategic guidance and monitoring of the Strategy process. The Steering Group is co-chaired by the Mayor of Wellington and the Director of the Joint Centre for Disaster Research. Committee membership is at **Appendix A**.

Resilient Wellington is part of a wider global initiative bringing together 100 cities working on improving their resilience through shared analytical tools, processes and most of all through shared ideas and lessons learnt. 100 Resilient Cities (100RC) is pioneered by the Rockefeller Foundation.

<sup>2</sup> <http://www.unisdr.org/we/coordinate/sendai-framework>, The United Nations International Strategy for Disaster Reduction



### Our Preliminary Resilience Assessment (PRA)

Resilient Wellington has a long term horizon, up to 100 years for some aspects. However the first two years will provide a critical catalyst and set the scene for the coming decades. An Agenda Setting Workshop was conducted in September 2015 as a preliminary step, and commenced proper with the appointment of a Chief Resilience Officer in December 2015.

This PRA report represents the outcomes of Phase I of the project. Phase II will focus on developing further insight and specific actions, culminating in the Wellington Resilience Strategy while acknowledging that there is already an abundance of work underway. The Strategy will be implemented in Phase III.

The PRA defines the key areas of focus for Wellington to become more resilient. These key areas are known as discovery areas.

Phase I also mobilises partners and stakeholders, to better socialise resilience, to assess the current state of knowledge, and to develop priorities and set direction for Phase II.

The PRA follows the 100 Resilient Cities model, adapting it where appropriate to reflect our city's unique culture and needs. We undertook the following analysis:

- Stocktake of actions currently underway and possible gaps
- Review of shocks and stresses relevant to Wellington today and in the future
- Assessment of the resilience of Wellington assets to those shocks and stresses
- Collation of people's views on resilience priorities and opportunities





### Our stakeholders

The analysis was undertaken primarily through in-person engagement with key people and experts and online engagement with the wider community through social media.

600 people received Resilient Wellington newsletters  
170 people responded to the survey identifying key Wellington's resilience factors  
160 people participated in the Agenda Setting Workshop  
100 people discussed resilience with the CRO in one to one interviews  
95 people participated in focus groups and workshops in Phase I

We have identified over 600 people in the Wellington region whose involvement is crucial to our resilience efforts. They include people in utilities companies, Councils, NGOs and volunteers, health workers, scientists, academics, businesspeople and others. We used the 100RC City Resilience Framework to ensure that we engage with people representing all aspects of resilience.

Establishing engagement proved to be more revealing than had been anticipated:

- Most people we approached were positive about being involved and could see the rationale for work around resilience.
- Resilience to Natural Disasters is one of the Government's eleven Science Challenges. Because of this, every CRI and university in Wellington is involved in resilience. However a lot of this effort appears to be uncoordinated.
- Many Government departments are involved, and at a relatively senior level. These departments seem to be enthusiastic about engaging with their local Council.
- The Regional Council, Porirua and Hutt City Councils were keen to be involved and continue to do so. The general sentiment was that arbitrary territorial authority boundaries should not determine resilience thinking.
- City Council officers have had a strong presence, and were very keen to see how the Resilience Strategy might overlap or contribute to other policy areas such as transport, social, heritage and housing.
- Private sector (infrastructure operators, tourism, insurance) and not for profit organisations (social and environmental focus) engaged deeply, creating a platform for resilience partnerships.
- Many stakeholders appear to have undertaken work or analysis, or possess data about resilience. Much of this work is not linked to other work, or not publicly available, or both.

The next section reports on what we learned from the stakeholders and experts and each of the tools we used. These learnings have informed the Discovery Areas.







**Learnings from Phase I**

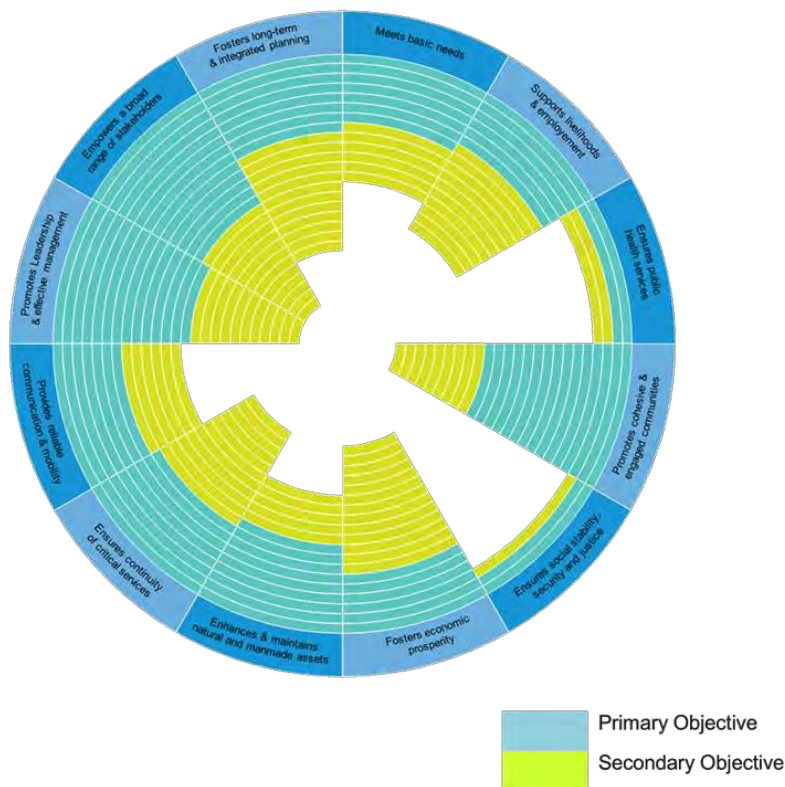
**Actions currently underway and possible gaps – what did we do?**

At the Agenda Setting Workshop we asked our stakeholders to identify actions that are currently strengthening resilience of Wellington. The working group extended that list to all of the known activities being undertaken in resilience. These were mapped against the City Resilience Framework in order to determine any gaps or duplications.

**Actions currently underway and possible gaps – what did we learn?**

There is a very substantial body of work already underway that is directly or indirectly related to resilience. This work does not need to be replicated. In many cases, it simply needs to be scaled up - a light shone on it, or linkages made to other initiatives that are occurring in isolation.

The areas worth investigating further are those that have been identified as priorities for improvement and the level of action is in the middle ranges, for example meeting basic needs for our most vulnerable communities, maintaining and enhancing natural and man-made assets, as well as communication and mobility.





### Review of Wellington's Shocks and Stresses

The initial review of shocks and stresses was undertaken through a stakeholder survey and at the Agenda Setting Workshop. We then deepened our understanding through focus groups with asset managers and the research community.

#### Shocks - what did we do?

We invited infrastructure providers from the electricity, water, roading and telecommunications sectors, and Council officers from the social and environment sectors to participate in a workshop to confirm Wellington's main shocks in a systematic way.

The shocks with the highest risk were earthquake and storm, followed by medium risks of flooding (coastal and river), tsunami, water contamination, disease, terrorism and infrastructure failure. Urban fire was rated low risk, with the exception of post-earthquake fire.

#### Shocks - what did we learn?

Earthquake is undeniably the most profound shock that Wellington faced in the past and will face again in the future. It clearly overshadows all other shocks.

As a result the conversations were overwhelmingly focused on seismic events, and seismic related events such as tsunami or post-earthquake fires. We are poorly prepared for the fires in urban areas as the response efforts would be hampered by both lack of water and traffic congestion. Interestingly conversations centred around response, emergency planning and the immediate action that needs to be taken after an earthquake. We are only beginning to explore the wider concept of resilience and recovery – what can we invest in today so that the effects of the earthquakes might be less traumatic.

Another force, comparable in scale to an earthquake, is climate change and sea level rise. Climate change is the source of the key shocks that are steadily increasing both in intensity and frequency – river and coastal flooding, land-slides, high velocity winds and disease outbreaks. Events like storm and related flooding will be faced by some parts of Wellington, and Hutt City in particular, on a regular basis and will be a significant source of disruption to the region.





### Building resilience to shocks

#### Our fault

The Wellington fault cleaves the city of Wellington and the Hutt Valley. Although Wellington experienced a major earthquake in 1855, that event was caused by the Wairarapa fault, due east of the City.

While Wellingtonians are not strangers to small shakes, our local fault has lain inanimate for longer than the city as we know it has existed. Scientists estimate that the last movement of Wellington fault occurred between 300 and 500 years ago, long before the construction of cities and major infrastructure. A major earthquake along the Wellington fault today would have significant impacts for the region. The motorways and bulk utility lines for power and water cross the Wellington fault in multiple places - a significant earthquake is almost certain to disrupt travel, power, water, sewerage and communications.

When the Wellington fault ruptures, dramatic changes to the landscape are expected. During the Wairarapa fault rupture in 1855, parts of Wellington were uplifted so much that they were raised above sea level. For a Wellington fault event, much of the movement will be lateral-up and down the valley - but some areas will be lowered by as much as a meter, dramatically changing the shoreline area.

#### Rising sea

In her report of November 2015<sup>3</sup>, the Parliamentary Commissioner for the Environment (PCE) noted that the sea level is expected to rise by about 30cm between 2015 and 2065. This is expected to change the frequency of coastal flooding from a 'once in a hundred year' event to '... once a year at the Port of Wellington'. As the Commissioner notes: "...we should see allowing new subdivisions on vulnerable coastal land as ... foolish'. Wellington has extensive residences, businesses and roads that are vulnerable. Sea level rise and coastal erosion are already a challenge for Wellington, however time is on our side, and we do not need to rush decision making.

The PCE also makes recommendations about clarification of the science to be used around predicted change to sea levels. A common view among scientists is that 0.8m in 2100 is a conservative but reasonable figure<sup>4</sup>. This is subject to change as we find out more and refine modelling.

A report commissioned by the Wellington City Council<sup>5</sup> noted that sea level is not a simple stress, and that there is no 'one size fits all' solution. It recommends the development of a Sea Level Rise Adaptation Strategy with proposed responses for different parts of Wellington. This has not yet been undertaken.

<sup>3</sup> [Preparing New Zealand for rising seas](#): Certainty and uncertainty, Parliamentary Commissioner for the Environment, November 2015

<sup>4</sup> [Climate Change Implications for NZ](#), The Royal Society of NZ, 2016

<sup>5</sup> [Sea Level Rise Options Analysis](#), Tonkin and Taylor, June 2013





### Reviewing Wellington's future stresses

#### Stresses – what did we do?

A workshop was convened, attended by key players in the science and research communities, and others. We generated five hypothetical future scenarios to identify potential future stresses not currently considered. These scenarios are outlined below.

**Climate Change:** increased coastal and river flooding, storm severity, enhanced drought conditions with increased immigration

- failure to secure basic needs
- exacerbated flooding and wind hazards
- loss of supply chain
- social tension from ill-managed integration of climate refugees
- land use planning lagging behind in relation to rapid change in urban environment

**Governance:** Central Government moves out of Wellington; inefficient fragmented local Government

- fragmented decision making
- poor City - Central Government relations
- disconnected with global economy
- inefficient engagement with the community and other stakeholders

**Changing Demographics:** growing but ageing population, with increased immigration and religious cultural diversity

- poor social cohesion
- low productivity
- lack of affordable housing
- poverty
- lack of hazard awareness

**Smart Technology:** an explosion of data availability, increased use of automation and artificial intelligence

- lack of quality information due to poorly managed big data
- need for a rapid change in urban planning due to changing work patterns
- mismatch of skills and new technology resulting in shortage of skills and unemployment

**Transport Technology:** increased use of automated vehicles and public transport, underpinned by a move to alternative fuel sources

- need for rapid change in the transport and electric networks
- increasing cost of transport
- poor accessibility and connectivity

#### Stresses – what did we learn?

Taking a long perspective helped us identify some stresses or threats that may not be present or acknowledged in the city at the moment. Considering future stresses can help identify actions needed to prevent those stresses arising or escalating. Possible stresses were:



- Lack of social cohesion, inequity and tension – this may result from poor integration of climate refugees, aging population, unemployment due to mismatch of supply and demand for skills, poor connectivity, housing affordability.
- Economic downturn – resulting from loss of supply chain, disconnection with global markets, lack of required skills and infrastructure to support smart technology markets.
- Underperforming urban form, transport and communication infrastructure – due to land planning processes and plans not keeping up with the need for rapid change, lack of quality decision-making resulting from an overflow of poorly analysed data.
- Failure of democracy – resulting in potential conflict with the community unwilling and unable to participate.



When focused back on the present day, coastal erosion caused by sea level rise is the priority concern expressed by workshop participants. Other stresses that keep these stakeholders awake at night relate to aging population, economic conditions, as well as poverty and inequality in income.

### Building resilience to stresses

#### Housing

In order to prosper and be healthy, ideally Wellingtonians would all live in safe, warm homes, and have access to the basics of life. We do not like to see people being left behind, and we want all people to have fair access to safe, affordable and high quality housing.

Other than Council and State owned housing, we do not have a deep understanding of this challenge; however we do know that homes are damp and draughty, with consequential health issues. Low quality housing is very susceptible to the shocks and stresses that feature in this document. We know that around 6,000 households in Wellington spend more than 30% of their income on housing; this group is the most vulnerable to housing market pressures, and some are already be experiencing 'rental stress'. Sea level rise is likely to depress coastal house prices, leading to further social challenges.

#### Economy

Wellington is the economic hub of the Region. Wellington's employment is around 7% of New Zealand's employment, or 144,000 people. Wellington has around 26,000 businesses with a predominance of tech, scientific, and professional jobs, and has the highest median household incomes. As the seat of Government, it is the headquarters for the public sector and a wide range of private sector activity. Wellington is a major centre for digital industries, arts, culture, education and heritage.

We choose to live here because we love Wellington and we can make a living here. We all contribute to, and reap the benefits of, a thriving economy. Economic and population growth is expected to continue substantially over the next thirty years. This growth presents an opportunity to invest in resilience. Wellington's contribution to New Zealand's economy is substantial – yet we have only a cursory understanding of the economics of resilience, and need to undertake further analysis to understand the cost of investing (or not investing) in Wellington's resilience.





### Assessing the Resilience of Wellington’s assets – what did we do?

A further workshop was run as an adjunct to the shocks workshop. For the purposes of this workshop, social and environmental domains were treated as ‘assets’ in the same way that hard infrastructure assets were assessed.

Assets were assessed against the priority (high risk) shocks identified in the previous section in order to determine the criticality of the consequences. While assessment was made for *survival* restoration times, focus was also on *operational* restoration times.

In addition, the Chief Resilience Officer met with a variety of involved and interested people to elicit their views and knowledge on resilience. A list of the organisations represented, including those who attended the Agenda Setting Workshop, is at **Appendix B**.

### Resilience of Wellington’s assets – what did we learn?

The workshop identified that on the whole the condition of our hard physical assets and their management was considered good or very good. The asset managers felt that in their current state our physical infrastructure was capable of withstanding the majority of shocks like floods, winds or fires. However earthquake is a shock to which our physical infrastructure is still very vulnerable.





The vulnerability of Wellington’s assets to earthquake is well summarised in a Lifelines report in November 2012<sup>6</sup>. The report is based on a major rupture of the Wellington fault line. The report acknowledges that there are many other earthquake scenarios.

Typically we have talked about *surviving* earthquake. We are now at the point, using the 100RC definition of resilience, where the focus is shifting to *thriving* after an earthquake. This is consistent with the intent of the Sendai framework, a UN initiative to which New Zealand is a signatory.

There are some key constraints with the built environment that currently inhibits our ability to thrive post-earthquake. These are summarised at **Appendix C**.

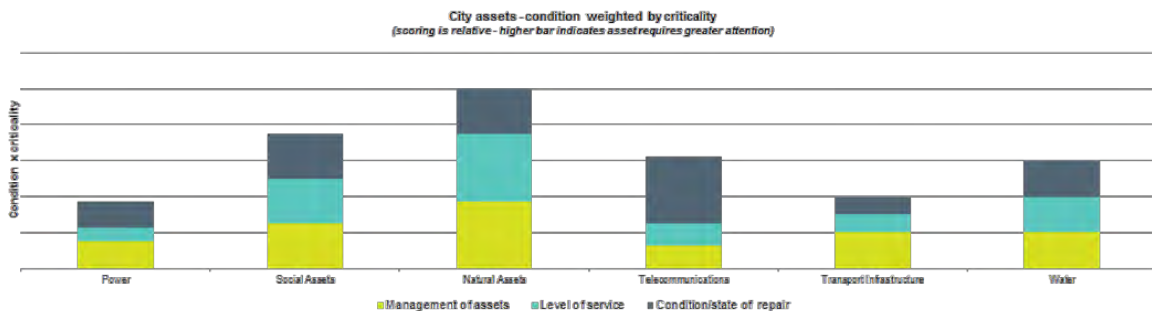
There was general agreement that building resilience to earthquake will strengthen resilience to other more frequent events like flooding and stresses like a future economic downturn. There are still significant actions that need to be taken to make sure that those assets withstand big shocks better and that their operation returns to normal so that the city can recover well.

The earthquake is likely to be compounded by a secondary shock – most likely fire or tsunami. The proposed tsunami response is being incrementally rolled out in Wellington, however no recovery planning has been undertaken. No modelling has been undertaken for post-earthquake fire; this is an issue that will be compounded by a lack of water.

With some exceptions, Wellington’s geography is well appointed to drain heavy rainfall. The exceptions are mostly in isolated pockets, and don’t really constitute shocks for Wellington as a whole. The obvious exception is the floor of the Hutt Valley and the path of the Hutt River, where extensive development has occurred - and continues to occur - in areas where flooding is likely to happen.

Coastal flooding is an important issue throughout the Region, this will be compounded by sea level rise and changing weather patterns.

While much of Wellington is already constructed for dealing with strong winds, the effects of a changing climate may change the nature of wind. We do not yet understand what that means for the City and its infrastructure. We do not have a good understanding of the economic impact of storm related shocks.



<sup>6</sup> Lifeline Utilities Restoration Times for Metropolitan Wellington Following a Wellington Fault Earthquake. Report to the Wellington CDEM Group Joint Committee from the Wellington Lifelines Group, November 2012



The focus group participants recognised that the condition of Wellington's social and natural assets needs much more attention. These assets were identified as critical to the Region's resilience. Natural assets include our coast, reserves, harbours and the quality of our other green urban spaces. Social assets include the spirit and skills of our community, community groups and volunteers as well as the physical assets that support them, such as buildings and spaces. Both the natural environment and the people are what makes Wellington great. Natural and social assets are vulnerable to a wider range of shocks and stresses.

Discussions around infrastructure assets tended to focus on *asset management* rather than *levels of service*. The risk with this thinking is that infrastructure is planned in isolation from the needs of the community it serves. For example, the current operational electricity restoration time post-earthquake is 95 days for the CBD. This is unlikely to be acceptable for businesses in the CBD, especially those that have invested heavily in strengthening their buildings.





**Wellingtonians' views on resilience**

**People's perceptions of resilience – what did we do?**

Wellington's Resilience Strategy can only be successful if it reflects the priority of all Wellington communities – asset owners, residents, business, local and Central Government. We engaged with those groups through workshops and surveys to generate a clear picture of:

- What they considered to be the main priorities for Wellington's resilience
- What are our current resilience strengths and weaknesses
- What should be the focus of the resilience strategy

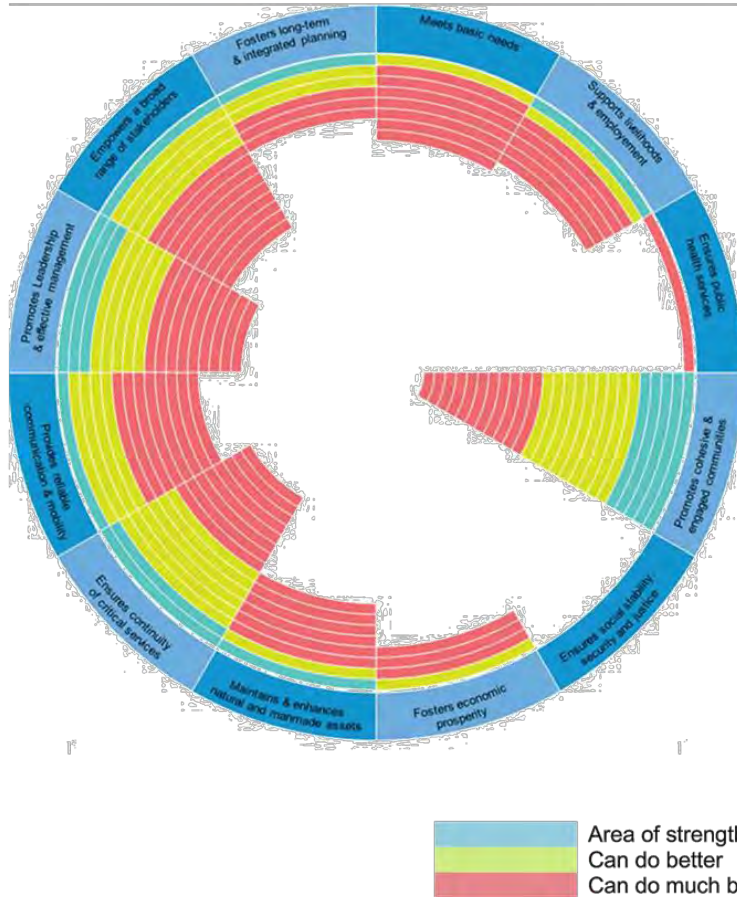
At the Agenda Setting Workshop, attended by 160 people, we asked the participants to assess different aspects of Wellington's resilience. Their responses are reflected in the wheel below:





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We ran an online survey where we asked people to identify Wellington’s resilience priorities. Over 170 people responded and their views are represented below, with the bars reflecting the number of people indicating that this should be an area of focus. Comments from the survey highlighted a strong community as a key factor to Wellington’s resilience.



We also conducted three workshops with key stakeholders; in Porirua, Hutt City and Wellington City. Using an appreciative inquiry approach, we led the participants through a process of identifying Wellington’s resilience strengths, developing a vision for the future and investigating the discovery areas for the strategy. A mural reflecting workshop participants’ contributions and insights is in **Appendix D**.



These workshops moved the focus from shocks and stresses onto identifying the key factors that make Wellington resilient. Participants built on the current and future strengths to identify the discover areas for the Resilience Strategy.

**People’s perceptions of resilience – what did we learn?**

There is a strong sense that Wellington’s resilience is well supported in meeting basic needs and supporting public health, security and justice and promoting cohesive and engaged communities. People saw it as important that there was equality access to a good quality of life, and that we needed to ensure that ‘no one was left behind’.

While an engaged and cohesive community was seen as an existing strength the workshop stakeholders still felt that further investment into this aspect of resilience was needed, as it was a fundamental element to our on-going prosperity and ability to thrive in recovery.









Infrastructure	<ul style="list-style-type: none"> <li>• How do we get away from cars?</li> <li>• How to use technology to help reduce infrastructure pressure?</li> <li>• How do we smooth public transport spikes?</li> <li>• Local energy generation is good for resilience.</li> <li>• Getting infrastructure to recover quickly post shock</li> <li>• Better connectedness to communities and cities in Wellington</li> <li>• What are people prepared to pay for?</li> <li>• Get away from engineering bigger and better infrastructure</li> </ul>
Spatial planning and urban design	<ul style="list-style-type: none"> <li>• Design resilience into Wellington – reduce risk by planning</li> <li>• Design emergency corridors</li> <li>• How plans cope with population growth and affordable housing</li> <li>• Design water storage into developments and buildings</li> <li>• Require energy conservation</li> <li>• Heritage resilience – focus investment on iconic buildings</li> <li>• Greening the City</li> </ul>
Access to warm, dry, energy efficient homes	<ul style="list-style-type: none"> <li>• Regulate bottom lines</li> <li>• Ensure connectness to economy and recreation</li> <li>• Improve the health of people through better homes</li> <li>• Range of options and prices to accommodate everyone</li> </ul>
Mana whenua	<ul style="list-style-type: none"> <li>• Touches every part of resilience – involve in governance</li> <li>• Can play a leading role based on tikanga/whanau</li> <li>• Connected to natural environment</li> </ul>
Connected communities	<ul style="list-style-type: none"> <li>• Payoff in emergency situation</li> <li>• Need to empower quiet voices</li> <li>• Must not be bureaucratic</li> <li>• Do not allow urban sprawl</li> <li>• Reduce the burden for Government</li> <li>• Celebrate all of our cultures, and <i>our</i> culture</li> </ul>
Economic resilience	<ul style="list-style-type: none"> <li>• Ensuring education, skills match our aspirations for a smart city</li> <li>• Demonstrate we are tech leaders – online smart City</li> <li>• Let's be visionary</li> <li>• Ensure our technology is resilient</li> <li>• Risks around automation for employment, and keep ahead of it.</li> <li>• Mechanisms and plans to enhance local production of food</li> <li>• Smart economic development that is mindful of resilience</li> </ul>
Earthquakes/ emergency preparedness	<ul style="list-style-type: none"> <li>• Turning data into stories for people</li> <li>• Investing now to make recover easier</li> <li>• Need to focus on pre disaster recovery planning</li> </ul>
Ageing population	<ul style="list-style-type: none"> <li>• Note our ageing population – what are the opportunities?</li> <li>• How do people age at home?</li> </ul>



### Wellington Maori – partners in resilience

#### Engagement with Maori - what did we do?

Tangata whenua and other Maori people participated Agenda Setting Workshop, both as the hosts of Resilient Wellington and participants in the multiple workshops and individual conversations.

Ngati Toa and PNBST have been briefed on progress, and have been invited to participate on the Steering Group. The Tenths Trust has been briefed and is interested in resilience from an asset ownership perspective.

It is intended to commission formal advice from Ngati Toa and PNBST and, as the Resilience Strategy starts to firm up, to invite iwi to participate in the development of discovery areas and ultimately the Resilience Strategy itself.

#### Engagement with Maori – what did we learn?

It is clear that the areas of focus for resilience are of interest to Maori in several dimensions:

- Historically, tangata whenua have been at the forefront of Wellington's resilience
- Kaitiakitanga, caring for our natural environment and waahi tapu, especially in the areas related to sea level rise, flooding and other natural hazards such as earthquake
- Maanakitanga, building unity through humility and the act of giving so that groups of Wellingtonians don't get left behind as the Region prospers
- Papakainga, nurturing a place to which people can return home
- Iwi have substantial commercial interests in Wellington, and have a major stake in Wellington's economic wellbeing

We need to keep working with Maori as we investigate the discovery areas and identify short and long term actions for Wellington's resilience.

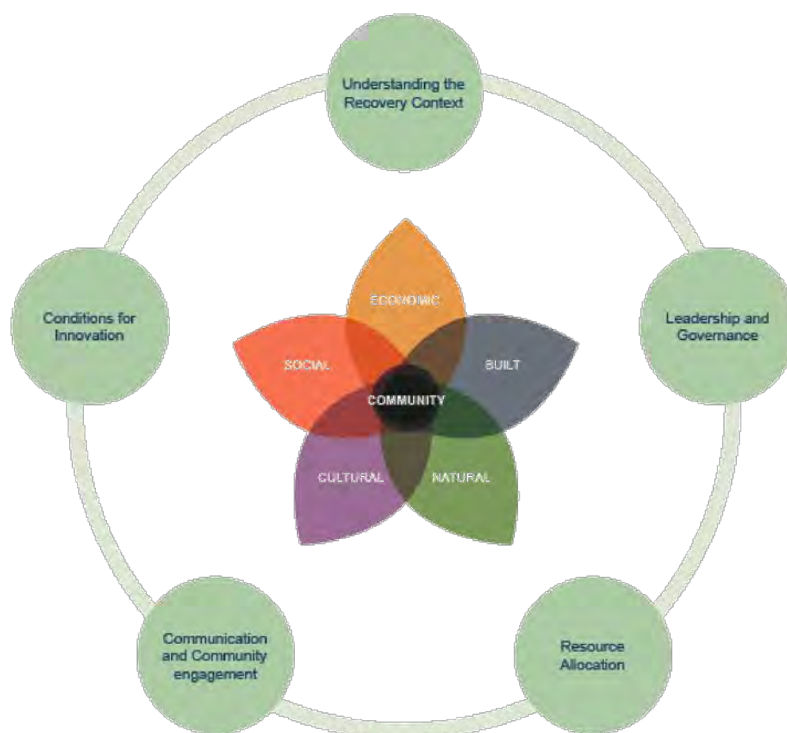




**Learning from Christchurch**

In engaging with stakeholders, a couple of opportunities emerged that had not been identified through the 100RC tools and engagement process for Phase I. In particular there is a clear and important opportunity to understand what we can learn in Wellington from the Canterbury earthquakes and subsequent recovery process.

The Department of the Prime Minister and Cabinet is overseeing a significant project to ensure that key learnings from Canterbury are identified and imbued in policy and processes as appropriate. This is a significant undertaking and the key outcomes are to be structured as follows, due to be released in May 2016:



The petals form the basis for recovery planning in New Zealand, and are useful components for Wellington to consider as its Strategy develops. Wherever possible, we want to be consistent with national direction.



Key lessons for Wellington include:

**Decision Making**

The Canterbury Earthquake Recovery Authority was a Government Department commissioned to make decisions around recovery, which were substantially funded by the Crown. Local Government struggled to cope with the intensity and complexity of the tasks at hand, and pre-existing stresses within Local Government were exacerbated by the shock of the earthquake.

Conversely, the pre-existing integration and focus of the Canterbury District Health Board were strengthened by the shock of the earthquake.

Whatever shape Wellington's Local Government might be in when we have our earthquake, Central Government will want a significant say as a funder, stakeholder and as residents.

We should prepare for this; for partnering with Central Government, with other Councils, with community groups, with businesses and with spontaneous groups.

**Economy**

Central and Local Governments need to be clear on their role, and the role of business. In recovering a City, the economy needs to flourish. This means that businesses need to have the means to operate, albeit at a reduced level, then taking a lead role in planning for thriving after surviving.

**Wellington is the Capital City**

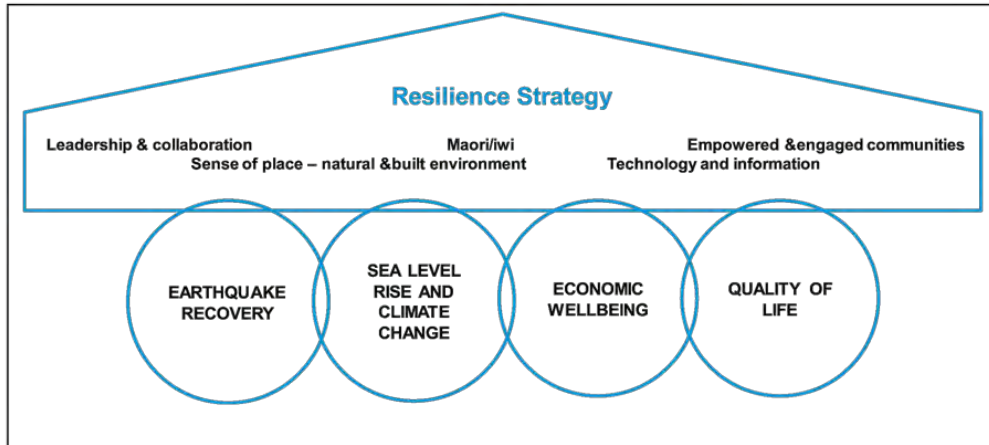
This might seem obvious; however the public service mostly lives in Wellington and Members of Parliament spend much of their time here. There appears to be genuine willingness to engage around resilience; both Local and Central Government can do more to develop a partnership.





**Discovery Areas**

The feedback and learnings to date have been distilled into four discovery areas for further investigation, and five issues that cut across all of the discovery areas.



The discovery areas are strategic questions that need to be investigated more deeply during the next phase of strategy development. They are designed to generate new options, strengthen existing solutions or find alternatives to intractable resilience challenges. Ultimately, the discovery areas will generate a suite of projects that will improve Wellington’s resilience.

In the next section we present each discovery area which includes the vision, a scored CRF wheel and diagnostic questions. For planning purposes, the temporal horizon used was 50 years, with the exception of climate change and sea level rise, where it was 100 years.

Each discovery area has been assessed against 100RC’s City Resilience Framework to highlight the strengths that can be built upon, and the areas of weakness that need to be developed. Each indicator was assessed using a simple traffic light system where green = strength, red = opportunity for improvement, and orange = neither strength nor weakness. The scoring has been undertaken by the core working team in a workshop environment based on discussions undertaken with stakeholders during Phase I.

The first draft of the vision and diagnostic questions were developed by the core working team following the Phase I workshops. At the Challenge workshop, the discovery groups revised these using a structured challenge process which referenced the Resilience Dividend, the Resilient Lens and qualities, as well as the cross cutting themes. The challenge posters used to facilitate the process are attached in Appendix E.

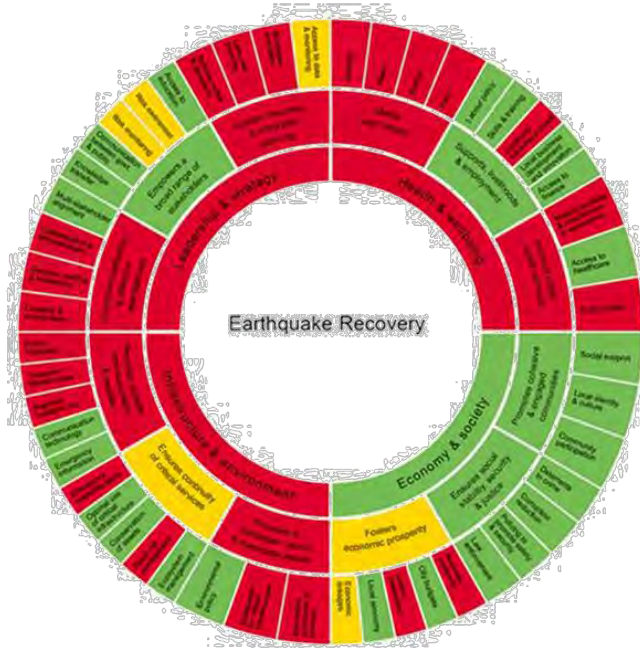


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**Recovery from a seismic shock**

*Our communities, and the systems that support them, work together to adapt and grow stronger after a significant seismic event.*



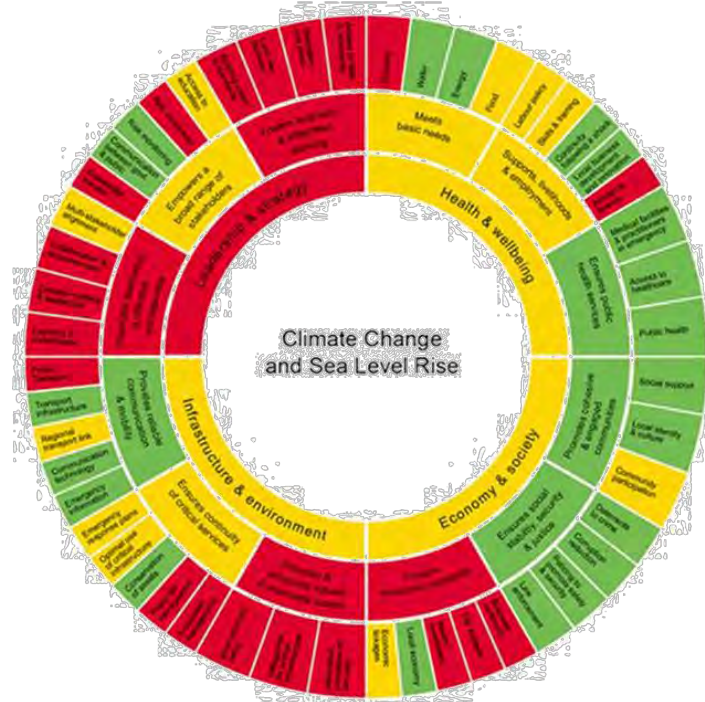
- What does leadership and management need to do now to create effective partnerships and structures for recovery?
- How can we ensure our infrastructure is safe and functions after an earthquake?
- What community actions can be maximized to improve our disaster readiness?

Item 2.4 Attachment 1



**Climate change and sea level rise**

*Adapt Wellington so that our residents, businesses, ecosystems and sense of place are prepared for the effects of sea level rise.*



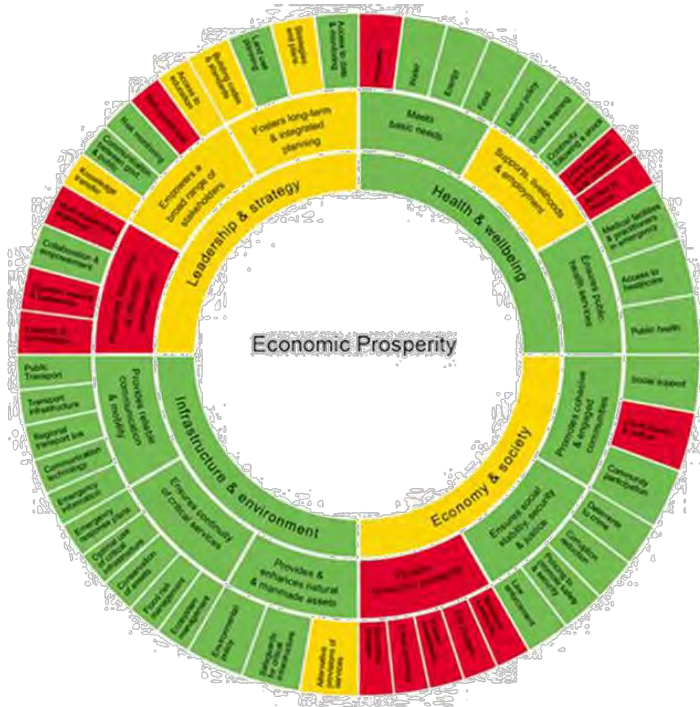
- What are the long term principles that should drive a regional adaptation plan for managing the effects of climate change impacts? How do we embed these principles for the long term?
- How might our communities be engaged effectively to make the decisions we need to make? How can we learn from others' experiences?
- What are the high level natural, social, cultural and economic outcomes (cost-benefits) of adaptation and mitigation scenarios, measured against the cost and consequences of doing nothing?



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**Economic prosperity**

*All sectors of our society are able to withstand a sustained period of economic adversity, such as a prolonged financial crisis. In particular, the CBD's vibrancy and creativity is underpinned by resilient infrastructure and communities.*



- Acknowledging the role of the CBD, what are the challenges Wellington's economy faces and possible ways forward?
- How do we create a diverse economy that strengthens vulnerabilities, which embraces globalisation and builds self-sufficiency within the local economy?
- How can Wellingtonians collaborate, to support the continuity of, and grow the resilience of individual businesses and communities?
- How do we build capability and capacity to adapt to stresses in preparation for shocks and therefore promotes confidence in Wellington's economy?





**Quality of life**

*All Wellingtonians enjoy access to healthy, resilient and affordable housing, employment and nourishment.*



- What does successful leadership and collaboration look like to ensure efforts across the region effect quality housing and livelihoods?
- How do we ensure everyone shares in a prosperous Wellington?
- As the Wellington region’s population grows, what does that mean for housing, existing infrastructure, natural environment and everyone’s quality of life?
- How might we use mapping to link hazards and socioeconomic statistics to influence decision-making to improve personal and community resilience?



**Next steps**

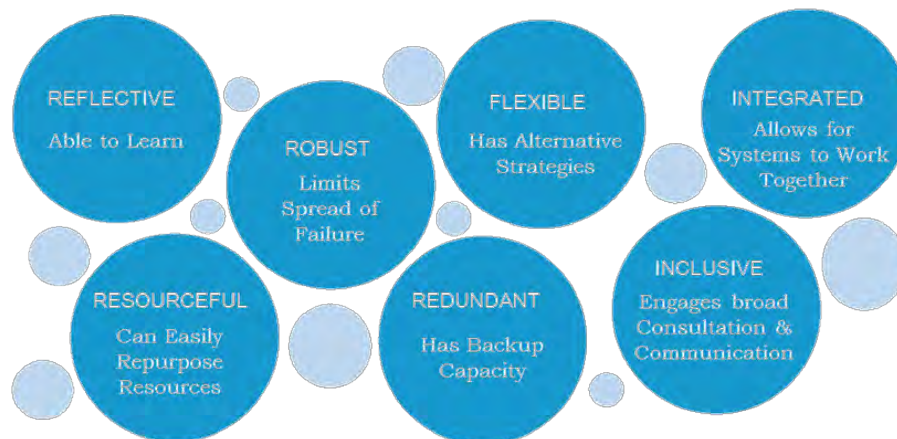
The Resilient Wellington Strategy presents a unique opportunity to build on the wealth of work already undertaken. We are well placed to take a look at collective resilience building actions that will further benefit Wellington. In Phase II, we are forming groups which will investigate each of the four discovery areas we have identified. They will define our strengths and vulnerabilities in more detail and come up with short and long term actions that will improve the resilience of our region.

The working group and steering group will continue to work with and oversee these four groups – this will help to identify and exploit opportunities for synergy and collaboration and ensure the five critical foundations are incorporated.

The discovery groups will each pursue a rigorous and innovative process in Phase II, enabling Wellington to customise and narrow the focus into a time-bound scope of work. A range of partners will be engaged and this will intentionally signal areas of potential change in the final Resilience Strategy.

The opportunities identified will be prioritised to find those that will increase resilience across the whole of the city system by making it more reflective, robust, redundant, flexible, resourceful, inclusive, and integrated. We will be particularly focussing on the co-benefits of investing in resilience projects.

The Phase II activity will be articulated in a formal scope of work.





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**Appendices**

- Appendix A** Steering Group members
- Appendix B** Organisations in meetings with CRO
- Appendix C** Earthquake Constraints
- Appendix D** Mural
- Appendix E** Challenge Posters



Appendix A Steering Group members

Name	Appointment	Organisation
Celia Wade Brown	Mayor	Mayor
Professor David Johnston	Director	Joint Centre for Disaster Research
Elizabeth McNaughton	Executive Director (CERLL)	Department of the Prime Minister and Cabinet
Jo Taite	Chief Executive Kaihautu	Ngati Kahungunu Whanau Services
Colin Crampton	Chief Executive	Wellington Water
Tim Grafton	Chief Executive	New Zealand Insurance Council
John Milford	Chief Executive	Wellington Chamber of Commerce
Bruce Pepperell	Manager	Wellington Emergency Management Office
Alison Cadman	Chief Executive	Dwell





**Appendix B Contributors**

AECOM	Inspiring Communities	RMS
Alliance	Joint Centre for Disaster Research	School of Medicine (Otago)
ANZ Bank	Kaibosh	Skylight Trust
Arts Access Aotearoa	Kapiti Coast Airport	Solity
Arts Wellington	Kapiti District Council	Stimpson and Co
Auckland Council	KiwiRail	Sustainability Trust
Business NZ	Land Information New Zealand	Sustainable Coastlines
Cable Car Co	Lions Club	T&T
CCDHB	Local Government New Zealand	Te Awakairangi Health Network
Centrepoint	Loomio	The Wellington Company
Chamber of Commerce	Massey University	Timor-Leste Community Policing Project
Chorus	MBIE	Transpower
Christchurch City Council	MCDEM	Treasury
Community Housing Aotearoa	McKee Fehl Ltd	Trinity Group
Community Law	Mckenzie Highan	TSA Oasis
Community Networks Wellington	Ministry of Education	Upper Hutt City Council
Community patrols	Morphum	Veolia
Compass Health	MSD	Victoria University
Corrections	NCSC	Volunteer NZ
Countdown	NEC	Volunteer Wellington
Deloitte	Neighbourhood Support NZ	WCC
Dept of Internal Affairs	Neighbours Day Aotearoa	WeLG
DOC	Ngāti Kahungunu ki Pōneke Community	Wellington Airport
DPMC	Night Shelter	Wellington City Mission
Dwell	NIWA	Wellington Electricity
EECA	NZ Fire Service	Wellington Employers Chamber of Commerce
Enspirial	NZ Recreation	Wellington Free Ambulance
EQC	NZIA	Wellington International Airport
First Retail Group Ltd	NZSEE	Wellington Lifelines Group, Lifelines
Foodstuffs NZ	NZTA	Wellington Māori Business Network
Garden to Table Trust	OraTairio: NZ Climate and Health	Wellington Timebank
GHD	Philanthropy NZ	Wellington Water
GNS	PNBST/Ngati Toa	Wellington Zoo
GWRC	Police	Wharton, University of Pennsylvania
Hospitality NZ	Porirua City Council	Whiterea Community Polytechnic
Housing NZ	RCA	WINTEC
Hutt City Council	Red Cross	WREDA
Hutt Valley Chamber of Commerce	Refugee Services	WREMO
Hutt Valley DHB	Regional Public Health	WWF
IAG	ResOrgs	Zeal Education Trust
ICNZ	Resourceful Planning	



## Appendix C Earthquake Constraints

Water. Up to 75 days to restore water for economic recovery is too long (50 days into the CBD). The asset manager (Wellington Water) has recognised this, has identified the potential gap in the level of service, and is currently working with asset owners to determine a course of action. The gap includes the known inability to use water to fight fires post-earthquake. Waste water has not yet been addressed.

Power. The asset owner estimates restoration of 60 days to most populated areas, and 95 days to the CBD for economic recovery. While incremental improvements are being made, the asset owner acknowledges that this is too long, but is unable to fund resilience through price due to the prevailing regulatory framework. Resilience investment has been stymied in this way for at least seven years.

While there is hope that the emergence of electric vehicle and battery technology might grow resilience, and new wood burners that might add another dimension, the pace of uptake of these technologies is largely unknown. However, resilience could be a driver to change behaviour and speed the uptake.

Access. Substantially access in and around Wellington means road access. A Lifelines report in March 2013<sup>7</sup> identified that progressive restoration would take up to 120 days, with WIAL towards the end of that time. The Transmission Gully project is likely to greatly reduce that time, by more than half, however this is still a long period of isolation. In practical terms this means that supermarkets will not be stocked, car use will not be viable beyond individual suburbs, and the CBD will not function. NZTA and GWRC are currently constructing a programme business case to set a blueprint for improving Wellington's roading resilience investment.

Telecommunications. A Lifelines report<sup>8</sup> concluded that the Wellington telecommunications sector is 'relatively resilient to hazard events', and 'the sector is so intertwined that no resilience improvements are immediately obvious'. The report does seem to focus on the immediate response to an earthquake rather than the economic recovery. It is intended to grow Wellington's CBD population substantially over the next 30 years, and that this will highlight the vulnerability of the CBD and Eastern suburbs following an earthquake. The core of this economic growth is the tech sector, and the finance and information services sector including banking.

Natural assets. We do not price our natural assets, and as a result we do not factor them into our planning. However, one of the main reasons people choose to live in Wellington is the natural environment, and research suggests that natural vegetation is strongly correlated with human wellbeing<sup>9</sup>. The natural environment is vulnerable to earthquakes, and an earthquake recovery presents opportunities to retain and improve the environment that attracts us here. There is also a strong school of

<sup>7</sup> Restoring Wellington's transport links after a major earthquake, Initial Project Report, March 2013

<sup>8</sup> Project report – 'Telecommunications sites recovery', August 2015

<sup>9</sup> Urban Vegetation, Wellbeing and Pro-environmental Behaviour: A Socio-ecological Experiment in Wellington City, New Zealand, J Whitburn, VUW, 2014



thought for natural assets to be used where possible to combat flood and sea level rise<sup>10</sup>.

Social assets. People are at the centre of everything. While this section has focussed on hard infrastructure, the only reason any of it exists is for the communities it serves. Repeatedly, connected and engaged communities were at the heart of debate around surviving in the face of shocks and stresses, then recovering and thriving after the shock or stress. Many times it was pointed out that fractured and fractious communities are further fragmented by a shock. Strong communities pull together and become even stronger. Resilient social assets are critical for a Resilient Wellington.

Commercial Buildings. Wellington's work on earthquake prone buildings is highly regarded. In the central City, 5,500 buildings have been assessed, and 720 have been deemed earthquake prone and in need of structural changes. However the relationship between earthquake prone buildings and key lifelines is unclear. Additionally, the regulatory framework is based on building structure, but not the fitout and fittings.

Residential buildings. We know that investing a small amount of time and effort into fixing water cylinders, securing piles and chimneys is sensible. However there appears to be a very low takeup of these activities across the Region.

Heritage buildings. We do not have a clear prioritised listing of heritage sites from a resilience perspective.

A common assumption was that the Lifelines Group, Councils and the Resilient Buildings teams have Wellington prepared for an earthquake. Many participants were surprised to learn of planned restoration times, and other issues emerged during the course of phase I:

Customer focus. In general, for key infrastructure restoration times have been determined by the asset owners, rather than their customers. Current restoration times are likely to force businesses to relocate, most likely to outside the Region.

Growth. As we grow Wellington by 50,000 over the next 30 years, the City must take the opportunity to grow infrastructure that is more resilient to earthquake.

Interdependencies. To date, asset owners have concentrated on their own assets. But there has been little attention to date on the relationship *between* assets. This gap was known in 1993<sup>11</sup>. Despite significant technological advances, Wellington has only made modest progress in this area.

Planning. Other than the Government's National Plan<sup>12</sup>, there is no response plan for the Wellington Earthquake. There is no recovery plan at any level. IPENZ released a report in 2012<sup>13</sup> recommending regulatory change to require infrastructure owners to be accountable for resilience planning, citing: "The current approach involves too much discretion and essentially relies on voluntary efforts."

<sup>10</sup> Adapting to the consequences of climate change, Engaging with communities, New Zealand Coastal Society 2016

<sup>11</sup> Wellington Earthquake Lifelines Group, 1993 Report, November 1993

<sup>12</sup> Wellington Earthquake National Initial Response Plan Supporting Plan [SP02/10] 28 April, 2010, Version 1.0

<sup>13</sup> A Safer New Zealand, Reducing our Exposure to Natural Hazards, October 2012, IPENZ/Engineers New Zealand





Lifelines reports. Lifelines reports are well commissioned and received, however they are rarely presented to Councils, and accountability for recommendations is unclear. There is a gap between the technical information and decision makers.

Information. Substantial effort has been invested in developing hazard maps and other information, for example liquefaction zones, inundation zones and ground shaking areas. While this information is discoverable, it is not proactively made public, allowing people and communities to make choices based on the known information.

Waste. Waste has not been mentioned in the Lifelines reports – mainly because waste is dependent on water and transport to flow. In practical terms, waste disposal could be unavailable for up to 75 days. In the CBD in particular, the City is ill prepared for that level of waste.

Insurance. The insurance sector takes a clear and simple view of earthquake risk, and understands the relevant losses and risk. This does not really extend to economic risk however. A report to the Lifelines Group<sup>14</sup> estimates \$12bn in building and infrastructure damage, but annual GDP loss of \$10bn.

The report, which is very high level only, estimates that a relatively small investment (of perhaps \$3-\$4bn) could greatly reduce this liability. Below the highest level analysis, we do not have a good grasp on the economics of resilience for Wellington. We do not understand the cost of doing nothing, for example.

New Zealanders are heavily insured, and culturally expect that an external agency will provide support in a shock or stress.

Of course, we could simply choose to do nothing, to accept the risk of earthquake and to live with it. However the moral implications of doing nothing are quickly outweighed by the advantage of doing something.

Central Government. The Government's Wellington Earthquake National Initial Response Plan contains this text for the Prime Minister to use in extreme circumstances (like an earthquake):

*Government has relocated to [insert town] so that we have the necessary electricity, telecommunications and other utilities that we need to function and to lead the response.*

This scenario is not far-fetched. We have some work to do; as Wellington grows and flourishes, we need to our businesses, communities and agencies to pay particular attention to resilience so that Wellington not only survives, but thrives after an earthquake, or any other event.

#### **Relationship with other shocks**

Infrastructure that is resilient to earthquake is generally also resilient to some other potential shocks, including infrastructure failure, water reservoir/intake contamination (other than sabotage), and fire. It is acknowledged that our infrastructure is not yet sufficiently resilient to earthquake.

The earthquake is likely to be compounded by a secondary shock – most likely fire or tsunami. The proposed tsunami response is being incrementally rolled out in Wellington, however no recovery planning has been undertaken. No modelling has

<sup>14</sup> Wellington – essential to NZ's Top Tier, Its resilience is a national issue, BERL, December 2015



been undertaken for post-earthquake fire; this is an issue that will be compounded by a lack of water.

**Severe storm**

With some exceptions, Wellington's geography is well appointed to drain heavy rainfall. The exceptions are mostly in isolated pockets, and don't really constitute shocks for Wellington as a whole. The obvious exception is the floor of the Hutt Valley and the path of the Hutt River, where extensive development has occurred - and continues to occur - in areas where flooding is likely to happen.

Coastal flooding is an important issue throughout the Region, this will be compounded by sea level rise and changing weather patterns.

While much of Wellington is already constructed for dealing with strong winds, the effects of a changing climate may change the nature of wind. We do not yet understand what that means for the City and its infrastructure, although resilience to wind has a strong correlation with resilience to earthquake..

We do not have a good understanding of the economic impact of storm related shocks.

**Disease outbreak**

In late 1918 New Zealand lost half as many people to influenza as we lost in the whole of World War 2, around 9,000 fatalities.

While we know that another shock of this type is possible, we do not have a clear picture of what it means for Wellington.

**Terrorism**

As for disease outbreak, we have little knowledge of this shock. This is not a reflection of its importance, although we need to acknowledge that there are Government Departments that are very focussed in this area.







Draft Preliminary Resilience Assessment  
Wellington

Appendix D – Resilient Wellington Mural







Appendix E

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Wellington

## Discovery Area: Earthquake Recovery

### Your Challenge

To refine diagnostic questions (areas of focus for investigation and initiative development for your Discovery Group), and cross cutting themes (areas of synergies and co-benefits across all Discovery Areas)

1.

1) Discuss and refine the following vision (5 minutes):

#### Vision

Our citizens, institutions, businesses, and systems will function well and grow stronger in recovering from a severe seismic event, such as earthquake, tsunami, a combination of earthquake and tsunami and post-earthquake fires.

2.

2) In bullet points, begin to define the challenge and tell the story: (10 minutes)

#### Background

3.

3) Discuss what should be groups focus for investigation and initiative development. Choose three of the current diagnostic questions with the highest resilience dividend potential? Note them down, amend if necessary. Describe the co-benefits and the dividend. Are there other questions that could lead to actions with higher dividend? (20 minutes)

#### Resilience Dividend

Which part of the city system do we need to focus on to generate the greatest resilience dividend?



During the Phase 1 we reviewed existing actions, and we asked the stakeholders where we need to focus, where is the biggest opportunity for improvement, where are our key weaknesses and strengths.  
Red - can do much more    Yellow - can do more    Green - doing well

#### Diagnostic questions

#### Resilience dividend

4.

4) Discuss the cross cutting themes. Choose three of the current diagnostic questions that best address the cross cutting themes. Note them down and amend as you agree. Are there other questions? (15 minutes)

#### Cross Cutting Themes

Earthquake Recovery	Climate Change and Sea Level Rise	Economic Prosperity	Quality of Life
Cross cutting theme		Diagnostic Questions	
<ul style="list-style-type: none"> <li>Engaged and empowered communities</li> <li>Māori knowledge and perspective</li> <li>Leadership and collaboration skills</li> <li>Sense of place: natural and urban form</li> <li>Technology and information</li> </ul>			
Cross cutting themes: highlight strategies and potential equity areas that can generate synergies and co-benefits across the city system and build resilience to all types of shocks and stresses.			
Other cross cutting themes?			

5) What do we focus on? Revise diagnostic questions based on your discussions in task 3 and 4. Narrow down diagnostic questions - 2-5 questions. Record in Draft 2 (20 mins)  
6) Cross cutting group exercise - present to the group, take relevant questions to a cross cutting theme table (40 mins)  
7) Revise your diagnostic questions incorporating feedback from cross cutting theme discussions. Draft 3 (10 mins)

#### Diagnostics Questions

Draft 1 (draft PRA)	Draft 2	Draft 3
<ul style="list-style-type: none"> <li>Leadership and management - post earthquake decision making - what can we do now, with Central Government and business, to ensure as smooth as possible decision making arrangements post earthquake? Do we need a coordinated recovery plan?</li> <li>How can the Lifelines Group and other infrastructure owners be more effective to ensure basic needs can be met, and recovery restoration times shortened? Can we work together to use information and technology better?</li> <li>How can we empower communities to improve their disaster readiness? What can be done to achieve better rates of residences with secured piles, chimneys and hotwater cylinders?</li> <li>Is a fresh approach warranted for Business Continuity Planning?</li> <li>Where are the top 10 most loved heritage buildings and what would it cost to mitigate earthquake damage?</li> <li>How do we use both mātauranga and pūrā knowledge to find solutions?</li> </ul>	5.	7.



- THE RESILIENT CITIES - GUIDING PRINCIPLES
- Approach the discovery as an integrated & holistic system that links across all City of Wellington Councils
  - Engage the community in the discovery process
  - Use the discovery to inform the city's resilience strategy
  - Use the discovery to inform the city's resilience strategy
  - Use the discovery to inform the city's resilience strategy
  - Use the discovery to inform the city's resilience strategy
  - Use the discovery to inform the city's resilience strategy



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## Discovery Area: Climate Change and Sea Level Rise

### Your Challenge

To refine diagnostic questions (areas of focus for investigation and initiative development for your Discovery Group), and cross cutting themes (areas of synergies and co-benefits across all Discovery Areas)

**1.** 1) Discuss and refine the following vision (5 minutes):

**Vision**

Wellington's environmental leadership role as the capital city of clean and green New Zealand is aligned with current and planned actions to mitigate and adapt to a changing climate and rising sea levels in particular.

**3.** 3) Discuss what should be group's focus for investigation and initiative development. Choose three of the current diagnostic questions with the highest resilience dividend potential? (Note them down, amend if necessary. Describe the co-benefits and the dividend. Are there other questions that could lead to actions with higher dividend? (20 minutes)

**Resilience Dividend**

Which part of the city system do we need to focus on to generate the greatest resilience dividend?

Diagnostic questions	Resilience dividend

**2.** 2) In bullet points, begin to define the challenge and tell the story. (10 minutes)

**Background**

**4.** 4) Discuss the cross cutting themes. Choose three of the current diagnostic questions that best address the cross cutting themes. Note them down on a card as you agree. Are there other questions? (15 minutes)

Earthquake Recovery	Climate Change and Sea Level Rise	Economic Prosperity	Quality of Life
<p><b>Cross cutting theme</b></p> <ul style="list-style-type: none"> <li>Engaged and empowered communities</li> <li>Local knowledge and perspective</li> <li>Leadership and collaboration skills</li> <li>Sense of place: natural and urban form</li> <li>Technology and information</li> </ul> <p>Cross cutting themes highlight strategies and potential equity areas that can generate synergies and co-benefits across the city system and build resilience to all types of shocks and stresses.</p> <p>Other cross cutting themes?</p>		<p><b>Diagnostic Questions</b></p>	

5) What do we focus on? Revise diagnostic questions based on your discussions in task 3 and 4. Narrow down diagnostic questions - 2-6 questions. Record in Draft 2 (20mins)

6) Cross-cutting group exercise - present to the group, take relevant questions to a cross cutting theme table (40mins)

7) Revise your diagnostic questions incorporating feedback from cross cutting theme discussions. Draft 3 (10mins)

Draft 1 (draft PRA)	Draft 2	Draft 3
<p><b>5.</b></p> <ul style="list-style-type: none"> <li>What are the regional and long term principles that we might adopt for managing the effects of sea level rise? Do we need to develop an adaptation plan?</li> <li>How might we build on our strengths of cohesive and engaged communities to engage effectively and make the decisions we need to make? How can we avoid confounding factors such as those in (http://www) and (http://www)?</li> <li>What are the high level economic impacts of likely adaptation and mitigation options, measured against the cost of doing nothing?</li> <li>How do we protect and enhance Wellington's sense of place in the face of avoiding confounding?</li> <li>How can our efforts to mitigate climate change and move towards a low carbon society be integrated with resilience?</li> </ul>	<p><b>7.</b></p>	

**THE DISCOVERY AREA - GUIDING PRINCIPLES**

- Approach the challenge from integrated & interdisciplinary perspectives (cross-disciplinary & interdisciplinary)
- Consider the impacts of local, national and international events through a local, national and international lens
- Identify local, national and international benefits
- Consider performance across the spectrum of resilience
- Use the evidence to inform
- Use the evidence to inform
- Consider the evidence to inform
- Consider the evidence to inform





Draft Preliminary Resilience Assessment  
Wellington

**Discovery Area: Economic Prosperity**

**Your Challenge**  
To refine diagnostic questions (areas of focus for investigation and initiative development for your Discovery Group), and cross cutting themes (areas of synergies and co-benefits across all Discovery Areas)

**1.** 1) Discuss and refine the following vision (5 minutes):

**Vision**

All sectors of our society are able to withstand a sustained period of economic adversity, such as a prolonged financial crisis. In particular, the CBD's vibrancy and creativity is underpinned by resilient infrastructure and communities

**2.** 2) In bullet points, begin to define the challenge and tell the story. (10 minutes)

**Background**

**3.** 3) Discuss what should be group's focus for investigation and initiative development. Choose three of the current diagnostic questions with the highest resilience dividend potential? Note them down, amend (if necessary). Describe the co-benefits and the dividend. Are there other questions that could lead to actions with higher dividend? (20 minutes)

**Resilience Dividend**

Which part of the city system do we need to focus on to generate the greatest resilience dividend?

During the Phase 1 we reviewed existing actions, and we asked the stakeholders where we need to focus, where is the biggest opportunity for improvement, where are our key weaknesses and strengths.  
Red - can do much more Yellow - can do more Green - doing well

**4.** 4) Discuss the cross cutting themes. Choose three of the current diagnostic questions that best address the cross cutting themes. Note them down and amend as you agree. Are there other questions? (15 minutes)

**Cross Cutting Themes**

Earthquake Recovery	Climate Change and Sea Level Rise	Economic Prosperity	Quality of Life
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**Cross cutting theme**

- Engaged and empowered communities
- Local knowledge and perspective
- Leadership and collaboration skills
- Sense of place: natural and urban form
- Technology and information

Cross cutting themes highlight strategies and potential equity areas that can generate synergies and co-benefits across the city system and build resilience to all types of shocks and stresses.

Other cross cutting themes?

**5.** 5) What do we focus on? Revise diagnostic questions based on your discussions in task 3 and 4. Narrow down diagnostic questions 2-5 questions. Record in Draft 2 (20 mins)

6) Cross cutting group exercise - present to the group, take relevant questions to a cross cutting theme tables (40 mins)

7) Revise your diagnostic questions incorporating feedback from cross cutting theme discussions. Draft 3 (10 mins)

**5.** 5) Draft 2

**Diagnosics Questions**

**Draft 1 (draft PRA)**

- How can our businesses, including SMEs become more active partners in building city resilience?
- How can we build on our strengths to add to Wellington's success?
- Are we building the resilience dividend into the work of the Urban Development Agency and the Wellington Regional Economic Development Agency?
- Do we understand which parts of Wellington contribute most to the economy, and might therefore need a higher resilience investment? Do we understand the economic role of not investing in resilience?
- How can we turn our resilience challenges into economic opportunities by developing world-class technology?
- How can we build a sense of community in the CBD?
- How do we protect the CBD's sense of place? Long term, due to its current vulnerabilities, do we need to think about shifting the CBD?



Draft Preliminary Resilience Assessment  
Wellington

### Discovery Area: Quality of Life

**1.** 1) Discuss and refine the following vision (5 minutes)

**Vision**

All Wellingtonians enjoy access to healthy, resilient and affordable housing, employment and nourishment.

**Your Challenge**  
To refine diagnostic questions (areas of focus for investigation and initiative development for your Discovery Group), and cross cutting themes (areas of synergies and co-benefits across all Discovery Areas)

**2.** 2) In bullet points, begin to define the challenge and tell the story (10 minutes)

**Background**

**3.** 3) Discuss what should be groups focus for investigation and initiative development. Choose three of the current diagnostic questions with the highest resilience dividend potential? Note them down, amend if necessary. Describe the co-benefits and the dividend. Are there other questions that could lead to actions with higher dividend? (20 minutes)

**Resilience Dividend**

Which part of the city system do we need to focus on to generate the greatest resilience dividend?

**MEDELLIN TODAY**

During the Phase five reviewed existing actions, and we asked the stakeholders where we need to focus, where is the biggest opportunity for improvement, where are our key weaknesses and strengths.  
Red - can do much more    Yellow - could do more    Green - doing well

**4.** 4) Discuss the cross cutting themes. Choose three of the current diagnostic questions that best address the cross cutting themes. Note them down and amend as you agree. Are there other questions? (15 minutes)

Earthquake Recovery	Climate Change and Sea Level Rise	Economic Prosperity	Quality of Life
<b>Cross cutting theme</b>		<b>Diagnostic Questions</b>	
<ul style="list-style-type: none"> <li>Engaged and empowered communities</li> <li>Local knowledge and perspective</li> <li>Leadership and collaboration skills</li> <li>Sense of place/natural and urban form</li> <li>Technology and information</li> </ul> <p>Cross cutting themes highlight strategies and potential/enquiry areas that can generate synergies and co-benefits across the city system and build resilience to all types of shocks and stresses.</p> <p>Other cross cutting themes?</p>			

5) What do we focus on? Revise diagnostic questions based on your discussions in task 3 and 4. Narrow down diagnostic questions - 2-5 questions. Record in Draft 2 (20 mins)

6) Cross cutting group exercise - present to the group, take relevant questions to a cross cutting theme table (40 mins)

7) Revise your diagnostic questions incorporating feedback from cross cutting theme discussions. Draft 3 (10 mins)

**5.** **7.**

Draft 1 (draft PRA)	Draft 2
<ul style="list-style-type: none"> <li>How do we ensure that no-one gets left behind on Wellington progress?</li> <li>How can councils, businesses and individuals collaborate to improve the quality of our housing and safeguard health of our communities? Can we partner better with others?</li> <li>If another 50,000 people come to live in Wellington, what does that mean for the housing market and everyone's quality of life?</li> <li>Can we map housing needs with natural hazards and social and economic statistics? How can we use this information technology to drive better resilience?</li> <li>What other measures can we take to ensure that all Wellingtonians share in Wellington's prosperity?</li> </ul>	





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## **DECISION ON PLAN CHANGE 80: GENERAL MINOR AMENDMENTS TO DISTRICT PLAN TEXT AND MAPS VII**

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### **Purpose**

1. To report to Council the recommendations of the Hearing Panel on Plan Change 80 of the Wellington City District Plan, and the reasons for those recommendations.

### **Summary**

2. The Hearing Panel has considered all written and oral submissions on Plan Change 80 and has recommended that it be approved subject to amendments. This is one of a series of Plan Changes that are periodically initiated to make minor amendments to the District Plan.
3. If Council adopts the recommendation report of the Hearing Panel, then this report will become the Council decision. However if the Council rejects one or more of the proposed recommendations, the hearing process would need to be re-commenced and determined by the whole of Council.

### **Recommendations**

That the Council:

1. Receive the information.
2. Approve the recommendations of the Hearing Panel in respect of Plan Change 80.
3. Note that Council will consider imposing more restrictive planning controls on 16 Punjab Street if it is ever sold into private ownership.

### **Background**

4. Plan Change 80 is the result of ongoing District Plan maintenance and monitoring work. The Plan Change proposes to make minor amendments to the District Plan in order to ensure its efficient functioning. The changes include a number of text changes, rezonings and rule clarifications. While the Plan Change does not involve any substantial changes to existing objectives and policies, it does include some minor amendments and additions to policy explanations.
5. The Plan Change proposes to make 28 minor amendments to the District Plan in order to ensure its efficient functioning. The rule changes are principally to the Residential, Centres and Business Area chapters and rectify errors or omissions identified when Plan Changes 72 (Residential) and 73 (Centres and Business Areas) were made operative. In the majority of cases, the proposed rezonings are to reflect existing land use or resolve inconsistencies between reserve areas.
6. Plan Change 80 was publicly notified on 25 November 2015 and submissions closed on 18 January 2016. Thirteen submissions were received. The summary of submissions was publicly notified on 4 February 2016 and no further submissions were received. Two submissions were withdrawn on 16 February 2016 and 18 April 2016. A

hearing was held on 27 April 2016 and five submitters spoke in support of their submissions. The Hearing Panel consisted of Councillors Andy Foster and David Lee.

## **Discussion**

7. Eleven submissions were considered by the Hearing Panel. Seven were in support, three were in opposition and one was in both support and opposition of Plan Change 80. Of those submissions in support, four were also seeking amendments.
8. The key issues in contention were:
  - four of the proposed rezonings (Council housing); and
  - the inclusion of a height limit for accessory buildings and where they are measured from.
9. In terms of the proposed rezonings, the Hearing Panel recommends that all four of the Council houses be rezoned to Residential from Open Space/Conservation. This is because their current zonings do not reflect their residential use and resource consent is required for minor alterations and additions to be carried out.
10. The Hearing Panel noted that 16 Punjab Street has a low site coverage and low existing level of development, and acknowledged that the residential zoning could allow for more intensive development in the future. Therefore, the Hearing Panel recommends that Council consider imposing more restrictive planning controls on 16 Punjab Street if it is ever sold into private ownership in order to fully consider the appropriate planning framework for the site. This has been included as a noting recommendation.
11. In regards to the inclusion of a height limit for accessory buildings, the Hearing Panel recommends that a 3.5m height limit be imposed, with an additional 1m allowed for roof pitches 15 degrees or greater. This will allow for flexibility while at the same time protecting residential amenity.
12. The Hearing Panel also recommends that the height of accessory buildings, excluding those between the street frontage and existing buildings in Inner Residential Areas shown in Attachment 1, be measured from '*existing ground level*' (as defined in the District Plan) rather than '*in front of*' accessory buildings. Measuring accessory building height in this way will provide certainty and be in keeping with where other similar buildings, such as infill development, are measured from.
13. In light of the submissions and discussions at the hearing, the Hearing Panel also recommends that the height of accessory buildings be subject to Standard 5.6.2.5.5 as shown in Attachment 1. In effect, this will provide for accessory buildings with a maximum height of 3.5 metres if they have a roof pitch less than 15 degrees and 4.5 metres if they have a roof pitch 15 degrees or greater.

## **Options and next actions**

14. Council can either approve or reject the recommendations from the Hearing Panel. If the recommendations are approved, the decision will be publicly notified and served on the submitters. Submitters then have the option of appealing any matter to the Environment Court within 30 working days. If no appeals are lodged, the Plan Change will become operative.
15. If the recommendations are rejected, then the hearing would need to be reheard by Council as a whole. Alternatively, the Plan Change could be fully withdrawn.

## **Next Actions**

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16. N/A

**Attachments**

Attachment 1. Hearing Panel Report (including Annotated Changes)

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Author	Nicole Marshall, Planning Officer
Authoriser	John McSweeney, District Plan Manager

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## **SUPPORTING INFORMATION**

### **Consultation and Engagement**

None of note.

### **Treaty of Waitangi considerations**

None of note.

### **Financial implications**

None of note.

### **Policy and legislative implications**

None of note.

### **Risks / legal**

Approval of the proposed changes would reduce ambiguity in the District Plan and consequent legal risks. The proposed Plan Change has been undertaken in accordance with the Resource Management Act 1991.

### **Climate Change impact and considerations**

None of note.

### **Communications Plan**

Consultation has been undertaken in accordance with the Resource Management Act 1991.

**PROPOSED DISTRICT PLAN CHANGE 80:**

***General Minor Amendments to District Plan Text and Maps  
VII***

**Report of the Hearing Committee**

June 2016



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DPC80 – General Minor Amendments to District Plan Text And Maps VII

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**REPORT OF THE HEARING COMMITTEE**

**SUBJECT:** District Plan Change 80: General Minor Amendments to District Plan Text and Maps VII

**COMMITTEE MEMBERS:** Councillor Andy Foster (Chair) and Councillor David Lee

**DATE OF HEARING:** 27 April 2016

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**1. Introduction**

Proposed District Plan Change 80 (DPC 80) is one of a series of changes that are initiated from time to time to make minor amendments to the District Plan.

**2. Recommendations**

The Hearing Committee recommends that Council:

1. *Receive the information.*
2. *Approves Proposed District Plan Change 80 as publicly notified on 25 November 2015, subject to the following amendments attached in Appendix 1.*
3. *Agree that Council officers will consider imposing more restrictive planning controls on 16 Punjab Street if it is ever sold into private ownership.*

**3. Background**

DPC 80 is the result of ongoing District Plan maintenance and monitoring work. The Plan Change proposes to make minor amendments to the District Plan in order to ensure its efficient functioning. The changes include a number of text changes, rezonings and rule clarifications. Whilst the Plan Change does not involve any substantial changes to existing objectives and policies, it does include some minor amendments and additions to policy explanations.

The Plan Change comprises 28 separate changes to the District Plan. The rule changes are principally to the Residential, Centres and Business Area chapters and rectify errors or omissions identified when Plan Changes 72 (Residential) and 73 (Centres and Business Areas) were made operative. In the majority of cases, the proposed rezonings are to reflect existing land use or resolve inconsistencies between reserve areas.

DPC 80 was publicly notified on 25 November 2015, with the submission period closing on 18 January 2016. Thirteen submissions were received. The summary of submissions was publicly notified on 4 February 2016 and no further submissions were received. Two submissions were withdrawn on 16 February 2016 and 18 April 2016, one of which did not wish to be named. The submitters were:

1. Wellington Botanical Society
2. The Thorndon Society Incorporated
3. Friends of the Bolton Street Cemetery
4. Wellington City Council
5. Sean M Murrie
6. New Zealand Transport Agency

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DPC80 – General Minor Amendments to District Plan Text And Maps VII

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7. Philip and Camilla Peet
8. Peter and Sylvia Aitchison
9. Warren and Robyn Young
10. Donna Yule
11. Greater Wellington Regional Council (withdrawn)
12. Bruce Welsh

A hearing was held on 27 April 2016, at which the Wellington Botanical Society (Bev Abbott), the Thorndon Society Incorporated (Brett McKay), Philip Peet, Peter and Sylvia Aitchison (Andrew Cameron) and Bruce Welsh spoke in support of their submissions.

#### 4. Submissions and Discussion

##### 4.1 Unchallenged proposals

As not all of DPC 80 has been the subject of submissions, the Committee has accepted that these proposals (with the exception of Residential Standard 5.6.2.5.5) be adopted as notified.

##### 4.2 Submissions in support

###### 4.2.1 Friends of the Bolton Street Cemetery

The Friends of the Bolton Street Cemetery (submitter 3) strongly support the Council's proposal to rezone a portion of the Bolton Street Cemetery from Open Space A to Open Space B. This is because it will realign the eastern portion of the Cemetery with the western portion, which is already zoned Open Space B. Submitter 3 also states that the proposed rezoning will better reflect the use of the site.

The support from the above submitter is noted. The points raised in submitter 3's submission reinforce the benefits of DPC 80.

**Recommended decision: Accept the submission.**

###### 4.2.2 The New Zealand Transport Agency

The New Zealand Transport Agency (NZTA or submitter 6) generally supports DPC 80 in so far as it supports the NZTA's objective of achieving integrated transport planning. Specifically, the NZTA supports the proposed changes to Residential Standard 5.6.1.4 as long as the State Highway remains protected, particularly from inappropriate access.

As amendments were made to Residential Standard 5.6.1.4 in the Section 42A report, they were sent to the NZTA to ensure it was satisfied with them. The NZTA advised Council's reporting planner (Nicole Marshall) that it had concerns regarding the protection of the State highway from inappropriate vehicle access. This is because in situations where a site has two or more road frontages that are all categorised as State highway, restricted road frontage, arterial, principal or collector road, the vehicle access can still be established on the State highway rather than a collector road, for example.

After discussions with the Council's planning and traffic teams, Ms Marshall amended Residential Standard 5.6.1.4 to include the wording '*this vehicle access shall not be from a State highway or a restricted road frontage*' at the end of Residential Standard 5.6.1.4.4. The revised wording was sent to the NZTA on 19 April

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DPC80 – General Minor Amendments to District Plan Text And Maps VII

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2016, who advised the Council that it was content with this wording, and consequently no longer wished to be heard at the hearing.

The points raised in the above submission are accepted. The Hearing Panel recommends that the revised wording be included in the District Plan. This wording is attached in Appendix 1.

**Recommended decision: Accept the submission.**

#### 4.2.3 Donna Yule

Donna Yule (submitter 10) supports the inclusion of Residential Standard 5.6.1.3 as a standard that must be met in Residential Rule 5.3.3. However, submitter 10 considers that this does not address the current situation in that no parking standards apply to early childhood centres in Residential Areas with over 30 children. The submission also states that Residential Standard 5.6.1.3 has been applied inconsistently by Council officers when assessing resource consent applications for early childhood centres in Residential Areas with over 30 children. Therefore, Ms Yule wants Residential Standard 5.6.1.3's application to Residential Rule 5.3.3 clarified.

Ms Yule did not attend the hearing. However, the Hearing Panel is satisfied that clarification has been provided to Ms Yule on this matter in the Section 42A report. Given that Ms Yule has not requested any additional changes to DPC 80, no further action is required in relation to this submission.

**Recommended Decision: Accept the submission.**

### 4.3 Submissions in support but requesting amendments

#### 4.3.1 Thorndon Society Incorporated

DPC 80 proposes to include a cross reference to Central Area Policy 12.2.1.2 within the explanation to Residential Policy 4.2.7.3, which provides for a range of non-residential activities within Residential Areas whilst ensuring that these activities do not cause adverse effects on those areas. Central Area Policy 12.2.1.2 seeks to ensure that Central Area activities do not expand into the adjoining Residential Areas, however its location in the Central Area chapter means it might be overlooked in resource consent applications.

The Thorndon Society Incorporated (submitter 2) supports the inclusion of a cross reference to Central Area Policy 12.2.1.2 in the explanation to Residential Policy 4.2.7.3, but seeks amendments. In summary, the Society proposed to include a cross-reference to Policy 12.2.1.2 multiple times throughout the explanation to Residential Policy 4.2.7.3. Council's reporting planner (Nicole Marshall) recommended that the cross-reference only be included once under the heading '*matters to consider when assessing resource consent applications, including work from home activities*'.

Brett McKay attended the hearing on behalf of the Thorndon Society Incorporated. He advised the Hearing Panel that Central Area Policy 12.2.1.2 is often overlooked when Council officers are assessing resource consent applications for non-residential activities in Thorndon, due to its current location in the Central Area chapter. Therefore, the inclusion of a cross-reference in the explanation to Residential Policy 4.2.7.3 would provide a trigger for officers to consider Central Area Policy 12.2.1.2 when assessing these types of activities.

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Mr McKay also advised the Panel that the Society agreed with Ms Marshall to include a cross reference to Central Area Policy 12.2.1.2 as a bullet point in the assessment criteria, but was concerned about the wording of that bullet point. This is because Central Area Policy 12.2.1.2 could be construed to only apply in situations where particular non-residential activities adjoin the Central Area. As such, the Society considered that the wording of the bullet point should read as follows *‘for non-residential activities in Inner Residential Areas adjoining the Central Area consideration shall also be given to Policy 12.2.1.2*, which will mean that Central Area Policy 12.1.2.2 applies to any non-residential activity in Inner Residential Areas.

Mr McKay was also concerned about the location of the cross-reference in the assessment criteria, as it is currently eighth in the list. As such, he considered that the cross-reference should be repositioned to third in the list to maintain a sequence of matters relating to non-residential activities and to ensure that it is not overlooked by Council officers when assessing resource consent applications for non-residential activities in Inner Residential Areas. However, Ms Marshall pointed out that the bullet points in the assessment criteria are not a hierarchy and should be given equal weight.

Mr McKay and Ms Marshall both agreed that there is not a clear heading that separates the assessment criteria from the previous paragraph that relates to the Oriental Bay Height Area. To rectify this, both Mr McKay and Ms Marshall recommended that the assessment criteria be bolded or underlined.

The above submission points are accepted in part. The Hearing Panel recommends that the cross-reference be included as the third bullet point under the heading *‘matters to consider when assessing resource consent applications, including work from home activities’*. The Panel considers that this will avoid duplication, make the District Plan easier to navigate and ensure that the cross-reference does not get overlooked when Council officers are assessing resource consent applications for non-residential activities in Inner Residential Areas.

The Panel also agrees with Mr McKay that the cross-reference, as currently worded, has the potential to cause confusion as to where it relates to and therefore recommends that the wording *‘adjoining the Central Area’* be removed. The Panel also recommends that the cross-reference be reworded as follows *‘for non-residential activities in Inner Residential Areas, consideration shall also be given to Central Area Policy 12.2.1.2’*. This would clarify that the relevance of Central Area Policy 12.2.1.2 should be considered on a case-by-case basis for proposed non-residential activities anywhere in Inner Residential Areas rather than potential confusion that Central Area Policy 12.2.1.2 might only apply to developments in residentially zoned properties immediately adjacent to the Central Area. This wording is attached in Appendix 1.

Given that there is not a clear heading that separates the assessment criteria from the previous paragraph, the Panel recommends that the heading be underlined as shown in Appendix 1.

**Recommended decision: Accept the submission in part.**

#### **4.3.2 Wellington City Council**

Wellington City Council (submitter 4) supports the proposed changes to Residential Standard 5.6.1.4 but seeks amendments. However as discussed in Section 4.2.2 of this report, these amendments would not provide for situations where if a site has

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two or more road frontages and one of them is to a State highway, arterial, principal or collector road or restricted road frontage, where the site access should be from. Therefore, the Hearing Panel recommends the wording agreed to by the Council and the NZTA be included in the District Plan, as detailed in Appendix 1. As explained in the Section 42A report, 'primary and secondary streets' are often confused with 'primary and secondary street frontages', and therefore, the Panel also recommends that the two remaining references to 'primary and secondary streets' be removed from the District Plan.

**Recommended decision: Accept the submission in part.**

**4.3.3 Sean M Murrie**

Sean M Murrie (submitter 5) supports the proposal to remove Standard 34.3.6.5 as a matter of discretion from Business Area Rule 34.3.6. Mr Murrie notes that this matter is appropriately addressed under Item 34.3.6.4.

Mr Murrie also proposes two separate changes to the non-notification clause in Business Area Rule 34.3.9 relating to Greater Wellington Regional Council (GWRC) and Transpower New Zealand (Transpower) Limited.

The support from the submitter is noted. Given that the submitter's proposed changes to the non-notification clause in Business Area Rule 34.3.9 simplify the non-notification clause without changing its intent, the Hearing Panel recommends that these amendments, including those recommended in the Section 42A report, be included in the District Plan. The amended wording is attached in Appendix 1.

**Recommended decision: Accept the submission.**

**4.3.4 Peter and Sylvia Aitchison**

Peter and Sylvia Aitchison (submitter 8) support the inclusion of a height limit for accessory buildings in Residential Standard 5.6.2.5.4 but request amendments to the proposed wording and Residential Policy 4.2.4.1. These amendments include a 3m height limit for accessory buildings in all Residential Areas, including the Roseneath Height and Coverage Area, and some minor additions to Residential Policy 4.2.4.1.

The Aitchison's attended the hearing with their legal counsel, Mr Andrew Cameron. Mr Cameron requested a 3m height limit for accessory buildings in all Residential Areas, including roof pitch. He considered that this height limit would be sufficient to protect residential amenity. However, Ms Marshall did not consider that a 3m height limit for accessory buildings would be workable, especially without the additional one metre allowed for roof pitch under Residential Standard 5.6.2.5.5. This is because such a height limit would not allow for any flexibility. For example, most typical garages would exceed this height limit, thereby requiring resource consent for relatively simple structures that are commonly anticipated in Residential Areas. She also stated that a 3m height limit would result in a financial burden for homeowners and does nothing to streamline or simplify the resource consent process.

Mr Cameron also advised the Panel that the issue of residential amenity should be dealt with by a controlled or restricted discretionary activity status. Mr Cameron's preference was by way of a controlled activity so that Council officers could ensure that the locations of accessory buildings are optimised to ensure that the potential adverse effects on neighbours would be avoided, remedied or mitigated as required by Section 17 of the RMA. He also stated that as Mr Welsh's submission sought a



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4.5m height limit for accessory buildings and the Aitchison's proposed to limit the height of accessory buildings to 3m, there is potential to make the difference between the two a controlled activity. However, Mr Cameron was advised by the Panel that Mr Welsh only became aware of Residential Standard 5.6.2.5.5 at the hearing. Despite this, Mr Cameron considered that a controlled activity status would provide for a cascade of rules, rather than relying on a 'blunt' permitted activity standard.

Mr Cameron also expressed concerns about the wording 'in front of' in terms of where the height of accessory buildings would be measured from. This is because the wording 'in front of' has been the cause of some difficulty in the Environment Court recently in terms of which side is taken to be the 'front'. Mr Cameron also considered that such wording may cause ongoing issues, which would have to be resolved in the High Court. To rectify this issue for the draft rule, Mr Cameron suggested that the wording 'in front of' be removed and the definition state '*any accessory building in Residential Areas shall have a maximum height limit of 3m (measured from ground level directly below all parts of the accessory building)*'. Mr Cameron submitted that this would mean that the measurement of ground level would be taken from the lowest point of the accessory building and that this is the point at which the maximum level of amenity effects can be managed from. In Mr Cameron's view, this wording would give Residential Standard 5.6.1.4 certainty and avoid the sort of arguments that have been taking place in the Environment Court.

The support from the above submitter is noted. As described above and in the Section 42A report, a 3m height limit for accessory buildings would be too restrictive, and therefore the Hearing Panel recommends that a 3.5m height limit be imposed for accessory buildings with an additional 1m being allowed for roof pitches that are 15 degrees or greater under Residential Standard 5.6.2.5.5. The Panel also considers that such a height limit would allow for flexibility while at the same time protecting residential amenity.

The Panel does not recommend that a controlled activity status be introduced for accessory buildings. This is because the District Plan already has a cascade of rules in place and if the permitted activity threshold is exceeded, accessory buildings will become a restricted discretionary activity under Residential Rule 5.3.4. This is more onerous than a controlled activity, thereby protecting residential amenity and other relevant values. The Panel is also of the view that a controlled activity status for accessory buildings would be out of keeping with the way the District Plan is currently structured given that there is no controlled activity status for similar buildings, such as infill development.

The Panel agrees with Mr Cameron that the wording 'in front of' is ambiguous and does not provide certainty. To remedy this, the Panel recommends that the wording 'in front of' be clarified in a side note for Residential Standard 5.6.2.5.4, which states that '*the front of accessory buildings is the side nearest to the street*'. The Panel also recommends that the wording '*measured from ground level on a site directly in front of the proposed accessory building*' be repositioned to where it currently sits in Residential Standard 5.6.1.4. This would mean that this wording only applies to accessory buildings erected between the street frontage and existing buildings in Inner Residential Areas as shown in Appendix 1 of the Residential Appendices. The Panel agreed with evidence from Ms Marshall that many garages in Wellington are built with their road frontages at ground level, but as a result of land sloping down from the road level, the rear of the building is well above the natural ground level and often supported on poles or similar structures. The submitter's request is agreed to

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would mean such structures would be considered well over any height limit. All other accessory buildings in Residential Areas would be measured from 'existing ground level' as defined in the District Plan, which would be consistent with all other residential buildings, such as secondary dwellings. This would also allow a wider range of effects to be taken into account, as when an accessory building is located at the rear of an existing dwelling for example, further effects may need to be considered beyond that of just the streetscape.

The Panel also recommends that the proposed amendments to Policy 4.2.4.1 suggested by the Aitchison's submission be included in the District Plan, as well as those amendments sought in the Section 42A report.

**Recommended Decision: Accept the submission in part.**

#### 4.4 Submissions in opposition

##### 4.4.1 Bruce Welsh

Bruce Welsh (submitter 13) opposes the proposed changes to Residential Standard 5.6.2.5.4.

At the hearing, Mr Welsh's main question was around why a height limit is being imposed for accessory buildings. Ms Marshall stated that this was because applicants have been putting forward a permitted baseline argument for infill development as it has the same or similar effects to accessory buildings, which can be erected without resource consent.

Mr Welsh also advised the Hearing Panel that he considered a 3.5m height limit for accessory buildings to be too restrictive. This is because garages are usually designed to fit in with the character of the house, which are likely to have a roof pitch of 20 degrees or greater and at these pitches, a 3.5m height limit would be exceeded. As such, Mr Welsh submitted that a 4.5m baseline would be appropriate and while it would not cover everything, it would cover most accessory buildings. He illustrated this point with reference to a range of photographs of garages.

At the hearing, Ms Marshall pointed out that Residential Standard 5.6.2.5.5 of the District Plan allows an additional 1m to be added to the height limit of accessory buildings if the roof pitch is 15 degrees or greater, which means the total height limit for accessory buildings can be built up to 4.5m under the proposed amendments. Mr Welsh advised the Panel that he was not aware of this standard and considered that a 3.5m height limit would be acceptable so long as the additional 1 metre could be added to garages with a roof pitch of 15 degrees or greater.

Therefore, the Panel recommends that a 3.5m height limit be imposed for accessory buildings as notified and as detailed in Appendix 1. In light of the submissions and discussions at the hearing, the Panel also recommends that Residential Standard 5.6.2.5.5 be amended so that it reads *'In Residential Areas (excluding the Oriental Bay Height Area) an additional 1 metre can be added to the maximum height (stated in standards 5.6.2.5.1, 5.6.2.5.4 and ~~or~~ 5.6.2.7) of any building with a roof slope of 15 degrees or greater (rising to a central ridge) as illustrated in the following diagram.'* In effect, this will provide for accessory buildings with a maximum height of 3.5 metres if they have a roof pitch less than 15 degrees and 4.5 metres if they have a roof pitch of 15 degrees or more.

**Recommended decision: Accept the submission in part.**

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**4.4.2 Philip and Camilla Peet and Warren and Robyn Young**

Philip and Camilla Peet (submitter 7) and Warren and Robyn Young (submitter 9) oppose rezoning part of 16 Punjab Street, Khandallah from Open Space B to Outer Residential. Of these submitters, Philip Peet was the only submitter that attended the hearing.

At the hearing, Mr Peet's main concern was about how the proposed rezoning could facilitate further development of the site, including subdivision, intensification and/or selling the land. Specifically, he was worried about how such development could potentially affect the amenity of his land (e.g. privacy), cause traffic and safety effects and reduce the environmental benefits of the reserve land.

Mr Peet was also of the view that 16 Punjab Street does not need to be rezoned at this point in time. This is because the site has been zoned Open Space B for many years without concern and an email referenced in the Section 42A report from Council's Best Practice Manager, Peter Hunter, stated that nothing is expected to happen with the two City Council housing dwellings on the site within the next 5-10 years.

To mitigate Mr Peet's concerns, the Panel asked Council officers whether a controlled activity status could be included in the Open Space chapter to allow minor alterations and additions to be carried out on the houses without changing the zoning. Mr Smith stated that this could be possible, however Ms Marshall advised the Panel that this would be contrary to the objectives and policies of the Open Space chapter and would likely be beyond the scope of the Plan Change. Mr Smith added that up until now the Council has not had any difficulties with the District Plan, as only internal maintenance and alterations have been carried out. However if external or more intensive alterations needed to be undertaken, resource consent would be required. Consequently, these sites need to be rezoned so that resource consent is not required for simple maintenance.

The Panel noted that the site proposed to be rezoned contains two City Housing units but has a very low intensity level of existing development. As the current zoning of this site does not reflect its residential use and resource consent is required for minor alterations and additions to be carried out, the Hearing Panel recommends that this site be rezoned from Open Space B to Outer Residential.

However the Panel is also conscious of the low site coverage and low existing level of development of this part of the site. The Panel acknowledged that simple residential zoning could imply somewhat more intensive development in the future. The Panel therefore also recommends that Council officers consider imposing more restrictive planning controls on 16 Punjab Street if it is ever sold into private ownership, in order to fully consider the appropriate planning framework for the site. In particular the Panel considers that any proposal for further development intensifying use of the site should give consideration to the site's zoning history, low development intensity, and partially open space characteristics.

**Recommended decision: Accept the submission in part, by way of recommending further non-statutory actions.**

**4.5 Submission in both support and opposition**

**4.5.1 Wellington Botanical Society**

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The Wellington Botanical Society (the Society or submitter 1) supports six of the proposed rezonings. The Society also opposes four of the proposed rezonings because some or all of the housing may have been developed without due consideration of the tenure/legal status of the Reserves Act as well as other relevant documents, such as the District Plan. The Society also considered that no information had been provided on the Council's future plans for these sites and, as such, wanted to know whether the rezoning would allow the Council to sell the land rather than retain it for social housing.

Bev Abbott attended the hearing on behalf of the Society and reiterated the points raised in the Society's submission.

The submitter's support for six of the proposed rezonings is noted. The Hearing Panel is satisfied that most of the Society's concerns regarding the four proposed rezonings it opposed were dealt with at the hearing. For the same reasons outlined in section 4.4.1 of this report, the Panel recommends that the three remaining Council houses (150 Cockayne Road, Ngaio, 190-206 Darlington Road, Miramar and 49-59 and 67 Epuni Street, Aro Valley) be rezoned from their respective open space zonings to residential, as notified. The Panel noted that these sites are significantly occupied by residential dwellings and are residential in character.

The Panel gave particular consideration to 16 Punjab Street as discussed above in response to the submissions of Philip and Camilla Peet and Warren and Robyn Young.

**Recommended decision: Accept the submission in part.**

#### **4.6 Neutral Submissions**

##### **4.6.1 Greater Wellington Regional Council**

Greater Wellington Regional Council (submitter 11 or the GWRC) is neutral to DPC 80 but seeks amendments to the non-notification clauses in Residential Rule 5.3.4 and Centres Area Rule 7.3.7. In short, the GWRC proposed to include the Takapu Stream, Makara and Ohariu Streams and the Karori Stream outside of the urban area as streams that it wants to be notified of in the case of any breaches to Residential and Centres Area Standards 5.6.2.2.11 and 7.6.2.5.1 respectively.

Given that it was later determined that none of these streams are within the Residential and Centres Areas, the GWRC withdrew its submission on 18 April 2016. Therefore, the Hearing Panel has not considered this submission in any further detail.

#### **5. Conclusion**

Thirteen submissions were received on DPC 80, two of which were withdrawn. Of the remaining submissions, seven were in support of the Plan Change, three were in opposition, and one was in both support and opposition to DPC 80.

The Hearing Panel recommends that the submissions in support be noted and accepted. In relation to the submissions in support but also seeking amendments, it is recommended that they be accepted either in full or in part and that the changes discussed in sections 4.3.1-4.3.4 of this report and outlined in Appendix 1 are made to the notified Plan Change.

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The Hearing Panel also recommends that the three submissions in opposition to DPC 8o be accepted in part and that the changes discussed in sections 4.4.1 and 4.4.2 and outlined in Appendix 1 are made to DPC 8o.

In regards to the submission in both support and opposition to the Plan Change, the Hearing Panel recommends that the Wellington Botanical Society's submission be accepted in part.

**Andy Foster**

**Chair - DPC8o Hearing Panel**



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**Appendix 1. Recommended Changes**

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Key to Changes	
Abcdefghijklmnop	Operative unaltered text
<u>Abcdefghijklmnop</u>	Text recommended to be added
<del>Abcdefghijklmnop</del>	Text recommended to be deleted

Provision	Changes as Notified	Changes as Recommended
Residential Standard 5.6.1.4	<p><b>5.6.1.4 Site Access</b></p> <p><del>5.6.1.4.1 No vehicle access is permitted to a site across any restricted road frontage identified on District Plan Maps 43 to 45.</del></p> <p><u>There shall be a maximum of one vehicular access to a site except:</u></p> <ul style="list-style-type: none"> <li><u>No vehicle access is permitted to a site across any restricted road frontage identified on District Plan Maps 43 to 45</u></li> <li><u>A site with more than one road frontage may have one access per frontage (unless the second frontage is to a State Highway, or a restricted road frontage on Maps 43-45)</u></li> </ul> <p>5.6.1.4.2 Site access for vehicles must be formalised by a legal right of way instrument where not directly provided from a public road, and must be provided and maintained in accordance with section 3 of the joint Australian and New Zealand Standard 2890.1 – 2004, Parking Facilities, Part I: Off-Street Car Parking.</p> <p>5.6.1.4.3 There shall be a maximum of one vehicular access to a site, except that a site with more than one road frontage may have one access per frontage (unless the second frontage is to a</p>	<p><b>5.6.1.4 Site Access</b></p> <p><u>5.6.1.4.1 Sites with one road frontage shall have a maximum of one vehicle access.</u></p> <p><u>5.6.1.4.2 Sites with two or more road frontages may have one vehicle access per frontage, subject to 5.6.1.4.3 - 5.6.1.4.5.</u></p> <p><u>5.6.1.4.3 Sites with road frontages to:</u></p> <ul style="list-style-type: none"> <li><u>a State highway, or an Arterial, Principal or Collector Road; and</u></li> <li><u>one or more local or sub-collector roads (that do not have restricted road frontages)</u></li> </ul> <p><u>may only have vehicle access to the local or sub collector roads.</u></p> <p><u>5.6.1.4.4 Sites with two or more road frontages that are all categorised as:</u></p> <ul style="list-style-type: none"> <li><u>a State highway; or</u></li> <li><u>restricted road frontage; or</u></li> <li><u>Arterial, Principal or Collector roads</u></li> </ul> <p><u>Shall have a maximum of one vehicle access. This vehicle access shall not be from a state highway or a restricted road frontage.</u></p> <p>5.6.1.4.5 No vehicle access is permitted to a site across any restricted road frontage.</p> <p>5.6.1.4.6 Site access for vehicles must be formalised by a legal right of way instrument where</p>

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	<p>State Highway).</p> <p>5.6.1.4.4 The maximum width of any vehicular access is:</p> <ul style="list-style-type: none"> <li>• 3.7 metres in the Inner Residential Area and within the Residential Coastal Edge</li> <li>• in Medium Density Residential Areas 3.7 metres for sites containing up to 6 units, and 6.0 metres for sites containing 7 or more units.</li> <li>• 6.0 metres in the Outer Residential Area (excluding the Residential Coastal Edge)</li> </ul> <p><del>5.6.1.4.5 On sites with frontage to a secondary street no access shall be provided to a primary street or state highway.</del></p>	<p>not directly provided from a public road, and must be provided and maintained in accordance with section 3 of the joint Australian and New Zealand Standard 2890.1 – 2004, Parking Facilities, Part I: Off-Street Car Parking.</p> <p>5.6.1.4.7 The maximum width of any vehicular access is:</p> <ul style="list-style-type: none"> <li>• 3.7 metres in the Inner Residential Area and within the Residential Coastal Edge</li> <li>• in Medium Density Residential Areas 3.7 metres for sites containing up to 6 units, and 6.0 metres for sites containing 7 or more units.</li> <li>• 6.0 metres in the Outer Residential Area (excluding the Residential Coastal Edge)</li> </ul>
Residential Policy 4.2.7.3	For non-residential activities in Inner Residential Areas adjoining the Central Area consideration should also be given to Policy 12.2.1.2.	For non-residential activities in Inner Residential Areas <del>adjoining the Central Area</del> consideration <del>should</del> <u>shall</u> also be given to <u>Central Area</u> Policy 12.2.1.2.
Non-notification clause in Residential Rule 34.3.9	<p>...</p> <p>Non-notification/ service</p> <p>In respect of Rule 34.3.9.4 (<u>yards</u>) applications will not be publicly notified (unless special circumstances exist) or limited notified, except that Greater Wellington Regional Council will be considered to be an affected party <u>to any application that breaches standard 7.6.2.5.1 in relation to Porirua Stream and tributaries.</u></p> <p>In respect of the following items applications will not be publicly notified (unless special circumstances exist) or limited notified, except</p>	<p>...</p> <p>Non-notification/service</p> <p>In respect of item <u>Rule 34.3.9.4 (yards)</u> applications will not be publicly notified (unless special circumstances exist) or limited notified, except that Greater Wellington Regional Council will be considered to be an affected party to any application that breaches standard <del>7.6.2.5.1</del> <u>34.6.2.4.2</u> in relation to Porirua Stream and tributaries.</p> <p>In respect of <del>the following items</del> <u>item 34.3.9.8 (high voltage transmission lines)</u> applications will not be publicly notified (unless special circumstances</p>

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	<p>that Transpower New Zealand Limited may be considered to be an affected party to any application located within 32 metres of a high voltage transmission line:</p> <ul style="list-style-type: none"> <li>• 34.3.9.4 (yards)</li> <li>• 34.3.9.7 (verandahs)</li> <li>• 34.3.9.10 (noise insulation and ventilation)</li> </ul>	<p>exist) or limited notified, except that Transpower New Zealand Limited may be considered to be an affected party to any application located within 32 metres of a high voltage transmission line: <u>that breaches Standard 34.6.2.8.1</u> (proximity to high voltage transmission lines):</p> <ul style="list-style-type: none"> <li>• <del>34.3.9.4 (yards)</del></li> <li>• <del>34.3.9.7 (verandahs)</del></li> <li>• <del>34.3.9.10 (noise insulation and ventilation)</del></li> </ul> <p><u>In respect of the following items applications will not be publicly notified (unless special circumstances exist) or limited notified:</u></p> <ul style="list-style-type: none"> <li>• <u>34.3.9.4 (yards)</u></li> <li>• <u>34.3.9.7 (verandahs)</u></li> <li>• <u>34.3.9.10 (noise insulation and ventilation)</u></li> </ul>
<p>Residential Standard 5.6.2.5.4</p>	<p>Any accessory building erected between the street frontage and an existing residential building on a site in the Inner Residential Areas shown in Appendix 1, shall have a maximum height of 3 metres (measured from ground level directly in front of the proposed accessory building). <u>In all other Residential Areas an accessory building shall have a maximum height of 3.5m.</u></p>	<p><u>Any accessory building in Residential Areas shall have a maximum height of 3.5 metres, except that accessory buildings erected between the street frontage and an existing residential building on a site in the Inner Residential Areas (as shown in Appendix 1), shall have a maximum height of 3 metres (measured from ground level directly in front of the proposed accessory building).</u></p> <p><i>The front of accessory buildings is the side nearest to the street.</i></p>
<p>Residential Standard 5.6.2.5.5</p>	<p>In Residential Areas (excluding the Oriental Bay Height Area) an additional <del>1m</del> metre can be added to the maximum height (stated in the rules standards <u>5.6.2.5.1 or 5.6.2.7</u>) of any building with a roof slope of 15 degrees or greater (rising to a central ridge) as illustrated on the following diagram:</p>	<p>In Residential Areas (excluding the Oriental Bay Height Area) an additional 1 metre can be added to the maximum height (stated in standards <u>5.6.2.5.1, 5.6.2.5.4 and 5.6.2.7</u>) of any building with a roof slope of 15 degrees or greater (rising to a central ridge) as illustrated on the following diagram:</p>

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<p>Residential Policy 4.2.4.1</p>		<p>Policy 4.2.4.1</p> <p>.....</p> <p>The scale and placement of new buildings, including accessory buildings, can have a significant impact on the amenity enjoyed by neighbouring properties; and</p> <p>.....</p> <p>Maximum building heights, <u>including the maximum building height for accessory buildings</u>, are specified at levels that recognise the scale of existing buildings in the area, while also providing scope to undertake a reasonable scale of building work and allowing sufficient flexibility to cope with variations in topography and slope <u>and relationships to neighbouring properties</u>. In the Outer Residential Areas the building height standards provide for a generous two-storey building. In the Inner Residential Area the heights are usually sufficient to facilitate three storey buildings. <u>Although accessory buildings are limited to a single storey.</u></p> <p>.....</p>
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**Section 32AA Evaluation Report**

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<b>Table 1: Include a cross-reference to Central Area Policy 12.2.1.2 in the explanation to Residential Area Policy 4.2.7.3</b>		
Description	Include a cross-reference to Central Area Policy 12.2.1.2 in the explanation to Residential Area Policy 4.2.7.3 to avoid Central Area Policy 12.2.1.2 been overlooked when Council officers are assessing resource consent applications for non-residential activities in Inner Residential Areas.	
	OPTION 1: Do Nothing – Retain Existing Provisions	OPTION 2: Include a cross-reference to Central Area Policy 12.2.1.2 in the explanation to Residential Area Policy 4.2.7.3 This is the RECOMMENDED option.
Costs	<ul style="list-style-type: none"> <li>Environmental costs – Medium. Sub optimal environmental outcomes may arise if the cross-reference is not included in the District Plan. This is because non-residential activities may encroach into Inner Residential Areas.</li> <li>Economic costs – Low. No reduction in property rights,</li> <li>Social costs – Low. Sub optimal social outcomes may arise if the cross-reference is not included in the District Plan as the amount of land available for housing in Inner Residential Areas may be reduced.</li> </ul>	<ul style="list-style-type: none"> <li>Environmental costs – None identified.</li> <li>Economic costs – Low. Costs of processing the Plan Change.</li> <li>Social costs – None identified.</li> </ul>
Benefits	<ul style="list-style-type: none"> <li>Environmental benefits – None identified.</li> <li>Economic benefits – None identified.</li> <li>Social benefits – None identified.</li> </ul>	<ul style="list-style-type: none"> <li>Environmental benefits – Medium. Ensure the environmental objectives of the Plan are achieved. This is because Central Area Policy 12.2.1.2 will no longer be overlooked despite its location in the Central Area chapter.</li> <li>Economic benefits –Low. Property rights maintained.</li> <li>Social benefits – Medium. Ensures good planning outcomes for communities. There will also be more sites available for housing.</li> </ul>
Efficiency & Effectiveness of achieving Objectives	<ul style="list-style-type: none"> <li>The Plan's objectives would be less efficiently and effectively achieved as the cross-reference may be overlooked by Council officers given its current location in the Central Area chapter.</li> </ul>	<ul style="list-style-type: none"> <li>Most efficient and effective in achieving the plan's objectives as a cross-reference to Central Area Policy 12.2.1.2 in the Residential Areas chapter will ensure that non-residential activities do not encroach into Inner Residential Areas.</li> </ul>
Most appropriate for achieving Objectives	<ul style="list-style-type: none"> <li>Not considered appropriate, as Central Area Policy 12.2.1.2 may continue to be overlooked given that there is no direct reference to the Policy in the Residential Areas chapter.</li> </ul>	<ul style="list-style-type: none"> <li>Appropriate, as the cross-reference will ensure that non-residential activities do not encroach into Inner Residential Areas.</li> </ul>

DPC80 – General Minor Amendments to District Plan Text And Maps VII

<b>Table 2: Amend Residential Standard 5.6.1.4</b>		
Description	<b>Amend Residential Standard 5.6.1.4 to avoid inappropriate vehicle access.</b>	
	<b>OPTION 1: Do Nothing – Retain Existing Provisions</b>	<b>OPTION 2: Amend Residential Standard 5.6.1.4 This is the RECOMMENDED option.</b>
<b>Costs</b>	<ul style="list-style-type: none"> <li>Environmental costs – Medium. Sub optimal environmental outcomes may arise if the Plan is not applied correctly.</li> <li>Economic costs – Medium. The processing of resource consents may take additional time if the Plan is not easily interpreted. Costs would be borne by developers through consent processing charges.</li> <li>Social costs – Low. Sub optimal social outcomes may arise if the Plan is not applied correctly.</li> </ul>	<ul style="list-style-type: none"> <li>Environmental costs – None identified.</li> <li>Economic costs – Low. Costs of processing the Plan Change.</li> <li>Social costs – None identified.</li> </ul>
<b>Benefits</b>	<ul style="list-style-type: none"> <li>Environmental benefits – None identified.</li> <li>Economic benefits – None identified.</li> <li>Social benefits – None identified.</li> </ul>	<ul style="list-style-type: none"> <li>Environmental benefits – Medium. Ensures the environmental objectives of the Plan are correctly applied.</li> <li>Economic benefits – Medium. Processing of resource consents may be streamlined due to the Plan being easier to interpret.</li> <li>Social benefits – Medium. Ensures good planning outcomes for communities.</li> </ul>
<b>Efficiency &amp; Effectiveness of achieving Objectives</b>	<ul style="list-style-type: none"> <li>The Plan's objectives would be less efficiently and effectively achieved as the provisions have been identified as unclear and may result in the Plan being applied incorrectly.</li> </ul>	<ul style="list-style-type: none"> <li>Most efficient and effective in achieving the plan's objectives as the changes would clarify how they are meant to be given effect to.</li> </ul>
<b>Most appropriate for achieving Objectives</b>	<ul style="list-style-type: none"> <li>Not considered appropriate, as the provisions are unclear and do not provide certainty for applicants.</li> </ul>	<ul style="list-style-type: none"> <li>Appropriate, as the changes allow for more informed decision making processes that meet the Plan objectives.</li> </ul>

DPC80 – General Minor Amendments to District Plan Text And Maps VII

<b>Table 3: Amend Residential Standard 5.6.2.5.4</b>		
<b>Description</b>	<b>Amend Residential Standard 5.6.2.5.4 to prevent applicants from putting forward a permitted baseline argument for infill development and to avoid the potential adverse effects of accessory buildings on neighbouring properties.</b>	
	<b>OPTION 1: Do Nothing – Retain Existing Provisions</b>	<b>OPTION 2: Amend Residential Standard 5.6.2.5.4 This is the RECOMMENDED option.</b>
<b>Costs</b>	<ul style="list-style-type: none"> <li>Environmental costs – Medium. Lack of height controls may result in adverse effects on the streetscape and adjoining properties.</li> <li>Economic costs – Medium. The processing of resource consents may take additional time if the plan is not easily interpreted. Costs would be borne by developers through consent processing charges.</li> <li>Social costs – Low. Sub optimal social outcomes may arise if the plan is not interpreted correctly.</li> </ul>	<ul style="list-style-type: none"> <li>Environmental costs – None identified.</li> <li>Economic costs – Low. Costs of processing the Plan Change.</li> <li>Social costs – None identified.</li> </ul>
<b>Benefits</b>	<ul style="list-style-type: none"> <li>Environmental benefits – None identified.</li> <li>Economic benefits – None identified.</li> <li>Social benefits – None identified.</li> </ul>	<ul style="list-style-type: none"> <li>Environmental benefits – Medium. Ensures adverse effects on adjoining properties are minimised.</li> <li>Economic benefits – Medium. Processing of resource consents may be streamlined due to the Plan being easier to interpret.</li> <li>Social benefits – Low. Ensures good planning outcomes for communities.</li> </ul>
<b>Efficiency &amp; Effectiveness of achieving Objectives</b>	<ul style="list-style-type: none"> <li>The Plan's objectives would be less efficiently and effectively achieved as they allow accessory buildings to be built to the same height as dwellings.</li> </ul>	<ul style="list-style-type: none"> <li>Most efficient and effective in achieving the plan's objectives as it will prevent developers from putting forward a permitted baseline argument for infill development.</li> </ul>
<b>Most appropriate for achieving Objectives</b>	<ul style="list-style-type: none"> <li>Not considered appropriate, as it allows developers to put forward a permitted baseline argument for infill development.</li> </ul>	<ul style="list-style-type: none"> <li>Appropriate, as the changes allow more informed decision-making processes that meet the Plans objectives.</li> </ul>

DPC80 – General Minor Amendments to District Plan Text And Maps VII

<b>Table 4: Amend the non-notification clause in Residential Rule 34.3.9</b>		
Description	<b>Amend the non-notification clause in Residential Rule 34.3.9 to simplify it without changing its intent.</b>	
	<b>OPTION 1: Do Nothing – Retain Existing Provisions</b>	<b>OPTION 2: Amend the non-notification clause in Residential Rule 34.3.9</b> <b>This is the RECOMMENDED option.</b>
Costs	<ul style="list-style-type: none"> <li>Environmental costs – Low. Sub optimal environmental outcomes may arise if the Plan is not applied correctly.</li> <li>Economic costs – Medium. The processing of resource consents may take additional time if the Plan is not easily interpreted. Costs would be borne by developers through consent processing charges.</li> <li>Social costs – Low. Sub optimal social outcomes may arise if the Plan is not applied correctly.</li> </ul>	<ul style="list-style-type: none"> <li>Environmental costs – None identified.</li> <li>Economic costs – Low. Costs of processing the Plan Change.</li> <li>Social costs – None identified.</li> </ul>
Benefits	<ul style="list-style-type: none"> <li>Environmental benefits – None identified.</li> <li>Economic benefits – None identified.</li> <li>Social benefits – None identified.</li> </ul>	<ul style="list-style-type: none"> <li>Environmental benefits – Medium. Ensures the environmental objectives of the Plan are correctly applied.</li> <li>Economic benefits – Medium. Processing of resource consents may be streamlined due to the Plan being easier to interpret.</li> <li>Social benefits – Medium. Ensures good planning outcomes for communities.</li> </ul>
Efficiency & Effectiveness of achieving Objectives	<ul style="list-style-type: none"> <li>The Plan's objectives would be less efficiently and effectively achieved, as the GWRC would be notified of yard breaches that are not of its concern.</li> </ul>	<ul style="list-style-type: none"> <li>Most efficient and effective in achieving the Plan's objectives as changes would clarify how they are meant to be given effect to.</li> </ul>
Most appropriate for achieving Objectives	<ul style="list-style-type: none"> <li>Not considered appropriate, as it is not clear which matters in Standard 34.3.9.4 that the GWRC wants to be notified of in the event of yard breaches.</li> </ul>	<ul style="list-style-type: none"> <li>Appropriate, as the changes allow more informed decision making processes that meet objectives.</li> </ul>



DPC80 – General Minor Amendments to District Plan Text And Maps VII

<b>Table 5: Amend Residential Area Policy 4.2.4.1</b>		
<b>Description</b>	<b>Amend Residential Area Policy 4.2.4.1 to relate to accessory buildings given that they are not covered by the definition of 'buildings' in the District Plan.</b>	
	<b>OPTION 1: Do Nothing – Retain Existing Provisions</b>	<b>OPTION 2: Amend Residential Area Policy 4.2.4.1 This is the RECOMMENDED option.</b>
<b>Costs</b>	<ul style="list-style-type: none"> <li>Environmental costs – Low. Sub optimal environmental outcomes may arise if accessory buildings are not included in Residential Area Policy 4.2.4.1.</li> <li>Economic costs – Medium. The processing of resource consents may take additional time if the Plan is not easily interpreted. Costs would be borne by developers through consent processing changes.</li> <li>Social costs – Low. Sub optimal social outcomes may arise if the Plan is not applied correctly.</li> </ul>	<ul style="list-style-type: none"> <li>Environmental costs – None identified.</li> <li>Economic costs – Low. Costs of processing the Plan Change.</li> <li>Social costs – None identified.</li> </ul>
<b>Benefits</b>	<ul style="list-style-type: none"> <li>Environmental benefits – None identified.</li> <li>Economic benefits – None identified.</li> <li>Social benefits – None identified.</li> </ul>	<ul style="list-style-type: none"> <li>Environmental benefits – Medium. Ensures the environmental objectives of the Plan are achieved. Potential adverse effects will also be minimised on adjoining properties.</li> <li>Economic benefits – Medium. Adjoining neighbours' property values will be maintained.</li> <li>Social benefits – Medium. Ensures good planning outcomes for communities.</li> </ul>
<b>Efficiency &amp; Effectiveness of achieving Objectives</b>	<ul style="list-style-type: none"> <li>The Plan's objectives would be less efficiently and effectively achieved as accessory buildings could be misinterpreted as not applying to Residential Area Policy 4.2.4.1 given that 'buildings' are defined separately from 'accessory buildings' in the District Plan.</li> </ul>	<ul style="list-style-type: none"> <li>Most efficient and effective in achieving the plan's objectives as accessory buildings will be recognised as their own activity in Residential Area Policy 4.2.4.1 given that 'buildings' and 'accessory buildings' are defined separately in the District Plan.</li> </ul>
<b>Most appropriate for achieving Objectives</b>	<ul style="list-style-type: none"> <li>Not considered appropriate, as it is unclear whether Residential Area Policy 4.2.4.1 applies to accessory buildings.</li> </ul>	<ul style="list-style-type: none"> <li>Appropriate, because the changes meet the Plan's objectives and make it clear that Residential Area Policy 4.2.4.1 applies to accessory buildings.</li> </ul>

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## **COUNCIL APPOINTMENT TO TECHNOLOGY VALLEY INCORPORATED**

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### **Purpose**

1. This report seeks approval for the appointment of a Councillor to represent Wellington City Council on the Technology Valley Incorporated committee.

### **Recommendations**

That the Council:

1. Receive the information.
2. Agree to appoint a Councillor to represent the Wellington City Council on the committee of Technology Valley Incorporated.
3. Note that the appointment to Technology Valley Incorporated will commence immediately upon approval of this recommendation. The appointment will terminate at the earlier of the time the position is refilled following this year's triennial election OR 31 December 2016.

### **Background**

2. Technology Valley Inc has been established by the Hutt City Council to improve the connection and collaboration between business, individuals, researchers, government and professional service providers. Cr Coughlan has represented the Council during the initial establishment phase of this entity.
3. On June 1, the application was signed to formally establish Technology Valley as an incorporated society, with Wellington City Council being invited to be a founding member and take up a position on the committee.
4. Under the Local Government Act (2002), the ability for the Council to appoint one of the committee members to Technology Valley Inc means the entity is classified as a Council Organisation.
5. The Appointments Policy (2011) makes provision for appointments to the boards of Council Organisations where there is a benefit to the Council of such an appointment.
6. Under the rules of the society, the Council's committee representative can be a Councillor, Council officer or external candidate with an appropriate skill set.
7. The appointment process is the same as that for a Council Controlled Organisation.

### **Discussion**

8. In making an appointment to Technology Valley Inc, the Council will be considered a founding member of the Society.
9. In addition to the Council, other founding partners in this enterprise include Hutt City Council, Callaghan Innovation, the Hutt Valley Chamber of Commerce, Vantage Consulting, the Wellington Regional Economic Development Agency, WelTec, Open Polytechnic, Deloitte, Wellington ICT Graduate School and GNS Science.

10. Officers have reviewed the documentation and information about Technology Valley Inc and consider it a good strategic fit for the Council to be involved, complementing Wellington's Tech Hub that was opened in 2015.
11. Given the strategic nature of this entity and cross-Council involvement, officers consider it appropriate for a Councillor to represent the city on this committee.
12. The appointment to Technology Valley Incorporated is not a remunerated position and will commence immediately upon approval of the recommendations contained in this report. Unless otherwise specified the appointment will terminate at the earlier of the time the position is refilled following this year's triennial election or 31 December 2016.

## **Attachments**

Nil

Author	Richard Hardie, Portfolio Manager
Authoriser	Derek Fry, Director City Growth & Partnerships

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## **SUPPORTING INFORMATION**

### **Consultation and Engagement**

Not applicable.

### **Treaty of Waitangi considerations**

Not applicable.

### **Financial implications**

Not applicable.

### **Policy and legislative implications**

The appointments process that was undertaken was consistent with the Council's Appointments and Remuneration of Directors and Trustees for Council Organisations policy (2011).

### **Risks / legal**

Not applicable.

### **Climate Change impact and considerations**

Not applicable.

### **Communications Plan**

Not applicable.





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### 3. Committee Reports

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## **REPORT OF THE TRANSPORT AND URBAN DEVELOPMENT COMMITTEE MEETING OF 8 JUNE 2016**

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**Members:** Mayor Wade-Brown, Councillor Ahipene-Mercer, Councillor Coughlan, Councillor Eagle, Councillor Foster (Chair), Councillor Free, Councillor Lee, Councillor Lester, Councillor Marsh, Councillor Pannett, Councillor Peck, Councillor Ritchie, Councillor Sparrow, Councillor Swain (Greater Wellington Regional Council), Councillor Woolf, Councillor Young.

**The Committee recommends:**

**FINAL 2016/17 STATEMENTS OF INTENT FOR WELLINGTON CABLE CAR LTD**

**Recommendations**

That Council:

1. Approve the 2016/17 Statement of Intent for Wellington Cable Car Limited.

**Attachments**

Nil



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## **REPORT OF THE ENVIRONMENT COMMITTEE MEETING OF 23 JUNE 2016**

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**Members:** Mayor Wade-Brown, Councillor Ahipene-Mercer, Councillor Coughlan, Councillor Eagle, Councillor Foster, Councillor Free, Councillor Lee, Councillor Lester, Councillor Marsh, Councillor Pannett (Chair), Councillor Peck, Councillor Ritchie, Councillor Sparrow, Councillor Woolf, Councillor Young.

**The Committee recommends:**

### **WASTE MANAGEMENT BYLAW - PROPOSAL TO FORMALISE TERMS AND CONDITIONS**

#### **Recommendations**

That Council:

1. Adopt the Terms and Conditions for collection of kerbside recycling in suburban areas as detailed in Attachment One of this report and that it revoke any previous Terms and Conditions.
2. Agree the date these Terms and Conditions come into force is the day after the date the Council resolves to adopt the Terms and Conditions.

### **FINAL 2016/17 STATEMENTS OF INTENT FOR COUNCIL CONTROLLED ORGANISATIONS**

#### **Recommendations**

That Council:

1. Approve the 2016/17 Statements of Intent received from the Wellington Zoo Trust and the Karori Sanctuary Trust.

#### **Attachments**

Attachment 1. Terms and Conditions for collection of kerbside recycling in suburban areas Page 307



## Part 9: Waste Management - Terms & Conditions

### Terms & Conditions for Collection Services & Landfill Use

These terms and conditions for collection services and landfill use were made by resolution pursuant to clause 4.2.1. of the Wellington City Consolidated Bylaw 2008 Part 9 - Waste Management.

#### 1. Introduction & Commencement

- 1.1 These are Council resolutions made pursuant to the Wellington City Council Consolidated Bylaw 2008: Part 9 - Waste Management, and should be read in conjunction with it.
- 1.2 These resolutions shall come into force on *[the day after the date on which Council resolves to adopt the Terms and Conditions]*

#### 2. Terms & Conditions for Collection Services

- 2.1 The Council has approved the following 'official containers' for use for Council collection services:
  - (a) yellow pre-printed plastic bags intended for non-divertible waste
  - (b) green plastic bins (45 litres) for divertible material
  - (c) white plastic bags for divertible material.And, in respect of Council collection of recyclable materials from suburban Areas (see clause 2.9):
  - (d) **“Approved container for glass”** - a 45 litre green crate embossed, inter alia, with the following: **“for the collection of domestic recyclables only”** and **“this bin and the recyclables remain the property of Wellington City Council”**
  - (e) **“Approved containers for other recyclable materials”**, either:
    - A 140 litre Mobile Recycling Bin (MRB, commonly referred to as a **“wheelie bin”**) issued by Wellington City Council and branded with the Wellington City Council logo; or
    - A 70 litre clear plastic bag branded with the Wellington City Council logo and printed with the following **“official suburban recycling bag”**.
- 2.2 No person shall:
  - (a) put or cause or allow anyone else to put waste or divertible material or a collection container for waste or divertible material, approved or otherwise, in a public place other than during the permitted times, as stated in clauses 2.9.5, 2.9.6 and 2.12, as applicable, without the prior written permission of the Council



- (b) allow or cause anyone else to allow the placement of waste or divertible material, including hazardous substances and building materials, in a public place in such a manner as to create a risk to members of the public
- (c) allow or cause anyone else to allow any leakage, spillage or fugitive (wind-blown) waste or divertible material to be released from their containers onto public places.
- 2.3 No one shall put or cause or allow anyone else to put into any container for collection any hazardous substance, including those that require special handling as defined by the Hazardous Substances and New Organisms Act 1996, the most common of which are listed below:
- (a) explosive or any highly flammable material
- (b) radioactive material, asbestos or paint
- (c) trade refuse, offal, dead animals or infectious matter
- (d) any waste removed from any part of a drainage or sewerage system
- (e) hot ashes. Cold ashes must be well wrapped to protect anyone handling the bag from the risk of breathing ash dust
- (f) unwrapped sharp objects. Any broken bottles, glass items or sharp objects must be well wrapped to protect anyone handling the bag from injury.
- Note to clause 2.3:** Household substances which are excluded from the collection services may be taken to the Hazardous Waste Storage Facility at the Southern Landfill.
- 2.4 No person shall put out any approved container, other than an approved 140 litre Mobile Recycling Bin, for Council collection that, with contents, weighs more than 15 kilograms.
- 2.5 Waste or divertible material must be correctly separated and treated before being put into approved containers, or public litter or recycling bins, for collection. Divertible material put out for collection must be clean, and not contaminated by food or other organic material which may attract rats or disease.
- 2.6 The following may be placed in approved containers for collection:
- (a) aluminium cans - wash and squash
- (b) steel – wash and squash where possible
- (c) glass bottles and jars – washed and lids removed
- (d) plastic bottles – all grades except polystyrene - wash, squash and remove the lids
- (e) cardboard and paper unless it is waxed, foil backed, or has plastic or food on it.
- 2.7 Approved containers put out for collection must securely contain all material within the container and be placed:

- (a) as close to the kerb as possible, or in line with any permanent obstructions, without obstructing the footpath or carriageway
- (b) directly in front of the residence or premises discarding the refuse, where possible
- (c) out at times consistent with 2.12 (a) or (b)
- (d) out at any other specified place or time as determined by the Council from time to time.

2.8 The following additional material may be put out for collection:

- (a) cardboard - flattened and securely tied with string or tape into bundles under 15kg in weight
- (b) paper of any kind, unless it is waxed, foil backed, or has plastic or food on it - contained in a bag, such as the standard plastic supermarket bags, with handles tied.

2.9 Notwithstanding clauses 2.6, 2.7, 2.8 and 2.12, the following special terms and conditions apply to Council collection of recyclable materials in areas outside the Central Area as defined in the District Plan:

2.9.1 The following types of material are permitted for kerbside recycling:

- (a) Permitted Glass: only the following materials may be placed in an **“approved container for glass” for collection: uncontaminated and unbroken bottles and jars with lids or caps removed.**

**Note to clause 2.9.1(a):** All others materials are not permitted, including: example: sharp objects, gas canisters, aerosols, batteries); clothing; cardboard and paper; plastics; metals; or anything contaminated with paint, chemicals or petroleum products. Examples of non-permitted glass include: broken glass; pane glass; contaminated glass (for example with paint, petroleum products, chemicals, or organic materials); **lightbulbs; fluorescent tubes; automotive glass; laminated glass; ‘Pyrex’ type glass; and ceramics.**

- (b) Permitted Other Recyclable Materials: Only the following materials may be **placed in an “approved container for other recyclable materials” for collection: uncontaminated paper and cardboard; uncontaminated cans and tins; all grades of uncontaminated plastics except polystyrene (for example meat trays and packaging).**

**Note to clause 2.9.1(b):** All other materials are not permitted, including: general waste; all forms of glass; organic waste; hazardous materials (eg. sharp objects, gas canisters, aerosols, batteries); clothing; paper or cardboard that is waxed, foil backed, or has plastic or food on it; or anything contaminated, such as with paint, chemicals, or petroleum products.

- Item 3.2 Attachment 1**
- 2.9.2 Approved containers for glass and approved containers for other recyclable materials will be collected on alternate weeks and only on the designated collection days specified by the Council for a geographic location.
- 2.9.3 The Council may vary designated collection days from time to time and will advise affected residents accordingly.
- 2.9.4 Approved containers for glass and approved containers for other recyclable materials put out for collection must securely contain all material within the container and be placed:
- (a) as close to the kerb as possible, or in line with any permanent obstructions, without obstructing the footpath or carriageway
  - (b) directly in front of the residence or premises discarding the material, where possible
  - (c) out at times consistent with clauses 2.9.5 and 2.9.6
  - (d) on a public street
  - (e) out at any other specified place or time as determined by the Council from time to time. Containers must be placed as close as possible to the kerb in a manner that does not unduly restrict pedestrian or traffic access.
- 2.9.5 Containers must be placed at an appropriate pick-up location:
- (a) between the hours of 10pm the day before the designated collection day and 8am on the designated collection day
  - (b) for streets with dispensation for earlier collections, containers must be placed at an appropriate pick up location between the hours of 9pm the day before the designated collection day and 7am on the designated collection day
  - (c) the Council may, from time to time, determine streets with dispensation and will advise affected residents accordingly.
- 2.9.6 Any material that is uncollected, for whatever reason, and all approved containers must be retrieved from the kerbside area by 10 pm on the designated collection day.
- 2.9.7 The Council may declare some streets, or parts of streets, unsafe for collection where it is not possible to safely undertake the collection of containers. There will be no collection of recycling from areas so declared, and approved containers, or any other containers for recycling, must not be placed for collection in the affected area.
- 2.9.8 Where a resident or household fails to comply with the special conditions for Council collection of recyclable materials described in clauses 2.9.1 to 2.9.7, the Council may withdraw collection services and advise the resident or household accordingly. In such circumstances, the resident or household must not place recyclable materials out for collection by the Council.
- 2.10 The containers, and any uncollected waste or divertible material outside of an approved container, intentionally or otherwise, remains the property and

- responsibility of the depositor and is considered litter under the Litter Act 1979 if not removed from the public place.
- 2.11 The noise generated during the collection and placement processes of any waste and divertible material management is subject to the District Plan noise controls requirements at all times.
- 2.12 The permitted times for placing approved containers, and any additional material as set out in clause 2.8, in public places for the collection of waste and divertible material are as follows:
- (a) For the Central Area, as defined in the District Plan, no container, waste or divertible material is permitted in public places between 7.00am and 5.00pm.
  - (b) For all other areas in the District Plan, containers may be put out from 7.00pm on the day preceding collection and must be out before 7.00am, or by the latest time as notified by the relevant service provider, on the day of collection. All containers and any uncollected waste and divertible material are to be removed from the public place by 12 midnight on the day of collection.
- 2.13 The permitted times for the collection of waste and divertible material are as follows:
- (a) Collection is permitted at any time where the operation is completed entirely on private property.
  - (b) Collection activity is not permitted to generate any unreasonable adverse impact on the operation of the transport network or safety. Collection during peak commuter traffic times on Principal, Arterial and Golden Mile roads (as defined under the District Plan) must be avoided. Wellington City Council's Code of Practice for Working on the Road specifies that these peak times are typically weekdays between 7am and 9am and between 4pm and 6pm, and that vehicle and pedestrian traffic may not be disrupted at any time for more than 2 minutes without a Council-approved Temporary Traffic Management Plan.
  - (c) For the Central Area, as defined in the District Plan, collection is permitted 7 days per week between 6.00pm and 7.00am.
  - (d) For all other areas in the District Plan, collection is permitted only on week days and only between 7.00am and 10.00pm.
  - (e) The Wellington City Council may approve variations to collection times for reasons of health, safety or congestion. Requests can be made to the relevant Council Director. Where a request for variation also requires a change in existing collection times, affected parties must be notified and given the opportunity to have their views considered. If a variation is approved, the collection service provider must notify all affected customers in writing of the times for when waste and divertible material must be put out.
- 2.14 The emptying of pedestrian bins in public places in association with street cleaning activity may occur on any day and time.

- 2.15 The provision and maintenance of temporary bins in areas of short-term increased demand, such as for events, may be approved under the Footpath Management Policy 2007.
- 2.16 Inorganic collections, such as community clean-ups at beaches or other public areas, may occur on any day.

### **3. Terms & Conditions for Household Use of the Southern Landfill**

- 3.1 The landfill may operate during the hours as determined by the Council from time to time and published on the Council website.
- 3.2 A full list of material prohibited from disposal into the landfill, but which may be received from households at the Hazardous Waste Storage Facility at the Southern Landfill is to be published on the Council website.
- 3.3 The Council may refuse to accept for disposal to landfill the types of waste and divertible material described in clause 2.3, except that:
- (a) while the landfill is not intended for the disposal of green waste, it will be accepted if necessary. As garden waste emits significant greenhouse gas emissions when disposed to landfill where its decay is anaerobic, home composting is by far the preferred option for this material.
  - (b) sharp objects need not be wrapped.
- 3.4 In addition to the restrictions described in clause 3.3, the Council may also refuse to accept for disposal to landfill:
- (a) cleanfill
  - (b) items and material it considers, at its sole discretion, can reasonably be expected to be diverted from the waste stream.
- 3.5 Commercial operators are also referred to the Collection and Transportation of Waste Bylaw 1997.
- 3.6 The charges for disposing of waste in the landfill and for depositing divertible or hazardous material shall be as determined annually by Council through the Annual Plan process. The Council may make additional charges where special handling and/or storage is necessary, and as required by the Waste Minimisation Act 2008.

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## **REPORT OF THE REGULATORY PROCESSES COMMITTEE MEETING OF 23 JUNE 2016**

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**Members:** Mayor Wade-Brown, Councillor Ahipene-Mercer (Chair), Councillor Foster, Councillor Lee, Councillor Pannett, Councillor Sparrow.

**The Committee recommends:**

### **PROPOSED ROAD STOPPING - LAND ADJOINING 2 MILITARY ROAD AND 55 GARDEN ROAD, NORTHLAND**

#### **Recommendations**

That Council:

1. a) Declares that approximately 50m<sup>2</sup> of unformed legal road land at the intersection of Military / Orangi Kaupapa / Garden Roads, Northland, shown outlined red on Attachment 1 (the Land), and adjoining 2 Military Road (being Lot 1 DP 310281 CFR 40460) and 55 Garden Road (Lot 2 DP 310281 CFR 40461) is not required for a public work and surplus to Council's requirements.
- b) Agrees to dispose of the Land.
- c) Delegates to the Chief Executive Officer the power to conclude all matters in relation to the road stopping and disposal of the Land, including all legislative matters, issuing relevant public notices, declaring the road stopped, negotiating the terms of sale or exchange, impose any reasonable covenants, and anything else necessary.

#### **Attachments**

Nil





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## **REPORT OF THE ECONOMIC GROWTH AND ARTS COMMITTEE MEETING OF 21 JUNE 2016**

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**Members:** Mayor Wade-Brown, Councillor Ahipene-Mercer, Councillor Coughlan (Chair), Councillor Eagle, Councillor Foster, Councillor Free, Councillor Lee, Councillor Lester, Councillor Marsh (Deputy Chair), Councillor Pannett, Councillor Peck, Councillor Ritchie, Councillor Sparrow, Councillor Woolf, Councillor Young.

**The Committee recommends:**

### **FINAL 2016/17 STATEMENTS OF INTENT FOR COUNCIL CONTROLLED ORGANISATIONS**

#### **Recommendations**

That Council:

1. Approves the 2016/17 Statements of Intent received from the Basin Reserve Trust, the Wellington Museums Trust, the Wellington Regional Stadium Trust, and the Wellington Regional Economic Development Agency with the following addition to the key objectives:
  - a. Facilitate opportunities for businesses operating in an environmentally sustainable manner.
  - b. Develop strategies to assist businesses to deal with the challenges of climate change.

#### **Attachments**

Nil



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#### **4. Public Excluded**

Resolution to Exclude the Public:

THAT the Council :

Pursuant to the provisions of the Local Government Official Information and Meetings Act 1987, exclude the public from the following part of the proceedings of this meeting namely:

General subject of the matter to be considered	Reasons for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
4.1 Appointments to Council-Controlled Organisations	7(2)(a) The withholding of the information is necessary to protect the privacy of natural persons, including that of a deceased person.	s48(1)(a) That the public conduct of this item would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7.

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