

# **District Plan**

## **Change 81:**

### **Rezoning of 320 The Terrace (Gordon Wilson Flats)**

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Environment Court Decision with Approved  
Amended Provisions

BEFORE THE ENVIRONMENT COURT  
I MUA I TE KOOTI TAIAO O AOTEAROA

ENV-2016-WLG-000024

**Decision No: [2018] NZEnvC 042**

IN THE MATTER

of an appeal under clauses 14 and  
29(6) of Schedule 1 to the Resource  
Management Act 1991

BETWEEN

THE ARCHITECTURAL CENTRE  
Appellant

AND

WELLINGTON CITY COUNCIL  
Respondent

AND

VICTORIA UNIVERSITY OF  
WELLINGTON  
Requestor

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**DECISION APPROVING TEXT OF BALANCE OF PLAN CHANGE 81**

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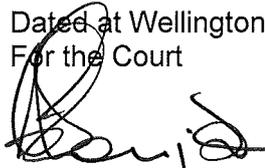
Decision Issued: **10 APR 2018**

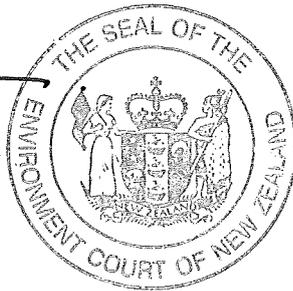


[1] I first should apologise to the parties for having misfiled this matter and not realised that it required further attention after Counsel's Memorandum advising that the requestor and the Council had agreed on the text of the Plan Change.

[2] The balance of Plan Change 81 is approved, as annexed to this decision.

Dated at Wellington this 9<sup>th</sup> day of April 2018  
For the Court

  
C J Thompson  
Environment Judge



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## 1.0 Introduction

### The Place of the University

Victoria University occupies a prominent place in both the social and physical fabric of Wellington city. Not only is it the region's premier institution of tertiary education and the centre of activity for over ~~12,000~~ 23,000 students and staff, but it is also a striking physical presence on its site overlooking the central city and harbour.

Since its incorporation nearly one hundred years ago as a college of the University of New Zealand, Victoria has grown with vigour and now almost fully occupies the original site. This growth is placing great demands on the resources of the university today as it responds to an increasing public demand for tertiary education.

### The Future of the University

The university plans to develop its important public role of research and educational service, and its future success depends on being able to expand its services and facilities to meet the public and political demand for an increase in the number of students and for educational excellence.

Much of this increased demand will be accommodated by intensifying facilities on the main campus site. Because of extreme pressure on space, however, steps have already been taken to extend the university into other parts of the city and allow some students to be taught part of their course at other tertiary institutions.

The university has acquired a presence on The Terrace in the Aro Valley through the purchase of the HNZC Mitchelltown School site at 320 The Terrace to provide for long term growth and a connection to the central city. ~~The residential properties are used for student accommodation. The Mitchelltown School site, now used for storage, will be adapted to also provide small scale propagation facilities for the University Grounds Section and the School of Biological Sciences.~~

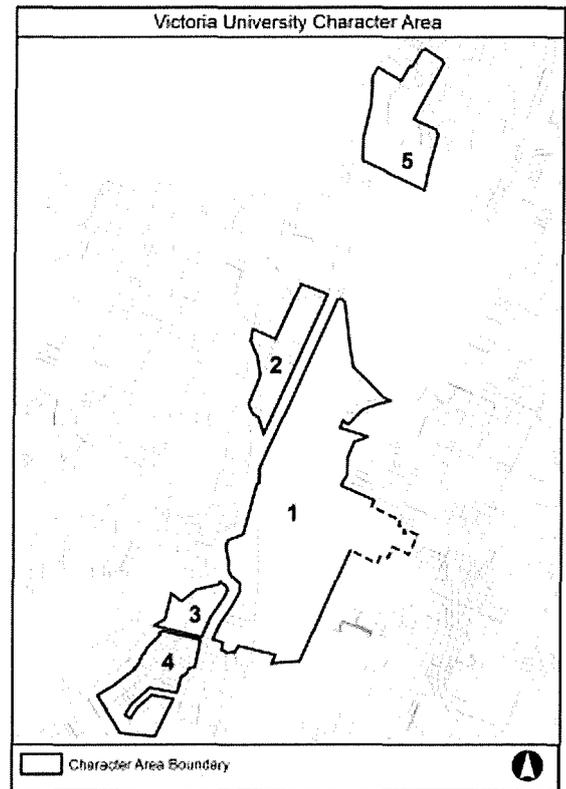
Intensification of the development within the main campus will continue to take into account not only its position at the edge of the central city, but also its location within existing residential areas. The character of those residential areas that are already being used for student accommodation will be maintained.



## The Campus

The Kelburn campus area can be logically divided into two areas, each of a different character and serving different uses. These are:

- the main teaching areas to the east of Kelburn Parade, to the west of Kelburn Parade adjoining Glasgow Street, and to the west of Fairlie Terrace (areas 1, 2 and 3)
- the residential areas to the north of Kelburn Park and the Cable Car, comprising Weir House and Trinity Newman Hall of Residence, and to the south of Kelburn Parade and east of Fairlie Terrace ~~the old School of Architecture site~~, accessed from Fairlie Terrace and Landcross Street (areas 4 and 5).



## 2.0 Intention of the Design Guide

As specified in the District Plan rules, all new building development within the precinct is a Controlled Activity in terms of the design and appearance, siting and height of buildings. This Design Guide provides the standards or criteria against which controlled elements will be assessed.

The general intention of this Design Guide is to allow the essential development of the university to occur in a planned and controlled manner, recognising and respecting the environmental qualities that give this area its unique character.

This Design Guide starts from the premise that both design guidelines and good design are site specific. No single rule or ideal provides a solution for every situation. For this reason suggestions and guidelines have been developed for each part of the site in order to respond to the unique conditions of each area and achieve site-specific development objectives.

The guidelines establish a three-dimensional framework within which development can take place, with the intention of imposing the minimum amount of control necessary to achieve the set objectives and promote a development responsive to the needs of both the university and the wider community.

The intention is to set out the general principles for development of the campus, not to arbitrarily restrict the development potential of the university. The guidelines are intended to give both a degree of certainty as to the form of appropriate development and the freedom of interpretation to allow an alternative design response if it can be shown to meet the area-specific objectives of this guide. Variations from certain guidelines will be considered if it can be demonstrated that the variation offers an alternative means of satisfactorily achieving the Guide's urban design objectives.

The illustrations in the Guide are intended to support the text by explaining principles. They are not intended to represent actual design solutions.



## 3.0 Analysis: Main Campus

### Area 1: Kelburn Parade East

The heart of the university, this comprises the main bulk of teaching, administration, library, recreation and student facilities.

The view from the central city of Kelburn and the university is dominated by the horizontal mass of the Cotton and Rankine Brown buildings. These important skyline elements, arguably built to the limit of appropriate scale, signal the existence of the university to the city below.

Characterised by high and medium-rise development, the campus comprises buildings significantly larger in scale than those in adjacent residential areas, which are primarily one or two storey dwellings.

Although of greater height and larger scale than most nearby buildings, the university development (like adjacent residential development) tends to follow the contours, with most facilities built along the slope. The resulting spine along the top of this site is more or less parallel to the underlying ridge of the Central Terrace area above and behind the university.

Building forms and types around the 320 The Terrace site are mixed although with the exception of buildings adjacent to streets that are 'off the grid' (and aligned with curvilinear contours), there is general consistency of orthogonal alignment of buildings to the street grid. Existing local development is typically two storey detached dwellings and two and three storey multi-unit development. Victoria House presents a taller medium-rise building as does the vacant McLean flats to the south of the site. Kelburn campus buildings overlooking the site also sit within this medium height range of circa 5 storeys.

The view of the university from the north is focused on the Hunter building, which plays an important role in establishing the identity of the university. This is visually the most intricate and historically the most significant of all the large buildings on campus. Not only is the Hunter building an important local landmark with senior status within the university, it is furthermore significant because of its relationship to the only substantial sunny open lawn in a campus generally lacking such spaces. The green carpet of the lawn acts as a foil to the red brick of the Hunter building and, together with the adjoining massed trees above Salamanca Road, visually links the campus with Kelburn Park.

Although cross-site pedestrian accessways connect the university with the city via Mount Street, the campus is not well served by convenient pedestrian connections to the Te Aro flat area. The need for connection may become increasingly important with the potential for further expansion of the University into central city premises.



Current (and any future) development at the south end of the campus is highly visible from the residential areas of Brooklyn and the Aro Valley. Unless steps are taken to mitigate such effects, future development in this area could visually dominate the view to the north from these areas.

The building edge along Kelburn Parade gives strong definition to an important arterial road through the university. This space, defined by long, often blank walls, acts primarily as a channel for traffic and, due to noise, wind effects, scale of building elements and lack of activity at edges, has a character that does not generally encourage use by pedestrians.

The site at 320 The Terrace extends Area 1 down to The Terrace. The key design opportunities here are to provide for significant expansion of the university contiguous with the Kelburn campus, and to develop a secondary “front door” and better connection between the campus and city centre and Te Aro. In doing so the landscaped escarpment which is prominent in views from Te Aro should be made more visible and enhanced, and a high quality entrance space should be developed at the edge of The Terrace.

The immediate context of 320 The Terrace is characterised by large scale university buildings above and to the west, and a mix of residential activity around including Victoria House hall of residence, multi-unit developments and a number of detached dwellings. Proximity of the site to dwellings necessitates careful consideration of residential amenity across the boundary and is reflected in carefully set permitted activity standards

This site is below the established part of the Kelburn campus and currently does not provide for pedestrian access up to that. In order to provide for reasonable connectivity through what is a very long urban block at the edge of the city centre, a safe pedestrian connection between The Terrace frontage of the site and the upper portion of the campus is desirable.

A local landscape feature is the vegetated escarpment at the rear of and above the site. This is part of the wider swathe of vegetation extending north and south which also includes a significant number of large detached dwellings. This pattern of buildings within heavily planted steeply sloping sites characterises most steeply sloping parts of the inner city suburbs. Building on and/or up part or parts of the vegetated escarpment is therefore appropriate but remaining vegetated areas should be appropriately managed to remove the existing high proportion of weed and weed species trees and provide for ongoing landscape management on the site.

## Area 2: Kelburn Parade West

Linked by a pedestrian overbridge to the existing heart of the campus, this area includes high-rise faculty offices, lecture theatres, and a line of old dwellings converted to university use, one of which has associated open space and houses the university marae.

This area is characterised by a mix of types and scales of building. These range from the tower/podium design of Von



Zedlitz and Bernard Murphy buildings, to the two-storey formerly residential villas that occupy most of the Kelburn Parade frontage. Larger-scale buildings immediately to the north of the university include a six-storey slab block apartment building, and the four-storey apartment block "Chevening" on the intersection with Salamanca Road.

While the existing dwellings that have been converted to university use in this area are not individually of architectural distinction or historical interest, collectively they relate to the scale and character of the adjoining residential area.

The road frontage to Kelburn Parade is generally undeveloped, characterised by service areas, asphalt paving and parked cars.

The north end of the site has the potential for infill development without impeding the light and views of adjoining properties, as most residences are located considerably above the level of Kelburn Parade.

### **Area 3: Kelburn Parade South**

This area is physically remote from the existing centre of the campus, with only a tenuous visual link to the elevated site at the corner of Fairlie Terrace and Kelburn Parade.

University facilities are generally located in buildings converted from existing large dwellings. None of the buildings are of any individual notable character, with the possible exception of the existing villa at number 89 Fairlie Terrace.

The area is considerably below the neighbouring residential development to the north, and generally slopes steeply to the south, with an open space at the centre formerly used as the School of Architecture car park. Some of the area at the southern boundary of this zone is below the level of the ridgetop in the university residential area immediately to the south. A considerable volume of development could be inserted there without impinging on nearby residential views or protruding above an extension of the Central Terrace ridgeline. The former Architectural Sciences Laboratory building, for example, although contrasting in scale and character with most of its neighbours, is generally unobtrusive, sited as it is in the bottom of a depression on the south boundary of this area.

The area is characterised by substantial open space between and behind buildings. As a result of generally steep contours, this space is generally undefined, unformed and undeveloped other than with informal landscaping.



## 4.0 Objectives: Main Campus

Future development should satisfy a number of broad urban design intentions drawing directly from the preceding site-specific analysis, and with reference to the District Plan's general objectives for institutional precincts. These intentions represent the "spirit" of the Design Guide.

### Massing

- 01** To minimise the visual impact of any development as viewed from the city, and mitigate adverse visual effects on surrounding residential areas.
- 02** To avoid visually dominating nearby residential areas.
- 03** To allow adjoining residential properties to receive reasonable sun and light.
- 04** To maintain a visual connection from the residential area of Kelburn to the city below, notwithstanding any extension south of the horizontal mass of the existing University "wall" development.
- 05** To allow the visual expression of the university's "centre of gravity" with a vertical mass that may contrast with the horizontality of the existing development.
- 06** To promote a balanced relationship between buildings and open space on the escarpment on 320 The Terrace that avoids the predominance of built form over open space.

### Scale and Alignment

- 071** To achieve a transition in scale between large institutional and smaller residential buildings at the interface with neighbouring residential areas.
- 082** To maintain the existing characteristic scale of street walls and degree of street enclosure.
- 09** To complement and enhance adjoining patterns of building alignment and landscape treatment along The Terrace.

### Skyline

- 010** To ensure that any extension to the presence of the university on the skyline when viewed from the city is articulated to reduce its visual mass and to contrast with the unbroken parapet line of the existing University "wall".



## Views

- 011 To substantially maintain important views of the city and harbour from residential areas.
- 012 To maintain views of the Hunter building from the cable car, Rawhiti Terrace, Kelburn Park and the city in general.
- 013 To avoid the total enclosure and restriction of views from nearby houses.
- 014 To minimise any detrimental visual impact of large numbers of parked cars.
- 015 To maintain visual connections from Te Aro to the vegetated escarpment on and beyond 320 The Terrace.

## Circulation and Connections

- 016 To improve public access to and within the university.
- 0217 To connect to the existing circulation structure of the city.
- 0318 To make the circulation routes for pedestrians (the main group of users of campus facilities) as safe, convenient and pleasant as possible.

## Elevational Modelling

- 019 To achieve development which is consistent with the visual character of the existing campus, and which relates to the level of intricacy of nearby residential buildings when it directly borders a residential area.

## Open Space and Landscape on 320 The Terrace

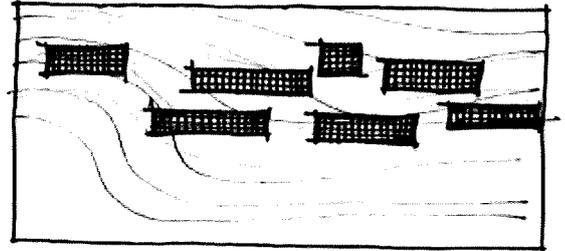
- 020 To develop a high quality landscape on 320 The Terrace, recognising the prominence of VUW's elevated position in the city-scape, including the visibility of the vegetated escarpment.



## 5.0 Guidelines: Main Campus

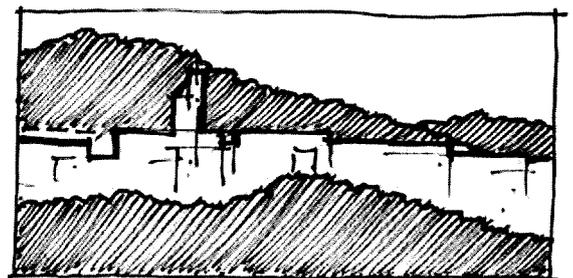
### Massing

**G1** The established precedent of developing with the major axis of slab-type building elements aligned with the overall contours of the site (parallel with the Kelburn ridge top) should be followed except for that part of 320 The Terrace on and below the escarpment and fronting to The Terrace. On that easternmost component of 320 The Terrace, although adjacent buildings along The Terrace generally have walls aligned to the street grid, there is greater variation in the alignment of building elements.



**G2** The maximum extent of building mass is defined by the building envelope described on the Location and Height Control Plans. New building development will be expected to comply generally with the height and building envelope provisions. In assessing applications, Council seeks to ensure that the stated objectives of the Design Guide are satisfactorily achieved. This intends to avoid the simplistic and often crude massing of buildings that can result from absolute adherence to such controls, to facilitate a wide range of design options and to encourage the high quality of architecture expected of an important public institution.

**G3** Apart from in the central area of the campus where a tower or point block may be located to express the potential "centre of gravity" of an extended campus and provide a slender vertical contrast to the horizontality of the adjacent building mass, development should be no higher than the existing University "wall" formed by the Laby, Cotton and Rankine Brown buildings.



**G4** In the nominated zone at the centre of Area 1, a tower with floor areas generally not exceeding 800m<sup>2</sup> at any level above RL 130m may rise above the standard building envelope to an approximate height of RL 160m, subject to its siting, sculptural qualities and plan configuration being such that it makes a positive contribution to the overall form of the campus and ensures reasonable maintenance of views across the campus.

**G5** Development to the south end of the existing University "wall" should generally be no higher than the existing University "wall" edge when viewed from the city, and should be articulated to reduce its apparent visual mass.



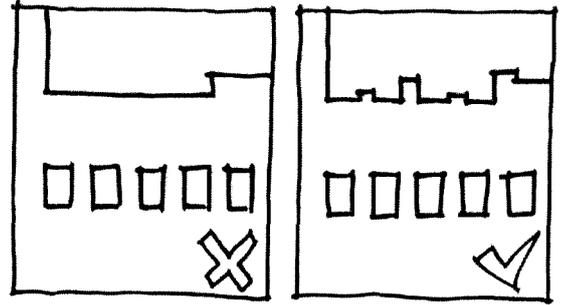
- G6** Rooftop architectural features and service or plant rooms which protrude above the identified building envelope should be designed as an integral part of any building and should not compromise the objectives of this Design Guide.
- G7** The maximum height above street level of the edge of buildings at street frontages, subject to the qualification of the next paragraph, should generally be:
- Kelburn Parade (both sides from Salamanca Rd to Glasgow St intersection): three storeys
  - Kelburn Parade (from Glasgow St southwards): two storeys
  - Fairlie Terrace: four storeys
  - The Terrace: 10 metres
- G8** The nominal height of a "storey" in any area relates to the type of building in the proposed development and the precedent set by existing buildings on immediately adjacent properties.
- G9** The maximum height of development immediately fronting Kelburn Parade to the southwest of the Fairlie Terrace intersection is two storeys and to Fairlie Terrace is four storeys. Development may be considered to a height above adjacent street level of four and six storeys respectively by building elements with a width of between 7.5m and 10m over not more than 25 percent of the street frontage.
- G10** Design buildings on 320 The Terrace and the spaces around them as an integrated whole to create positive open spaces that contribute to the quality and amenity of the campus.
- G11** Articulate long building forms and facades on 320 The Terrace to integrate with the residential environment.
- G12** Break down the mass of any buildings on 320 The Terrace by stepping forms down and across the site to achieve views of the escarpment between and over buildings and to relate to the topography.

### **Scale and Alignment**

- G13** The "module", or scale, of the articulation of building elevations should relate to both the scale of existing immediately adjacent development and the distance from which the new building will mainly be viewed.



G142 An interval of between 7.5m and 10m measured horizontally should be expressed in the elevational treatment of new development immediately adjacent to or fronting onto residential areas.



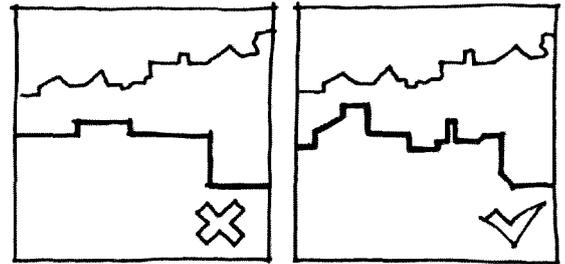
G153 The scale modulation of horizontal runs of facade will be achieved with significant articulation of form which may or may not be emphasised with surface treatment and minor elevational detail.

G16 Where practicable provide a setback between the building(s) at 320 The Terrace and the street boundary which:

- is at least as deep as the setback along the properties at 296 to 300 The Terrace;
- includes soft landscape to contribute to a quality open space along the street; and
- retains as many of the existing mature trees as possible within the setback.

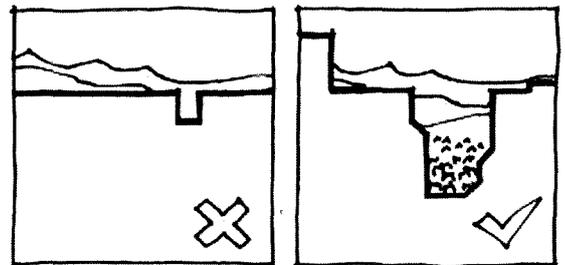
**Skyline**

G17 The skyline of development at the interface with residential areas should be articulated so as to reduce its visual mass and relate it to the reduced scale, forms and character of these residences.



**Views**

G18 Most development on a site such as this will reduce some views from residential properties to a greater or lesser degree. The loss of panoramic long-distance view may be compensated for by the partial maintenance of important views over or between buildings, augmented by visual interest and high levels of architectural quality in new development.



G219 The view of the north west window of the Hunter building from the base of the flight of steps on the pedestrian accessway leading down from Rawhiti Terrace to Kelburn Parade (opposite the Hunter building) should be maintained.

G320 Any detrimental visual impact of large numbers of parked cars should be either reduced by partial screening or eliminated by careful planning.

G21 Provide for the visibility of the vegetated escarpment between The Terrace and the campus from the city by creating view shafts between and over buildings onto areas of open green space.



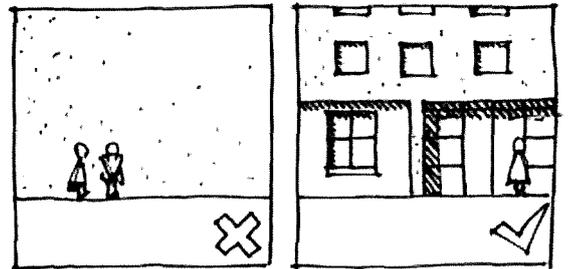
- G22 Provide for views of the escarpment from Ghuznee Street, MacDonald Crescent and The Terrace by providing visual connections onto upper level vegetated areas of the site and beyond.

### **Circulation and Connections**

- G23 Existing through-routes should be enhanced. Future development of the campus circulation structure should allow for safe cross-site pedestrian links with connection to city streets and pedestrian pathways.
- G24 The impact of vehicle circulation on pedestrian use should be minimised by using detailed design measures to reduce vehicle speeds, improve pedestrian amenity and allow pedestrians to take precedence at vehicle entrances and on internal circulation routes.
- G25 Promote connections between the Kelburn Campus and The Terrace by facilitating a new university 'front door' and link to the city through 320 The Terrace.

### **Elevational Modelling**

- G26 Large, unbroken flat expanses of wall that are out of scale with adjacent buildings or which form the edge of spaces inhabited by pedestrians should generally be avoided. Such walls are acceptable only where they make a positive contribution to the quality of user experience of the campus.
- G27 The degree of elevational modelling should respond to the viewing distance (or range of potential viewing distances) of the observer. Areas primarily and consistently viewed from close range should exhibit a fine grain of detail, while the modelling of building elements in a facade viewed from a distance should be of a larger scale which recognises that viewing distance.
- G28 Design building facades along The Terrace to positively address the street with doors and windows.



### **Open Space and Landscape on 320 The Terrace**

- G29 Progressively improve the landscape quality of the vegetated escarpment by removal of weeds and weed species trees and re-vegetate with appropriate native species.



## 6.0 Analysis: Peripheral Sites

### Area 4: Landcross Street

This area occupies the ridgetop to the south of the campus and served by Fairlie Terrace and Landcross Street. Most of the area is occupied by Trinity Newman Hall of Residence.

The area is characterised by a fine grain of residential development and the near-total retention of the original dwellings constructed on the site. Those dwellings fronting onto Fairlie Terrace were mostly built before 1910. Most of the buildings fronting Adams Terrace date from the 1920s or earlier, and the development of Landcross Street itself was completed before 1930. There is an almost even mix of single-unit and multi-unit dwellings.

The pattern of development is along the ridge and along the steep contours of the area, while the major axis of almost all residential buildings is at right angles to the contours and the adjoining access roads. Consequently, a notable characteristic of all dwellings on steeply sloping sites in this area is a low facade towards the top of the site, and a high facade towards the bottom.

The area drops slightly at its north boundary, and would allow for the visually unobtrusive insertion of a substantial volume of infill building.

Reflecting the difficult topography, building coverage is relatively low at 27 percent, with only minimal off-street car parking provided (averaging only 0.25 spaces per residential unit). Most of the relatively flat open space occurs on the ridge top behind properties at the north end of the area, giving an uncharacteristically open appearance (in contrast to the lines of buildings either side) when this area is viewed from Kelburn to the north.

Only a third of the buildings are single storey. The vast majority of the others are two storey, with the balance three storeyed.

The average building footprint is only 10m<sup>2</sup>, and the average plan proportion of buildings is 8.5m wide x 12.5m deep.

The buildings have the form and detail of modest dwellings of their time, and are characterised by additive forms - shallow-pitched lean-to roofs over additions, bay windows, porches and verandahs. Wall cladding is almost exclusively painted weatherboarding. Most buildings (60 percent) have hip roofs, whereas the remainder are gabled. Eighty percent of all roofs are clad in corrugated iron.

The existing buildings in this area, viewed as a group, display a considerable visual unity because of their similar scale, age and construction. Nevertheless, there is no obvious repetition, and



within the unity a consistent visual variety is evident, due to minor variations of form, detail and siting, and the accretion of changes and additions over time.

The area is surrounded by buildings of residential scale, except at its north west corner at the top of Adams Terrace where it faces onto buildings of significantly larger scale.

### **Area 5: Weir House/Trinity Newman/Clermont Terrace**

This is an established residential area on the plateau to the north of Kelburn Parade at the edge of the central city.

The dwellings in this primarily residential area are of substantial size, with an average footprint of 150m<sup>2</sup>. They are on average 11m wide x 14m deep. Half of them are two storeys high, 35 percent single storey and the remainder three storeys.

Half of the buildings date from the period 1890 - 1910 and retain the character of that period. The site is bounded by houses of similar age, interspersed with more recent dwellings of contrasting type, including two flat-roofed houses fronting onto Salamanca Road, and four contemporary row houses on Clermont Terrace.

The roofscape, highly visible from the lookout and paths at the top of the Botanical Gardens as a foreground to spectacular views over the city and harbour to the mountains beyond, is characterised by the hip roof form which is used on 75 percent of all buildings. Sixty-five percent of roofs are clad in iron, and the clay tile roof is also prominent, appearing on Weir House and 15 percent of dwellings, thereby establishing a visual link with the Bolton Street/Aurora Terrace area. This roofscape is fine-grained and unified by the consistency in roof type, pitch and scale. The potentially massive bulk of the main Weir House's main roof is subdivided and relates to the scale of the surroundings, when viewed from above.

Most of the area is relatively flat and accessible. Not only is there an existing carparking provision of around 1.5 spaces per unit, but many houses have flat, sunny gardens.

A relatively low average site coverage of 24 percent, a significant number of mature trees, and extensive planting on banks and around dwellings gives the area an "arcadian" character.

This is particularly evident in Salmont Place and adjoining spaces.

A pedestrian accessway bisecting the area and connecting to Salmont Place provides an established and convenient link between the University, Weir House and the city to the north.

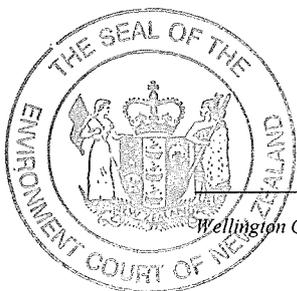


Its narrow, enclosed nature makes a pleasing contrast with the openness of Gladstone Terrace to the south, and Salmont Place to the north. However, the screening effect of the fences defining the path may discourage its use after dark.

The distinctive landmark of Weir House sits as a sentinel on the skyline when viewed from the city, and it is also a dominant mass in the foreground when viewing the city itself from the area near the top of the cable car. Its articulated form and image of institutional solidity contrasts with the plain linear bulk of the new building next to it.

The existing buildings in this area viewed as a group display a considerable visual unity because of their similar scale, age and construction. Nevertheless, there is no obvious repetition, and considerable variety even within the unity, due to minor variations of form, detail and siting and the accretion of changes and additions over time.

High-density residential accommodation could be inserted unobtrusively into the west of the Weir House site and at 16-18 Clermont Terrace. These sites are low relative to adjacent areas.



## 7.0 Objectives: Peripheral Sites

### Massing

- ~~O21~~ To maintain the general visual grain, pattern of development and character of the area.
- ~~O22~~ To avoid visually dominating or shading nearby properties.

### Scale

- ~~O23~~ To maintain the existing scale of development.

### Views

- ~~O24~~ To maintain both the quality of the views over these areas to the city and the characteristic scale, form and visual grain of the roofscape.

### Circulation

- ~~O25~~ To retain and enhance through-site access.
- ~~O26~~ To avoid any detrimental visual impacts of large numbers of parked cars.

### Elevational Modelling

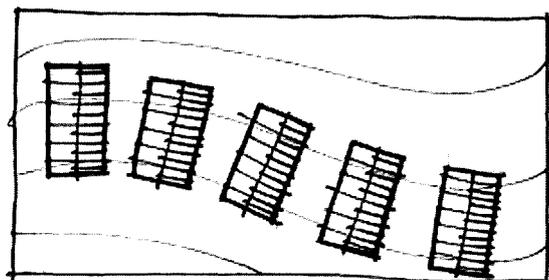
- ~~O27~~ To maintain and enhance the "sense of place" that derives from the detailed character of buildings and landscaping.



## 8.0 Guidelines: Peripheral Sites

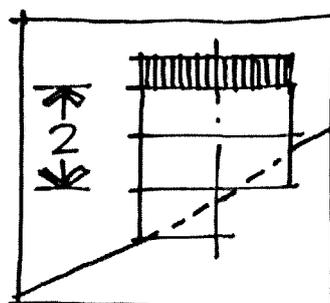
### Massing

~~G301~~ Existing residential buildings should be maintained or infill should follow the existing patterns of development. Relevant patterns include characteristic alignment and spacing between buildings, setbacks from roads, scale and orientation of buildings. The size and proportion of any development should relate to that which exists already, and should be articulated in both plan and elevation.



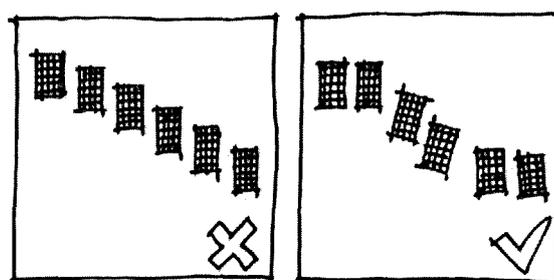
~~G312~~ Additive forms should be used, reflecting the character of existing buildings.

G32 The major axis of each building element in Area 4 will be at right angles to the topographical contour line. Infill building in this area should follow the pattern of existing development which comprises building modules along the contours.



G334 The maximum height in Area 4 should be generally two storeys, measured at the centre of any building. This recognises that on steep sites, one end of any building may be three-storeyed. Four-storey development can occur at the north boundary of the area providing that a two-storey frontage to Fairlie Terrace is maintained.

G345 The maximum height in Area 5 should be three storeys, except the western carpark portion of the Weir House site, where development of five storeys can occur.

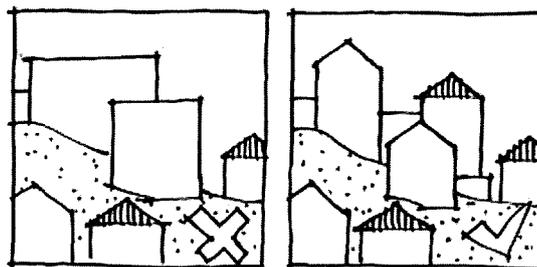


G356 The nominal height of a "storey" in any area will relate to the precedent set by existing buildings on immediately adjacent properties in that area.

G367 The strict geometrical alignment and multiple repetition of identical building forms should be avoided, because it is out of character with existing development.

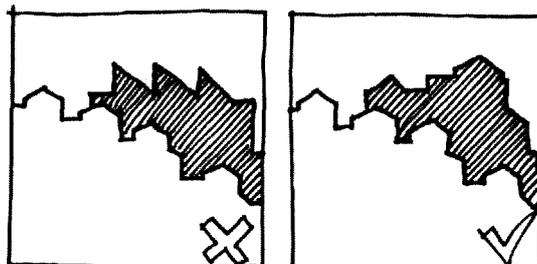
## Scale

- G377** The general scale and massing of development should echo the existing building. Large infill building should be articulated to relate to the scale and proportions of existing building.



## Views

- G387** The form, scale, orientation and visual density of roofscape elements should follow the existing pattern of development. Infill buildings should incorporate roofs of similar type, scale, pitch and proportion to those existing, and avoid contracting forms.



## Circulation

- G397** Existing pedestrian connections should be developed in such a way as to enhance their character and amenity.

- G402** Parking, garaging and vehicle accessways should be unobtrusive and integrated into the surroundings with appropriate landscaping.

- G413** Open-air parking areas should accommodate no more than five cars and be separated from each other by buildings, planting, walls or other landscaping features.

- G42** Parking areas accommodating more than five cars will be acceptable only where they are part of a landscaping plan which reduces their visual impact and improves the general amenity of the area.

## Elevational Modelling

- G437** The nature and scale of building materials and the visual complexity of detailed form should be derived from and relate to the local residential context.

- G442** The similarities of existing form should be recognised, and new building should relate to these. New development should reinforce the existing visual quality, including the area's typical variety and diversity of detail and use of a characteristic and limited range of materials.

- G453** Extensions to existing buildings should enhance the character of those buildings, utilising the additive forms characteristic of the area.



## Chapter 9: Institutional Precinct Rules

### Guide to Rules

**NOTE:** The following table is intended as a guide only and does not form part of the District Plan. Refer to specified rules for detailed requirements.

P refers to Permitted Activities, C to Controlled Activities, DR to Discretionary Activities (Restricted) and DU to Discretionary Activities (Unrestricted).

Uses/Activities	Rule	P	C	DR	DU
Activities related to the primary function of the Precinct subject to conditions	9.1.1	•			
Activities related to the primary function of the Precinct not complying with conditions for Permitted Activities	9.3.1			•	
Helicopter landing areas (Clinical Services Block Wellington Hospital)	9.1.3	•			
Upgrade and maintenance of existing formed roads and accessways	9.1.4	•			
Activities not provided for as Permitted or Controlled Activities	9.4.1				•
Buildings	Rule	P	C	DR	DU
Construction, or alteration of, and addition to buildings and structures	9.2.1		•		
<u>Demolition of Gordon Wilson Flats at 320 The Terrace</u>	<u>9.2.3</u>		•		
<u>Construction, or alteration of, and addition to buildings and structures at 320 The Terrace</u>	9.3.2			• —	
Pedestrian bridges and other structures/buildings above or over roads	9.4.2				•
Subdivision	Rule	P	C	DR	DU
Subdivision except company lease, cross lease and unit title subdivision, subject to conditions	9.1.2	•			
Company lease, cross lease and unit title subdivision	9.2.2		•		
Subdivision not being a Permitted or Controlled Activity	9.4.4				•
Heritage	Rule	P	C	DR	DU
Activities affecting heritage items	21.0	•	•		•
Utilities	Rule	P	C	DR	DU
Utilities	23.0	•	•	•	•
[Contaminated and Potentially Contaminated Land	Rule	P	C	DR	DU
Investigations on any contaminated land or potentially contaminated land to determine whether the land is contaminated, and the nature and extent of that contamination	32.1.1	•			
The removal of underground petroleum storage systems is a Permitted Activity	32.1.2	•			
The use, development or subdivision of any potentially contaminated land that has been confirmed as not being contaminated through site investigation	32.1.3	•			
The remediation, use, development and subdivision of any contaminated or potentially contaminated land.	32.2.1			• <sup>PC69</sup>	

### Schedule of Appendices

Number	Appendix
1	Noise



2	Vehicle Parking Standards
3	Site Access for Vehicles
4	<u>Building Standards for 320 The Terrace</u>



# 9. INSTITUTIONAL PRECINCT RULES

[The following rules apply in the Institutional Precincts. Rules for Earthworks (Chapter 30), Contaminated Land (Chapter 32) and Heritage (Chapter 21) may also apply.

- The sign rules in Chapter 21D apply for all signs on sites where a listed heritage building or object is located (except for individual sites on which listed heritage buildings or objects are located that are also separate heritage areas).
- The subdivision rules in Chapter 21A apply for any subdivision of a site on which a listed heritage building or object is located.
- The subdivision rules in Chapter 21B apply for any subdivision of a site in a listed Heritage Area. ]<sup>PC43</sup>

## 9.1 Permitted Activities

The following activities are permitted in Institutional Precincts provided that they comply with any specified conditions.

**9.1.1 Activities related to the primary functions of the Precinct, and activities ancillary to these primary functions, are Permitted Activities provided they comply with the following conditions:**

### 9.1.1.1 Building Height and Standards

9.1.1.1.1 For building height in the Institutional Precincts refer to the relevant design guide.

9.1.1.1.2 On the King Street site in the Mount Cook Precinct the maximum building height within the area identified for taller buildings shall be 21m measured from street level at the boundary with King Street.

~~9.1.1.1.3 Building standards for 320 The Terrace are specified in Appendix 4.~~

### 9.1.1.2 Noise

9.1.1.2.1 Noise emission levels when measured at or within the boundary of any site or at the outside wall of any building on any site, other than the site from which the noise is emitted, shall not exceed the following:

At all times 60dBA (L10)  
At all times 85dBA (Lmax)

9.1.1.2.2 Where it is impractical to measure outside the building, measurements shall be made inside (with exterior windows closed). Where indoor measurements are made the noise limits stated above shall be reduced by 15dB.

For buildings and associated standards in relation to 320 The Terrace, refer to Rule 9.3.2.



9.1.1.2.3 In relation to rule 9.1.1.2.2 where activities have been noise-proofed in the vicinity of the site to protect noise-sensitive uses (including residential use), then this shall not allow activities to increase noise emission levels above those that would apply if the noise-proofing had not been undertaken.

9.1.1.2.4 Any activity occurring within the Institutional Precinct when measured from any land or premises outside that area shall comply with the noise levels stated in Appendix 1.

#### 9.1.1.3 Discharge of Contaminants

*The discharge of contaminants to land, air or water is a Regional Council responsibility and activities causing discharges may need to obtain a relevant consent from the Regional Council. However, every person has a general duty under Section 17 of the Act to avoid, remedy or mitigate the adverse effects of activities. Where adverse effects are generated the Council will use its enforcement powers as appropriate to protect the environment.*

#### 9.1.1.4 Dust

Activities must not create a dust nuisance. A dust nuisance will occur if:

- there is visible evidence of suspended solids in the air beyond the site boundary; or
- there is visible evidence of suspended solids traceable from a dust source settling on the ground, building or structure on a neighbouring site, or water.

*A rule relating to the generation of dust is included to avoid, remedy or mitigate problems from this source.*

#### 9.1.1.5 Lighting

9.1.1.5.1 Any activity which requires outdoor areas to be lit shall ensure that direct or indirect illumination does not exceed 8 lux at the windows of residential buildings in any nearby Residential Area.

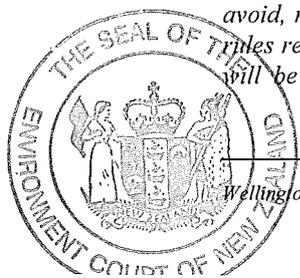
9.1.1.5.2 Subject to rule 9.1.1.5.1 any development which includes pedestrian routes and carparks available for public use during hours of darkness shall be lit at a minimum of 10 lux, measured in accordance with NZS CP22:1962 and amendments.

*The lighting rules are designed to ensure that places available for public use are safely illuminated, and that where sites on the periphery of Institutional Precincts are illuminated, the amenities of residents in nearby Residential Areas are reasonably protected. In all cases the Council will seek to ensure that the adverse effects of glare from lighting sources are avoided, remedied or mitigated.*

#### 9.1.1.6 Electromagnetic Radiation

Activities must be conducted to comply with the New Zealand Standard NZS 6609:1990 (Radio Frequency Radiation) and any subsequent amendment.

*A rule relating to the generation of electromagnetic radiation has been included to avoid, remedy or mitigate problems from this source. The Utilities chapters contain rules regarding safety from utility structure from where the highest levels of energy will be created. Council wishes to take a precautionary approach with adverse*



effects from other electromagnetic sources and acknowledges the provisions of s17 of the Act regarding the duty to avoid, remedy or mitigate adverse effects.

**9.1.1.7 Signs**

9.1.1.7.1 For any sign:

- the maximum area of any one sign is 5m<sup>2</sup>
- signs must serve only to denote the name, character or purpose of any Permitted Activity on the site
- any illuminated sign visible from a Residential Area must not flash.

9.1.1.7.2 Temporary signs:

- the maximum area is 5m<sup>2</sup>
- the maximum height is 4 metres
- signs shall be removed within 7 days of the completion of the purpose or event for which the sign was erected.

*The limitations on signs will help maintain the visual amenities of Residential Areas by ensuring that signs do not become too dominating or too cluttered. Temporary signs are permitted because they fulfil a useful information function and have no lasting environmental effects.*

**9.1.1.8 Use, Storage or Handling of Hazardous Substances**

9.1.1.8.1 For those activities which are not specifically exempted (see Section 3.5.2.2) the cumulative Effect Ratio calculated using the HFSP will be used to determine whether or not those other activities should be Permitted Activities according to the table below.

*See Exemptions to the Hazardous Facilities Screening Procedure contained in section 3.5.2*

Location	Hazard Area	Not Hazard Area	Not Hazard Area
Effect Ratio	0.002 < ER <sup>PC35</sup> ≤ 0.05	0.002 < ER <sup>PC35</sup> ≤ 0.1	≤ 0.002
Conditions applying	9.1.1.8.2 to 9.1.1.8.11	9.1.1.8.2 to 9.1.1.8.11	9.1.1.8.8, 9.1.1.8.10 and 9.1.1.8.11 only

*Activities that do not meet the above Effect Ratio criteria or do not otherwise comply with the applicable conditions will be Discretionary (Restricted) Activities.*

9.1.1.8.2 Except for the storage, use or handling of Liquid Petroleum gas (LPG), any area where hazardous substances are used, stored or handled in any manner on-site shall have secondary containment (via bunding or otherwise) using materials that are resistant to the hazardous substances handled on-site. [Secondary containment systems also need to comply with any relevant provisions under the Hazardous Substances and New Organisms Act 1996.]<sup>PC35</sup>

[9.1.1.8.2A Except for the storage, use or handling of Liquid Petroleum Gas (LPG), any secondary containment system shall be maintained to ensure that it will perform the functions for which it was designed and contain any spill or accidental release.]<sup>PC35</sup>

9.1.1.8.3 Except for the storage, use or handling of Liquid Petroleum gas (LPG), any area(s) where hazardous substances are loaded, unloaded, packaged, mixed, manufactured or otherwise handled shall have a spill



containment system [that is compliant with relevant provisions under the Hazardous Substances and New Organisms Act 1996.]<sup>PC35</sup>

- 9.1.1.8.4 Except for the storage, use or handling of Liquid Petroleum gas (LPG), secondary containment systems shall be designed to contain any spill or accidental release of hazardous substance, and any storm water and/or fire water that has become contaminated, and prevent any contaminant from entering the sewerage or stormwater drainage system unless expressly permitted under a resource consent or trade waste permit.
- 9.1.1.8.5 All stormwater grates, collection structures and inspection chamber covers on the site shall be clearly marked as such.
- 9.1.1.8.6 Any area where vehicles, equipment or containers that are or may have been contaminated with hazardous substances are washed down shall be designed, constructed and managed to prevent the effluent from the washdown area from discharge into or onto land, entry or discharge into the sewerage or stormwater drainage system unless expressly permitted by a rule in a regional plan, trade waste permit or resource consent.
- 9.1.1.8.7 Underground tanks for the storage of petroleum products shall be designed, constructed, installed, maintained, operated, managed and at the end of their life removed to prevent leakage and spills. Compliance with [any relevant provisions under the Hazardous Substances and New Organisms Act 1996 and] <sup>PC35</sup> the Code of Practice for the “Design, Installation and Operation of Underground Petroleum Storage Systems” (1992) is a minimum [requirement.]<sup>PC35</sup>

#### *Signage*

- 9.1.1.8.8 [All facilities must display signage to indicate the nature of the hazardous substances present (compliance with the provisions of the Hazardous Substances and New Organisms Act 1996 and the requirements of the Building Code (F8) or the Code of Practice “Signage for Premises Storing Hazardous Substances and Dangerous Goods” of the New Zealand Chemical Industry Council (Nov 2004) is a minimum requirement).]<sup>PC35</sup>

#### *Waste Management*

- 9.1.1.8.9 Any process waste or waste containing hazardous substances shall be stored in a manner which complies with 9.1.1.8.1 to 9.1.1.8.8 above.



9.1.1.8.10 Any hazardous facility generating wastes containing hazardous substances shall dispose of these wastes to facilities which, or waste disposal contractors who, meet all the requirements of regional and district rules for discharges to the environment [and also the provisions of the Hazardous Substances and New Organisms Act 1996.]<sup>PC35</sup>

**Other**

9.1.1.8.11 Council must be informed of the activity's location, the nature of the activity and when the activity commences and ceases.

*[In addition to the provisions of the Plan, all activities which involve the use, storage, handling or transportation of hazardous substances are regulated for on-site and off-site effects by a range of other legislation and regulations, and associated standards and codes of practice which should be complied with. Key pieces of legislation include:*

- *the Hazardous Substance and New Organisms Act 1996*
- *legislation, rules and standards relating to the transportation of hazardous substances (Land Transport Act 1993, Land Transport Rule: Dangerous Goods 1999 and New Zealand Standard 5433:1999)*
- *Building Act 1991*
- *Health Act 1956*
- *Fire Service Act 1975*
- *Health and Safety in Employment Act 1992*
- *Radiation Protection Act 1965*
- *Agricultural Compounds and Veterinary Medicines Act 1997]*<sup>PC35</sup>

*[The on-site disposal of hazardous substances will be controlled through Council's Waste Management Strategy, through obtaining the appropriate discharge consents from the Regional Council or trade waste permits, and through relevant controls on disposal of hazardous substances by the Hazardous Substances and New Organisms Act 1996.]*  
PC35

**9.1.2 Subdivision except company lease, cross lease and unit title subdivision is a Permitted Activity provided that it complies with the following conditions:**

- 9.1.2.1 Every allotment must have services in compliance with the City Bylaws or if applicable the Council's Code of Practice for Land Development.
- 9.1.2.2 The allotment must have practical, physical and legal access directly to a legal road.
- 9.1.2.3 Every allotment must have drive-on vehicle access and parking constructed in accordance with Appendices 2 and 3.
- 9.1.2.4 All earthworks needed to complete the subdivision are completed.
- 9.1.2.5 No subdivision may occur within a heritage area or on a site associated with a heritage item unless in the latter case the subdivision involves land that is not occupied by the heritage items and is not specifically identified for preservation in the Plan as important to the setting of the item.
- 9.1.2.6 A Certificate of Compliance must be obtained for the subdivision to allow Council to assess survey plans for approval.

An applicant must supply the following:

- information to allow Council to assess compliance with conditions 9.1.2.1 to 9.1.2.5



- a certificate stating that all existing services have been located so that they are all contained entirely within the boundaries of the site being serviced or within such right of way or easement relating to the site and are in accordance with the City Bylaws and if applicable the Council's Code of Practice for Land Development
- current copies of titles for all affected properties
- accurately drawn A4 plans at a scale of 1:500 or at a larger scale as appropriate and copies or reduced copies submitted to be of A4 or A3 size
- a certificate stating that the land is not likely to be subject to material damage by erosion, subsidence, slippage or inundation from any source

All certificates, plans and information supplied must be signed by a registered surveyor or other suitably qualified person certifying their accuracy.

*Most forms of subdivision are Permitted Activities, subject to specified conditions. This will facilitate efficient use of the Institutional Precincts with other rules of the Plan controlling building and other land use effects.*

**9.1.3 Helicopter landing areas related to the primary function of the Precinct from the roof of the Clinical Services Block at Wellington Hospital are Permitted Activities.**

**9.1.4 Any activity relating to the upgrade and maintenance of existing formed roads and [public]<sup>PC70</sup> accessways [including associated earthworks]<sup>PC70</sup>, except the construction of new legal road, is a Permitted Activity.**

*[Archaeological sites associated with human activity that occurred before 1900 are protected by the Historic Places Act 1993. An archaeological authority will be required from the New Zealand Historic Places Trust to destroy damage or modify these sites.]<sup>PC70</sup>*



## 9.2 Controlled Activities

Section 9.2 describes which activities are Controlled Activities in Institutional Precincts. A resource consent will be required but consent cannot be refused. Conditions may be imposed relating to the matters specified in 9.2.1 and 9.2.2. The decision on whether or not a resource consent application will be notified will be made in accordance with the provisions on notification in the Act.

### 9.2.1 The construction, or alteration of, and addition to buildings and structures except:

- alterations and additions that do not alter the external appearance of the buildings or that are not visible from public spaces
- any building with a gross floor area of less than 100m<sup>2</sup>
- any building or structure on 320 The Terrace

are Controlled Activities in respect of:

#### 9.2.1.1 design, external appearance, siting and verandahs

#### 9.2.1.2 vehicle parking and site access.

#### *Non-notification*

The written approval of affected persons will not be necessary in respect of items 9.2.1.1 and 9.2.1.2. [Notice of applications need not be served on affected persons]<sup>PC28</sup> and applications need not be notified.

#### *Standards and Terms*

All parking must be provided and maintained in accordance with the standards set out in Appendix 2.

New vehicular access from roads to which the Precinct has frontage must be provided and maintained in accordance with the standards set out in Appendix 3.

No vehicular access, as shown on Appendix 3.1, shall be situated closer to an intersection than the following:

Arterial and principal streets	20m
Collector streets	15m
Other streets	10m.

Site layout must enable all vehicles to enter [and]<sup>PC34</sup> leave the site in a forward direction.

#### *Assessment Criteria*

**In determining the conditions to be imposed, if any, Council will have regard to the following criteria:**



### 9.2.1.3 Design, external appearance, siting and verandahs

The extent to which the proposal meets the provisions of the relevant Design Guide for the area. These Guides are:

- Victoria University Design Guide
- Wellington Hospital Design Guide
- Mount Cook Precinct Design Guide.
- [• Te Aro Corridor Design Guide

Developments located on sites within both the Mt Cook Precinct and Te Aro Corridor Design Guide Area, shall be considered against the content of both design guides. In the event of conflicting design guidance the Te Aro Corridor Design Guide shall be the predominant document.]<sup>PC48</sup>

*The Design Guides were prepared following a detailed urban design analysis of the Precincts and their surrounding areas. They do not aim to control the design details of building or site layout, but to establish the broad parameters within which new building development can be undertaken. They aim particularly to encourage an appropriate relationship between Precinct development and housing in surrounding Residential Areas.*

*[The Te Aro Corridor Design Guide particularly seeks to ensure that buildings continue to provide a strongly defined street edge on the corner of Buckle and Taranaki Streets.]<sup>PC48</sup>*

### 9.2.1.4 Vehicle Parking

9.2.1.4.1 Whether parking should be provided for the proposal under consideration. Individual developments may not have a specific parking provision but Council seeks to ensure that the following parking requirements for the precinct will eventually be met:

Victoria University	780 spaces
Hospital	1135 spaces
Mt Cook Precinct	
Massey University (staff and students)	1:14 full time equivalent
Wellington High School	100 spaces

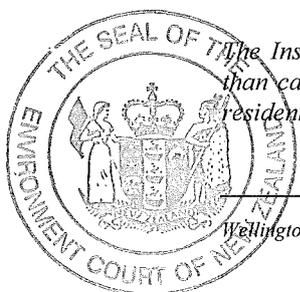
9.2.1.4.2 The extent to which the standards for parking can be varied without endangering traffic or people.

### 9.2.1.5 Site Access

9.2.1.5.1 Whether the proposed vehicular access will improve access to and within the Precinct by replacing less suitable or unsafe access points and will achieve better internal vehicular access network.

9.2.1.5.2 The extent to which new site access can be created without endangering traffic or people.

*The Institutional Precincts involve intensive activities which attract more vehicles than can be accommodated on the site. The overflow of vehicles into surrounding residential streets detracts from the amenities of these Residential Areas.*



Council aims to ensure that over the period of this Plan, an adequate level of on-site parking is attained within the Precincts.

As the Precincts also adjoin heavily trafficked arterial or principal streets and quieter local residential streets, all new vehicle crossings will be assessed to ensure that they are located and formed with safety in mind.

**9.2.2 Company lease, cross lease and unit title subdivision is a Controlled Activity in respect of:**

**9.2.2.1 stormwater, sewerage and water supply**

**9.2.2.2 allocation of accessory units to principal units and the allocation of covenant areas to leased areas to ensure compliance with servicing rules, and to ensure practical physical access to every household unit.**

*Non-notification*

The written approval of affected persons will not be necessary in respect of items 9.2.2.1 and 9.2.2.2. [Notice of applications need not be served on affected persons]<sup>PC28</sup> and applications need not be notified.

*Standards and Terms*

All buildings and structures must meet the conditions for Permitted Activities, the terms of any relevant resource consent, or must have existing use rights.

*Assessment Criteria*

**In determining the conditions to be imposed, if any, Council will have regard to the following criteria:**

- 9.2.2.3 The requirements of Section 106 of the Act.
- 9.2.2.4 The extent of compliance with the relevant parts of the City Bylaws.
- 9.2.2.5 The need to ensure permanent site access and continued provision for on site loading and unloading facilities.
- 9.2.2.6 The current and future allocation of subdivisional areas to achieve the efficient use of land and buildings.

Council is seeking to retain in a permanent manner appropriate site arrangements that are established at the time of subdivision. In particular, continued access to off street loading facilities is to be safeguarded together with efficient arrangement of units.

**9.2.3 The demolition of Gordon Wilson Flats at 320 The Terrace shall be undertaken in accordance with an approved Demolition Management Plan and will be assessed as is a Controlled Activity in respect of:**

**9.2.3.1 noise effects as assessed in accordance with NZS 6803:1999**



### Acoustics – Construction Noise

9.2.3.2 method, duration, timing, and hours of operation of demolition management

9.2.3.3 amenity effects

9.2.3.4 recording of the building prior to demolition

### Non-notification

In respect of rule 9.2.3 applications will not be publicly notified (unless special circumstances exist) or limited notified.

*Note: Council is seeking to ensure that the demolition of the building is undertaken efficiently and in accordance with a Demolition Management Plan containing measures to avoid, remedy or mitigate the temporary adverse effects of the activity. It is also seeking to ensure that an appropriate record of the building is prepared prior to demolition.*

### Standards and Terms

Any application made under Rule 9.2.3 shall be accompanied by a Demolition Management Plan.

The Demolition Management Plan shall contain the following information as a minimum:

- a. purpose of the Demolition Management Plan;
- b. site and locality description, including existing buildings;
- c. proposed demolition methodology, including sequence and timing;
- d. duration of works and hours of operation;
- e. measures to manage environmental effects, including (but not limited to) dust, construction noise, effects on the local transport network, and site remediation;
- f. communication plan, including:
  - i. any communication undertaken with neighbours in advance of demolition commencing;
  - ii. procedures for receiving and resolving complaints during demolition and site remediation; and
- g. Demolition Management Plan review procedures.

*Note: additional information may be appropriate for inclusion in the Demolition Management Plan, including references to other relevant Acts and associated regulations.*



## 9.3 Discretionary Activities (Restricted)

Section 9.3 describes which activities are Discretionary Activities (Restricted) in Institutional Precincts. Consent may be refused or granted subject to conditions. Grounds for refusal and conditions will be restricted to the matters specified in rules 9.3.1 and 9.3.2. The decision on whether or not a resource consent application will be notified will be made in accordance with the provisions on notification in the Act.

**9.3.1 Activities related to the primary functions of the Precinct and activities ancillary to these primary functions that do not comply with one or more of the following conditions for Permitted Activities in Rule 9.1.1:**

**9.3.1.1 noise**

**9.3.1.2 dust**

**9.3.1.3 lighting**

**9.3.1.4 signs**

**9.3.1.5 use, storage, handling or disposal of hazardous substances**

**are Discretionary Activities (Restricted) in respect of the conditions not met.**

### *Non-notification*

The written approval of affected persons will not be necessary in respect of item 9.3.1.4. [Notice of applications need not be served on affected persons]<sup>PC28</sup> and applications need not be notified.

### *Standards and Terms*

Noise emission levels under Rules 9.1.1.2.1 and 9.1.1.2.4 shall not be exceeded by more than 5 decibels.

For hazardous substances, the cumulative Effect Ratio as assessed under the Hazardous Facilities Screening Procedure for the site where the activity is to occur is less than or equal to 2 but does not meet the conditions in rules 9.1.1.8, unless the site is located in a Hazard Area.

For hazardous substances, where the hazardous facility is located in a Hazard Area, the cumulative Effect Ratio as assessed under the Hazardous Facilities Screening Procedure for the site where the activity is to occur is less than or equal to 0.5 but does not meet the conditions in rules 9.1.1.8.

Rule 9.1.1.5, maximum lighting levels, must not be exceeded by more than 20 percent.



Rule 9.1.1.7, conditions relating to any sign dimension, must not be exceeded by more than 50 percent.

*Assessment Criteria*

**In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:**

**9.3.1.6 Noise**

The extent to which noise emissions will be intrusive. Council will seek to ensure that the best practicable option is used to mitigate noise and that adverse effects are minor.

**9.3.1.7 Dust**

The extent to which amenities are protected. Council will seek to ensure that dust nuisances are mitigated as far as practical.

*There may be instances where it may be impractical to prevent dust nuisance, particularly in relation to the variable weather conditions experienced by Wellington. Such proposals will be carefully considered to ensure that any dust nuisance is minor.*

**9.3.1.8 Lighting**

9.3.1.8.1 Applications to provide more intensive lighting near to Residential Areas will take into account the nature of existing and likely future development in the Residential Area, the degree to which topography or other site features may avoid, remedy or mitigate lighting effects and the extent to which planting, screening or the orientation of the light will mitigate lighting effects.

9.3.1.8.2 The consideration of applications to provide less intensive lighting on site areas open to the public use will take into account the nature of the activities on the site, the extent of public use and whether other measures will be taken to maintain public safety.

*Development and the nature of landforms on the edge of Institutional Precincts is so diverse that there will be instances where extra illumination can be added without affecting the residents. Applications to exceed the permitted levels will therefore be considered. Similarly, there may also be circumstances where the lighting of publicly used areas may not need to comply with the specified standards.*

**9.3.1.9 Signs**

9.3.1.9.1 Whether signs are obtrusively visible from any residential or public space.

9.3.1.9.2 Whether the area of the sign is in scale with associated activities or building development and compatible with the visual character of the area in which it is situated.

9.3.1.9.3 Whether additional signs will result in clutter.

9.3.1.9.4 Whether the size, number or method of illumination of a sign or signs will compromise traffic or pedestrian safety.



*In some circumstances larger or more numerous signs may be needed to identify activities. Signs will be carefully assessed to ensure that visual amenities are maintained.*

### 9.3.1.10 Hazardous Substances

*See Exemptions to the Hazardous Facilities Screening Procedure contained in section 3.5.2*

- 9.3.1.10.1 Site design and management to avoid, remedy or mitigate any adverse effects of the activity.
- 9.3.1.10.2 The adequacy of the design, construction and management of any part of a hazardous facility site where hazardous substances are used for their intended function, stored, manufactured, mixed, packaged, loaded, unloaded or otherwise handled such that:
- any significant adverse effects of the intended use from occurring outside the intended use, handling or storage area is prevented
  - the contamination of any land in the event of a spill or other unintentional release of hazardous substances is prevented
  - the entry or discharge of the hazardous substances into surface or groundwater, the stormwater drainage system or into the sewerage system (unless permitted under a regional plan, resource consent or trade waste permit) is prevented.
- 9.3.1.10.3 Location of the facility in relation to the nearest waterbody or the coastal marine area.
- 9.3.1.10.4 Location of hazardous facility in relation to residential activities.
- 9.3.1.10.5 Location of hazardous facility in relation to critical facilities and lifelines.
- 9.3.1.10.6 Access routes to the facility, location and separation distance between the facility and sensitive activities and uses, sensitive environments and areas of high population density.
- 9.3.1.10.7 Existing and proposed (if any currently under consideration by Council) neighbouring uses.
- 9.3.1.10.8 Potential cumulative hazards presented in conjunction with nearby facilities.
- 9.3.1.10.9 Transport of hazardous substances to and from the site.
- 9.3.1.10.10 Potential for contamination of the surroundings of the site and sensitivity of the surrounding environment.
- 9.3.1.10.11 Whether the site has adequate signage to indicate the presence of hazardous substances.
- 9.3.1.10.12 Whether adequate arrangement has been made for the environmentally safe disposal of any hazardous substance or hazardous wastes generated.
- 9.3.1.10.13 Whether the site design has been subject to risk analysis, such as Hazop (Hazard and Operabilities Studies), to identify the potential hazards, failure modes and exposure pathways.
- 9.3.1.10.14 Where the hazardous facility is located within a Hazard Area, any additional requirements to mitigate the potential effect of a natural hazard event.



9.3.1.10.15 Type and nature of the existing facility.

[9.3.1.10.16 Whether appropriate contingency measures and emergency plans are in place.]<sup>PC35</sup>

[9.3.1.10.17 Whether the facility complies with the provisions of the Hazardous Substances and New Organisms Act 1996, and whether more stringent controls are required to take account of site-specific conditions.]<sup>PC35</sup>

*To reduce the potential adverse effects, Council will require the production of a Site Management Plan or Environmental Management System when a resource consent application is made, this will be before hazardous substances are brought onto the hazardous facility. In addition, Council will require the design of the site to include measures which will prevent the accidental releases of any hazardous substances into the environment. Through this process, Council seeks to protect the surrounding environment from any adverse effects of the hazardous facility.*

**9.3.2 The construction, alteration of, and addition to any buildings and structures on 320 The Terrace is a Discretionary Activity (Restricted) in respect of:**

**9.3.2.1 design, external appearance and siting**

**9.3.2.2 site landscaping**

**9.3.2.3 vehicle parking, servicing and site access**

**Non-notification**

In respect of rule 9.3.2 applications will not be publicly notified (unless special circumstances exist) or limited notified.

**Standards and Terms**

Any construction, alteration of, or addition to any building or structure must be in accordance with the standards set out in Appendix 4.

**Relevant policies for preparing resource consent applications**

See 8.2.3.1, 8.2.7.2 and the Victoria University Design Guide.

Note that this is an indicative list of relevant policies; applicants should check all policies for relevance to a particular consent application.



## 9.4 Discretionary Activities (Unrestricted)

Section 9.4 describes which activities are Discretionary Activities (Unrestricted) in Institutional Precincts. The decision on whether or not a resource consent application will be notified will be made in accordance with the provisions on notification in the Act.

### 9.4.1 **Activities not specifically provided for as Permitted or Controlled Activities or as a Discretionary Activity (Restricted) under Rule 9.3.2 are Discretionary Activities (Unrestricted).**

#### *Assessment Criteria*

**In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:**

- 9.4.1.1 Whether the future use or development of the Institutional Precinct for its intended purpose, as described in 8.1.1, will be significantly diminished.
- 9.4.1.2 Whether the existing amenities of adjacent or nearby Residential or Open Space Areas will be lessened to any significant extent. Particular consideration will be given to maintaining a quiet night time environment.
- 9.4.1.3 Whether vehicular traffic generated by any activity can be accommodated without a loss of amenity, safety or without causing congestion.
- 9.4.1.4 In respect of helicopter landing areas the extent of compliance with the provisions of NZS 6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas and the extent of compliance with relevant Civil Aviation rules.

*In some cases activities not related to the primary function of the Precincts may be considered. The Council's aim is to maintain the Precincts for their intended purpose but allowing more mixed activity may help to achieve more efficiency of resource use.*

*Council will take particular care to ensure that any Non-Precinct activity is in keeping with its surroundings and will have particular regard to the nature of adjacent areas. It is considered important that the amenities of Residential Areas be protected.*

*Council is concerned that helicopter operations do not cause adverse noise effects and are conducted safely. Helicopters in flight are not subject to control but Council has made landing areas (with the exception of the roof of the Clinical Services Block at Wellington Hospital) a Discretionary Activity (Unrestricted) to ensure that adverse noise effects and public safety issues can be addressed.*

*For the above reasons Non-Precinct activities have been included as Discretionary Activities (Unrestricted). This enables the full effects of a proposal to be evaluated and where necessary, protective measures imposed.*



**9.4.2 Buildings and structures, including pedestrian bridges, located above or over the street that exceed 25 percent of the width of the road at any point are Discretionary Activities (Unrestricted).**

*Assessment Criteria*

**In determining whether to grant consent and what conditions, if any, to impose Council will have regard to the following criteria:**

- 9.4.2.1 Any relevant provisions of a Precinct Design Guide.
- 9.4.2.2 The impact of the structure on the visual qualities of the streetscape, including its impact on views.
- 9.4.2.3 The effect of the structure on neighbouring properties.
- 9.4.2.4 The effect of the structure on the wind environment of the street and the extent to which sunlight levels in the street will be reduced.
- 9.4.2.5 The potential of the structure to restrict access in the event of a natural hazard. Council will consider the design, placement and construction materials to avoid or mitigate any potential hazard.

*Bridges and similar structures over a road can have both visual and physical impacts. Council is particularly concerned about effects of such structures on the visual qualities of the streetscape. Such structures have the potential to block roads or access links in the event of a natural hazard occurring. Developments of this type are Discretionary Activities so their impacts can be assessed.*

**Rule 9.4.3 has been deleted as a result of District Plan Change 69.**

**9.4.4 Any subdivision which is not a Permitted Activity or Controlled Activity, is a Discretionary Activity (Unrestricted).**

*Assessment Criteria*

**In determining whether to grant consent and what conditions, if any, to impose, Council will have regard to the following criteria:**

- 9.4.4.1 The requirements of section 106 of the Act.
- 9.4.4.2 Whether proposed allotments are capable of accommodating Permitted Activities in compliance with the Institutional Precinct rules.
- 9.4.4.3 The extent of compliance with the relevant parts of the Council's Code of Practice for Land Development.

*Subdivision which is not a Permitted or Controlled Activity will be assessed as a Discretionary Activity. This will enable the full effects of a subdivision to be considered with public involvement where appropriate. The resource consent process will be used to determine the extent of land considered suitable for subdivision and the most appropriate design, having regard to the intended future use.*



## **9.5 Non-Complying Activities**

Activities that contravene a rule in the Plan, and which have not been provided for as Discretionary Activities (Restricted) or Discretionary Activities (Unrestricted) are Non-Complying Activities. Resource consents will be assessed in terms of section 105(2A)(b) of the Resource Management Act.

The decision on whether or not a resource consent application will be notified will be made in accordance with the provisions on notification in the Act.



## Appendix 1. Noise

Activities must comply with the following noise limits.

### Residential (Inner)

Noise emission levels when measured on any residential site in the Inner Residential Area must not exceed:

<i>Monday to Saturday 7am to 7pm</i>	<i>55dBA(L10)</i>
<i>Monday to Saturday 7pm to 10pm</i>	<i>50dBA(L10)</i>
<i>At all other times</i>	<i>40dBA(L10)</i>

<i>All days 10pm to 7am</i>	<i>70dBA(Lmax)</i>
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Where it is impractical to measure outside a dwelling, then measurements shall be made inside (with windows closed). Where indoor measurements are made the noise limits stated above shall be reduced by 15dBA.

### Residential (Outer)

Noise emission levels when measured on any residential site in the Outer Residential Area must not exceed:

<i>Monday to Saturday 7am to 7pm</i>	<i>50dBA(L10)</i>
<i>Monday to Saturday 7pm to 10pm</i>	<i>45dBA(L10)</i>
<i>At all other times</i>	<i>40dBA(L10)</i>

<i>All days 10pm to 7am</i>	<i>65dBA(Lmax)</i>
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Where it is impractical to measure outside a dwelling, then measurements shall be made inside (with windows closed). Where indoor measurements are made the noise limits stated above shall be reduced by 15dBA.

### Rural Area

Noise emission levels when measured at or within the boundary of any site (other than the site from which the noise is generated) in the Rural Area must not exceed:

<i>At all times 55dBA</i>	<i>(L10)</i>
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and

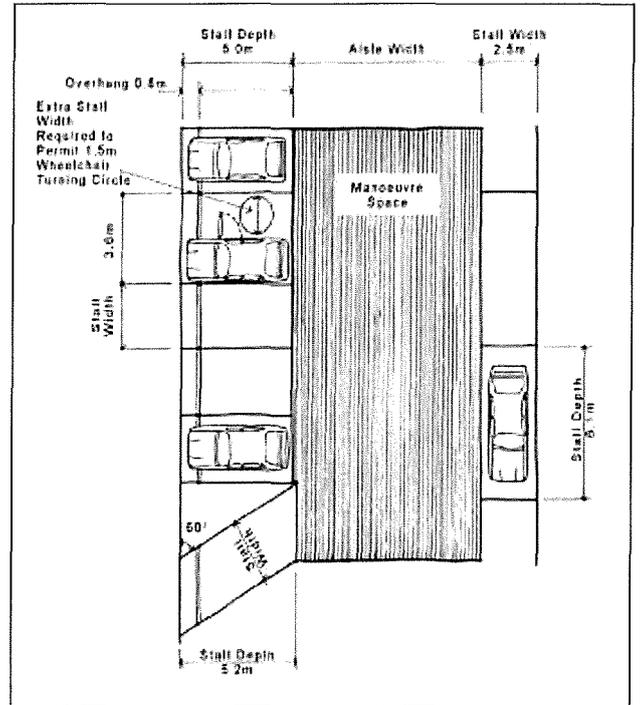
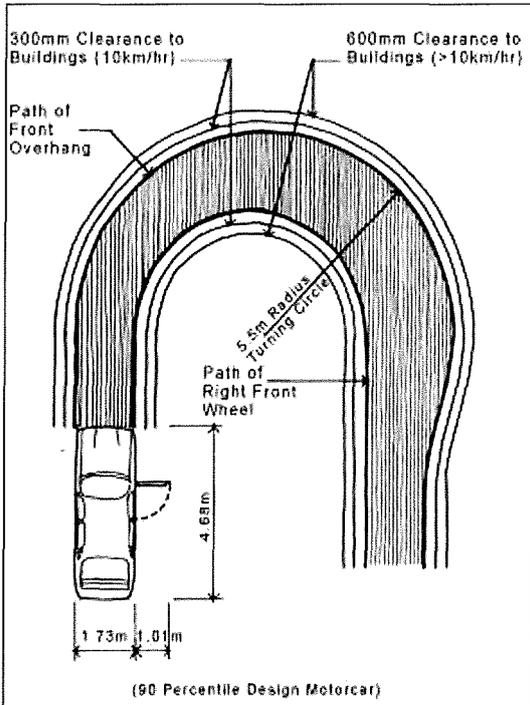
Noise emission levels when measured on any Conceptual Boundary of a residential building must not exceed:

<i>Monday to Saturday 7am to 8pm</i>	<i>45dBA (L10)</i>
<i>At all other times</i>	<i>35dBA (L10)</i>
<i>All days 8pm to 7am</i>	<i>60dBA (Lmax)</i>





## Appendix 2. Vehicle Parking Standards



Type of User	Parking angle	Stall Width (metres)	Aisle Width (metres)	Stall Depth (metres)	Parking angle	Stall Width (metres)	Aisle Width (metres)	Stall Depth (metres)
Regular	90°	2.4	7.0	5.0	60°	2.4	4.5	5.2
		2.5	6.6	5.0		2.5	4.1	5.2
		2.6	6.2	5.0		2.6	3.5	5.2
Casual	90°	2.5	8.0	5.0	60°	2.5	4.8	5.2
		2.6	7.0	5.0		2.6	4.4	5.2
		2.7	6.6	5.0		2.7	3.3	5.2
People with Disabilities	90°	3.6	8.0	5.0				
All	0° (Parallel)	2.5	3.5 (one-way) 5.5 (two-way)	6.1				

**Notes:**

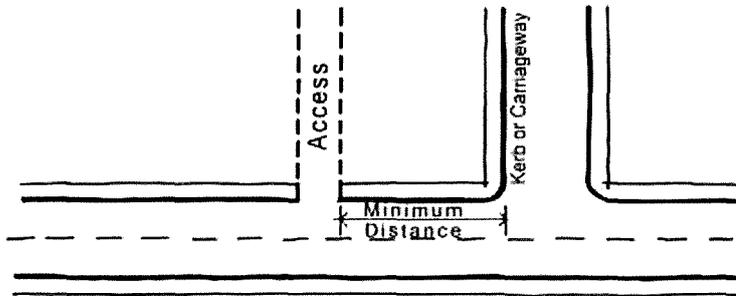
- Regular users are people whose regular use gives them a familiarity with the carpark that permits smaller but safe clearances.
- Casual users are people (usually short-term visitors) who would not be familiar with the parking layout.
- Stall widths shall be increased 300mm where they abut obstructions such as columns or walls.
- All parking and manoeuvring dimensions assume the use of a 90 percentile design motor car. Compliance with the above requirements will be assessed using this standard of vehicle.





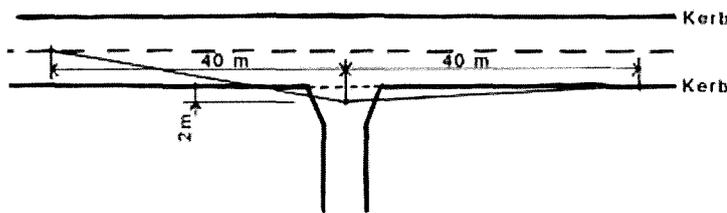
## Appendix 3. Site Access for Vehicles

### 1. Vehicular access near intersections.



### 2. Access sight lines.

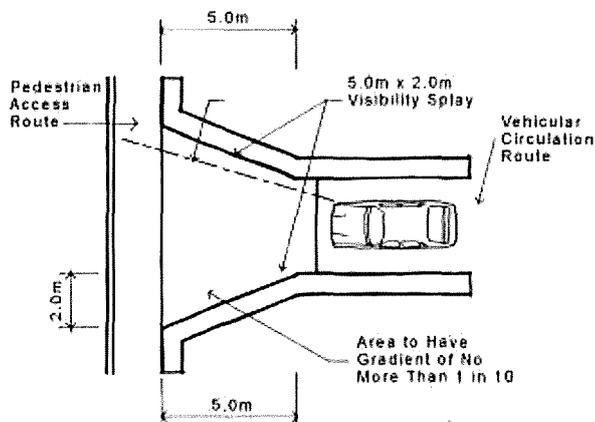
#### 2.1



Within the area represented by the visibility splay, full visibility is required above a level of one metre above the level of the adjacent carriageway.

For one-way streets and dual carriageway visibility will only be required in the direction of approaching traffic.

#### 2.2 Access sight lines for access drives which cross a pedestrian access route.





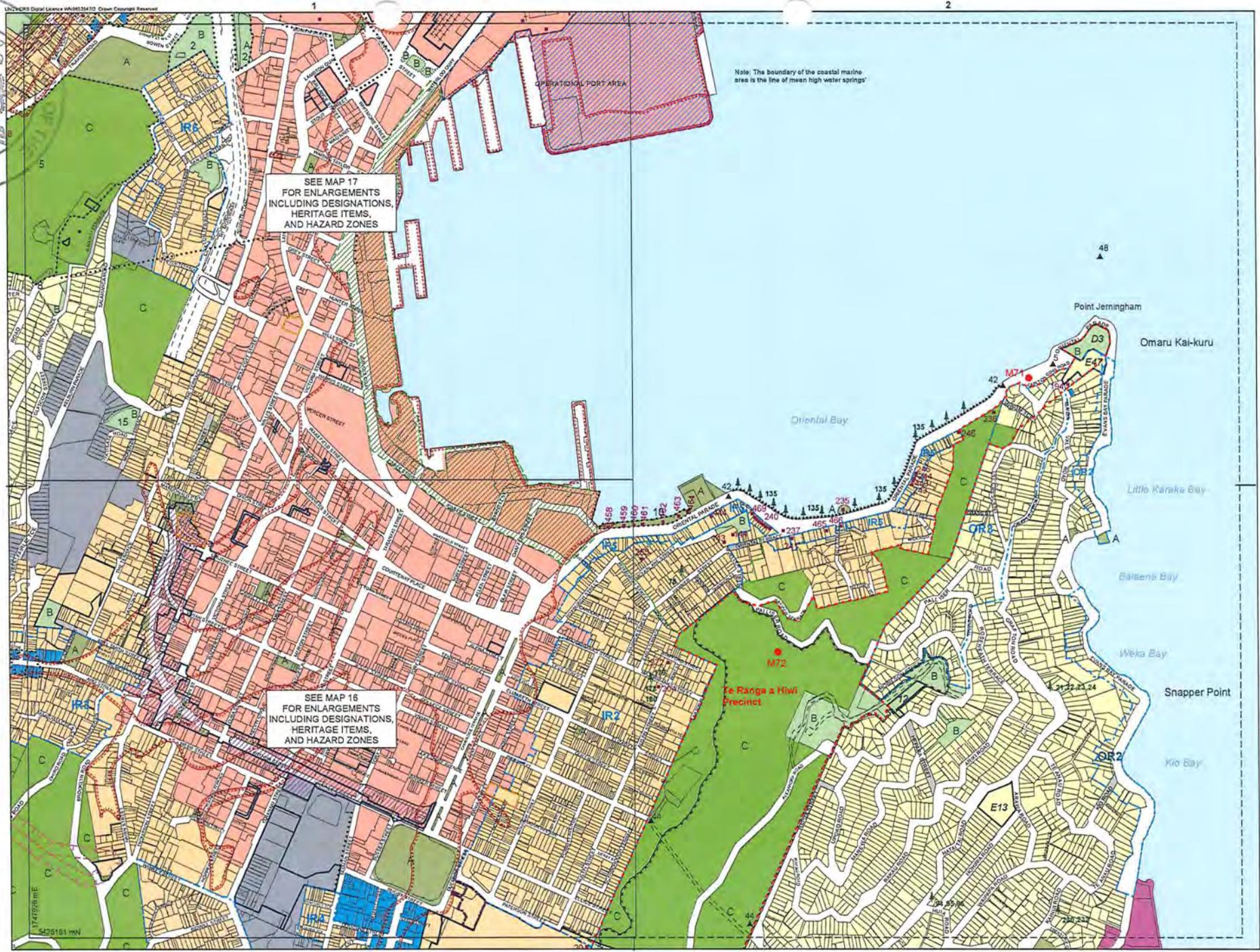
## Appendix 4. Permitted Building Standards for 320 The Terrace

1. Permitted height of buildings and structures is 10m above ground level (AGL) except as where a permitted height above mean sea level (AMSL) is specified on the plan below.
2. Permitted site coverage is 50%. However, coverage within the escarpment sub-area shown hatched on the plan below shall not exceed 35% of this sub-area.
3. The recession planes standards for the Inner Residential Area under 5.6.2.8 shall apply to the boundaries with the Inner Residential Area except for the boundaries indicated in blue on the plan below.
4. A 5m yard shall apply to the boundaries with the Inner Residential Area except for:
  - i. the boundaries indicated in blue on the plan below where a 1m yard shall apply; and
  - ii. the boundary adjoining 324 The Terrace where a 10m yard shall apply.
5. No building within 10m of an Inner Residential Area boundary-façade along a single building plane shall exceed 30m in length measured along the Inner Residential Area boundary without a minimum building setback of 10m from the boundary for a length of 10m.





14	18	15
11	17	12
6	7	



SEE MAP 17  
FOR ENLARGEMENTS  
INCLUDING DESIGNATIONS,  
HERITAGE ITEMS,  
AND HAZARD ZONES

SEE MAP 16  
FOR ENLARGEMENTS  
INCLUDING DESIGNATIONS,  
HERITAGE ITEMS,  
AND HAZARD ZONES

**Absolutely  
POSITIVELY  
Wellington**  
We have an idea  
Wellington City Council



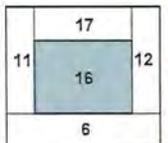
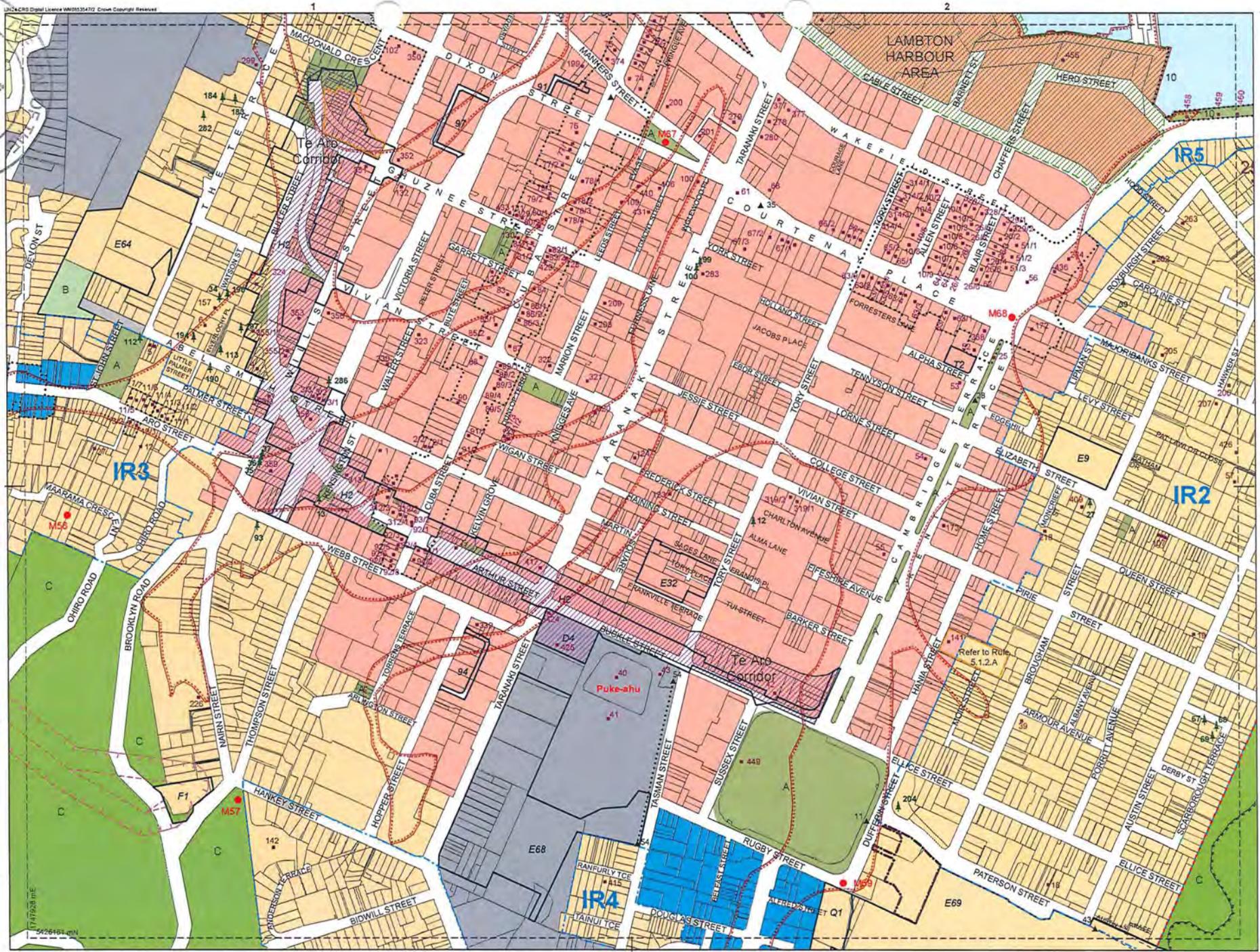
**WELLINGTON CITY COUNCIL DISTRICT PLAN MAP**



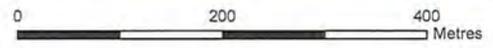
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Absolutely **Positively** Wellington  
My best at home  
Wellington  
Wellington City Council



### WELLINGTON CITY COUNCIL DISTRICT PLAN MAP

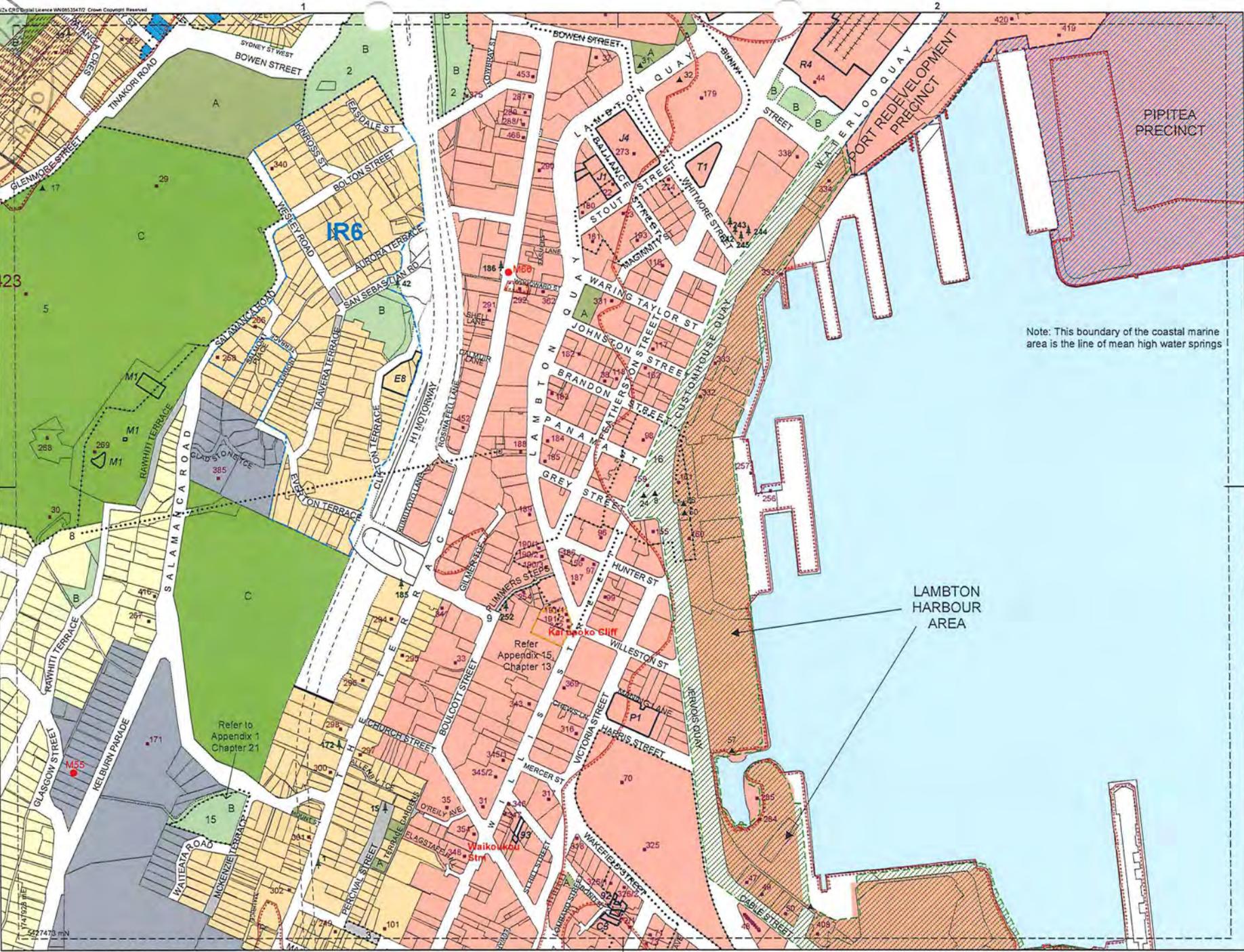
Operative July 2000  
Updated February 2017



17



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Note: This boundary of the coastal marine area is the line of mean high water springs

LAMBTON HARBOUR AREA

14	18	15
11	17	12
	16	

Absolutely POSITIVELY  
No Harm or Harms  
Wellington City Council



### WELLINGTON CITY COUNCIL DISTRICT PLAN MAP

Operative July 2000  
Updated February 2017