

Proposed Plan Change 73

Annotated provisions of Chapter 3 of the Operative District Plan showing proposed changes

Key to the following annotated text

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

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

3. DISTRICT PLAN GENERAL PROVISIONS

3.1 Guide to the District Plan

3.1.1 Introduction

Section 3.1 simplifies the task of finding out what you wish to know from the District Plan. It describes the steps to follow in using this document, and tells you how you can obtain further information and what you may need to do to get a resource consent. This section also provides advice on how to find out what may happen in your area in future.

3.1.2 How to Use the Plan

- **Check the maps**

The place to start is with the maps. First find the location of the site that you are interested in.

What type of area is it in? Each type of area has its own special rules. The areas are:

- Rural
- Residential
- ~~Suburban~~ Centres
- Business Areas
- Institutional Precincts
- Airport and Golf Course Recreation Precinct
- Central Area
- Open Space
- Conservation Sites

You must also be aware of other rules that may apply. They usually have a specific function, such as rules applying to character areas aimed at protecting particular, distinctive qualities. Run through the following to check whether it is likely that other rules might apply.

- Is the site you are looking at within a **character** or heritage area?
- Is there a **Design Guide** associated with this area?
- Is the site close to the **boundary** between different areas?
- Is the property near a site identified as being of significance to **tangata whenua**?
- Does the property contain an item listed for **heritage** reasons?
- Is the site within or on the boundary of a **Conservation Site** or close to the **coast**?
- Is the site subject to a **designation**? This is shown by notations on the maps.
- **Check the rules for the area your site is in**

When you have located on the map the area that your site is in, and you have an idea of its surroundings, turn to the part of the Plan that deals with that area.

Each part of the Plan contains an introductory statement that describes the area, and is followed by the objectives, policies and rules that are applicable throughout the area.

- **Check for other rules**

There may also be other rules elsewhere in the Plan that are applicable to your site or to the activity that you wish to undertake. For example, if you are considering using a heritage building within the Central Area you will need to consult the Central Area provisions as well as the rules relating to the use of heritage buildings.

If your site is subject to a **designation**, the lists in Chapter 24 will tell you which authority is responsible for the designation, and whose permission you will need to obtain to undertake work on the site.

In the right hand margin of the page, **column notes** refer you to some of the other provisions that are related to those you are looking at.

- **Check definitions**

Throughout the Plan, words have been used that may have legal or special meanings that are sometimes different from those in common usage. These words are defined in the Definition section (refer to 3.10) or in the Resource Management Act 1991.

- **Applying for any consents you need**

The activity you want to go ahead with will be identified as a Permitted, Controlled, Discretionary (Restricted), Discretionary (Unrestricted) or Non-complying Activity. In the **Central Area** and **Suburban Centres**, all activities are permitted (provided they comply with conditions) unless the Plan specifies that they need a resource consent. In all other areas, the reverse applies: unless activities are specifically permitted, they need a resource consent.

Even if your activity is not specifically listed in an area, it may still be provided for. The Plan is not concerned with activities that are so minor that they have practically no effects: for example, digging a garden is not considered to be earthworks.

Activities that are Permitted can be proceeded with as of right but they must meet the conditions specified in the Plan.

For building works and activities that are identified as Controlled, Discretionary (Restricted), Discretionary (Unrestricted) or Non-complying, you need to get a **resource consent**. The consent application is assessed against Part II and Sections 104 and 105 of the Resource Management Act. The following table shows the difference between the types of activities described within the District Plan.

Type of Activity	Do I need a Resource Consent?	Explanation
Permitted	No	As of right subject to conditions.
Controlled	Yes	Consent will be granted but conditions may be placed on the consent in respect of the matters controlled.
Discretionary (Restricted)	Yes (but discretion is limited to a particular part of the activity)	Consent may be granted. Conditions may be placed on the consent in respect of the restricted matters identified in the Plan.
Discretionary (Unrestricted)	Yes	Consent may be granted. Conditions may be placed on the consent.
Non-Complying	Yes	Consent may be granted. Conditions may be placed on the consent. Council must be satisfied that the granting consent will not be contrary to the objectives and policies of the Plan.

3.1.3 Resource Consents and Plan Changes

3.1.3.1 Resource Consents

The procedures for applying for a resource consent are described in Part VI of the Resource Management Act. Section 3.2 of the Plan specifies what you must do to satisfy Council's requirements before an application will be accepted.

Information is also available from Council to explain the process in more detail and to tell you what you can do to help the application go smoothly.

The amount of detailed information you need to provide depends on the type of resource consent. For example, subdivision consents require a high level of detail; a resource consent to put up a sign may not.

Depending on the location, nature and type of application and the nature of the proposal, you may need to consult or get the consent of affected parties (these might for example include neighbours, residents' groups, tangata whenua, environmental groups).

In some cases, you may also need to get consent from the Wellington Regional Council.

You need to undertake consultation with any parties affected by your proposal as required under Section 88(6) of the Resource Management Act. The level and extent of community consultation depends on the impacts that your proposal will have. In general, the greater the effects, the more extensively you need to consult.

The process of consulting people allows them to understand the nature of the proposal and let their views be known. Done properly, consultation can reduce time and costs later on in the resource consent process.

Special consultation procedures may apply to activities near identified sites or precincts of significance to tangata whenua or Maori. Heritage buildings may also require special consultation procedures.

To have your application processed, you may need to pay a fee. The amount of the fee depends on what your activity is and the type of resource consent you need.

3.1.3.2 Plan Changes

Where you believe the rules in your area are no longer relevant or are inappropriate, you may apply to have the District Plan changed. The process for a Plan Change, and details of the information to be supplied with any such application, are detailed in the First Schedule to the Act.

3.1.4 Future Developments

If you are considering buying a property or undertaking a development it may be wise to consider what can happen in the immediate neighbourhood. For example, although a view from a building may currently exist, the neighbouring house could be pulled down and replaced with a taller one.

The District Plan can help give you an idea of what could happen near a site or property.

You can also obtain other information held by Council about your land or project by applying for a **Land Information Memorandum (LIM)** or **Project Information Memorandum (PIM)**.

LIMS are summaries of all the information that Council holds on a particular piece of land or building. PIMS are summaries of all the information the Council holds on the land relating to a particular project or work, and outlines other consents required to complete that project or work. A fee is charged to provide this information.

3.1.5 Further Advice

If, having read the relevant Chapters of the Plan, you are unsure about any aspect of the rules, or if you feel that you would like further information or explanation, please contact the Council. Make sure you are familiar with the Plan provisions that relate to your site or application. This will make the task of Council staff easier. They will be able to give you more advice about the things you wish to know.

If you need a resource consent it is your obligation to prepare your application and to provide all the information about the effects your project may have on the environment. Council staff cannot do this for you.

Often the advice of an independent planning consultant, surveyor, architect or solicitor will be helpful to you, whether you are an applicant, or want to make a submission on someone else's application.

3.2 Information to be Submitted with an Application for a Resource Consent

3.2.1 Requirements for Information

For Council to be able to process an application for a resource consent, an applicant must provide adequate information to enable the effects of the activity to be assessed (in accordance with section 88(4) of the Act or in the case of a subdivision consent, sections 88(4) and 219).

Applications should be in the same or similar format as Form 5 of the Resource Management (forms) Regulations 1991. Copies of this form can be obtained from the Council offices.

Where Council considers that insufficient information has been supplied, further information will be requested under section 92 of the Act and the resource consent or plan change will not be advanced until the requested information is supplied.

Applications should be discussed with Council staff before they are formally lodged to ensure that the following requirements are met. This enables any minor difficulties to be resolved in an informal way and will avoid delay caused by formal requests for more information.

3.2.2 Land Use Consents

An application for a Land Use Consent shall include:

- 3.2.2.1 A description of the activity for which consent is sought, and its location.
- 3.2.2.2 An assessment of any actual or potential effects that the activity may have on the environment, and the ways in which any adverse effects may be mitigated.

Note: Section 88(6) of the Act requires assessments to be in such detail as corresponds with the scale and significance of the actual and potential effects that the activity may have on the environment, and shall be prepared in accordance with the Fourth Schedule to the Act.

- 3.2.2.3 For activities within a Maori Precinct, a description of the type and extent of consultation with tangata whenua and other Maori and any outcomes of the consultation.
- 3.2.2.4 Any information required to be included in the application by the District Plan or the Act's regulations. This could include noise assessment, a traffic impact report or an Urban Design Statement.
- 3.2.2.5 A statement specifying all other resource consents that the applicant may require from any consent authority in respect of the activity to which the application relates, and whether or not the applicant has applied for such consents.
- 3.2.2.6 **Site information.** The following information must be supplied:
 - the correct street address
 - the legal description(s) of the site

- current copies of all certificates of title.

3.2.2.7 **Site plans.** Site plans must be drawn at a 1:100 or 1:200 metric scale where possible, or to such a scale to show sufficient detail of the proposal to enable Council to determine its effects. If the plans are larger than A3 size copies reduced to A3 must also be provided. The site plans must show:

- a north point accurately orientated
- a unique plan number and title describing the proposal and the site.

3.2.2.7.1 The applicant must provide a site plan detailing where relevant the **existing situation** including:

- details of hazardous areas (for example uncompacted filling or flood prone areas)
- topography (noting significant landforms natural features [and identified ridgelines and hilltops]^{PC33})
- waterbodies and catchment orientation
- vegetation (including that located on adjacent road reserve or surrounding properties) and/or habitats of indigenous fauna
- all certificate of title boundaries
- road frontages
- existing buildings (indicating those to be retained)
- buildings on adjacent sites.

3.2.2.7.2 The applicant must provide a site plan detailing where relevant the **proposed development** including:

- design of earthworks and final levels and contours of the site
- layout and location of proposed structures and buildings or alterations to existing structures and buildings
- location of proposed activities, vehicle parking, servicing, circulation and manoeuvring, pedestrian and vehicular access
- floor plans
- calculation of site coverage
- [a landscaping plan that outlines]^{PC56} all landscape design, site planting and fencing.

3.2.2.8 The applicant must provide, where relevant, elevation drawings, numbered and drawn to a metric scale of generally 1:100 or such as to clearly show the:

- relationship of buildings to existing and finished ground levels
- extent of compliance with relevant plan rules including solar access and maximum building height
- elevations from the street showing the relationship of proposed structures to structures on adjacent sites, including the location of existing private outdoor spaces and main living area windows (where these have outlook over the development).

3.2.2.9 Where an application for a Land Use Consent includes an activity involving the storage, use, handling or disposal of hazardous substances which does not comply with the conditions for Permitted Activities then the applicant must provide a Site Management Plan which addresses:

- the hazardous properties and risks to the environment and public safety associated with the substances, products and processes present on-site
- on-site systems for the handling, storage and disposal of hazardous substances
- measures to avoid contamination of the environment
- measures to mitigate any adverse effects arising
- consideration of the size and nature of the possible emergency events
- detailed procedures and actions to be taken in the event of an emergency
- liaison with the emergency services, regulatory authorities and neighbours
- safety procedures.

The Site Management Plan should relate to that portion of the site where the hazardous substances are used, stored, or handled, and that area which may be directly affected by an accidental release of the hazardous substances on site.

Where a hazardous facility has an Environmental Management System (to ISO 14001 or equivalent) or a recognised integrated Health, Safety and Environment Management System, then a Site Management Plan will not be required provided that the system addresses on-site hazardous substance management and can demonstrate compliance with the requirements of the standard.

3.2.2.10 Where an application for a land use consent includes an activity subject to Rule 5.3.11 the following information will be required:

- council building consent/archival data detailing the date of construction or approval for construction; or
- where Council records are inadequate to determine the date of construction, or approval for construction, a report from a suitably qualified conservation architect detailing their professional opinion as to the date of construction may be required. This is only required where requested by the Council or its authorised delegate under Section 92 of the Resource Management Act 1991; and
- information on the outcome of consultation with the local residents' association about the possible demolition of the building. The relevant associations are the Thorndon Society in Thorndon and the Mt Victoria Residents' Association in Mt Victoria, or if these organisations are no longer in existence, the organisation or organisations which the Council determines have a record of representing the public interest in relation to Thorndon and Mt Victoria.

3.2.2.11 Any other information necessary to determine the effects of the proposal.

3.2.2.12 **Note in respect of Controlled Activities and Discretionary Activities (Restricted).**

For Controlled Activities and Discretionary Activities (Restricted), applications will only be assessed with regard to those matters specifically identified in the District Plan rules. The information to be supplied must include an assessment of any likely effects on the environment. This can be limited to that which is necessary to address the matters under consideration.

[3.2.2.13 Except for utilities less than 6m² in area and a maximum height of 2m, where an application for a Land Use Consent is for a development within the Hazard (Fault Line) Area, the applicant must provide a geotechnical report and an engineering design report.

A geotechnical report will include, to Council's satisfaction, the results of relevant geotechnical investigations. The Council will determine the relevance of undertaking geotechnical assessments on a site by site basis in recognition that hazard related risks and the ability to investigate the hazard, vary within individual properties.

The engineering design report must detail additional engineering measures that will be adopted to mitigate potential adverse effects from a fault rupture hazard event.]^{PC22}

[NB: 3.2.2.14 and 3.2.2.14A inserted by District Plan Change 48 (Central Area)]

3.2.2.14B For the purposes of Chapters 6 and 7 of the District Plan, a **wind assessment report**, which is based on the expert opinion of a qualified wind specialist, must be provided for the construction, alteration, or addition to buildings and structures that do not comply with the maximum permitted building heights in standard 7.6.2 (unless 3.2.2.14AC below applies).

The form and content of a wind assessment report is outlined in Appendix 2 of Chapter 7

~~The report must conclude that the development is highly likely to maintain and improve pedestrian wind conditions before it will be accepted under Rule 7.3.7.~~

The report must conclude that the overall effect of the building development will not reduce the existing pedestrian wind conditions or a wind tunnel test report may be required.

3.2.2.14C At the discretion of Council officers, a wind tunnel test report may also be required for the construction, alteration, or addition to buildings and structures that do not comply with the maximum permitted building heights in standard 7.6.2.

The wind tunnel test study must examine the effects of the proposed building upon all areas open to the public, including roads, parks, malls, plazas, public carparks, the immediate forecourt area and entranceways to the proposed building/s. The proposed development must be tested against the existing situation except where the site is currently cleared. If the site is cleared, the proposal must be tested against any building which existed within the previous 5 years.

Details of the test requirements, and the form and content of a wind tunnel test report is outlined in Appendix 2 of Chapter 7.

Examples of situations where a wind assessment report may be provided instead of a wind tunnel test report include:

- Where the proposed building or addition is consistent with other building heights in the neighbourhood, is only a small change in scale compared to the existing building and incorporates wind mitigation measures such as verandahs, setbacks and breezeways;
- Where the proposed work is for a minor rooftop addition (eg. lift or ventilation room) which is setback from all sides of the building;
- Where the proposal involves a structure that will not impede wind flows, eg, aerials, masts.

3.2.3 Subdivision Consents

An application for a Subdivision Consent shall include:

- 3.2.3.1 A design statement as per 3.2.4.1.
- 3.2.3.2 An assessment of any actual or potential effects that the activity may have on the environment, and the ways in which any adverse effects may be mitigated.

Note: Section 88(6) of the Act requires assessments to be in such detail as corresponds with the scale and significance of the actual and potential effects that the activity may have on the environment, and shall be prepared in accordance with the Fourth Schedule to the Act.

Section 88(5) provides that the assessment of effects on the environment required by subsection (4)(b) of the Act in respect of an application for a resource consent relating to a Controlled Activity, or a Discretionary Activity over which the local authority has restricted the exercise of its discretion, shall only address those matters specified in a plan or proposed plan over which the local authority has retained control, or to which the local authority has restricted the right to exercise its discretion, as the case may be.

- 3.2.3.3 Any information required to be included in the application by the District Plan or the Act's regulations.
- 3.2.3.4 A statement specifying all other resource consents that the applicant may require from any consent authority in respect of the activity to which the application relates, and whether or not the applicant has applied for such consents.
- 3.2.3.5 **Site information.** The following information must be supplied:
- a legal description of the site
 - current copies of all certificates of title
 - where relevant, an assessment, including diagrams, of the significant views onto and off the development site.
- 3.2.3.6 **Site plans.** Site plans must be supplied. They must be drawn to an appropriate stated metric scale to show sufficient detail of the proposal to enable Council to determine its effects [(eg. 1:200, 1:500)]^{PC56}. If the plans are larger than A3 size copies reduced to A3 must also be provided. The site plans must show:
- a north point accurately orientated
 - a unique plan number and title describing the proposal and the site
 - Wellington City Council record sheet numbers
 - the location of any listed heritage items, areas, buildings or recorded archaeological sites
 - an archaeological assessment must be provided for any subdivision involving a listed historic site dating pre 1900. Applicants must demonstrate that regard has been had to alternatives that will reduce the effects of the proposal on archaeological values.

Site information such as contours, existing vegetation and the position of dwellings on neighbouring lots is essential to allow impact on amenity of proposed development to be determined, especially in respect of subdivision within established residential areas.

3.2.3.7 The applicant must provide a site information plan detailing the existing situation including:

- topographical information, wherever possible in terms of Wellington City Datum, together with a certificate as to its origin and accuracy
- details of hazardous areas (for example, uncompacted filling or flood-prone areas)
- existing buildings and buildings on adjacent sites
- landforms and landscape elements [including identified ridgelines and hilltops]^{PC33}
- waterbodies and catchment orientation
- the location and areas of any existing esplanade reserves, esplanade strips, or access strips
- all significant areas of vegetation (including any vegetation located on adjoining road reserve or properties) and/or significant habitats of indigenous fauna
- existing street names and numbers
- existing easements and covenant areas
- the location of existing public transport stops, and pedestrian access routes to those stops.

3.2.3.8 The applicant must provide a [site development plan]^{PC56} detailing the proposed subdivision development including:

- the position of all proposed allotment, and certificate of title, boundaries
- the areas of all new allotments (except in the case of a subdivision to be effected by the grant of a cross lease, company lease or by the deposit of a unit plan)
- [indicative building sites and building footprints]*
- indicative vehicle accessways and indicative parking and manoeuvring areas if applicable*
- proposed site contours
- indicative open space areas*]^{PC56}
- location and type of all proposed trees and other vegetation, including all existing vegetation to be retained
- [major new landscaping elements (eg. Fences, trees and hedges)
- any proposed earthworks, including retaining walls (indicating height, and intended form or type of construction)
- areas of on-site drainage]^{PC56}
- the street reserve proposed to be set aside as new road, including all areas of public open space intended for recreational purposes, together with drawings sufficient to describe the plan and three dimensional qualities of typical and unique or special areas of the development
- formation widths and grades of proposed roads and rights-of-way, parking bays, bus stops, speed control devices and pedestrian walkways
- proposed easements and covenant areas
- the location of proposed public transport stops and pedestrian walkways, and walking distances to public transport stops

Site information such as contours, existing vegetation and the position of dwellings on neighbouring lots is essential to allow impact on amenity of proposed development to be determined, especially in respect of subdivision within established residential areas.

Within the subdivision provide a realistic means of addressing the District Plan standards for building.

- the location and areas of new reserves to be created, including any esplanade reserves to be set aside on a survey plan under section 231
 - the location and areas of esplanade strips proposed to be created under section 232 to meet the requirements of the District Plan
 - the location and areas of any land below mean high water springs of the sea, or of any part of the bed of a river or lake, which is required under section 237A are to be shown on a survey plan as land to be vested in the Crown
 - an archaeological assessment must be provided for any subdivision involving a listed historic site pre 1900. Applicants must demonstrate that regard has been had to alternatives that will reduce the effects of the proposal on archaeological values.
 - information to show compliance with any other District Plan rule.
- * [Note: this information may not be required for proposed allotments over 400 metres squared, depending on the topographical constraints of the site (eg. Slopes greater than 15 degrees).]^{PC56}

3.2.3.9 [(1:200 – 1:500 colour aerial photograph):]^{PC56}

The applicant must provide an annotated print from the most recent 1:500 aerial photograph.

- [overlaid with existing contours and property boundaries.
- extending at least 20 metres beyond all side and rear boundaries, and showing frontages of properties across the street.]^{PC56}

3.2.4 Design Guide Applications

Any application for a resource consent that is to be assessed against a Design Guide must be accompanied by a Design Statement.

The submission of a clear and sufficiently comprehensive application including all the material listed below (general and specific requirements) will assist the approval process by demonstrating that all relevant matters have been addressed.

The primary concern of any urban design assessment is not the architectural design qualities of a proposal as such, but the way that the proposal is integrated into its surroundings through the quality of its design.

The urban design assessment of a proposal will evaluate the architectural design only in terms of its contribution to the overall quality of the urban environment.

A development will be judged in relation to the contribution that it makes to the enhancement of the public environment (including, among other elements, streetscapes, urban form, public spaces, views, visual qualities of the built environment and connections to other buildings) and this should be made explicit within the design statement. The design statement should also illustrate the potential effects that the proposed development may have on the fabric of the city and the expected changes it may generate.

3.2.4.1 General requirements

Design Statement

The design statement will set out the design principles of the development proposal. This statement will comprise a significant element of the assessment procedure. It must:

- demonstrate how, through the design process, the respective design guide objectives and guidelines have been considered, for example, through considering options, before a final solution has been reached
- describe the significant features of the development site
- outline the relevant history of the site
- explain how the proposal strengthens or enhances the existing form and character of the city
- where the development is of a size or in a location with city-wide significance, include a description of how the development is seen in the context of the wider city and how it links into that context
- describe how the development integrates into its surroundings and the contribution that it makes to the overall quality of the environment.

If a proposal does not comply with the objectives of the Design Guide, the Design Statement must convincingly justify that the development does not detract from the intention of the Design Guide and that the proposal does not create an adverse effect on the environment.

If a proposal does not comply with guidelines or specific requirements under 3.2.4.2, the Design Statement must convincingly justify the applicant's choice of the particular approach and demonstrate how the objectives of the Design Guide are satisfied.

3.2.4.2 Specific requirements

3.2.4.2.1 For multi-unit housing:

In addition to the requirements of 3.2.4.1, each application must also provide where relevant the following:

1. A development summary:

This must provide the following information:

- total site area and proposed number of dwellings
- a calculation of site coverage
- the area of the site associated with each individual dwelling
- the area and overall dimensions of the major private outdoor space associated with each individual dwelling
- number of off-street car-parking spaces
- the area of any shared open spaces within the development
- notes to indicate the intended general type of external cladding materials for all buildings and site-works including walls and fences at the street edge.

2. Additions to site plan:

- the position and use of buildings on immediately adjacent sites including the location of existing private outdoor spaces, and main living area windows where these have outlook over the development
- the street immediately adjacent, including any street trees
- proposed public access-ways, driveways, car-parks and footpaths, including designated public open space or communal space.

3. Indicative typical dwelling floor plans at a scale of not less than 1:200 showing:

- [the indicative internal layout of typical and any non-typical dwellings, with common furniture items drawn to scale and door opening arcs illustrated.]^{PC56}
- the location of the private open space, car-parking and external storage space for each dwelling.

4. Additions to elevation drawings:

- height of fencing at site boundaries.
- [in Mt Cook, Newtown and Berhampore (as shown in Appendix 9, Chapter 5) a cross section of the front elevation (at a scale of not less than 1:50) showing the depth of façade relief.]^{PC39}

5. Assessment of design to avoid, remedy or mitigate the adverse effects of infill development in established areas:

Development in established areas may have an impact on both the streetscape and on adjacent development. To assist assessment of this impact, the following additional information may be required:

a statement or description of planning and design measures that have been incorporated to avoid, remedy or mitigate the adverse effects on neighbours of:

- loss of visual privacy through overlooking of outdoor space and views into living areas of adjacent dwellings
- loss of daylight and aspect due to the overshadowing of existing private outdoor space and windows to main living areas
- the visual bulk of large walls
- noise from the new activity.

6. Streetscape appraisal:

In addition, where a development has a presence on a street which is generally recognised as having a character that is of significance to, and is valued by, the community, then a streetscape appraisal will be required. This will include:

- street elevations to a scale of 1:100 which show the development and the [four]^{PC39} properties on either side
- photographs taken from across the street showing the buildings described in the street elevation.

3.2.4.2.2 For the Thorndon Character Area:

In addition to the requirements of 3.2.2, each application must also provide the following (except for modifications to existing buildings where no part of that modification is visible from across the street):

- street elevations to a scale of 1:100 which shows the development and the two properties on either side
- photographs taken from across the street showing the buildings described in the street elevations
- a plan at a minimum scale of 1:100 showing these properties and the front of the properties that face the site across the street.

3.2.4.2.3 For the Central Area Design Guide:

Additions to the Design Statement are required for developments within the Central Area that:

- are adjacent to or that front public spaces

In this case the Design Statement should clarify how the proposal will contribute to the quality of those public spaces.

or

- are anticipated to have significant visual effects on the City's skyline and urban form.

In this case the Design Statement should clarify how the proposal will contribute to the cityscape when viewed from close up or from a distance.

[3.2.4.2.4 For the Lambton Harbour Area

For building and open space developments within the Lambton Harbour Area each application must provide a design statement that sets out how the design principles of the proposal respond to the values, principles and objectives of the *Wellington Waterfront Framework (April 2001)*. In particular the design statement should identify how the proposal will:

- be in character with the waterfront as a whole and maximise the unique value of the waterfront location
- express the heritage and history of the waterfront
- enhance the relationship between open spaces and adjacent buildings, structures and water areas
- support and contribute to the quality of surrounding open spaces
- contribute to the provision of different open spaces and buildings that cater for diverse uses and activities compatible with a waterfront location and
- enhance physical access and visual links between the city and the waterfront.

The Design Statement should identify how the proposal will contribute toward an overall sense of collective ownership and involvement.]^{VAR22}

[Note: Sections 3.3 to 3.6 do not form part of DPC73. To save space they have been excluded]

3.7 The Status of Formed and Unformed Roads[, Service Lanes and Motorways]^{PC34}

On the District Plan Maps, all formed legal roads are uncoloured, and all unformed legal roads are coloured blue/grey.

With regard to the application of District Plan objectives, policies and rules, the Plan provisions of the area in which any formed or unformed legal road,[service lane or motorway]^{PC34} is located shall apply.

[Specific provisions apply under the following circumstances:]^{PC34}

- Where a road [or service lane]^{PC34} is stopped, the Plan provisions for the area on which the stopped road is located shall apply.
- Where a formed, unformed or stopped road, [service lane or motorway]^{PC34} is bounded by different areas, the demarcation between areas is the centre of the road.
- [With regard to the coastal unformed legal road from Te Rimurapa Headlands to Makara Beach which is abutted by the Rural Area, the Conservation Site provisions of the Plan shall apply.]^{PC34}
- For the subdivision of roads to facilitate road stopping, refer to the provisions for subdivision in each area.”

[In respect of the above, road, motorway, and service lane are defined in Section 315 of the Local Government Act 1974 and Section 43 of the Transit Act 1989]^{PC34}.

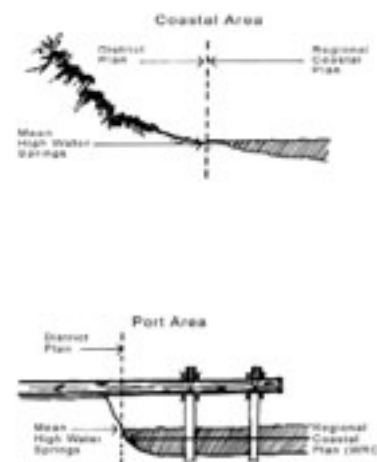
3.8 Coastal Issues

3.8.1 Mean High Water Springs

3.8.1.1 The Natural and Urban Coast

The line of Mean High Water Springs (MHWS), as defined in the Act, provides the demarcation line between the responsibilities of the Wellington City Council and the Wellington Regional Council for the use, protection and development of the coastal environment. The District Plan controls the landward side of this line and complements the Regional Coastal Plan in the management of activities that span MHWS.

Often the coastline is highly modified within the urban area, particularly within the harbour limits, by sea walls and roads. New developments on the sea bed are controlled by the Regional Coastal Plan.



3.8.1.2 The Operational Port and Lambton Harbour

The areas that encompass the operational Port and Lambton Harbour are recognised as being development areas with the potential to impact on both the harbour and central city environments. Any reclaimed land within these areas falls under the jurisdiction of the Wellington City Council under its District Plan. However, areas on wharves seaward of the line of mean high water springs fall within the coastal marine area, and their use and development is controlled by Wellington Regional Council's Regional Coastal Plan. As the major wharves are essentially extensions of the land area, the two councils are working closely together to ensure consistency in administration of the coastal environment.

This may involve the transfer of functions or powers from Wellington Regional Council to Wellington City Council for administration of "land use" activities on major wharf structures. Control of other activities involving the disturbance of the seabed and discharge of contaminants will remain with the Wellington Regional Council.

3.8.2 Reclamation And Declamation

Where land is, or has been, created by reclamation under a rule in a Regional Plan, any activity associated with the future use of the reclaimed land is assessed against the rules for the adjoining area and the effects on the surrounding area. Where the reclamation adjoins two or more areas, Council will determine which area's rules apply, taking into account activities in the surrounding area.

Where land is proposed to be removed by declamation (the opposite of reclamation), the effects of the loss of land are controlled jointly by the Wellington Regional Council through its Regional Coastal Plan and Wellington City Council through its District Plan.

3.9 Construction Standards for Strategic Public Utilities

The Council maintains a Code of Practice for Land Development covering road, sanitary, stormwater and water supply design and construction. The code provides strategic standards, engineering specifications and general guidance to ensure that infrastructure to be constructed by applicants but proposed to become the responsibility of the Council, is constructed to the satisfaction of the Council. In these circumstances, applicants will therefore need to comply with the Council's requirements as set out in the Code, despite the Code not being incorporated into the Plan. Otherwise the infrastructure will not be accepted by the Council, nor would connection be authorised into existing Council infrastructure.

The Code is substantially based on accepted design and construction practice. However, the Council wishes to encourage innovative design and construction practice provided this achieves the outcomes sought, and will accordingly administer the Code with flexibility and sensitivity depending on site specific circumstances.

The City Bylaws specify construction standards for road, sanitary, stormwater and water supply design and construction where this infrastructure will be retained privately.

3.10 Definitions

The following definitions are in addition to those contained within the Act.

ACCESSORY BUILDING: means, in relation to any site, a building or structure, [including a fence or wall,]^{PC6} the use of which is incidental to any lawful activity under the Act or use on that site. [An accessory building may be either a separate building or structure or joined to another building or structure.]^{PC6}

ACCESS LOT: means any separate lot used primarily for access to a lot or to lots having no legal frontage.

[However, if that area of land is:

- 5m or more wide, and
- not legally encumbered to prevent the construction of buildings,

it is excluded from the definition of access lot.]^{PC6}

ACCESS STRIP: means [an access leg or]^{PC6} an area of land [defined by a legal instrument, providing or intended to provide access to a site or sites, or [within the above meaning, an area of land is an access strip if:

- it is less than 5m wide, or
- it is 5m or more in width and is encumbered by a legal instrument, such as a right-of-way, that prevents the construction of buildings.]^{PC56}

ACT, THE: means the Resource Management Act 1991 and includes any amendments.

ADDITION AND ALTERATION (for the purposes of Chapters 20 and 21 [and Rule 17.2.5])^{PC37} includes:

- (i) any work which involves the addition, alteration or removal and replacement of walls, windows, ceilings, floors or roofs, either internally or externally;

but does not include:

- (ii) work which is repair or maintenance; and
- (iii) the partial or total demolition of the object or of any part of it which is identified as being of heritage significance; or any activity within the scope of rules 5.3.11 or 5.4.2.

AERIAL: means the part of a radiocommunication facility or telecommunication facility used or intended for transmission or reception including the aerial mountings but not any supporting mast or similar structure. No part of any aerial excluding the mountings shall be greater than 70mm diameter. This definition excludes any antenna and utility network apparatus.

AIRCRAFT OPERATIONS: means the engine runup, taxi-ing, take-off or landing at an airport of an aircraft, and "operate" has a corresponding meaning.

ANCILLARY RETAIL: means a retail activity that is ancillary to the principal activity within the building or site, and comprises less than 10% of the total gross floor area of the building or site, whichever is the lesser.

ANTENNA: means any device including any dish or panel, excluding aerials, that receives or transmits radio communication or telecommunication signals. This includes the antenna's mountings (including any head arrangement) and radio frequency unit or similar device, but not any mast. The diameter or area of an antenna means:

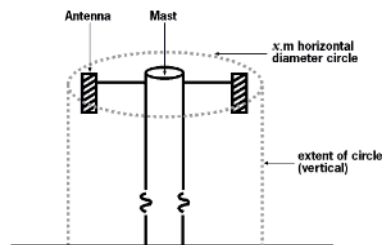
- In relation to any panel antenna or any other type of antenna that has a length and a width, the area measured by calculating the largest surface area
- In relation to any other antenna, the diameter measured by taking the cross-section of the widest part of the antenna.

Provided that the mountings of any antenna and any radio frequency unit or similar device is not included in the measurement of area or diameter of each antenna, provided that the radiofrequency unit or similar device is smaller in area or diameter than the antenna itself. (Note: any antenna only need meet the area or diameter measurement, as appropriate to the type of antenna, and the measurement is of each individual antenna and is not a cumulative measurement.)

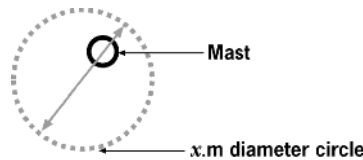
The requirement that antennas and aerials attached to a mast are to be located within a *x*m horizontal diameter circle means:

- if there is a requirement that the horizontal diameter circle is measured through the centre of the mast, or centred on the mast, it means that all antennas, aerials and mountings must be located within the horizontal diameter circle stipulated
- where there is no requirement that the horizontal diameter circle is measured through the centre of the mast, all antennas, aerials and mountings attached to the mast must be located within a *x*m diameter horizontal circle. For the avoidance of doubt all antennas, aerials and mountings must be located within a single circle but there is no requirement for the mast to be located within that circle.

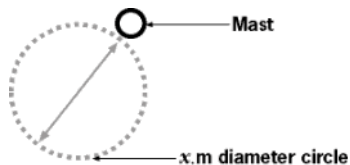
For Illustration Purposes Only:



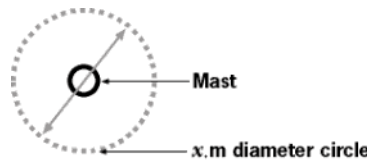
Horizontal Diameter Circle (Side Elevation)
Centred on Mast.



Horizontal Diameter Circle (Plan View) – not centred on mast
(Mast Located within circle)



Horizontal Diameter Circle (Plan View) – not centred on mast



Horizontal Diameter Circle (Plan View)

[ATTACHED LINE: see definition of line]^{PC14}.

AUTOMOTIVE AND MARINE SUPPLIER: means a business primarily engaged in selling automotive vehicles, marine craft, and associated parts and accessories for such vehicles and craft.

BOARDING HOUSE: means a residential building:

- in which board and lodging or lodging alone is provided or intended to be provided for five or more boarders or lodgers (other than members of the family of the occupier or person in charge or control of the building); and
- which provides a permanent address or is a principal place of residence of the boarders or lodgers; and

does not include hotels, motels, a building forming part of a camping ground, motor camp or other premises where residential accommodation for five or more travellers is offered at a daily tariff or other specified time.

BUILDING: means an enclosed structure built with a roof and walls.

BUILDING IMPROVEMENT CENTRE: means any premises used for the storage, display and sale of goods and materials used in the construction, repair, alteration and renovation of buildings and includes builders supply and plumbing supply centres, furniture and furnishings, and home and building display centres.

BUILDING SUPPLIER: means a business and associated premises used for the display and sale of goods and materials used in the construction, repair, alteration and renovation of buildings, including plumbing, electrical and building supplies.

CAR RACE STREET EVENT: means a motor vehicle race including practice sessions, run as a temporary activity.

CLEANFILL: means an area used for the disposal of exclusively inert, non-decomposing material into or onto land.

[COMMERCIAL SEX ACTIVITIES: means activities occurring within premises used or intended to be used primarily for exposing, selling, promoting or hiring goods or services related to sexual behaviour; and

- (a) to avoid any doubt includes activities associated with strip clubs, rap parlours, peep shows, lap dancing bars, escort agencies, adult bookshops, adult video shops, adult cinemas, sex shops; but
- (b) does not include activities associated with hospitals, healthcare services, chemists, community welfare facilities, or premises where therapeutic massage is offered and which are not]^{PC2} brothels in terms of the Prostitution Reform Act 2003.]^{PC63}

CONCEPTUAL BOUNDARY: means a line 20 metres from the wall of any building or from any land directly occupied by the activity. If the site boundary is closer to the building or activity, the conceptual boundary definition does not apply.

CONSERVATION ACTIVITY: means any activity which maintains or enhances ecological values and includes recreation activities but does not include any activity otherwise specified in Chapter 19 of this Plan as a Permitted, Controlled or Discretionary Activity.

CONTAMINATED SITE: means a site at which hazardous substances occur at concentrations above background levels and where assessment indicates it poses or is likely to pose an immediate or long-term hazard to human health or to the environment.

CONTEXT ELEMENTS: means, in relation to a Viewshaft, the components that surround focal elements and provide the setting for those elements. They provide the overall context for the view.

CONTINUUM ELEMENTS: means those components that traverse views (usually horizontally) and break up the view into discrete segments such as but not limited to horizons, water lines, edges to housing area, and ridgelines.

COUNCIL: means the Wellington City Council or any committee, subcommittee or person to whom the Council's powers, duties and discretions under the Act have been delegated.

CRITICAL FACILITY: means those network elements that are essential to the functioning of key disaster response systems. This includes, but is not limited to, buildings that (a) house emergency services (ambulance centres, police stations, fire stations), (b) are crucial to the provision of lifeline utilities (power substations, water and sewerage pumping stations) or (c) offer a service that is likely to become a high priority during an emergency (medical centres).

DEMOLITION (FOR THE PURPOSE OF BUILDINGS IN THORNDON, MT VICTORIA [NEWTOWN, BERHAMPORE, MT COOK]^{PC38} [AND ARO VALLEY]^{PC50} - REFER APPENDIX 9 TO CHAPTER 5 OF THE PLAN): means the removal, destruction or taking down of the “primary form” of any building, except, where that is permitted as “repair and maintenance”, or where it is within the definition of “additions and alterations”. [In Newtown, Berhampore, Mt Cook and]^{PC38} [Aro Valley demolition also includes the removal, destruction or taking down of architectural features or elements on the ‘primary elevation(s)’ of any building, except where that is permitted as ‘repair or maintenance’.]^{PC50}

DEMOLITION AND PARTIAL DEMOLITION FOR THE PURPOSES OF CHAPTERS 20 AND 21 (HERITAGE) AND RULES 5.4.2 (THORNDON CHARACTER AREA) [AND RULE 17.2.5 (CHEST HOSPITAL HERITAGE AREA)]^{PC37}: means the removal, destruction or taking down of any structure, item or object either in total or in part, except, in the case of a building, where that is permitted as “repair and maintenance”, or where it is within the definition of “additions and alteration”.

DISCRETIONARY ACTIVITY (RESTRICTED): means a Discretionary Activity in respect of which Council has restricted the exercise of its discretion to those matters specified in the District Plan.

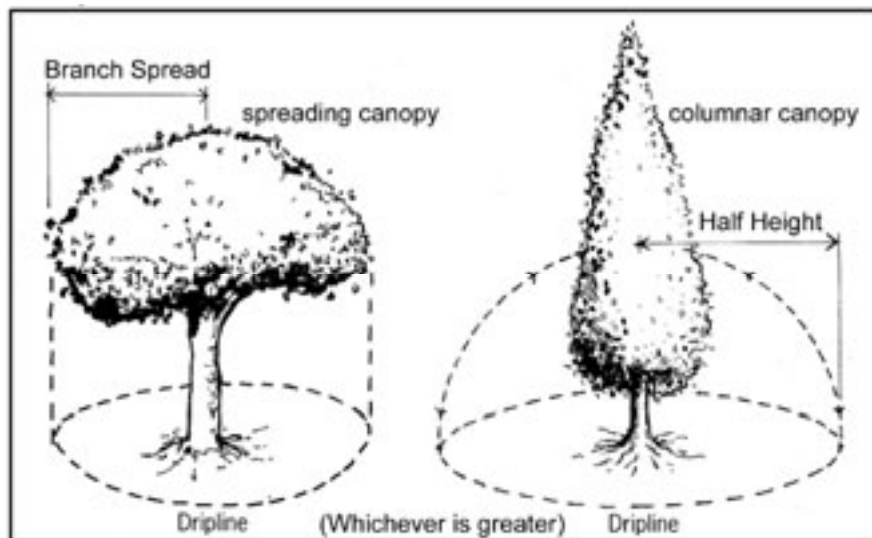
DISCRETIONARY ACTIVITY (UNRESTRICTED): means a Discretionary Activity in respect of which Council has not restricted the exercise of its discretion.

DISPLAY WINDOWS: means windows which permit the public to view display space within a building.

[DRAINAGE RESERVE: an area of land, set aside as a separate lot, for public water supply or public drainage purposes.]^{PC6}

DRIPLINE (OF A TREE): means the greater of:

- (i) the line formed when a vertical line from the outermost extent of the spread of a tree's branches or canopy meets the ground; or
- (ii) the line formed at a radius of half the height of the tree measured from the base of the trunk.



EARLY CHILDHOOD CENTRE: means premises used for the care or education or welfare of four or more children under the age of seven, including but not limited to Kindergartens, Playcentres, Kohanga Reo, Licensed Childcare Centres, Day Nurseries and Creches.

EARTHWORKS: means the removal, relocation or deposit of earth (which includes any substance constituting the land such as soil, clay, sand and rock) from a natural or constructed land formation. Topsoil stripping, turf farming, ground cultivation, and quarrying are excluded from the definition of earthworks.

EDUCATIONAL SERVICES: means but is not limited to academic, vocational, technology and design based education training and research and for the purposes of stating the primary functions of the Mount Cook Precinct in 8.1.1 of Institutional Precincts means but is not limited to tertiary (higher) education; all forms of research (pure and applied); community service, technology transfer, and extension; and business and social services related to the education and research activities of the institution and encompassing all such activities consistent with the function of a modern university.

[ENERGY CONSERVATION: a reduction in energy use.

ENERGY EFFICIENCY: a change to energy use that results in an increase in net benefits per unit of energy.]^{PC32}

[ENVIRONMENTALLY DAMAGING SUBSTANCES: Substances that are not intrinsically hazardous but may cause adverse effects if discharged into the environment in large quantities e.g. oxygen depletion in waterways from substances with high organic contents such as milk, wine, soft drinks etc.]^{PC35}

ESPLANADE LAND: means land alongside a waterbody that may be taken as part of a subdivision to be held as esplanade reserves or esplanade strips.

[EXTERNAL SOUND INSULATION LEVEL ($D_{nT,w} + C_{tr}$): means the standardised level difference (outdoor to indoor) and is a measure of the airborne sound insulation provided by the external building envelope (including windows, walls, ceilings and floors where appropriate) described using $D_{nT,w} + C_{tr}$ as defined in the following Standards:

ISO717-1:1996* *Acoustics – Rating of Sound Insulation in Buildings & Building Elements* using spectrum No.2 (A-weighted traffic noise spectrum).

ISO 140-5:1998 *Acoustics - Measurement Of Sound Insulation In Buildings And Of Building Elements, Part 5: Field Measurements Of Airborne Sound Insulation Of Facade Elements And Facades.*

* This Standard is also known as AS/NZS1276.1:1999 *Acoustics-Rating of sound insulation in buildings and of building elements Part 1: Airborne sound insulation*

The term “external sound insulation level” is used in this Plan primarily as a calculated value to demonstrate compliance with the stated minimum standard of acoustic isolation against sounds arising from outside the building. If field testing of built structures is employed to verify predictions, these tests shall be carried out using ISO 140-5:1998 *Acoustics - Measurement Of Sound Insulation In Buildings And Of Building Elements, Part 5: Field Measurements Of Airborne Sound Insulation Of Facade Elements And Facades.*^{PC23}

FACTORY FARMING: means any process of production of primary produce where the predominant processes are carried out within buildings, including but not limited to, poultry farms, piggeries and mushroom production, but not including glasshouse horticulture.

FARMING AND AGRICULTURAL SUPPLIER: means a business primarily engaged in selling goods for consumption or use in the business operations of primary producers or in animal husbandry.

FLOOD HAZARD AREA: means the area of land which would be inundated during a 1 in 100 year flood event.

(NB: there are other flooding hazards which have not been mapped).

FOCAL ELEMENT: means, in relation to a viewshaft, one of a number of components that are the primary purpose for the view. Focal elements are the outstanding element that a view focuses on.

GARDEN AND LANDSCAPING SUPPLIES: means a business primarily engaged in selling goods for permanent exterior installation or planting and includes: landscaping suppliers; and suppliers of bark, compost, firewood, and paving and domestic paving aggregates.

GOAT FARMING: means the keeping of 10 or more goats on a single site.

GREENFIELD SUBDIVISION: means new subdivisions, usually on the periphery of the urban area, that create new residential or urban areas from land that was previously rural or open space land. Areas are deemed to be residential or urban where the average lot size excluding any balance area is less than the minimum area specified in Rule 15.4.5.

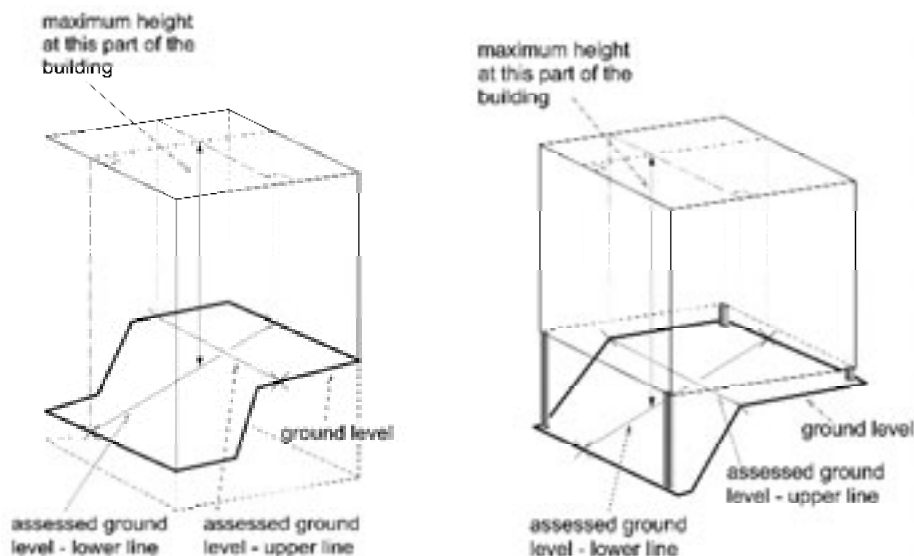
GROSS FLOOR AREA: means the sum of the gross area of the floor or floors of a building or buildings (including any void area in those floors, such as a lift or service shaft) measured from the exterior faces of exterior walls, or from the centre line of walls separating two buildings.

GROSS FLOOR AREA (FOR THE PURPOSE OF ANY RETAIL ACTIVITY): means the total sum of any floor areas of a retail activity or integrated retail development. It does not include floor area occupied by car parking areas, loading and servicing facilities, and toilet and building maintenance facilities.

GROSS FLOOR AREA (FOR THE PURPOSE OF ANY RETAIL ACTIVITY): means the total cumulative gross floor area of a retail activity or integrated retail development. It does not include floor area occupied by car parking areas, loading and servicing facilities, shared pedestrian areas, toilet and building maintenance facilities, and areas not available for lease.

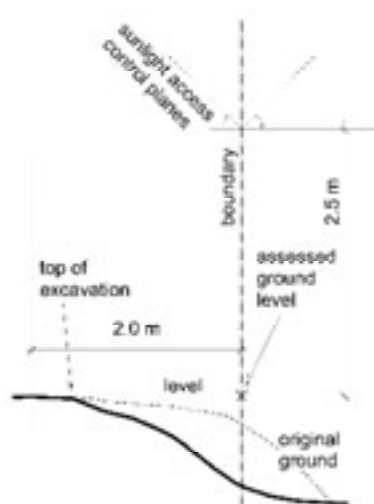
[GROUND LEVEL: means the existing ground level, except:

- where measuring ground level under a building for the purposes of calculating maximum height, the ground level will be an assessed level ground level as shown on the following diagrams:

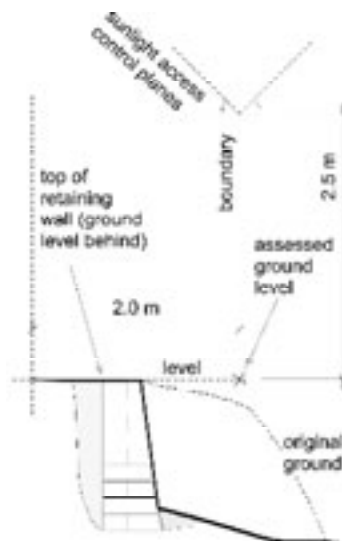


Where a different assessed ground level can be derived by using another line under the building at right angles to the first, the lower of the two assessed ground levels will be used for calculating maximum height.

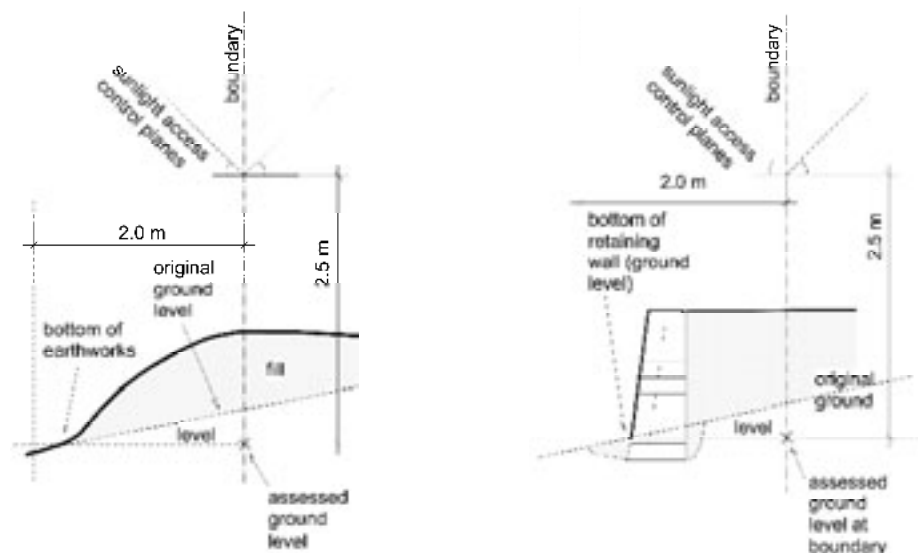
- where there is visible evidence that the ground level on the boundary of the site has been altered by earthworks and the altered ground level has not been approved in association with a subdivision (at any date) or by a land use consent since July 1994, then ground level shall be an assessed ground level as shown on the following diagrams:



Where the top of the excavation is within 2 metres of the boundary, the assessed ground level at the boundary will be taken from the top of the excavation.



Where the retaining wall supports cut ground, and the ground level behind the top of the retaining wall is within 2 metres of the boundary, the assessed ground level at the boundary will be taken from the ground level behind the top of the retaining wall.



Where the original ground has been raised by earthworks, and the bottom of the earthworks is within 2 metres of the boundary, the assessed ground level at the boundary will be taken from the bottom of the earthworks.

Where the retaining wall supports fill material, and the ground level at the bottom of the retaining wall is within 2 metres of the boundary, the assessed ground level at the boundary will be taken from the ground level at the bottom of the retaining wall.

Most ground levels will be taken from the existing ground level. An assessed level will be used for calculating maximum height where a building covers the ground. An assessed ground level will also be used for ground level on the boundary when the original level has been altered by earthworks not approved with a subdivision or by a land use consent since 1994 (which expressly approved earthworks on the boundary). The assessed level will be taken from the top or bottom of the earthworks or beside a retaining wall, as shown in the above diagrams.

The District Plan generally permits earthworks of 2.5 metres, without resource consent. While this does not prevent earthworks on a boundary, the ground level definition does not recognise these earthworks. Where permitted earthworks have altered the level an assessed ground level will be used, which will be taken from the top or bottom of the earthworks or beside a retaining wall, as shown in the diagrams above.

Where a building is located on top of a boundary the sunlight access plane will be calculated from the ground level at the boundary, which will vary depending on the circumstances.]^{PC6}

[HABITABLE ROOM: in any of the categories of activity referred to in the definition of ‘noise sensitive activity’, means a space within a building that is commonly associated with domestic living, but excludes any bathroom, laundry, water-closet, pantry, walk-in wardrobe, corridor, hallway, lobby, clothes-drying room, any room in an early childhood centre not used for sleeping, or other space of a specialised nature occupied neither frequently nor for extended periods of time.]^{PC23}

HAZARDOUS FACILITY: any [building, structure or activity on a site, or part of a]^{PC35} site where hazardous substances are stored, used, handled or disposed.

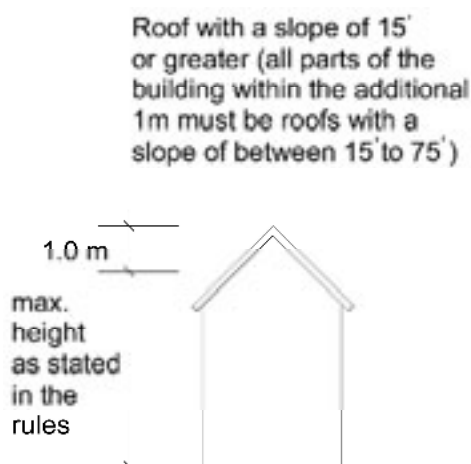
[HAZARDOUS SUB-FACILITY: a hazardous facility on part of a site that is separated by more than 30m from another hazardous facility on the same site.]^{PC35}

HAZARDOUS SUBSTANCE: has the same meaning as defined by S2 of the Hazardous Substances and New Organisms Act 1996.

HAZARD AREA: means an area of land subject to one or more hazards specifically identified on the District Plan Maps.

HEIGHT: means in relation to a building [or structure]^{PC6} the vertical distance between any part of [that]^{PC6} building [or structure]^{PC6} and the ground level [immediately below,]^{PC6} or mean sea level where specified [in this plan. This calculation is subject to:

- In Residential and Rural Areas an additional 1m can be added to the maximum height (stated in the rules) of any building with a roof slope of 15 degrees or greater as illustrated on the following diagram:



(though this allowance shall not apply in the Oriental Bay Height Area)

- the calculation of ground level in relation to any building or structure built lower than the existing ground level is outlined in the definition of 'ground level']^{PC6}
- Where height is measured in relation to storeys, the maximum floor to floor height per storey is 4.2 metres, except that the ground floor may have a maximum height of 6 metres
- In all cases, chimneys, flues, ventilation shafts, aerials, spires, flag-poles or other decorative features, [that do not exceed 1 metre in any horizontal direction,]^{PC6} shall be excluded from the measurement of height.

HERITAGE ITEMS: buildings, objects, areas, trees and sites of significance to Tangata Whenua or other Maori that are listed in the Plan.

HIRE SERVICES: means a business engaged in the direct hire of equipment to the public, excluding the hire of books, DVDs and videos.

HOUSEHOLD UNIT: means [a home or residence that:

- is a self-contained unit; and
- includes kitchen and bathroom facilities of any nature; and
- is physically separated, or capable of being separated, from any other household unit.]^{PC6}

IDENTIFIED RIDGELINES AND HILLTOPS: means all of the land [within those areas identified as ridgelines and hilltops in the overlay on the planning maps.

Note: In 2001 Council undertook a city wide study (Wellington’s Ridgetops and Hilltops: The Natural Amenity Values, Boffa Miskell) to identify which ridgetops and hilltops should be afforded greater protection than less prominent ridgetops and hilltops. The City Council adopted an overlay of “identified ridgelines and hilltops” on the District Plan Maps.

The 2001 study was not an outstanding natural features and landscapes study. It did not focus on landforms such as coastal escarpments, shore platforms, coastal headlands or other important landscape features. While visual values were the primary factor in determining the identified ridgetops and hilltops other natural, recreational and heritage values were also recognised. Rules and assessment criteria specifically applicable to activities within the overlay apply in the Rural Area and a resource consent for a discretionary activity (unrestricted) will be required for buildings, structures and earthworks in these areas. The ridgelines and hilltops overlay also applies within areas of Open Space, Conservation and Residential and specific assessment criteria have been included in the relevant discretionary (unrestricted) rules.]^{PC33}

INDIGENOUS VEGETATION: means any species or generic variants of plants found naturally in New Zealand.

INFILL HOUSEHOLD UNIT: for sites less than 800 meters squared in the Outer Residential Area means:

- In relation to a site already containing one household unit, the second unit on the site where it is located outside the footprint of the existing unit (ie. the site coverage of the household units will increase as a result of the proposed second unit)
- In relation to a vacant site, where the proposed development results in two household units, the unit nominated by the applicant.]^{PC56}

~~**INTEGRATED RETAIL DEVELOPMENTS:** means an individual retail development, or a collection of any two or more retail activities that are developed and operate as a coherent entity (whether or not the activities are located on separate legal titles), and share one or more of the following:~~

- ~~• servicing and/or loading facilities;~~
- ~~• vehicle and/or pedestrian access;~~
- ~~• car parking;~~
- ~~• public spaces and/or facilities.~~

~~This definition includes shopping malls and large-format retail parks.~~

INTEGRATED RETAIL DEVELOPMENTS: means an individual retail development, or a collection of any two or more retail activities that are developed and operate as a coherent entity (whether or not the activities are located on separate legal titles), and share one or more of the following:

- servicing and/or loading facilities;
- vehicle and/or pedestrian access;
- car parking;
- public spaces and/or facilities.

This definition includes shopping malls and large-format retail parks, but does not include trade supply retail, wholesale retail, yard-based retail or building improvement centres.

LANDFILL: means an area used for the disposal of waste (including inert material) into or onto land.

LARGE FORMAT RETAIL: means any individual retail activity exceeding 450m² gross floor area.

LIFELINES: means those services, linkages and infrastructure which the community depends on to function and develop. These include water supply, drainage (sanitary and stormwater), gas, electricity, telecommunications, broadcasting, transport (road, rail, sea and air), fire, police, and ambulance.

[LIGHT ROOF: means a roof with roofing material (cladding and any sarking), having a mass not exceeding 20kg/m² of roof area. Typical examples are steel, copper, and aluminium roof claddings of normal thickness, 6mm thick cellulose cement tiles, 6mm thick corrugated cellulose cement, and the like, without sarking.]^{PC22}

[LIGHT WALL CLADDING: means a wall cladding having a mass not exceeding 30kg/m². Typical examples are weatherboards.]^{PC22}

LINE: as used in Part 23 of the Plan: Utility Rules means a wire or wires or a conductor of any kind (including a fibre optic or other cable) used or intended to be used for telecommunication; or the conveyance of electricity and includes any pole, support structure, pole mounted transformer, overhead substation, insulator, casing, minor fixture, tunnel or other equipment or material used or intended to be used for supporting, enclosing, surrounding, or protecting any such wire or conductor; and also includes any part of a line. Any reference to ‘overhead line’ includes any line above ground. [Any reference to ‘attached line’ is any wire or wires or conductor of any kind, located above ground, that is fully attached to the exterior of a building or structure.]^{PC14}

LOADING AREA: means that part of a site within which all vehicle loading facilities required under this Plan or otherwise provided, are accommodated and includes all loading spaces and manoeuvring areas.

MAST: means any pole, tower or similar structure, which is fixed to the ground (and not on a building or structure) and is designed to carry aerials, antennas or other utility network apparatus, but does not include any line.

MEAN HIGH WATER SPRINGS (MHWS): means the average of each pair of successive high waters during that period of approximately 24 hours in each semi-lunation when the range of tides is the greatest.

[MINOR RURAL STRUCTURE: means a structure associated with rural activities including fences of any height and other structures under 1.8 metres in height.]^{PC33}

MINOR UPGRADING: for the purposes of rule 23.1.3 means an increase in the carrying capacity, efficiency or security of electricity and telecommunication lines, which utilise the existing or replacement support structures and includes:

- (1) the reconductoring of the line with higher capacity conductors
- (2) the resagging of conductors
- (3) the addition of longer and more efficient insulators
- (4) on electricity lines above a carrying capacity of 66kV, the addition of earth wires which may contain telecommunication lines, earthpeaks, and lightning rods
- (5) the replacement of an existing line with another line
- (6) the addition of a polemounted transformer up to 200kVA no greater than .3m³ in Areas where there are existing overhead 11kV lines as at 27 July

1994 and other overhead electricity reticulation line equipment no greater than .3m³ where they are located on support structures.

Provided that the effects of the work in items (1) to (5) have the same or similar character and scale.

Except as provided above minor upgrading shall not include:

- (1) the addition of circuits, conductors, lines or utility structures
- (2) an increase in the voltage of the line unless the line was originally constructed to operate at the higher voltage but has been operating at a reduced voltage
- (3) an increase in the diameter of any individual wire, cable, or other similar conductor that exceeds 30mm, or the bundling together of any wire, cable, or other similar conductor so that the bundle exceeds 30mm, provided that this exclusion does not apply to electricity lines above a carrying capacity of 66kV.

MURAL: means an image, painting or drawing on a building or structure which is intended for public interest and has no direct or implied advertising, or advertising content.

NATURAL HAZARD: means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, land slip, subsidence, sedimentation, wind, drought, fire or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.

NIGHT CURFEW EXEMPTION CERTIFICATE: means a certificate issued by the Wellington City Council to the effect that the single event noise level of the stated aircraft type (and configuration) has been measured at Wellington International Airport and has been able to adequately demonstrate that it creates no more than 75 dBA Lmax (1 sec Leq time-weighting) at or beyond the airnoise boundary during a minimum of 10 landings and/or departures. A list of night curfew exempt aircraft shall be compiled and copies of the approved list will be maintained by WIAL with copies held at Wellington City Council offices for public inspection.

~~**NOISE EMISSION LEVEL:** means the noise level measured and assessed in accordance with NZS 6801: 1991 "Measurement of Sound" and NZS 6802: 1991 "Assessment of Environmental Sound", except as expressly provided for in this Plan.~~

~~**In addition:**~~

- ~~• The assessment of cumulative effect of activities (with the exception of road traffic noise) shall be determined. Measurement of noise shall be made in such a way that as far as reasonably practical, the contribution of individual activities creating the noise shall be identified.~~
- ~~• Measurement time intervals shall be selected in accordance with paragraph 5.1 NZS 6802 : 1991 "Assessment of Environmental Sound" and the duration of measurement shall be sufficient to be representative of the range and variability of the sound environment. At night, single measurements shall be adequate to demonstrate non-compliance with a noise limit. At other times, the number of measurements taken shall be no less than three and shall accurately represent the variation in the sound or sounds. The number of measurements will often need to be more than three.~~

Where measurements are made at night they shall not be averaged for comparison with night time limits but each measurement compared separately. The measured levels for other time periods shall be averaged to derive a single figure according to the constraints detailed in NZS 6802 : 1991 paragraph 4.5.2 and assessed in accordance with that paragraph.

- In circumstances where the noise from any activity has special audible characteristics the L10 limits shall be reduced arithmetically by 5dB for comparison with the measured L10 descriptor of the noise. No relevant performance standard L10 descriptor shall be reduced overall by more than 5dB.
- The following activities and specific noise sources are not appropriately controlled using assessment by NZS6802:1991 Assessment of Environmental Sound and noise rules in this Plan, unless the rule states to the contrary:
 - vehicles driven on a road (within the meaning of s.2(1) of the Transport Act 1962) or vehicular movements on any sites which are in keeping with normal residential activity
 - the operation of aircraft including helicopters, at Wellington International Airport and airborne aircraft elsewhere throughout the District.
- High energy impulsive sounds such as gunfire, blasting and warning devices are not adequately controlled using assessment by NZS6802:1991 Assessment of Environmental Sound and noise rules in this Plan, unless the rule states to the contrary.

Noise from high energy impulsive sounds are not adequately controlled using the current New Zealand Standards. Activities that emit noise with such characteristic are generally likely to cause greater annoyance than assessment using Rules within this Plan would indicate. The impact of such activities would be assessed by reference to Section 16(1) of the Resource Management Act.

- Noise from construction, maintenance and demolition activities, including those associated with the urgent repair of utilities to maintain continuity of service, on any site or on any road shall comply with, and be measured and assessed using, the recommendations of NZS6803P:1984 The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work. Nothing in the noise rules shall be used to prevent emergency work from taking place. Such work would arise from the need to protect life or limb or minimise or prevent loss or serious damage to property or minimise or prevent environmental damage.
- Where in noise rules in this Plan, the noise emission limit applies “at or within the boundary of any site, other than the site from which the noise is generated” then neither shall the noise standard apply at or within the boundaries of any other site included in the parcel of land that incorporates the site from which the noise is generated, provided that:
 - all sites in the parcel of land are held under the same ownership or under the same management
 - to be considered part of the parcel of land each site shall remain contiguous with at least one other site in the parcel that is under the same ownership.

NOISE EMISSION LEVEL: means the noise level measured and assessed in accordance with NZS 6801: 2008 “Acoustics - Measurement of Environmental

Sound” and NZS 6802: 2008 “Acoustics - Environmental Noise”, where this Plan or conditions of consent refer to the LAeq(15min) descriptor and in accordance with NZS 6801: 1991 “Measurement of Sound” and NZS 6802: 1991 “Assessment of Environmental Sound” where this Plan or conditions of consent refer to the L(10) descriptor, except as expressly provided for in this Plan.

In addition:

- The assessment of cumulative effect of activities (with the exception of road traffic noise) shall be determined. Measurement of noise shall be made in such a way that as far as reasonably practical, the contribution of individual activities creating the noise shall be identified.
- The following activities and specific noise sources are not appropriately controlled using assessment by either NZS 6802: 2008 “Acoustics - Environmental noise” or NZS6802:1991 “Assessment of Environmental Sound” and noise rules in this Plan, unless the rule states to the contrary:
 - vehicles driven on a road (within the meaning of s.2(1) of the Transport Act 1962) or vehicular movements on any sites which are in keeping with normal residential activity
 - the operation of aircraft including helicopters, at Wellington International Airport and airborne aircraft elsewhere throughout the District.
- High energy impulsive sounds such as gunfire, blasting and warning devices are not adequately controlled using assessment by either NZS 6802: 2008 “Acoustics - Environmental noise” or NZS6802:1991 “Assessment of Environmental Sound” and noise rules in this Plan, unless the rule states to the contrary.

Noise from high energy impulsive sounds are not adequately controlled using the current New Zealand Standards. Activities that emit noise with such characteristics are generally likely to cause greater annoyance than assessment using Rules within this Plan would indicate. The impact of such activities would be assessed by reference to Section 16(1) of the Resource Management Act.

- Noise from construction, maintenance and demolition activities, including those associated with the urgent repair of utilities to maintain continuity of service, on any site or on any road shall comply with, and be measured and assessed using, the recommendations of NZS6803P:1984 The Measurement and Assessment of Noise from Construction, Maintenance and Demolition Work. Nothing in the noise rules shall be used to prevent emergency work from taking place. Such work would arise from the need to protect life or limb or minimise or prevent loss or serious damage to property or minimise or prevent environmental damage.
- Where in noise rules in this Plan, the noise emission limit applies “at or within the boundary of any site, other than the site from which the noise is generated” then neither shall the noise standard apply at or within the boundaries of any other site included in the parcel of land that incorporates the site from which the noise is generated, provided that:
 - all sites in the parcel of land are held under the same ownership or under the same management
 - to be considered part of the parcel of land each site shall remain contiguous with at least one other site in the parcel that is under the same ownership.

Existing uses that are established before the Plan became notified may emit noise that exceeds the noise emission standards in the District Plan. The Resource Management Act provides for these activities to continue as long as the uses are the same or similar in character, intensity, and scale to those which existed before the rule became operative or the proposed plan was notified. Any change to the activity that causes a worsening of the effects will require a resource consent. This does not remove the duty placed on every occupier and every person carrying out an activity to adopt the best practicable option to ensure that the emission of noise does not exceed a reasonable level.

NOISE SENSITIVE ACTIVITY: means

- any residential activity
- any hotel, motel or other premises where residential accommodation for five or more travellers is offered at a daily tariff or other specified time
- early childhood centres^{PC23}

NOISE SENSITIVE ACTIVITY: means

- Any residential activity
- Any hotel, motel or other premises where residential accommodation for five or more travellers is offered at a daily tariff or other specified time
- Early childhood centres

And, within the airnoise boundary depicted on Map 35, also includes

- Any school or other learning facility
- Any hospital, rest home, hospice, respite facility or other activity with the primary purpose of care for the infirm.

OFFICE FURNITURE, EQUIPMENT AND SYSTEMS SUPPLIES: means a business primarily engaged in selling goods for office type use or consumption, and includes suppliers of computers, copiers, printers, office furniture and other related equipment.

OFFICIAL SIGN: means all regulatory traffic and road safety signs provided for under any legislation and other directional signals and which are erected on a legal road or motorway. It also includes New Zealand Automobile Association Incorporated directional signs.

OPEN LAND: means any land (whether or not located in Open Space A, B or C areas) which is developed for recreation or amenity activities that do not take place in buildings.

PARKING AREA: means that part of a site or building within which vehicle parking spaces are accommodated and includes all manoeuvring areas.

PARKING SPACE: means an area formed and set aside exclusively for the parking of motor vehicles to meet the parking standards of this Plan. Where parking standards involve decimal places, calculated totals shall be rounded to the nearest whole number.

PLACES OF ASSEMBLY: means any building or land used for public and/or private assembly or meeting of people and includes churches, halls, clubrooms, community centres, conference centres, chartered clubs and premises with a club licence and other similar establishments, including indoor and outdoor recreation facilities, such as gymnasiums, badminton and squash courts.

PLAN OR DISTRICT PLAN: means the District Plan for Wellington City (operative or proposed) and includes:

- Volume 1: Objectives, Policies and Rules;

- Volume 2: Design Guides; and
- Volume 3: District Plan Maps.

[PORT NOISE AFFECTED AREA: means the Inner Port Noise Affected Area or the Outer Port Noise Affected Area as shown on the planning maps.

PORT NOISE CONTROL LINE: means the line at or beyond which the rules controlling the emission of noise from Port Related Activities apply and where the noise from Port Related Activities is monitored.

PORT RELATED ACTIVITIES (FOR THE PURPOSE OF RULES AND STANDARDS RELATING TO PORT NOISE): means activities within the Operational Port Area, the Port Redevelopment Precinct and adjacent Coastal Marine Area including the berthing, departure and movement of ships, storage and cargo handling, handling of goods and passengers, all activities associated with the movement, storage and handling of cargo and any activities (including construction, maintenance and repair) associated with buildings, machinery and equipment used in connection with the port or its administration. Activities not directly connected to the operation of the port such as office activities, retail activities, and other non-port uses within the Operational Port Area and Port Redevelopment Precinct are excluded.]^{PC49}

[PRIMARY ELEVATION(S) (FOR THE PURPOSE OF BUILDINGS IN NEWTOWN, BERHAMPORE, MT COOK AND ARO VALLEY – REFER APPENDIX 9 TO CHAPTER 5 OF THE PLAN): means the elevation(s) of a building that contribute to the historical architectural character of the streetscape and neighbourhood. The primary elevation is the dwelling’s most prominent and detailed elevation.

The primary elevation is usually the elevation (or elevations in the case of a corner sites) that fronts to the street. There are three areas where the building’s main elevation has been orientated away from the street towards a view or outlook. These properties (identified in Appendix 9) front onto Kerwyn Street, Tasman Street and Wright Street. For the Tasman Street properties both the street elevation and the rear elevation are considered to be primary elevations. For the Kerwyn Street and Wright Street properties only the rear elevations are primary elevations.

The primary elevation consists of all those features that contribute to the form and style of the building, including but not limited to:

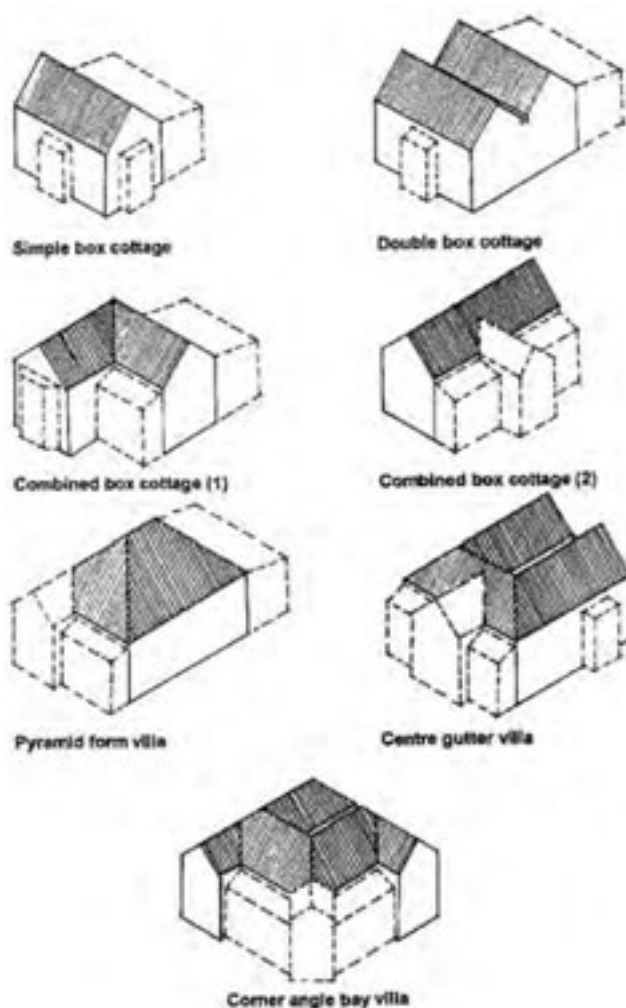
- materials,
- detailing,
- window/wall ratios,
- architectural features and elements such as bay windows, verandahs, porches, turrets or steps.]^{PC38}

PRIMARY FORM (FOR THE PURPOSE OF RULE 5.3.11): means the simple form that is central to and the basis of the dwelling. It is typically the largest identifiable form or combination of relatively equal sized geometrically simple and box-like forms.

Primary Form Diagrams

- Solid line indicates primary form
- Broken line indicates secondary or tertiary form

- Examples drawn are indicative rather than comprehensive in scope



[PUBLIC ACCESSWAY: an area of land, set aside as a passage way for pedestrian access between a road, service lane, reserve, railway station or public place; and another road, service lane, reserve, railway station or public place.]^{PC6}

PUBLIC SPACE: means those places in public or private ownership which are available for public access (physical or visual) or leisure and that are characterised by their public patterns of use. Public spaces include, but not limited to, streets, accessways, squares, plazas, urban parks, open space and all open or covered spaces within buildings or structures that are generally available for use by the public, notwithstanding that access may be denied at certain times.

RECREATION ACTIVITY: means any activity whose primary aim is the passive or active enjoyment of leisure, whether competitive or non-competitive, casual or organised, (but does not include the use of motor vehicles in Conservation Sites or Open Space Areas). Recreation has a corresponding meaning.

REGIONALLY SIGNIFICANT CENTRE: the regionally significant centres are:

- Central Business district in Wellington City
- Upper Hutt city centre
- Lower Hutt city centre
- Masterton
- Porirua city centre
- Paraparaumu town centre
- Petone
- Kilbirnie

• **Johnsonville**

REGIONALLY SIGNIFICANT CENTRE: has the same meaning as in the Proposed Regional Policy Statement for the Wellington Region.

REPAIR AND MAINTENANCE (FOR THE PURPOSES OF CHAPTERS 20 AND 21) includes:

- (i) in the case of the interior of a building, any alteration or addition to or demolition of a non-structural interior element, unless that element is identified on the heritage list as being of heritage significance
- (ii) any repair of a structural element that substantially preserves or recreates either the original structural appearance or the structural appearance on 27 July 1994
- (iii) any repair (including the replacement of any element reasonably required to maintain the building in a sound or weather proof condition or to prevent deterioration of the building fabric) using the same materials or materials of similar texture, form profile and strength

but does not include:

- (iv) in the case of a building, any other alteration of addition to or demolition of any structural element
- (v) in the case of the exterior of a building, any other repair of a structural element.

And for the purposes of this definition:

“structural” in relation to any building means any facade, any exterior wall, any roof, and any internal load bearing walls; and

“non-structural” has a corresponding meaning.

[REPAIR OR MAINTENANCE (FOR THE PURPOSE OF PRE-1930 BUILDINGS IN [ARO VALLEY]^{PC50}, NEWTOWN, BERHAMPORE AND MT COOK – REFER APPENDIX 9 TO CHAPTER 5 OF THE PLAN) includes:

- (i) any repair that substantially preserves or recreates the original structural appearance and materials of the buildings main elevation(s).
- (ii) any repair (including the replacement of any element reasonably required to maintain the building in a sound or weather proof condition or to prevent deterioration of the building fabric) using the same materials or materials of similar texture, form, profile and strength.

but does not include:

- (iii) any demolition of any structural element.

For the purpose of this definition:

‘structural’ in relation to any building means any façade or exterior wall.]^{PC50}

RESIDENTIAL ACTIVITY: means the use of premises for any domestic or related purpose by persons living in the premises alone or in family and/or non-family groups (whether any person is subject to care, supervision or not), but does not include work from home, hotels, motels, camping grounds, motor camps or other

premises where residential accommodation for five or more travellers is offered at a daily tariff or other specified time.

RESIDENTIAL BUILDING: means a building, containing [part of a household unit (for example, a sleep-out)]^{PC6}, one household unit or more [than one]^{PC6} household unit; used or intended to be used [for]^{PC6} a residential activity.

[RESIDENTIAL STRUCTURE: means a structure used or intended to be used in association with a residential activity.]^{PC6}

~~**RETAIL ACTIVITY:** means an activity displaying or offering services or goods for the sale or hire to the trade or public and includes, but is not limited to: integrated retail developments, trade supply retail, yard based suppliers, supermarkets, service retail, and ancillary retail.~~

RETAIL ACTIVITY: means an activity displaying or offering services or goods for the sale or hire to the trade or public and includes, but is not limited to: integrated retail developments, trade supply retail, yard based retail, supermarkets, service retail, and ancillary retail.

ROAD HIERARCHY: means the classification of roads as follows and as shown in District Plan Maps 33 and 34.

- Motorway: high standard limited access roads designed to carry long distance through traffic at speed (primary road).
- Arterial Road: high standard limited access roads designed to carry long distance through traffic (primary road).
- Principal Road: roads that provide access to motorways and to arterial roads having a dominant through-traffic function and carrying the major public transport routes (primary road).
- Collector Road: roads that distribute traffic between and within local areas and form the link between principal and secondary roads (secondary road).
- Sub-collector Road: roads that distribute traffic within the local area and form the link between collector and local roads (secondary road).
- Local Road: roads that provide direct access to properties fronting the road and include both long and short cul-de-sacs (secondary road).

RURAL ACTIVITY: means primary production activities including horticulture, silviculture, and pastoral farming, but excluding top soil stripping, turf farming and quarrying.

SCULPTURE: means a three-dimensional artwork which is intended for public interest and has no direct or implied advertising, or advertising content.

SENSITIVE ENVIRONMENTS: (USED IN THE HFSP ANALYSIS OF A HAZARDOUS FACILITY) means those areas which are:

- within 20m of a waterbody
- mapped as a Conservation Site
- mapped Open Space

Sensitive environments will require additional buffer zones from activities involving the use, storage, handling or disposal of hazardous substances.

SENSITIVE ACTIVITIES AND USES: (USED IN THE HFSP ANALYSIS OF A HAZARDOUS FACILITY) means those activities and uses which are:

- schools, kindergarten or child care centres

- homes for the elderly, hospitals, residential care facilities, premises with high density, low mobility uses
- facilities critical to emergency response and utility lifelines
- transport corridors to emergency services
- residential activities (applies only in Central Area, and Suburban Centres and Business Areas)

Sensitive activities and uses will require additional buffer zones from activities involving the use, storage, handling or disposal of hazardous substances.

SERVICE RETAIL: means the sale of served food and/or beverages, and/or services such as, but not limited to video and DVD hire, dry cleaners, takeaway food outlets, cafés, pubs, bars, hairdressers and beauticians and banks.

SIGN: means any name, figure, writing, image, character, outline, engraving, carving, spectacle, logo, display, delineation, announcement, notice, placard, poster, handbill, hoarding, billboard, aerial display, banner, advertising device or appliance, or any other things of a similar advertising nature, intended principally to attract the attention of the public and has implied or actual commercial advertising content, whether it is placed on or affixed to any land or building, or incorporated within the design of any building (whether by painting or otherwise) which is visible from a public space. ~~This excludes signs within buildings and signs for the management of the legal road.~~ This definition excludes:

- Signs within buildings
- Signs for the management of the legal road, public parks and reserves including official signs
- Advertising on vehicles, including trailers, except where the vehicle or trailer acts as a stationary support structure for commercial advertising
- Murals
- Sculptures

SIGN AREA: means the entire area within a continuous perimeter enclosing the extreme limits of lettering, framework or emblem, together with any material or colour forming an integral part of the display or used to differentiate such a sign from the background against which it is placed.

SITE: means any area of land comprised wholly in one certificate of title or any allotments as defined by the Act, or any allotments linked pursuant to the provisions of section 37 of the Building Act 1991.

SITE AREA: means the total area of a site, [but excludes:]^{PC6}

- any part of the site subject to any proposed road widening
- any designation for a public work
- [the area of any access lot or access strip [that provides access to the site or to another site.]]^{PC56}

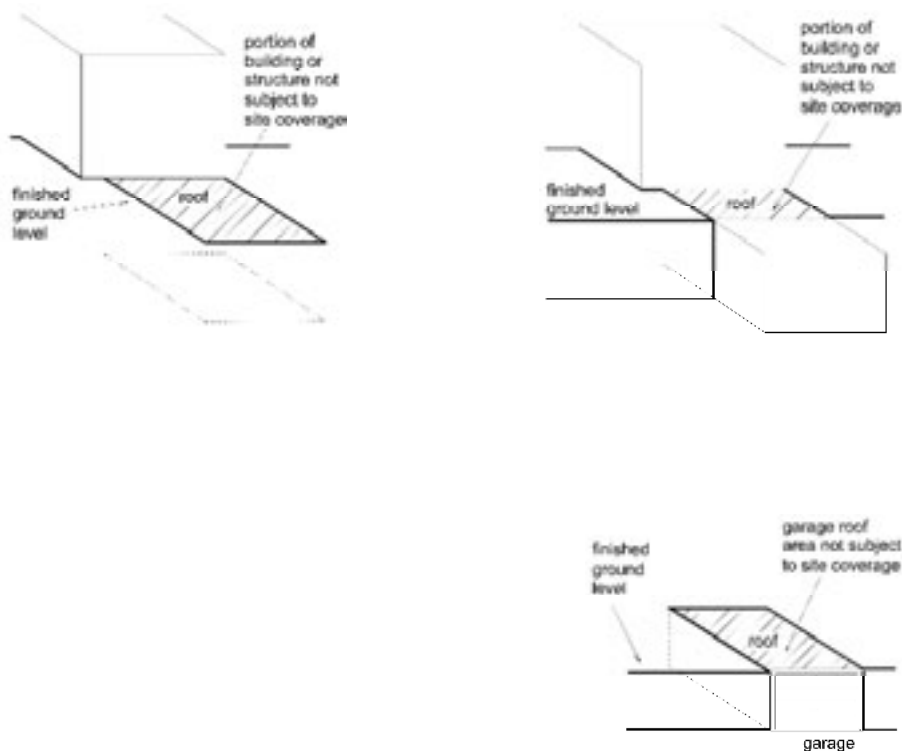
For the purpose of calculating site coverage on any allotment resulting from the subdivision of Lot 2 DP 85339 at 54 Weld Street, and Lot 2 DP 40924 at 164 Ohiro Road, site area includes any site access strip defined by a legal instrument (for example, a right of way).]^{PC6}

SITE COVERAGE: means that portion of the site area [that]^{PC6} may be covered by buildings and structures but does not include:

- eaves 1 metre or less in width
- [pergola structures that are not covered by a roof, trellis or other overhead covering

- fences and walls
- minor structures such as letterboxes, clotheslines and children’s play equipment]^{PC6}
- uncovered decks less than 1 metre above ground level
- [terraces of any height
- paths, driveways and other paved surfaces on the ground
- any part of a building or structure where the walls (of that part) are located below the surface of the ground, provided that the roof (of that part) does not project above the finished ground at the completion of the building or structure.

Note: Garages set completely into the ground, with only doors opening onto a driveway or street, are excluded from site coverage.]^{PC6}



Diagrams added by Plan Change 6

[SOLAR ENERGY: means the generation of electricity through the use of photovoltaic panels and the direct transmission of heat from the sun for the heating of water and/or other building spaces.]^{PC32}

SPECIAL ENTERTAINMENT EVENT: means temporary activities which generate noise levels above those provided for by Permitted Activity condition 13.20.1.1 'Noise - General activities', and generally relates to activities such as music concerts and events using amplifiers and public address systems, including sound testing of equipment associated with such an activity, but excluding sporting events.

STOREY: means a floor (full or mezzanine) or level of a building including the ground floor level. Where height is measured in relation to storeys, the maximum floor to floor height per storey is 4.2 metres, except that the ground floor may have a maximum height of 6 metres.

STREETSCAPE (FOR THE PURPOSE OF RULE 5.3.11): means the collective image of buildings and their relationship to each other and to the street (including, but not limited to rights of way, pedestrian routes etc).

[STRUCTURE: means any equipment, device, or other facility made by people and which is fixed to the land; and includes fences and walls. For the purposes of the District Plan, this definition excludes any building.]^{PC6}

SUPERMARKET: means a retail shop selling a wide range of foodstuffs, including fresh produce, meat, fish, dairy, alcoholic and other beverages, and packaged food for consumption off-site, as well as non-food grocery items and household goods. This definition includes discount stores, hypermarkets, department stores and warehouse club stores, where foodstuffs comprise more than 10% of the total gross floor area.

TAKAPU HAZARD (FLOODING) AREA: means an area of land adjacent to the Takapu Stream and identified on the District Plan Maps 29 and 30 as being prone to flooding.

TAWA HAZARD (FLOODING) AREA: means an area of land adjacent to the Porirua Stream in the Tawa and Glenside Road/Middleton Road areas, and shown on the District Plan Maps 26, 29, 30 and 31 as being prone to flooding during a 1 in 100 year flood event.

TECHNOLOGICAL HAZARDS: means the accidental failure of the design or management of large scale infrastructure, transport systems, or industrial activities which would present life-threatening risks to the local community, or adversely affect property or other aspects of the environment.

TEMPORARY ACTIVITY (IN RESPECT OF ALL CHAPTERS OTHER THAN CHAPTER 23): means an activity that is of a non-repetitive, transient nature and includes entertainment, cultural and sporting events that are of less than three days' duration and that do not involve permanent structures.

TEMPORARY ACTIVITY (IN RESPECT OF CHAPTER 23 ONLY): means any utility network infrastructure to maintain the general capability of a telecommunications, radiocommunication or electricity network that is used for no more than 4 weeks or used to provide network utility services for periods of increased demand such as entertainment, sporting and cultural events, or construction activities.

[TEMPORARY ACTIVITY (IN RESPECT OF THE LAMBTON HARBOUR AREA): means temporary activities are activities and events that are of less than one month's duration.]^{VAR22}

TEMPORARY SIGN: means any sign erected and removed in relation to:

- advertising a community event
- electioneering
- identifying construction sites or subdivision developments
- selling land or premises.

TEMPORARY STORAGE: storage for any period of time less than 24 hours.

[TERRACE: an area of ground that is grassed or paved and is used or is intended to be used for outdoor living.]^{PC6}

THE GOLDEN MILE: means properties that either front or gain access from the main retail and commercial strip extending from the Cenotaph (near Parliament Buildings) to the eastern end of Courtenay Place (see Map 34, Volume III).

THIRD PARTY ADVERTISING: means any land, building, fence, structure or erection upon or against which any advertisement, placard, sign or inscription is displayed by an independent manufacturer, corporation, business, sponsor, service company, retailer, supplier or other party which is used to advertise anything not sold or provided on the premises where such sign is situated, or advertises an event to take place in some other location.

TRADE SUPPLY RETAIL: means a business engaged in sales to businesses, and may also include sales to the general public, and wholly consists of suppliers of goods in one or more of the following:

- automotive and marine supplies;
- building supplies;
- farming and agricultural supplies;
- garden and landscaping supplies;

- hire services (excluding hire of books, DVD and video);
- office furniture, equipment and systems supplies.

TRANSPORT INTERCHANGE AREA: areas designed for the interchange of goods and products between transport modes or carriers, and includes those parts of airports, ports, railyards and freight, courier and postal depots, designed for that purpose.

UTILITY NETWORK: means network utility operations as defined in Section 166 of the Act and for the purposes of this Plan also includes lighthouses, navigation and survey aids and beacons and meteorological installations.

UTILITY NETWORK APPARATUS: means any apparatus or device that is mounted on a mast and used as part of a utility network but excludes any aerial, antenna or line.

UTILITY STRUCTURE: means any structure associated with a network or that receives or transmits to or from any part of a utility network operation and includes pipes, pipelines, valves, meters, regulator stations, transformers (other than a pole mounted transformer), substations (other than an overhead substation), compressor stations, pumping stations, navigational aids, meteorological installations, telephone booths, containers, cabinets, and similar structures, whether for private or public purposes. It does not include lines, aerials, antennas, masts, utility network apparatus, and the generation of matter or energy transmitted by the network utility operation.

VACANT LAND: means any land which is not developed for any recreation, amenity, building or parking activity.

VEHICLE DEPOT: means any land or building used principally for the receiving, despatching or holding of goods or passengers by road.

~~**VEHICLE ORIENTATED USES:** means any retail activity which offers services or goods to the public on a drive through basis. This includes but is not limited to: service stations dispensing motor fuels, fast food outlets offering food to customers in vehicles, vehicle testing stations, and vehicle repairs and maintenance.~~

WATERBODY: has the meaning contained within the Act. For the purposes of this District Plan a waterbody's area is defined as the area which its water covers at its fullest flow or highest level, without overtopping its banks or margins.

[WELLINGTON WATERFRONT FRAMEWORK: means the Wellington Waterfront Framework adopted by Council on 3 April 2001.]^{VAR22}

~~**WHOLESALE:** means a business engaged in the storage and distribution of goods to businesses (including retail activities) and institutional customers.~~

[WIND ENERGY FACILITY: (colloquially, a 'wind farm') means the land, buildings, substations, turbines, structures, underground cabling earthworks, access tracks and roads associated with the generation of electricity by wind force and the operation of the wind energy facility. It does not include:

- Small scale turbines of less than 5kW
- Any cabling required to link the wind energy facility to the point of entry into the electricity network, whether transmission or distribution in nature.]^{PC32}

WORK FROM HOME: means an occupation, art, craft, business, trade or profession which is carried out in a residential building by a maximum of three persons, at least one of whom lives in that building as their principal place of residence, (apart from in the Inner Residential Area north of John Street/Hutchinson

Road where all workers shall reside on the premises). It does not include the repair or maintenance of motor vehicles or internal combustion engines (excluding the residents' motor vehicles).

YARD: means a part of a site unoccupied and unobstructed by buildings above ground level, excluding eaves.

- Front yard: means a yard between the road line and line parallel thereto and extending across the full width of the site provided that:
 - where part of the site is shown on the District Plan Maps as proposed road, the proposed road line shall, for the purposes of all front yard requirements, be substituted for existing road line
 - where there is a building line restriction shown in the District Plan then this line shall, for the purpose of all front yard requirements, be substituted for the existing roadline.
- Any yard, other than a front yard, means a yard between a boundary of the site and a line parallel thereto.

~~**YARD BASED RETAILING:** means any retail activity which supplies goods or services primarily from an open or semi-covered yard, and where the yard comprises at least 50% of the total area used for retail activities. This includes but is not limited to: garden centres, automotive and marine supplies, agricultural supplies, heavy machinery and plant sales.~~

YARD BASED RETAIL: means any retail activity which supplies goods or services primarily from an open or semi-covered yard, and where the yard comprises at least 50% of the total area used for retail activities. This includes but is not limited to: garden centres, service stations, automotive and marine supplies, agricultural supplies, heavy machinery and plant sales.

Proposed Plan Change 73

Annotated provisions of Chapter 6 in the Operative District Plan showing proposed changes

Key to the following annotated text

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

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

6. CENTRES

6.1 Introduction

Wellington's Centres are the focus of economic and social life in our communities. They have multiple functions and activities, but their core is providing localised shopping and services that complement the Central Area. Not only do they play a vital role in ensuring suburban communities have convenient services nearby, Centres may also contribute to a community identity and have distinctive characteristics that often determine why people choose to make a certain part of the city their home.

Centres range from large shopping centres to small clusters of shops. To help manage the breadth of the City's Centres, they have been identified in a Centres Hierarchy which is a resource management tool that guides development with the aim of maintaining and strengthening the role of each individual Centre. The City's centres are identified as:

- Sub-Regional Centres (Johnsonville and Kilbirnie)
- Town Centres
- District Centres
- Neighbourhood Centres

It is the combination of all the activities and functions of Centres working together to deliver a range of environmental, social, economic and cultural benefits for the community which makes Centres particularly important places within the City.

The health of Wellington's Centres depends on their future vitality and viability which essentially relates to:

- promoting integrated planning
- retaining and developing a wide range of attractions and amenities
- creating and maintaining an attractive environment
- ensuring good accessibility to and within the centre, including the implementation of multi modal transport systems
- attracting continuing investment in development or refurbishment of existing buildings.
- making efficient use of existing infrastructure.

A potential threat to the viability and vitality of Centres is the increasing pressure for larger scale supermarkets, large scale retailing and other shopping destinations to locate in areas outside of the City's traditional town centres. This is of particular concern given that Wellington's Centres represent a considerable investment, not only because of the infrastructure within them, but also because of the commercial and community services and facilities, and the street and landscape improvements they may contain. In the context of sustainable management these existing commercial centres are a valuable physical resource, and provide places that are highly accessible by multiple transport modes. For these reasons, Council seeks to ensure the viability and vitality of established Centres are is not undermined by inappropriately located out-of-centre retail activities.

However, at the same time, Council also recognise that large anchor stores, such as supermarkets, are important in providing a framework that supports finer grain development in Centres. Anchor stores generate a high number of customers and are instrumental in attracting people and thereby influencing the vibrancy, vitality and character of the smaller retailers in the urban environment. Because of this ability to attract so many people, it is important that they are located within Centres, rather

than in inappropriately situated out-of centre locations. In addition, it is also imperative that these buildings and the spaces around them are well designed and attractive places for people to be in. A well designed anchor store that responds well to the public space can set the benchmark in influencing the design and appearance of other smaller retailers.

To ensure that Centres are competitive and vibrant places which encourage investment, there are few limits placed on the types of activities that may establish within Centres. Where standards have been set for activities, buildings and developments, it is generally to ensure a reasonable level of amenity is maintained. In cases where resource consent is required, applications will be assessed with respect to the ability for any adverse effects to be avoided, remedied or mitigated, including reverse sensitivity effects.

Another potential threat to the viability and vitality of Centres is poorly designed buildings and places that do not enhance the quality of the public environment. Through the use of Design Guides, Council seeks to ensure that new building development in a Centre is of a high standard and that it enhances the characteristics and qualities that contribute to people's sense of place. Specific rules deal with the siting, design and appearance of new buildings so that the existing urban form is preserved and enhanced. Additionally, one Centre has been recognised for its heritage value and contribution to the City and is identified in the Plan as a Heritage Area. Rules and design guidance are included to help maintain and enhance the character of these special areas.

Performance standards have been imposed on Centres activities to avoid, remedy or mitigate the impact of development on Residential Areas. More stringent standards apply in the interface between Centres and Residential Areas so that residents will have added protection. Maintaining the character, appearance and environment in and around Centres is an important objective of the Plan.

The commercial and business areas of Wellington, typically with concentrations of employment, commerce and industrial activities, are addressed in Chapters 33 and 34 of the District Plan.

6.2 Centres Objectives and Policies

OBJECTIVE – ROLE AND FUNCTION OF CENTRES

6.2.1 To provide a network of accessible and appropriately serviced Centres throughout the City that are capable of providing goods, services and facilities to meet the day to day needs of local communities, residents and businesses, and of accommodating anticipated population growth and associated development whilst maintaining Wellington’s compact urban form.

POLICIES

To achieve this objective, Council will:

6.2.1.1 Maintain an efficient and sustainable network distribution of centres, as identified below:

CENTRE TYPE	FUTURE ROLES AND FUNCTIONS
Central City	Services the whole City/region and provides a significant retail offer, particularly along the Golden Mile. The Central City contains an extensive range of retail goods and specialist stores, including several department stores. It is the centre for government and civic administration and is also a major regional employment node accommodating large government related, and corporate offices. It has an extensive residential component, together with community, recreational and entertainment facilities. The area has major cultural institutions and visitor facilities, including accommodation. It is the central transport hub offering several different transport nodes and extensive on-street and off street parking. It also has a high level of pedestrian activity. <u>The Central City is located at the top of the hierarchy of Centres throughout the Wellington Region.</u>
<u>Sub-Regional Regionally Significant Centres - suburban centres</u> <ul style="list-style-type: none"> ▪ Johnsonville ▪ Kilbirnie 	Services a significant part of the City and/or region and provides a significant retail offer. These centres are based around a main street and contain one or more large supermarkets and department stores. A wide range of retail goods with some specialist stores is available. A range of civic and government services, employment, office, community, recreational, entertainment, residential activities can be found which are supported by a sub-regional transport hub. These centres have high levels of pedestrian activity, together with significant on-street and off-street parking facilities. These two Centres are recognised as Regionally Significant Centres in the proposed Regional Policy Statement.
Town Centres <ul style="list-style-type: none"> ▪ Karori ▪ Miramar ▪ Mt Cook ▪ Newtown 	Service one or more suburbs and generally have very good access by public transport and the roading network. They are anchored by a main traditional main street with high levels of pedestrian activity and contain at least one supermarket and a range of other convenience-based

<ul style="list-style-type: none"> ▪ Tawa 	<p>retail goods. Town Centres contain some civic and government services and have medium scale employment office, community, recreational and entertainment activities. Residential uses, generally above ground floor, can be found in Town Centres. Both off-street and on-street parking is generally available.</p>
<p>District Centres</p> <ul style="list-style-type: none"> ▪ Brooklyn ▪ Churton Park¹ ▪ Crofton Downs ▪ Island Bay ▪ Khandallah ▪ Newlands 	<p>Contain a moderate retail offer and generally service the day-to-day convenience needs of their surrounding suburb. Accessed by good public transport, some District Centres contain a small supermarket and other convenience-based retail and also have access to some community, recreational and entertainment activities. Where offices are present, they are small scale in character. Residential uses tend to be located above ground floor. Mostly on-street parking is available, with only limited off-street parking.</p>
<p>Neighbourhood Centres</p> <ul style="list-style-type: none"> ▪ Aro Valley ▪ Berhampore ▪ Berhampore Rintoul Street ▪ Broadway, Strathmore ▪ Constable Street, Newtown ▪ Crofton Road, Ngaio ▪ Darlington Road, Miramar ▪ Hataitai ▪ John Street intersection, Newtown ▪ Kelburn ▪ Kingston ▪ Linden ▪ Marsden Village ▪ Mersey Street, Island Bay ▪ Newlands Road ▪ Ngaio ▪ Northland ▪ Onepu Road, Lyall Bay ▪ Oxford Street, Tawa ▪ Roseneath ▪ Seatoun ▪ Shorland Park shops, Island Bay ▪ Standen Street shops, Karori ▪ Strathmore ▪ Thorndon ▪ Tringham Street, Karori ▪ Wadestown 	<p>Service the surrounding residential neighbourhood and offer small-scale convenience-based retail for day-to-day needs. Neighbourhood Centres tend to have easy pedestrian access for locals and have some community services and small scale offices. There is good accessibility to public transport and parking is generally on-street only.</p>

¹ Proposed centre, not yet constructed

METHODS

- Planning Maps
- Rules
- Centres Policy
- Urban Development Strategy

Wellington has a well established network of Centres across the City ranging from Sub-Regional Centres through to small Neighbourhood Centres. Each Centre performs a role and function reflecting its location, population catchment, size and historical development pattern. Centres provide accessible shopping and local services that meet people’s day-to-day needs - the larger the Centre the greater the range of activities and functions.

The centres hierarchy guides development in a way that will maintain and strengthen the role of each of the City’s Centres and deliver a sustainable land use pattern.

The rules in the District Plan provide for a range of activities that support the anticipated roles and functions of each of the Centres. Where an activity requires resource consent, consideration will be given to whether or not it is an activity that supports these roles and functions.

6.2.1.2 Allow for the outward expansion of existing Centres when they are required to accommodate growth and where they:

- **are compatible with adjoining landuses; and**
- **improve access to goods and services, reduce congestion on the road networks; and**
- **are accessible by a variety of transport modes including public transport, walking and cycling; and**
- **do not generate more than minor adverse effects on the roading network and the hierarchy of roads (Maps 33 and 34) from potential trip patterns, travel demand or vehicle use; and**
- **make the best use of existing infrastructure.**

METHODS

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

Much of the future growth of the City, both for residential and employment activities, will be focussed in and around the key Centres. With the growth of the City, comes an increase in demand for land for retail, service and employment activities. Whilst the exact rate and type of growth will depend on a mix of local, national and international factors, if not managed well it could result in poor outcomes and impact on the City’s valued environment and sense of place. Therefore, to accommodate this growth, Council seeks to encourage commercial

development to locate within, or on the fringe of Wellington’s existing Centres. Guiding the growth of the City’s existing Centres can result in positive effects, such as improved accessibility to goods and services or reducing congestion on road networks.

When Council is considering applications for expanded Centres, factors such as accessibility to the road hierarchy and transport links, the wider transport network, the effect on local amenity and alignment with the Council’s spending projections for infrastructure will all be taken into account.

The environmental result will be well-performing, attractive centres that are capable of providing goods, services and facilities to meet the day to day needs of local communities, residents and businesses, and of accommodating anticipated population growth and associated development.

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

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

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

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

6.2.1.4 Promote the intensification of activities and buildings in and around Centres.

METHODS

- Rules
- Planning Maps
- Urban Development Strategy & Growth Spine concept (including Transport and Infrastructure Delivery Projects)
- Centres Policy
- Design Guides (Centres and Residential)
- Master Planning
- Annual Plan
- Long Term Council Community Plan
- Advocacy

Council’s Urban Development Strategy (UDS) is a growth management strategy that aims to address some of the more significant issues facing the City. These issues include residential growth and providing for a variety of housing choices; maintaining and strengthening the City’s centres; climate change; urban

infrastructure; protection of industrial land; and making the urban environment an attractive place for communities and investors alike.

To help guide growth and development, a ‘growth spine’ concept has been identified as part of the UDS that directs development and growth to existing infrastructure. The concept is fundamentally based on maintaining Wellington’s compact urban form and includes utilising existing transport systems and building on already accessible services and facilities available in the Central Area and Sub-Regional Centres. Developing the city along the ‘growth spine’ will ensure that the benefits of intensification and higher density residential development will be maximised and that quality urban design results will be achieved. It is, therefore, appropriate that the principles of the UDS growth spine concept are incorporated into the District Plan, where land use and development can be regulated and managed under the principles of the Resource Management Act.

In accordance with the growth spine concept, the Sub-Regional Centres of Johnsonville and Kilbirnie have been selected as ‘Areas of Change’. It is considered that these areas of increased intensification will have the greatest benefits because of their existing infrastructure, proximity to employment, connectivity to public transport and existing services and facilities. To help facilitate this, the Centres standards in Chapter 7 concerning these particular areas provide more scope for intensive development. The Centres standards are designed to complement the Residential standards in Chapter 5 which deal specifically with residential intensification in Areas of Change. Additional Areas of Change may be identified in the future following consultation with local communities. Any future areas will be implemented through the plan change process.

Other Centres in the City that are not located on the growth spine can also assist in ensuring development and growth in the City is managed in a sustainable way. Most Centres have existed for a long time and already contain the development and infrastructure necessary to fulfil their function as service, employment and social areas. The majority of Centres are also appropriately located on or near main arterial routes and are well situated to service their surrounding communities. By concentrating development in and around existing Centres, it is more efficient to manage expenditure on public infrastructure and allows Council to budget appropriately for maintenance and upgrades, and gather development contributions where appropriate.

It is, therefore, essential that decisions taken on the location of activities, buildings and structures are integrated with decisions taken on transport investment and management. Concentrating land use activities in appropriate locations can reduce the need to travel and the length of journeys, where homes, jobs and services are in close proximity to one another. High trip-generating activities are best located on sites well served by public transport with good network capacity and accessible by foot and cycle.

It is for these reasons that new development needs to be appropriately located in and around existing Centres to maximise the benefits of already established infrastructure and resources. At the same time a balance must be achieved so that new development does not impact on transport patterns, the efficient functioning of the transport network, other infrastructure and public amenity.

A wide range of activities are permitted as of right in Centres, subject to compliance with standards. This will allow flexibility to enable owners and developers to respond appropriately to meet markets needs or other economic or technological changes. In addition, where Council wants to encourage activities such as retailing in particular locations, this is promoted through strategic planning, urban design or similar initiatives.

The Centres zone has been structured to reflect Council’s UDS policy direction, and will ensure that future growth and change reinforce the spatial characteristics that make Wellington so distinctive and vibrant. By building on the City’s strong urban

form and focusing on quality urban development, Wellington will continue to be a well-connected and compact city that is sustainable and prosperous and overall a great place to live.

6.2.1.5 Provide for the comprehensive development and redevelopment of key Centres through a concept, master or structure plan process, as included in Appendix 1.

METHODS

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

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

In the Wellington context, these plans will focus on key Centres to ensure that future growth in employment and residential accommodation is planned in an integrated manner that maximises benefit to the wider community. These plans also help guide how the Council can capitalise on its investment in infrastructure and how future development can link into, and add value to a particular Centre. Master/structure/concept plans also help shape opportunities for other parties to invest in the revitalisation of Centres and Council takes an active role in advocating for such investment.

Master/structure/concept plans have been developed for several parts of the city, as contained in Appendix 1. As more areas are master planned, the plans will be included as appendices to the Centres chapter.

OBJECTIVE – ACTIVITIES

6.2.2 To facilitate vibrant and viable Centres through enabling a wide range of appropriate activities to occur to meet the economic and social needs of the community, whilst avoiding, remedying or mitigating adverse effects.

POLICIES

To achieve this objective, Council will:

Wide range of activities

6.2.2.1 Enable and facilitate a wide mix of activities within Centres provided that character and amenity standards are maintained and adverse effects are satisfactorily avoided, remedied or mitigated.

METHODS

- Rules
- Centres Policy
- Design Guides

Centres are the focus of economic and social life in our communities. They have multiple functions and activities, but their core is typically the provision of retail and local services. It is the combination of activities and functions that makes centres particularly important places, as it enables them to deliver a range of environmental, social, economic and cultural benefits. Anchor stores, such as supermarkets, play an important role in Centres as they are instrumental in attracting people and thereby influencing the vibrancy, vitality and character of the smaller retailers in the urban environment. Encouraging anchor stores as well as the multi-functional nature of Centres is important and therefore the District Plan encourages a mix of uses.

In order to ensure Centres develop as vital and viable places, there are few limits on the types of activities that may establish. Standards have been set for all activities, buildings and developments in order to ensure a reasonable level of amenity value is maintained and that Centres remain vital and viable. Where resource consent is required, applications will be assessed against the policy framework and the ability for any adverse effects to be avoided, remedied or mitigated, including reverse sensitivity effects.

Retail activities

6.2.2.2 Manage the location and scale of integrated retail developments exceeding 20,000m² gross floor area, to ensure they will not result in significant cumulative adverse impacts on:

- the viability and vitality of the Golden Mile; and
- the range of services available to visitors and any resulting loss of economic activity to Wellington; and
- the sustainability of the transport network; and
- the roading network and the hierarchy of roads (see Map 33) from trip patterns, travel demand or vehicle use.

METHODS

- Planning Maps
- Rules
- Centres Policy
- WCC operational activities (Urban Development Strategy, Economic Development Strategy (2006), Transport Strategy, Public Space Centres Development Programme)
- Other mechanisms (the Wellington Regional Strategy and the Proposed Regional Policy Statement for the Wellington Region 2009)
- WRC operational activities for the proposed Takapu Island park and ride facility
- New Zealand Transport Agency operational activities as a road controlling authority

As a major shopping area, the Central Area has the largest concentration of retail in the region and is dominant in comparison goods, fashion and speciality shopping. The Golden Mile, which is the main retail and commercial strip running from the cenotaph (near Parliament Buildings) to the eastern end of Courtenay Place, is of particular importance to the City, and is viewed by many as Wellington’s ‘outdoor mall’. The importance of the Central Area to the economic and social health of the whole region is recognised in the Wellington Regional Strategy and in the Regional Policy Statement. Council’s policy is therefore to maintain and strengthen the Central Area, and to ensure that it retains its primacy as an employment and retail centre. The significant retail offer on the Golden Mile and the vitality of public spaces is critical to achieving sustainable development outcomes, and maintaining the international competitiveness of Wellington, particularly with regard to providing for a wide range of services to visitors to Wellington.

Council is generally supportive of new large-scale retail activities and integrated retail developments locating within Centres provided the development is of a scale appropriate to the role and function of the Centre. Because of this, if a large integrated retail development, 20,000m² in gross floor area or more is proposed within Centres, Council will consider the impact of the proposed development on the viability and vitality of the Golden Mile and a range of other relevant considerations. To ensure that the Central Area retains its role as the primary retail and employment centre within the City, Council will not apply a permitted baseline assessment (ie. a comparison of the proposed activity against the permitted activities outlined in the Plan) when considering the effects of new large integrated retail developments.

Temporary Activities

6.2.2.3 Provide for temporary activities that contribute to the vitality and viability of a Centre whilst controlling any adverse effects in a manner that acknowledges their infrequent nature and limited duration.

METHODS

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

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

Temporary activities can have adverse effects, but these are largely mitigated by their short duration and non-repetitive nature. Accordingly, temporary activities have been made subject to less restrictive rules compared with other land uses. Excessive noise is generally the most significant adverse effect caused by temporary activities, and this will be principally controlled using section 16 of the Resource Management Act rather than through District Plan noise levels.

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

In considering applications for temporary activities, Council will consider the cumulative duration and effect of noise generated by the activity, and whether the intensity of the noise can be appropriately managed. Consideration will also be

given to whether the positive effects and public benefits (social, cultural and economic) are sufficient to justify exposure to temporary adverse noise effects.

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

Noise

6.2.2.4 Control the adverse effects of noise within all Centres.

6.2.2.5 Ensure that appropriate on-site measures are taken to protect noise sensitive activities within Centres from intrusive noise effects of other permitted or existing activities.

6.2.2.6 Ensure that residential activities do not constrain the activities of established and permitted activities through reverse sensitivity to noise.

METHODS

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

Noise is a particularly important consideration. Specific rules in the District Plan aim to avoid, remedy or mitigate the adverse effects of noise between properties within Centres and in nearby Residential Areas.

Higher noise levels are allowed within Centres in order to provide for a range of activities. This can create conflicts between noise sensitive and potentially noisy activities located alongside each other. As noise can create adverse effects on amenity values, on-site measures to protect noise sensitive activities (such as residential) from other permitted or existing activities in the zone, will need to be undertaken to stop possible higher levels of noise from causing intrusion.

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

Noise levels in public places, such as streets, can at times reach unacceptable levels, particularly along streets with high pedestrian usage and in entertainment areas where loudspeakers are often in use. Standards are therefore set to ensure the quality of the noise environment in public places is maintained. Continued uncontrolled growth in the number of such speakers, typically associated with commercial premises, will compromise the amenity of these public spaces. For this reason, controls are placed on the upper level of noise able to be generated by existing speakers. These controls will ensure the quality of the noise environment in public places does not deteriorate further and will gradually be enhanced.

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

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

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

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

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

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

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

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

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

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

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

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

When assessing applications to exempt new building works from the noise insulation and ventilation standards in the District Plan, the Council will consider:

- whether the likely exposure to noise will lead to an unreasonable level of health or amenity for occupiers of the building
- whether the habitable rooms are located, orientated or designed in such a way which would make insulation to the required standards unnecessary
- whether the development is likely to lead to potential conflict with typical business and commercial activities commonly associated with Centres

- *whether the building is a listed heritage building and the extent to which it is practicable to insulate to the required standard without compromising the heritage significance and fabric of the building*
- *whether the appropriate noise attenuation and/or management measures can be provided to protect the health or wellbeing of future users*

The environmental result will be developments that provide insulation and ventilation to ensure the noise environment of noise sensitive activities are protected to an appropriate level. The environmental result also will be the improvement of the noise environment for all permitted or existing uses in Centres.

Environmental issues

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

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

METHODS

- Rules
- Other mechanisms (Regional Air Quality Plan, Abatement Notices, Enforcement Orders)

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

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

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

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

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

OBJECTIVE – BUILT DEVELOPMENT, URBAN FORM AND PUBLIC SPACE

- 6.2.3** To ensure that activities and developments maintain and enhance the safety and amenity values of Centres and any adjoining or nearby Residential or Open Space Areas, and actively encourage characteristics, features and areas of Centres that contribute positively to the City’s distinctive physical character and sense of place.

POLICIES

To achieve this objective, Council will:

Design Guidance

6.2.3.1 Ensure that buildings, structures and spaces are designed to:

- **acknowledge, respect and reinforce the form and scale of the surrounding environment in which they are located; and**
- **respect the context, setting and streetscape values of adjacent listed heritage items and Heritage Areas; and**
- **promote a strong sense of place and identity within Centres; and**
- **establish positive visual effects; and**
- **provide good quality living and working environments; and**
- **integrate environmental sustainability principles; and**
- **provide conditions of safety and accessibility, including for people with restricted mobility.**

METHODS

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

The Council is a signatory to the New Zealand Urban Design Protocol and therefore has an obligation to try and achieve high quality urban design in all aspects of the urban environment. Additionally, Council's Urban Development Strategy identifies that improving the urban environment is critical to the vitality and viability of areas and the economic future of the City.

A diversity of qualities and characteristics contribute to people's sense of place in Centres. These include Wellington's compact form, well-designed buildings, heritage buildings, distinctive Heritage Areas and a range of public and open spaces. The qualities of the public environment, as well as the buildings that define it, are important contributors to people's appreciation of the pleasantness, functionality and liveability of the city. The design and appearance of buildings has a direct bearing on the quality of the public environment and on the city's wider public setting and sense of place. Enhancing a sense of place and protecting those features that make Wellington special and unique are an important part of achieving a stimulating and memorable city.

Under the Discretionary Activity process, design guides are used to assess most new building developments in Centres to ensure that any new building enhances the public realm. Design guides describe the urban design outcomes that will enhance public amenity, and provide guidance on achieving those outcomes. Specific rules deal with the siting, design and appearance of new buildings so that the existing urban form is preserved and enhanced.

Council will require high standards of urban design for new buildings and structures, especially if they are located on primary and secondary street frontages, as well as significant additions and alterations in Centres through design guidance assessment. While design guides do not provide quantitative certainty, applicants are encouraged to work with Council at the early stages of a development. A collaborative design-based approach, rather than conforming to quantitative standards, provides greater opportunities to find a solution that works for both the applicant and the public realm and achieve quality urban design. By engaging with

Council advisors from the early site-planning stages, applicants are likely to experience a smooth process once a resource consent is submitted. Council also recognises that good design is site and programme specific, and not all of the generic guidelines in the Centres Design Guide will necessarily apply to every site.

There are key aspects that are particularly important in achieving positive urban design outcomes. Quality design is particularly important for new buildings that are significantly taller or larger than their neighbours, as their size and height can have a significant impact on the character and amenity values of the area. Where buildings adjoin or face a Residential or Open Space Area, design guidance is considered appropriate to ensure more sensitive receiving environments are protected.

The design of new buildings must also acknowledge and respond to the character of adjoining sites. This is particularly important on sites that adjoin a listed heritage building or a group of heritage buildings. Where there is a distinctive concentration of heritage buildings in Centres, Council will seek to create a Heritage Area to recognise and protect the special contribution such buildings and the spaces between them make to the City's suburban fabric.

In addition to Heritage Areas in Centres, several other areas of suburban shopping centres have been identified in the appendices to the Centres Design Guide for their distinctive character. Whilst the Design Guide will apply to most new development in all Centres, these appendices provide an additional character overview of these Centres. Developments in these Centres should consider the particular character setting of these Centres and be guided by the Design Guide in this regard.

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

The environmental result will be buildings and spaces between them that contribute to the positive urban design characteristics of the surrounding locality (including Heritage Areas) and the City as a whole.

6.2.3.2 Encourage developments to create an attractive, comfortable and legible street environment including aspects such as shelter/verandahs, lighting, street furniture and landscaping.

METHODS

- Rules
- Operational activities (Urban Design Strategies)
- Centres Design Guide
- Footpath Management Policy

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

Trees and vegetation make an important contribution to the amenity of Centres. Proposals that seek to provide landscaping and retain mature, visually dominant trees are encouraged as this will help integrate the new development into the surrounding environment and will be seen as a positive effect of the proposal. Where

mature trees have been recently removed to facilitate new development, a landscaping plan may be required, demonstrating how and when new planting will be effective in mitigating any visual effects of new buildings.

The environmental result will be the maintenance or enhancement of the quality of Centre streetscapes and public spaces.

- 6.2.3.3 Maintain or enhance the street edge along identified primary and secondary street frontages.**
- 6.2.3.4 Maintain or enhance the streetscape by controlling the appearance of and/or limiting the creation of vacant land, or open land and ground level parking areas on identified primary and secondary streets frontages.**
- 6.2.3.5 Maintain or enhance the streetscape by controlling the siting and design of structures on or over roads.**

Refer to District Plan Maps 43 to 49, and 49a

METHODS

- Rules
- Design Guides
- Master Plans, Structure Plans, Concept Plans
- Operational activities
- Advocacy and Memorandums of Understanding

Street edges and the buildings and activities that front them play a particularly important role in the urban fabric of Centres. Therefore specific standards have been put in place that require particular attention to this interface. Primary and secondary street frontages have been identified within Centres with the aim of ensuring that they place visible publicly-relevant activities at the edges of buildings to help communicate how the building is being used and occupied.

The creation of vacant space, gaps in the streetscape or parking areas at street level on identified primary and secondary street frontages is considered to have a detrimental effect on the amenity and streetscape of the city. These effects include:

- the loss of vitality and viability, particularly in the main retail or commercial areas; and
- the erosion of streetscape.

The Plan seeks to avoid such outcomes within Centres. It is Council's view that the characteristic pattern of these areas should be maintained by ensuring that existing retail frontages are retained. ~~Change may be brought about as part of master planning, structure planning and concept planning exercises.~~ However, it is acknowledged that some activities, including vehicle-orientated activities such as service stations and drive through restaurants, may have difficulty in complying with these policies. It may be preferable for new activities of this type to locate on the fringe of a Centre to allow for an integrated setback if this is essential to the function of a facility.

It is also acknowledged that within the primary and secondary frontages there are a number of existing activities that are set back and not built directly to the street edge. When assessing such sites, Council will consider how the activity integrates with the street edge. Setbacks may continue to be appropriate if it can be demonstrated that the proposal will not detract from the visual qualities of the streetscape. Council will seek to ensure that any new proposals continue to reinforce the street grid and common alignment.

Display windows and verandahs are considered important along shopping streets and those that have a high flow of pedestrian traffic. Council aims to have continuity along these streets.

In addition, the appearance of buildings and structures on or over streets, and of the streets themselves with high pedestrian counts has a significant bearing on the visual quality of Centres. Council will work to improve the quality of Centre environments by implementing improvements to streetscapes. Council also will advocate for Business Improvement Districts where appropriate, with priority given to enhancing areas with high pedestrian counts. Business Improvement Districts work on the agreement that business owners pay a higher rates contribution, with the extra revenue used to improve the local area.

Bridges and similar structures over a road can also have physical impacts. Such structures have the potential to block roads or access links in the event of a natural disaster. However, if carefully designed, they have the potential to become iconic in their own right. Developments of this type are Discretionary to enable their impacts to be carefully assessed.

The environmental results will be the maintenance and enhancement of the visual quality and vitality of main shopping streets providing quality ground level pedestrian streetscapes.

Residential developments

6.2.3.6 Enable residential development in all Centres, where it:

- **utilises upper floors of buildings; and**
- **maintains an active ground-floor on any primary street frontages, (except for in Neighbourhood Centres); and**
- **provides a secure and pleasant environment for the occupiers; and**
- **in the Mt Cook Centre is located above the second floor (measured from street level) on streets with frontage to Adelaide Road or John Street and located above ground floor (measured above street level) on all other primary and secondary street frontages.**

METHODS

- Rules
- Centres Policy
- Design Guides
- Adelaide Road Framework

In order to ensure Centres develop as vibrant places, residential uses, at first floor level and above, are encouraged to give these areas life outside of normal business hours. Centres can provide alternative locations and housing types from traditional residential areas, where residents can enjoy the benefits of a wide variety of social, community, entertainment and shopping activities and transport services.

Standards have been set for all activities, buildings and developments in order to ensure a reasonable level of amenity value is maintained. Where resource consent is required, applications will be assessed against the relevant policy provisions and the ability for any adverse effects to be avoided, remedied or mitigated, including reverse sensitivity effects.

When considering applications in the Mt Cook Centre, applicants are required to design buildings in such a way that they provide for the area's important employment role/function and also encourage a mix of uses. Mt Cook encompasses the largely commercial area of the northern extent of Adelaide Road between the Basin Reserve and the John Street intersection and is a key urban growth area identified in the Council's Urban Development Strategy. It is recognised as an important employment area for the city and provides a range of services. The area is

also located on a key transport route and has close proximity to the Central Business District, Wellington Hospital, Massey University's Wellington Campus and the Newtown shops.

The long-term vision for the Mt Cook Centre includes significantly more residential development, supported by increased employment opportunities, as well as good quality public amenities, streetscape and public transport. Locating residential activities above the second floor of developments fronting Adelaide Road or John Street, and above the ground floor on all other primary and secondary street frontages, is key to the success of this long-term vision. Therefore, specific standards for the Mt Cook Centre have been included in the Plan to ensure adequate space is provided for commercial, retail and other business and service activities, and to help facilitate a mix of activities in the area.

6.2.3.7 Enhance the quality and amenity of buildings incorporating a residential component by guiding their design to ensure current and future occupants have an adequate standard of amenity and access to daylight and an awareness of the outside environment.

METHODS

- Rules
- Design Guides
- Advocacy

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

Maintaining reasonable levels of residential amenity in Centres is important in order to ensure residential developments are attractive to people over the long term and are able to provide a sustainable living options. People living in Centres will, however, have to accept that their level of amenity will be lower than can be expected in residential areas. The same access to daylight, sunlight, outdoor space and carparking may not be available, however, an appropriate standard of amenity is still required to be maintained.

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

The environmental result will be residential buildings in Centres that provide an enduring level of residential amenity, including with respect to daylight, sunlight and outdoor space.

Zone interfaces

6.2.3.8 Ensure an appropriate transition between activities and buildings within Centres and adjoining Residential and Open Space Areas.

METHODS

- Rules
- Advocacy

- Design Guidance

The interface between Centres and adjacent Residential Areas is particularly sensitive. The effects generated by activities and developments within Centres can impact adversely on residential properties and enjoyment of their amenity values. Where Centres adjoin areas of Open Space, care also needs to be taken to ensure the amenity values of the open space environment are maintained or enhanced.

At the same time, it is acknowledged that Centres are an integral component to residential neighbourhoods and therefore may require higher thresholds. In cases where interface issues arise, Council will consider the standards for noise, privacy and bulk and location of buildings for both Centres and Residential Areas and ensure that an appropriate balance is struck to avoid, remedy or mitigate such impacts.

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

Building height, bulk and location

- 6.2.3.9 Manage the height, bulk and location of buildings and developments so that they avoid, remedy or mitigate the adverse effects of shading, loss of daylight, privacy, scale and dominance and any other adverse effects on amenity values within Centres and on adjoining Residential and Open Space Areas.**

METHODS

- Rules
- Design Guide for Centres

The scale and placement of building works and layout of new developments can have a significant impact on the amenity values enjoyed by neighbouring properties and in the public environment.

When processing a consent for new building works, Council will work with applicants to ensure both the scale of the proposed height and bulk and the comparative height of the resulting building in relation to its surroundings is appropriate. Specifically concerning height, some sites will need additional special consideration.

One such site is the former service station site located at 68-70 Aro Street. In general the Aro Valley has a distinctive built form, including a fine-grained residential character, a diversity of building types and siting, a concentration of commercial buildings at the centre and a variable but predominantly two storey height along the street edge. The existing buildings located at the service station site (and to a lesser extent, the nearby western properties of 72, 76, 82 Aro Street) are not characteristic of the Aro Valley and this, combined with the uncharacteristic open nature of the site and a frontage dominated by on-site car parking means that the site offers unique redevelopment opportunities. Any redevelopment of 68-82 Aro Street needs to be of an appropriate scale and design that is respectful of the surrounding character. To avoid any issues with regard to out of scale and out of character buildings, the maximum height for these sites is 9m, with no discretion for additional height. This means that any development exceeding 9m is a non-complying activity and will need to demonstrate exemplarily design in order to gain consent.

Another special area for consideration is for new ~~when considering~~ buildings over three storeys in height in Centres. In these cases Council will encourage opportunities to design new buildings in a way that protects sunlight access to

public spaces and minimises overshadowing of public open spaces of prominence or where people frequently congregate. In this regard, the bulk and location standards indicate a level of development that can be reasonably anticipated in Centres, subject to design guidance (refer to the Centres Design Guide).

Where these standards are exceeded and resource consent is required, applications will need to demonstrate how it is proposed to deal with (avoid, remedy or mitigate), any potential adverse effects. Factors considered will be the level or degree of non-compliance, and whether or not the proposal will detract from rather than maintain or enhance the amenity values in public or private environments. At the same time, effects can be mitigated and balanced in some cases against the positive effects generated through building design and urban design outcomes in deciding whether or not the adverse effects are acceptable. The District Plan standards seek to strike an appropriate balance between facilitating new development and maintaining and enhancing amenity values in Centres.

In considering applications for bulk and location infringements where consent is also required for building external design and appearance, and assessment against the Centre Design Guide, it is not appropriate to apply any permitted baseline test. Only minor buildings or additions are permitted. As the majority of buildings, particularly in Centres, are subject to design guidance it is inappropriate to consider permitted baseline scenarios.

The environmental result will be Centres that are pleasant places to be in.

Wind

- 6.2.3.10** **Ensure that new buildings higher than three storeys are designed to avoid, remedy or mitigate any wind problems that they create and where existing wind conditions are dangerous, ensure new development improves the wind environment as far as reasonably practical.**
- 6.2.3.11** **Ensure that the cumulative effect of new buildings and building additions or alterations higher than three storeys do not progressively degrade the pedestrian wind environment.**
- 6.2.3.12** **Encourage the use of wind mitigation measures for buildings higher than three storeys during the early stages of building design and ensure that such measures are contained within the development site.**

METHODS

- Rules
- Design Guides (Centres Design Guide, Design Guidelines for Wind)
- Information (Advocacy)

Buildings that are significantly different in scale from their surroundings can create wind changes at ground level. This can make pedestrian activities on the ground uncomfortable, difficult and even dangerous.

The impact of a building on wind conditions will vary depending on a number of factors, including height of neighbouring buildings, height of the proposed building compared with the existing building, and features included in the building design. Wind rules seek to encourage a safe and pleasant environment by decreasing the worst effects of wind.

When resource consent to assess wind effects is required for taller buildings in Centres (particularly in Mt Cook and Johnsonville), Council will seek to ensure new developments do not make the existing wind environment dangerous or significantly worse for pedestrians, particularly at building entries in the surrounding area.

Section 3.2.2 of the Plan outlines the information requirements for land use consent applications. When developments propose a taller building, Council will require a wind assessment report to establish the likely effects of the new building at ground level. In some case a wind tunnel assessment may also be required.

Altering the design of a proposed development (ie building scale, bulk and height or other mitigation measures) can help to reduce the wind effects on pedestrians and for this reason wind effects should be considered at an early stage in the design process. Alterations may include re-designing entrance locations, entrance canopies or wind lobbies, or including larger/longer verandahs.

Council will look more favourably on mitigation measures that are contained within the development site and integrated with the building design, ie. breezeways, setbacks, verandahs. These mitigation measures will also need to be appropriate from an urban design and heritage perspective. The Council will manage concerns about the proposed siting of free-standing wind mitigation structures resulting from a private development (ie. vertical glass upstands) in Council-owned public spaces through its encroachment licence process.

The environmental result will be the improvement of the pedestrian wind environment in Sub-Regional Centres and the Mt Cook Centre.

Health, safety and security

6.2.3.13 Ensure that all spaces accessed by the public are safe and are designed to minimise the opportunities for crime.

METHODS

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

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

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

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

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

Government House and Grounds

6.2.3.14 Manage the bulk and location of buildings and developments in the Mt Cook (Adelaide Road) Height Zones so that they avoid, remedy or mitigate adverse effects of shading, loss of daylight, privacy, scale

and dominance and any other adverse effects on the amenity values of Government House and Grounds.

METHODS

- Rules
- Centres Design Guide

Government House is registered as a Category 1 Historic Place and is listed as a heritage building in the District Plan (Planning Map 6, Symbol Ref 104). The grounds of Government House are identified as a “Garden of National Significance” by the New Zealand Gardens Trust.

Government House is the residence of the Governor General. The Governor General is a pivotal figure in the constitutional life of the country, being the representative of the Queen in New Zealand.

Government House is held in very high public esteem as many people have visited the house for investitures and social functions; it has also been the scene of numerous visits by royalty and overseas dignitaries from many countries.

Development in the adjacent Mt Cook (Adelaide Road) Height Zones has the potential to adversely affect the amenity values of Government House, including its heritage and open space values as a result of the scale, dominance and design of buildings and developments in the Mt Cook (Adelaide Road) Height Zones.

The bulk and location standards indicate a level of development that can be reasonably anticipated in the Mt Cook (Adelaide Road) Height Zones, subject to design guidance (refer Centres Design Guide). Where these standards are exceeded and resource consent is required, applications will need to demonstrate how it is proposed to deal with (avoid, remedy or mitigate) any resulting adverse effects on the amenities of Government House and Grounds.

OBJECTIVE – BUILDING EFFICIENCY AND SUSTAINABILITY

- 6.2.4 To promote energy efficiency and environmental sustainability in new building design.**

POLICIES

To achieve this objective, Council will:

- 6.2.4.1 Promote a sustainable built environment in Centres, involving the efficient end use of energy and other natural and physical resources and the use of renewable energy, especially in the design and use of new buildings and structures.**
- 6.2.4.2 Ensure all new buildings provide appropriate levels of natural light to occupied spaces within the building.**

METHODS

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

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

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

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

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

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

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

OBJECTIVE – ACCESS AND TRANSPORT

6.2.5 To maintain an efficient and sustainable transport network to enable the provision of convenient and safe access for people and goods to and within Centres.

POLICIES

To achieve this objective, Council will:

Multiple transport modes

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

METHODS

- Planning Maps
- Rules

- Master, Structure and Concept Plans
- Urban Development Strategy & Growth Spine concept (including Transport and Infrastructure Delivery Projects)
- National standard access design criteria including NZS 4121:2001 (or subsequent amendments)
- Operational activities (WCC Transport Strategy, Walking and Cycling Plans etc)
- Centres Policy
- Annual Plan
- Long Term Council Community Plan
- Advocacy (Council Social Policy)
- Other mechanisms (Regional Land Transport Strategy)

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

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

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

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

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

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

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

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

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

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

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

Sustainability

6.2.5.2 Support the uptake of new vehicle technologies by enabling supporting infrastructure in order to reduce reliance on fossil fuels.

METHOD

- **Advocacy**

New vehicle technologies are emerging that will help to reduce the City’s reliance on fossil fuels to run vehicles. Such technologies may include electric vehicles. Structures may be required to support the charging of electric vehicles or other new vehicle technologies. Supporting infrastructure may be established on private properties, but may also be sited on public property subject to landowner permission from the Council.

Managing adverse effects

6.2.5.3 Ensure that activities and developments that have the potential to generate significant levels of traffic incorporate design features and/or contribute to other activities so that traffic generation is minimised, and the use of public transport and active modes actively facilitated and encouraged.

- 6.2.5.24** **Ensure that the location and design of activities and developments that generate significant levels of traffic or provide high levels of on-site parking are accessible by multiple transport modes and do not result in:**

- **a significant increase in traffic that would be incompatible with the capacity of adjoining roads and their function in the road hierarchy, or would lead to unacceptable congestion; or**
- **the creation of an unacceptable road safety risk.**

METHODS

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

Some land uses, notably large scale retailing, place considerable pressure on the road network within the vicinity. Similarly, over time a collection of smaller scale destination activities may have a cumulative effect on traffic generation in the immediate vicinity – particularly adjacent residential areas. This can cause considerable inconvenience to local residents and result in a loss of residential amenity and character.

Council will therefore carefully consider large-scale businesses, large scale retailing, and leisure developments in Centres and take into account their proximity to regular and frequent public transport facilities and their impact on the road network and surrounding neighbourhoods.

Council is also aware that in some Centres there is often not enough parking during peak trading hours which can cause shopper parking to spill over into nearby residential streets. Many existing residential areas near Centres do not have off-street spaces and sometimes the availability of on-street parking is limited. Council is mindful of the need and desire of residents to be able to park close to where they live.

To reduce these problems and general street congestion, the Council will require larger developments and activities in Centres to provide a transport assessment. This will enable Council to consider the appropriateness of the parking provision, balancing the desire for activities to be self-sufficient with the need to reduce traffic generation and encourage the use of alternative transport modes. On-street parking control and management will also be maintained within Centres and surrounding streets to achieve this end.

When assessing resource consent applications that involve a potentially high-trip generating activity that requires more than 70 carparks, Council will consider:

- *whether the proposed development will cause congestion or affect the safe or efficient movement of traffic; and*
- *whether the proposed activity provides appropriate facilities and access for public transport, cycling, and pedestrians or has easy access to those facilities.*

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

Residential developments in Centres are not required to provide on-site car parking. The principal reasoning behind this relates to developing a high quality compact urban form, encouraging public transport use and allowing adaptive re-use of existing buildings. Urban design considerations such as visual streetscape

appearance and architectural or historic interest in an area or building may also be important reasons for not requiring on-site car parking.

Nevertheless, the Council recognises that on-site residential parking in Centres can be desirable. In circumstances where no, or limited off-street parking is proposed, the Council will seek to ensure that such development does not generate unacceptable levels of on-street parking demand or exacerbate existing problems in surrounding residential streets. Council will also consider streetscape values as a result of vehicle dominance, loss of street trees or pedestrian safety.

Roading hierarchy

6.2.5.35 Support and maintain the roading hierarchy, as identified on District Plan Map 33.

METHOD

- Rules

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

Larger scale retail developments may be required to include an assessment of effects at the site access points, on the adjoining streets, and the associated intersections with the arterial or principal road network.

Accessibility for people with restricted mobility

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

METHODS

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

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

Council aims to protect and enhance existing access and seeks to improve access opportunities when they arise. Council acknowledges that urban design plays a key role in ensuring that the City is accessible to people with mobility restrictions. Working with interest groups, Council will also undertake strategic actions to promote equity and safety in access, such as awareness improvements initiatives. It will also promote accessibility for people with mobility restrictions through the national standard in access design criteria under NZS 4121:2001(or subsequent amendments). This standard can be used as a code of practice for compliance with sections of the Building Code that relate to accessibility in public buildings.

In addition, Council will also advocate for improved provision for older people and those with mobility restrictions in the refurbishment of those existing buildings

which do not provide equitable access in terms of current Building Code requirements.

Council also recognises that it is important that equitable provisions for older people and those with mobility restrictions are made in the design and construction of parking.

Ensuring that the City's public spaces are accessible to all persons within the community will enhance the quality of the environment and promote equity in the enjoyment of amenity values.

Pedestrian network and accessibility

6.2.5.57 Maintain and enhance existing pedestrian accessways and thoroughfares, and where opportunities arise, create new thoroughfares and enhance pedestrian accessibility **including in the following locations:**

- **Between Johnsonville Road and Moorefield Road, through the site known as 'The Triangle', and providing public access between the town centre and the Johnsonville railway station.**

METHODS

- Rules
- Design Guides
- Johnsonville – Masterplan
- Adelaide Road Framework

Connectivity, including short cuts and through block links within a Centre assists greatly with its function and ease of use. High quality access within Centres can enhance the urban environment and help with public amenity and safety. Site layout of developments, including parking areas, will be assessed for access options. Developments that do not provide a sufficient degree of access have the potential to detract from an area and should be avoided.

Maintaining existing connections and improving connectivity via new links through larger blocks within a Centre is important to enhance the ability for walkable access to key facilities and to and from a Centre. Improved access can reduce dependence on vehicles, improve safety, and assist with improving legibility and overall amenity. Council will look to achieve new links where appropriate through negotiation as part of a resource consent process.

The Johnsonville Town Centre Plan has identified the need for a new mid-block link through the large block known as 'The Triangle', which forms the core of the town centre. This would provide a public access between the mainstreet (Johnsonville Road) and the railway station and Moorefield Road, where there are a number of important community facilities, including the swimming pool and community centre. Whilst there is currently informal access through this block, any substantial redevelopment could block this, and force pedestrians to walk around the entire block to access facilities.

Servicing and site access

6.2.5.68 Require the provision of appropriate servicing and site access for activities in Centres.

METHODS

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

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

It should be noted, given the small scale nature of activities and associated servicing needs of neighbourhood centres, there are no on-site servicing and site access requirements. However, in Sub-Regional, Town and District Centres, servicing and site access provisions aim to assist efficient, convenient and safe vehicular access of these larger Centres. However, demands of particular developments may justify variations from these standards.

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

- *whether the activities undertaken or proposed on the site will generate a demand for the required servicing facilities or require compliance with the site access provisions;*
- *the extent to which topography, size or shape of the site, the location of any natural or built features on the site, or other requirements such as easements, rights-of-way or restrictive covenants impose constraints that make compliance impracticable;*
- *whether suitable alternative provision for servicing or site access can be made;*
- *the extent to which the standards for servicing or site access can be varied without endangering public safety, or detract from the amenities of any shopping street.*

The environmental results will be improved access to streets within Centres.

OBJECTIVE – SIGNS

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

POLICIES

To achieve this objective, Council will:

6.2.6.1 Manage the design of signs (and their associated structures and fixings) to enhance the quality of signage within Centres.

METHOD

- Design Guides (Centres Design Guide, Design Guide for Signs)

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

The environmental result will be high quality signage that contributes to the amenity of Centres and nearby Residential Areas.

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

- **maintain and enhance the visual amenity of the host building or site; and**
- **reduce visual clutter and viewer confusion; and**
- **ensure public safety.**

6.2.6.3 Ensure signs in Centres do not adversely affect the architectural integrity of the building on which the sign is located.

METHODS

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

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

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

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

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

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

- *whether the sign is in scale and compatible with the visual amenity of the area in which it is situated;*
- *whether an additional sign will result in visual clutter;*
- *whether the size, number, placement, illumination or movement of the sign/s or sign display will compromise traffic or pedestrian safety;*
- *whether the sign detracts from the architectural integrity of the building on which the sign is located;*

- whether in respect of freestanding signs they form part of a landscape plan for an area or are designed to screen unsightly sites, activities or buildings;
- whether signs are of a scale appropriate to the position of the site in relation to the road hierarchy;
- whether the sign is obtrusively visible from any Residential Area or public space;
- whether the sign is appropriate for site identification and traffic directional purposes.

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

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

METHODS

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

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

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

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

In addition to assessment matters identified in the above policies, for applications not complying with sign standards in the District Plan, consideration will be given to whether the sign display detracts from the cityscape or building neighbourhood above ground floor level.

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

6.2.6.5 Control the number and size of signs within Heritage Areas.

METHODS

- Rules

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

Within Heritage Areas in Centres, Council will work to ensure that the existing built form and urban character of these areas does not become overwhelmed or diminished by an over-proliferation of signage. In doing so the Council acknowledges that these areas are part of an active urban environment and that signage retains an important role in allowing people to navigate around areas and to locate businesses, services and products.

The sign provisions have therefore been refined to limit permitted signage to signage that indicates the name of the owner or occupier of a site, and the products and services that are available on site.

Third party (billboard) signage is often larger and more visually dominant than signage associated with a specific activity. Third party signage has therefore been restricted to ensure that it does not detract from the historic heritage values and special character of these areas.

The environmental result will be signage that does not detract from the existing heritage values, character and amenity of identified Heritage Areas and other areas of special character within Centres.

6.2.6.6 Ensure that signs in Centres do not adversely affect the amenity of nearby Residential Areas.

METHODS

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

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

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

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

OBJECTIVE – SUBDIVISION

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

POLICIES

To achieve this objective, Council will:

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

METHODS

- Rules (Code of Practice for Land Development)
- Design Guides (Subdivision Design Guide, Centres Design Guide)
- Other mechanisms (WCC Bylaws)

Council wishes to ensure that all new subdivisions are developed to high standards, and has imposed controls to encourage their sound design, development and servicing. Council seeks to ensure that new sites in Centres are suitable for their intended use and that appropriate site arrangements 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.

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

Matters to consider in assessing all applications for subdivision include:

- *the requirements of Section 106 of the Act;*
- *the extent of compliance with the relevant parts of the Subdivision Design Guide, City Bylaws and Council's Code of Practice for Land Development;*
- *the Centres Design Guide;*
- *whether proposed allotments are capable of accommodating development that complies with the standards in the District Plan for activities and for buildings and structures.*

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

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

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

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

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

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

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

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

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

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

Additional matters to consider in assessing applications for subdivision proposals in Johnsonville, the Mt Cook Centre or Churton Park include:

- *whether the proposed subdivision is consistent with any masterplan and guiding principles for the area, and whether the subdivision will facilitate the development of the area in a manner consistent with the provisions of the masterplan as described in Appendix 2;*
- *the need to ensure permanent site access and continued provision for on site loading and unloading facilities possible future servicing and integration of development needs.*

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

OBJECTIVE – NATURAL AND TECHNOLOGICAL HAZARDS

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

POLICIES

To achieve this objective, Council will:

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

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

METHOD

- Rules

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

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

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

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

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

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

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

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

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

METHODS

- Rules

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

- Advocacy

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

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

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

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

METHODS

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

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

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

6.2.8.5 Ensure that buildings and structures do not exacerbate natural hazards, particularly flood events.

METHOD

- Rules

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

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

waters and increase the risk of flooding to other properties. ~~in the respective catchments. Buildings and structures located within 10 metres of the Porirua Stream, and with a floor level below the 1 in 100 year flood event in this situation have therefore been made a Discretionary Activity (Unrestricted) to ensure that the effects of such development are fully considered.~~

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

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

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

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

OBJECTIVE – HAZARDOUS SUBSTANCES

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

POLICIES

To achieve this objective, Council will:

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

METHODS

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

Council is concerned that the community and environment should not be exposed to unnecessary risk from hazardous substances. The District Plan aims to control use of land in order to prevent or mitigate any potential adverse effects of hazardous

substances by considering the appropriateness of the site location and other site requirements to minimise the risk of accidental release. Although these are only two facets of hazardous substances management, others are outside the scope of the District Plan.

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

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

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

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

6.2.9.2 Reduce the potential adverse effects of transporting hazardous substances.

METHODS

- Rules (conditions on resource consents)
- Other mechanisms (advocacy and bylaws) [and NZ land transport legislation (including Land Transport Act 1993, Land Transport Rule: Dangerous Goods 1999 and New Zealand Standard 5433:1999) or subsequent amendments]^{PC35}
- WasteTRACK database tracing system

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

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

The environmental result will be safer communities.

6.2.9.3 Control the use of land for end point disposal of waste to ensure the environmentally safe disposal of solid and hazardous waste.

METHODS

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

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

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

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

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

METHOD

- Rules

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

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

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

- *site layout, design and management to avoid, remedy or mitigate any adverse effects of the activity.*
- *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.**
- *necessity for secondary containment of bulk storage vessels;*
- *location of and separation distance between the hazardous facility and residential activities;*
- *location of and separation distance between the hazardous facility and critical facilities and lifelines;*
- *location of the facility in relation to the nearest waterbody or the coastal marine area;*
- *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;*
- *transport of hazardous substances to and from the site, including the tracking of waste where it is disposed off-site;*
- *existing and proposed (if any currently under consideration by Council) neighbouring uses;*
- *potential cumulative hazards presented in conjunction with nearby facilities;*

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

Note, section 3.2.2.9 sets out the information required for a Site Management Plan (or Environmental Management System) to include as part of any resource consent application relating to hazardous substances.

Note, Council will require the design of the site to include measures which will prevent the accidental releases of any hazardous substances into the environment.

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

OBJECTIVE – TANGATA WHENUA

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

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

POLICIES

To achieve this objective, Council will:

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

METHODS

- Rules
- Information

Particular features of the natural and cultural landscape hold significance to tangata whenua and other Maori. The identification of specific sites (such as wahi tapu/sacred sites and wahi tupuna/ancestral sites) and precincts will ensure that this

significance is respected. For this reason, sites of significance and precincts are listed and mapped within the Plan.

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

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

METHOD

- Rules

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

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

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

METHOD

- Rules (condition on resource consent, consultation)

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

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

Proposed Plan Change 73

Annotated provisions of Chapter 7 – Centre rules and standards to Operative District Plan showing proposed changes

Key to the following annotated text

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

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

Chapter 7. Centres 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 that comply with standards in 7.6.1	7.1.1	●			
Activities relating to the upgrade and maintenance of roads and accessways	7.1.2	●			
Activities provided for in the Churton Park District Centre Concept Plan subject to standards in 7.6.1 and 7.6.5	7.1.3	●			
Any activity listed in Section 3.5.2.2 (hazardous substances)	7.2.1		●		
Activities with more than 70 parking spaces	7.3.1			●	
Critical facilities in a Hazard Area	7.3.2			●	
Creation Demolition of buildings to create vacant land, open land or parking areas visible from public spaces or on primary or secondary street frontages	7.3.3			●	
Integrated retail developments in Centres with a gross floor area exceeding 20,000 m ²	7.3.4			●	
Permitted, Controlled or Discretionary (Restricted) Activities that do not meet standards in 7.6.1	7.3.5			●	
Helicopter landing areas	7.4.1				●
Activities in the Churton Park District Centre that do not comply with the standards in 7.6.5	7.4.2				●
Buildings	Rule	P	C	DR	DU
Construction of, alteration of, or addition to buildings and structures subject to standards in 7.6.2	7.1.4	●			
Total or partial demolition or removal of buildings and structures except heritage items and where the result is vacant land, open land or parking areas visible from public spaces or on primary or secondary street frontages	7.1.5	●			
Construction, alteration of, and addition to buildings, including accessory buildings, and structures within the Tawa Hazard (Flooding) Area	7.2.2		●		
Construction, alteration of, and addition to buildings, including accessory buildings, and structures within the Tawa Hazard (Flooding) Area	7.3.9			●	
Construction, alteration of, and addition to buildings, including accessory buildings, and structures within the Tawa Hazard (Flooding) Area	7.4.4				●
Construction, alteration of and addition to buildings and structures that are not Permitted or Controlled Activities	7.3.6			●	
Construction, alteration of, or addition to buildings and structures that would be Permitted, Controlled or Discretionary (Restricted) Activities that do not meet standards in 7.6.2	7.3.7			●	
Construction, alteration and addition to buildings and structures exceeding 30m ² gross floor area in the Hazard (Fault Line) Area	7.3.8			●	
Construction of buildings or structures involving the provision of which provide more than 70 parking spaces	7.3.10			●	
Demolition or removal of pre-1930s buildings in the Thorndon Character Area	7.3.11			●	●

Pedestrian bridges, buildings and structures over roads	7.4.3				●
Construction, alteration of, and addition to buildings, including accessory buildings, less than 10 metres from Porirua Stream within the Tawa Hazard (Flooding) Area	7.4.4				●
Signs	Rule	P	C	DR	DU
Signs complying with the standards in 7.6.3	7.1.6	●			
Signs that do not meet standards in 7.6.3	7.3.1 4 ₂			●	
Subdivision	Rule	P	C	DR	DU
Subdivision except for company lease, cross lease and unit title subdivision, subject to standards in 7.6.4	7.1.7	●			
Company lease, cross lease and unit title subdivision	7.2.2		●		
Subdivision within the Churton Park District Centre Concept Plan area	7.3.1 2 ₃			●	
Subdivision not being Permitted or Controlled Activities	7.3.1 3 ₄			●	
Heritage	Rule	P	C	DR	DU
Activities affecting heritage items	21.0	●	●		●
Buildings affecting heritage items	21.0			●	
Utilities	Rule	P	C	DR	DU
Utilities	23.0	●	●	●	●

Schedule of Appendices

Number	Appendix
1	Masterplans: (a) Churton Park District Centre – Concept Plan (b) Johnsonville Height Zones (c) Adelaide Road Height Zones
2	Wind
3	Indicative list of activities under Schedule 3 of the Health Act 1956

7. CENTRES RULES

7.1 Permitted Activities

Section 7.1 describes which activities, buildings, structures, signs and subdivisions are permitted in Centres, provided they comply with the relevant standards outlined in section 7.6.

ACTIVITIES

7.1.1 Any activity is a Permitted Activity, provided that it complies with the standards specified in section 7.6.1 (activities), except:

- activities in the Churton Park District Centre (see Rule 7.1.3)
- the use, storage or handling of those hazardous substances, listed in section 3.5.2.2 (see Rule 7.2.1)
- any activity that provides more than 70 parking spaces (see Rule 7.3.1)
- any critical facility within a Hazard Area (excluding port activities located within the Operational Port Area which are permitted) (see Rule 7.3.2)
- ~~the creation of~~ **demolition of buildings to create** vacant land, open land or parking areas (at ground level) **on sites** that are visible from public spaces or **that have a located on** primary or secondary street frontages as identified on maps 43 to 49aA (see Rule 7.3.3)
- integrated retail developments with a **cumulative** total gross floor area greater than 20,000m² (see Rule 7.3.4)
- any activity that would be Permitted, Controlled or Discretionary (Restricted) Activities but that does not meet one or more of the standards specified in section 7.6.1 (activities) (see Rule 7.3.65)
- ~~the creation of vacant land, open land or parking areas (at ground level) that are visible from public spaces or located on primary or secondary street frontages as identified on maps 43 to 49~~ (see Rule 7.3.3)
- helicopter landing areas (see Rule 7.4.1)
- those activities listed under the Third Schedule to the Health Act 1956 (see Rule 7.5)
- cleanfills (see Rule 7.5)

Note, that the activities listed in section 3.5.2.1 do not require a HFSP assessment and are consequently exempt from the hazardous substances provisions of the Plan.

Integrated retail development is defined in Section 3.10.

Note, Appendix 3 lists the types of activities contained in the Third Schedule of the Health Act 1956

- landfills (see Rule 7.5)
- quarrying (see Rule 7.5)

7.1.2 Any activity relating to the upgrade and maintenance of existing formed roads and public accessways including associated earthworks, except the construction of new legal roads, is a Permitted Activity. ^[PC70]

7.1.3 Activities provided for in the Churton Park District Centre Concept Plan, as shown in Appendix 1, subject to compliance with the standards specified in sections 7.6.1 and 7.6.5 are a Permitted Activity.

Any activity that does not comply with the standards in section 7.6.1 or 7.6.5 is a Discretionary Activity (Unrestricted) under Rule 7.4.2.

BUILDINGS AND STRUCTURES

7.1.4 The construction or alteration of, or addition to buildings and structures listed below are Permitted Activities provided they comply with the standards specified in section 7.6.2 (buildings and structures):

7.1.4.1 Any alterations or additions that:

- do not alter the external appearance of the building or structure; or
- relate to building elevations below verandah level (except in Thorndon Character Area); or
- are not visible from public spaces.

For work on listed heritage buildings and within Heritage Areas see Chapters 20 and 21.

7.1.4.2 The construction of any building or structure, on sites with frontages other than primary or secondary street frontages, with a gross floor area of less than 100m² and resulting in a total coverage (together with other buildings) of no more than 20 percent of the site.

For primary and secondary street frontages, refer to Planning Maps 43 to 49, and 49a 47-49E.

7.1.5 The total or partial demolition or removal of buildings and structures are Permitted Activities except those listed below:

- when the result is the creation of vacant land, open land or parking areas (at ground level) that are visible from public spaces or that have a located on primary or secondary street frontages (see Rule 7.3.3).

- the total or partial demolition, or removal of any building constructed prior to 1930 in the Thorndon Character Area (see Rule 7.3.11).

SIGNS

- 7.1.6** Signs are a Permitted Activity provided that they comply with the standards specified in section 7.6.3 (signs).

SUBDIVISION

- 7.1.7** Subdivision is a Permitted Activity provided that it complies with the standards specified in section 7.6.4 (subdivision), except:
- company lease, cross lease and unit title subdivision, which is a Controlled Activity (see Rule 7.2.3)
 - subdivision within the Churton Park District Centre Concept Plan area which is a Discretionary Activity (Restricted) (see Rule 7.3.13).

Subdivision proposals must comply with the City Bylaws. Refer to Section 3.9 of the Plan about requirements to meet Council's Code of Practice for Land Development, service connections to public infrastructure, and vesting infrastructure in the Council.

7.2 Controlled Activities

Section 7.2 describes which activities are Controlled Activities in Centres. Resource consent will be required but consent cannot be refused. Conditions may be imposed relating to the matters specified in Rules 7.2.1 – 7.2.2. 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.

ACTIVITIES

7.2.1 Any activity listed in Section 3.5.2.2, involving the use, storage or handling of hazardous substances, is a Controlled Activity in respect of:

7.2.1.1 use, storage or handling of hazardous substances

Note, that the activities listed in section 3.5.2.1 do not require a HFSP assessment and are consequently exempt from the hazardous substances provisions of the Plan.

Non-notification/ service

~~In respect of Rule 7.2.1 applications do not need to be publicly notified and do not need to be served on affected persons.~~

~~In respect of Rule 7.2.1 applications will not be publicly notified (unless special circumstances exist) or limited notified.~~

Relevant policies for preparing resource consent applications

See policies 6.2.9.1 - 6.2.9.5

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

~~BUILDINGS AND STRUCTURES~~

~~**7.2.2 In the Tawa Hazard (Flooding) Area, the construction, alteration of, and addition to, buildings, including accessory buildings, and structures which are more than 10 metres from the Porirua Stream and have a flood level above the 1 in 100 year flood event within the Tawa Hazard (Flooding) Area are Controlled Activities in respect of:**~~

~~**7.2.2.1 building floor levels and building floor area**~~

~~**7.2.2.2 building and structure location within the site**~~

~~**7.2.2.3 the displacement of flood waters from the site.**~~

If the activity does not comply with standards for activities in 7.6.1, Rule 7.3.7 applies in addition to this Rule.

~~**For the purposes of clarification, this Rule does not apply to network utility infrastructure, as they are provided for in ‘Section 23. Utility Rules’ of the District Plan.**~~

~~*Non-notification/ service*~~

~~In respect of Rule 7.2.2 applications do not need to be publicly notified and do not need to be served on affected persons.~~

Relevant policies for preparing resource consent applications

~~See policies 6.2.8.1, 6.2.8.3, 6.2.8.4 and 6.2.8.5~~

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

SUBDIVISION

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

7.2.32.1 stormwater, sewerage and water supply

7.2.32.2 the 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

provided that all activities, buildings and structures and signs (existing and proposed) comply with the standards specified in section 7.6 relating to vehicle parking, loading, servicing and site access; buildings and structures; and signs. In terms of Standard 7.6.4.1.4, applications must either meet the vehicle access and parking standards, or demonstrate an ability to meet these standards.

The requirement to meet these standards may be waived if resource consent has been sought and granted for those aspects that do not comply, or the buildings has existing use rights under section 10 of the Resource Management Act.

Non-notification/ service

In respect of Rule 7.2.2 applications do not need to be publicly notified and do not need to be served on affected persons.

Relevant policies for preparing resource consent applications

See policy 6.2.7.1

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

7.3 Discretionary Activities (Restricted)

Section 7.3 describes which activities are Discretionary Activities (Restricted) in Centres. Consent may be refused or granted subject to conditions. Grounds for refusal and conditions will be restricted to the matters specified in Rules 7.3.1 – 7.3.14. 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.

Any activity under Rules 7.3.1 – 7.3.4 that does not meet one or more of the standards specified in section 7.6.1 (activities) is also subject to Rule 7.3.5.

Any building or structure under Rules 7.3.6, 7.3.8, 7.3.9, 7.3.10 or 7.3.11 that does not comply with the standards specified in section 7.6.2 (buildings and structures) is also subject to Rule 7.3.7.

ACTIVITIES

- 7.3.1 Any activity that provides more than 70 parking spaces is a Discretionary (Restricted) Activity in respect of:**
- 7.3.1.1 the movement of vehicular traffic to and from the site.**
 - 7.3.1.2 the impact on the roading network and the hierarchy of roads (see Map 33) from trip patterns, travel demand or vehicle use.**
 - 7.3.1.3 the provision and location of facilities for multiple modes of transport.**

If the activity does not comply with standards for activities in section 7.6.1, Rule 7.3.5 applies in addition to this Rule.

Note, any activity that triggers Rule 7.3.1 will require a Transport Assessment to accompany any application for resource consent, as required by section 3.2.2.4 of the District Plan.

Non-notification/ service

~~In respect of Rule 7.3.1 applications do not need to be publicly notified and do not need to be served on affected persons.~~

In respect of Rule 7.3.1 applications will not be publicly notified (unless special circumstances exist) or limited notified, except that the New Zealand Transport Agency may be considered to be an affected party to any application that involves a site that fronts a State highway.

Relevant policies for preparing resource consent applications

See policies 6.2.5.1 – 6.2.5.68

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

7.3.2 Any critical facility within any Hazard Area is a Discretionary Activity (Restricted) in respect of:

7.3.2.1 the location of the facility.

If the activity does not comply with standards specified in section 7.6.1, Rule 7.3.5 applies in addition to this Rule.

Non-notification/ service

~~In respect of Rule 7.3.2 applications do not need to be publicly notified and do not need to be served on affected persons.~~

In respect of Rule 7.3.2 applications will not be publicly notified (unless special circumstances exist) or limited notified.

Relevant policies for preparing resource consent applications

See policies 6.2.8.1 – 6.2.8.5

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

7.3.3 ~~The creation of~~ demolition of buildings to create vacant land, open land or parking areas (at ground level) on sites that are visible from public spaces, or that have a located ~~on~~ primary or secondary street frontages as identified on maps 43 to 49 and 49aA, is a Discretionary Activity (Restricted) in respect of:

7.3.3.1 the effect on the vitality of the Centre.

7.3.3.2 the effect on the visual quality of the streetscape.

Non-notification/ service

~~In respect of Rule 7.3.3 applications do not need to be publicly notified and do not need to be served on affected persons.~~

In respect of Rule 7.3.3 applications will not be publicly notified (unless special circumstances exist) or limited notified.

Relevant policies for preparing resource consent applications

See policies 6.2.3.1 – 6.2.3.13

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

7.3.4 Integrated retail developments (including additions and alterations to existing developments) that will result in a cumulative total gross floor area exceeding 20,000m² are a Discretionary Activity (Restricted) in respect of:

7.3.4.1 the cumulative effect of the development on the viability

If the activity does not comply with standards for activities specified in section 7.6.1, Rule 7.3.5 applies in

and vitality of the Golden Mile.

addition to this Rule.

- 7.3.4.2 the consequential effect on the range of services available to visitors and any resulting loss of economic activity to Wellington.
- 7.3.4.3 the cumulative effect of the development on the sustainability of the transport network.
- 7.3.4.4 the cumulative effect on the roading network and the hierarchy of roads (see Map 33) from trip patterns, travel demand or vehicle use.

Relevant policies for preparing resource consent applications

See policies 6.2.1.1 – 6.2.1.5, 6.2.2.1, 6.2.2.2, 6.2.5.1 – 6.2.5.6

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

- 7.3.5 **Activities which would be Permitted, Controlled or Discretionary (Restricted) Activities but that do not meet one or more of the standards specified in section 7.6.1 (activities), are Discretionary Activities (Restricted). Discretion is restricted to the effects generated by the standard(s) not met:**
 - 7.3.5.1 noise (standard 7.6.1.1)
 - 7.3.5.2 noise (fixed plant) (standard 7.6.1.2)
 - 7.3.5.3 electronic sound system noise (standard 7.6.1.3)
 - 7.3.5.4 temporary activity noise (standard 7.6.1.4)
 - ~~7.3.5.5 construction noise (standard 7.6.1.5)~~
 - ~~7.3.5.6 port noise (standard 7.6.1.6)~~
 - ~~7.3.5.7 vehicle parking, servicing and site access (standard 7.6.1.7)~~
 - ~~7.3.5.5~~
 - ~~7.3.5.8~~
 - ~~7.3.5.6~~
 - ~~7.3.5.9~~
 - ~~7.3.5.7~~ use, storage, or handling of hazardous substances (standard 7.6.1.9)
 - ~~7.3.5.10~~
 - ~~7.3.5.8~~ screening of activities and storage (standard 7.6.1.10)
 - ~~7.3.5.11~~
 - ~~7.3.5.9~~ dust (standard 7.6.1.11)
 - ~~7.3.5.12~~ electromagnetic radiation (standard 7.6.1.12)

7.3.5.10**7.3.5.13** ~~discharge of contaminants (standard 7.6.1.13)~~**subject to compliance with the following conditions:**

7.3.5.14 ~~noise emission levels under standards 7.6.1.1 and~~
7.3.5.11 ~~7.6.2.1.2 shall not be exceeded by more than 5~~
~~decibels (if appropriate within the scope of the~~
~~standards). This condition does not apply to~~
~~temporary activity noise.~~

7.3.5.15 ~~maximum lighting levels under standard 7.6.1.4~~
7.3.5.12 ~~7.6.1.6 must not be exceeded by more than 20~~
~~percent.~~

7.3.5.16 ~~for hazardous substances, the cumulative Effect~~
7.3.5.13 ~~Ratio as assessed under the Hazardous Facilities~~
~~Screening Procedure for the site where the activity is~~
~~to occur is greater than or equal to 0.1 or does not~~
~~meet the standard 7.6.1.9 unless the site is located in~~
~~a Hazard Area.~~

7.3.5.17 ~~for hazardous substances, where the hazardous~~
7.3.5.14 ~~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 standard 7.6.1.9.~~

Non-notification/ service

~~In respect of Rule 7.3.5 applications do not need to be publicly notified~~
~~and do not need to be served on affected persons in respect of:~~

~~In respect of the following items applications will not be publicly~~
~~notified (unless special circumstances exist) or limited notified, except~~
~~that the New Zealand Transport Agency may be considered to be an~~
~~affected party to any application that involves a site that fronts a State~~
~~highway:~~

- ~~7.3.4.7~~ **7.3.5.5** (vehicle parking, servicing and site access), and
- ~~7.3.4.10~~ ~~7.3.5.9~~ (screening of activities and storage), and
- ~~7.3.4.11~~ ~~7.3.5.9~~ (dust), and
- ~~7.3.4.12~~ ~~7.3.5.10~~ (electromagnetic radiation)

Relevant policies for preparing resource consent applications

See policies 6.2.2.3 – 6.2.3.8, ~~6.2.5.2~~, 6.2.5.3, ~~6.2.5.4~~, 6.2.5.6, 6.2.9.1 –
 6.2.9.5

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

BUILDINGS AND STRUCTURES

- 7.3.6 The construction, alteration of, or addition to buildings and structures that are not a Permitted or Controlled Activity are Discretionary Activities (Restricted) in respect of:**
- 7.3.6.1 design, external appearance and siting of buildings and structures**
 - 7.3.6.2 site layout**
 - 7.3.6.3 site access, pedestrian and vehicular access**
 - 7.3.6.4 site landscaping**
 - 7.3.6.5 the provision of amenity for any residential activities located on-site**
 - 7.3.6.6 the placement of building mass (in Johnsonville and Kilbirnie and Mt Cook Town Centre only)**
 - 7.3.6.7 structure and design of public space (in the Churton Park District Centre only)**
 - 7.3.6.8 location and layout of parking and servicing, and servicing hours (in the Churton Park District Centre only)**
 - 7.3.6.9 density of residential development (in the Churton Park District Centre only)**
 - 7.3.6.10 stormwater management (in the Churton Park District Centre only)**
 - 7.3.6.11 effects of the building work on the context and setting of Government House and Grounds, including effects on views to and from Government House (on the eastern side of Adelaide Road in the Mt Cook Centre only).**

Building work covered by Rule 7.3.56 will be assessed against the provisions of the Centres Design Guide.

Note, section 3.2.4 requires a Design Statement to accompany any application for resource consent that is to be assessed against a Design Guide.

If the proposal does not comply with standards for buildings and structures in 7.6.2, Rule 7.3.7 applies in addition to this Rule.

Note, existing buildings on a site contribute to the total building mass of any new development.

Except this rule does not apply to the following:

- the total or partial demolition, or removal of any building constructed prior to 1930 in the Thorndon Character Area (see Rule 7.3.11)
- buildings and structures, including pedestrian bridges, located above the street that exceed 25 percent of the width of the street at any point (see Rule 7.4.3)
- the construction, alteration of, and addition to, buildings, including accessory buildings within the Tawa Hazard (Flooding) Area and which are not Discretionary Activities (Restricted) (see Rule 7.4.4)

Non-notification/ service

In respect of Rule 7.3.6 applications do not need to be publicly notified and do not need to be served on affected persons in respect of:

- 7.3.6.4 (site landscaping)
- 7.3.6.6 (the placement of building mass)

In respect of Rule 7.3.6 applications will not be publicly notified (unless special circumstances exist) or limited notified.

Relevant policies for preparing resource consent applications

See policies 6.2.3.1 – 6.2.3.13, 6.2.5.1~~4~~, ~~6.2.5.2~~, 6.2.5.4~~6~~ – 6.2.5.6~~8~~, 6.2.4.1, 6.2.8.5

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

7.3.7 The construction or alteration of, or addition to buildings and structures which would be a Permitted, Controlled or Discretionary (Restricted) Activity but that do not meet one or more of the standards outlined specified in section 7.6.2 (buildings and structures), are Discretionary Activities (Restricted). Unless otherwise noted below, discretion is limited to the effects generated by the standard(s) not met:

7.3.7.1 height (standard 7.6.2.1), discretion is limited to the effect of the additional building height on:

- design, external appearance and siting
- the amenity of adjoining properties
- sunlight access to streets, public space, or residential buildings in Residential Areas
- the character of the surrounding streetscape, including the form and scale of neighbouring buildings
- the wind environment at ground level

7.3.7.2 minimum building height (standard 7.6.2.2)

7.3.7.3 height control adjoining Residential Areas (standard 7.6.2.3)

7.3.7.2 7.3.7.4 building mass (in Johnsonville and Kilbirnie, and Mt Cook Town Centre) (standard 7.6.2.24)

7.3.7.3 7.3.7.5 yards (standard 7.6.2.35)

7.3.7.4 7.3.7.6 windows (standard 7.6.2.46)

7.3.7.5 verandahs (standard 7.6.2.5)

7.3.7.6 7.3.7.7 primary and secondary street frontages and display windows (standard 7.6.2.67)

7.3.7.7 7.3.7.8 fixed plant noise (standard 7.6.2.78)

7.3.7.8 7.3.7.9 noise insulation and ventilation (standard 7.6.2.89)

7.3.7.9 noise insulation – port noise affected area (standard

Building work covered by Rule 7.3.57 will be assessed against the provisions of the Centres Design Guide and the Design Guidelines for Wind.

Note, section 3.2.4 requires a Design Statement to accompany any application for resource consent that is to be assessed against a Design Guide.

Note, any activity in Johnsonville, Kilbirnie, or the Mt Cook Centres triggering Rule 7.3.7 will require a full Wind Assessment by a suitably qualified wind expert to accompany any application for resource consent, as required by section 3.2.2.14 of the District Plan. For all other town centres, a shorter wind assessment in letter form will be acceptable.

7.6.2.9)**subject to compliance with the following conditions:**

- 7.3.7.10** *in Zone 1 of the Johnsonville Sub-Regional Centre and the Mt Cook Town Centre, the maximum building height assessed under standard 7.6.2.1.1 must not be exceeded by more than 50 percent. In Zone 2 of the Johnsonville Sub-Regional Centre and the Mt Cook Town Centre, maximum building height must not be exceeded by more than 33 percent.*
- 7.3.7.11** *in the Kilbirnie Sub-Regional Centre and the Town and District Centres (except for Mt Cook Town Centre and Churton Park District Centre), the maximum building height assessed under standard 7.6.2.1.1 must not be exceeded by more than 50 percent. In the Churton Park District Centre maximum building height must not be exceeded by more than 33 percent.*
- 7.3.7.12** *in the Neighbourhood Centres, apart from 68-82 Aro Street within the Aro Valley Neighbourhood Centre, the maximum building height assessed under standard 7.6.2.1.1 must not be exceeded by more than 33 percent.*
- 7.3.7.13** *in relation to height control adjoining Residential Areas, the angle of inclination for recession plane access must not exceed the standard referred to in 7.6.3.1.6 by more than 10 degrees, and the maximum height must not be exceeded by more than 20 percent the building recession planes must not be exceeded by more than 3 metres measured vertically.*

Note, on the sites at 68-82 Aro Street within the Aro Valley Neighbourhood Centre there is no discretion to exceed the maximum permitted building height.

Non-notification/ service

In respect of Rule 7.3.7 applications do not need to be publicly notified and do not need to be served on affected persons in respect of:

In respect of the following items applications will not be publicly notified (unless special circumstances exist) or limited notified:

- 7.3.7.3 7.3.5.5 (yards)
- 7.3.7.5 (verandahs)
- 7.3.7.7 (primary and secondary street frontages and display windows)
- 7.3.7.8 7.3.7.9 (noise insulation and ventilation)

Relevant policies for preparing resource consent applications

See policies 6.2.2.4 – 6.2.2.6, 6.2.3.1 – 6.2.3.13, 6.2.4.1, and 6.2.4.2

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

7.3.8 The construction, alteration of, or addition to buildings and structures exceeding a gross floor area of 30m² within a Hazard (Fault Line) Area is a Discretionary Activity (Restricted) in respect of:

7.3.8.1 the location and type of buildings or structures

If the proposal does not comply with the standards for buildings and structures in 7.6.2, Rule 7.3.7 applies in addition to this Rule.

Building work covered by Rule 7.3.5 will be assessed against the provisions of the Centres Design Guide. Applications require a Design Statement as required by section 3.2.4.

Non-notification/ service

In respect of Rule 7.3.8 applications do not need to be publicly notified and do not need to be served on affected persons.

In respect of Rule 7.3.8 applications will not be publicly notified (unless special circumstances exist) or limited notified.

Relevant policies for preparing resource consent applications

See policies 6.2.8.1 – 6.2.8.2

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

7.3.9 In the Tawa Hazard (Flooding) Area, the construction of, alteration of, and addition to buildings, including accessory buildings and structures, which are more than 10 metres from the Porirua Stream and its tributaries and which have a floor area above the 1 in 100 year flood event are Discretionary Activities (Restricted) in respect of:

7.3.9.1 building and structure floor levels and building floor area.

7.3.9.2 building and structure location within the site.

7.3.9.3 the displacement of flood waters from the site.

7.3.9.4 effects of the proposal on the erosion and flood hazard risks and stream maintenance access.

If the proposal does not comply with the standards for buildings and structures in 7.6.2, Rule 7.3.7 applies in addition to this Rule.

For the purposes of clarification, this Rule does not apply to network utility infrastructure, as they are provided for in 'Section Chapter 23. Utility Rules' of the District Plan.

Non-notification/ service

In respect of Rule 7.3.9 applications do not need to be publicly notified and do not need to be served on affected persons.

In respect of Rule 7.3.9 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.

Relevant policies for preparing resource consent applications

See policies 6.2.5.1 – 6.2.5.6

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

- 7.3.10 The construction of buildings or structures involving the provision of which provide more than 70 parking spaces is a Discretionary (Restricted) Activity in respect of:**
- 7.3.10.1 the movement of vehicular traffic to and from the site.**
- 7.3.10.2 the impact on the roading network and the hierarchy of roads (see Map 33) from trip patterns, travel demand or vehicle use.**
- 7.3.10.3 the provision and location of facilities for multiple modes of transport.**

If the activity does not comply with standards for buildings and structures in 7.6.2, Rule 7.3.7 applies in addition to this Rule.

Note, any activity that triggers Rule 7.3.10 will require a Transport Assessment to accompany any application for resource consent, as required by section 3.2.2.4 of the District Plan.

Non-notification/ service

In respect of Rule 7.3.10 applications do not need to be publicly notified and do not need to be served on affected persons.

In respect of Rule 7.3.10 applications will not be publicly notified (unless special circumstances exist) or limited notified, except that the New Zealand Transport Agency may be considered to be an affected party to any application that involves a site that fronts a State highway.

Relevant policies for preparing resource consent applications

See policies 6.2.5.1 – 6.2.5.6

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

- 7.3.11 The total or partial demolition, or removal of any building constructed prior to 1930 in the Thorndon Character Area is a Discretionary Activity (Restricted) in respect of:**
- 7.3.11.1 the contribution made by the existing building to the streetscape and character of the neighbourhood.**
- 7.3.11.2 the physical condition of the existing building.**

Note: The total or partial demolition, or removal of any building listed as a heritage building, or within heritage areas is covered in Chapters 20 and 21.

7.3.11.3 the heritage and/or architectural significance of the building.

7.3.11.4 whether the building can be relocated on the site or to another site in the Thorndon Character Area and the impact that the relocation would have on the heritage significance of the building.

7.3.11.5 the extent to which any redevelopment will comply with the Thorndon Character Area Design Guidelines.

Relevant policies for preparing resource consent applications

See policy 6.2.3.1

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

SIGNS

7.3.12 Signs that do not meet one or more of the standards specified in section 7.6.3.1, are a Discretionary Activity (Restricted), with discretion restricted to the standard not met.

An encroachment licence must be obtained from Council to locate any sign on or in the airspace over Council land, even where the sign is affixed to a building on private property. Similarly, landowner approval should be obtained to erect a sign on or in the airspace over private land.

Non-notification/ service

In respect of Rule 7.3.12 applications do not need to be publicly notified and do not need to be served on affected persons.

In respect of Rule 7.3.12 applications will not be publicly notified (unless special circumstances exist) or limited notified, except that the New Zealand Transport Agency may be considered to be an affected party to any application that involves a site that fronts a State highway.

Relevant policies for preparing resource consent applications

See policies 6.2.6.1 – 6.2.6.6

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

SUBDIVISION

7.3.13 Any type of subdivision of land or buildings anywhere within the Churton Park District Centre Concept Plan area is a Discretionary Activity (Restricted) in respect of:

7.3.13.1 subdivision design and layout and the provision for future land uses anticipated by the Churton Park District Centre Concept Plan (see Appendix 1A).

7.3.13.2 allotment size and location.

7.3.13.3 site access.

7.3.13.4 pedestrian access.

7.3.13.5 stormwater management and effects on water bodies.

7.3.13.6 the matters in standards 7.6.4.1.

provided that all activities, buildings and structures and signs (existing and proposed) comply with the standards specified in section 7.6 relating to vehicle parking, loading, servicing and site access; buildings and structures; ~~and signs; and Churton Park District Centre standards.~~

The requirement to meet these standards may be waived if resource consent has been sought and granted for those aspects that do not comply, or the building(s) have existing use rights under section 10 of the Resource Management Act. ^[PC60]

Any subdivision not able to meet the meeting the concept plan requirements of Rule 7.3.13 will default to a non-complying activity.

Non-notification

~~In respect of Rule 7.3.13 and matters of discretion 7.3.13.1 to 7.3.13.6, applications that meet the standards and terms do not need to be publicly notified and do not need to be served on affected persons.~~

In respect of Rule 7.3.13 applications will not be publicly notified (unless special circumstances exist) or limited notified.

Relevant policies for preparing resource consent applications

See policies 6.2.7.1, 6.2.5.4 – 6.2.5.6, 6.2.8.4 – 6.2.8.5

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

7.3.14 Any subdivision not being a Permitted or Controlled Activity, except for subdivision within the Churton Park District Centre Concept Plan area, is a Discretionary Activity (Restricted) in respect of:

7.3.14.1 roading, access, site servicing and parking

7.3.14.2 landscaping

Subdivisions that trigger Rule 7.3.13~~4~~ will be assessed against the provisions of the Subdivision Design Guide.

7.3.14.3 earthworks***Non-notification***

~~In respect of Rule 7.3.14, applications that meet the standards and terms do not need to be publicly notified and do not need to be served on affected persons.~~

In respect of Rule 7.3.14 applications will not be publicly notified (unless special circumstances exist) or limited notified.

Relevant policies for preparing resource consent applications

See policies 6.2.3.2, 6.2.5.2, 6.2.5.4 – 6.2.5.6 and 6.2.7.1

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

7.4 Discretionary Activities (Unrestricted)

Section 7.4 describes which activities are Discretionary Activities (Unrestricted) in Centres. 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 Acts

ACTIVITIES

7.4.1 Helicopter landing areas are a Discretionary Activity (Unrestricted).

Relevant policies for preparing resource consent applications

See policies 6.2.2.4 – 6.2.2.6

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

7.4.2 Any activities in the Churton Park District Centre that do not comply with the standards in 7.6.1 and 7.6.5 are a Discretionary Activity (Unrestricted).

Relevant policies for preparing resource consent applications

See policies 6.2.1.1, 6.2.1.2, 6.2.1.4, 6.2.1.5, 6.2.2.1 – 6.2.2.8, 6.2.3.1 – 6.2.3.9, 6.2.3.13, 6.2.4.1 – 6.2.4.2, 6.2.5.1 – 6.2.5.24, 6.2.5.46 – 6.2.5.68

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

BUILDINGS AND STRUCTURES

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

Relevant policies for preparing resource consent applications

See policies 6.2.3.1 and 6.2.3.5

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

7.4.4 In the Tawa Hazard (Flooding) Area, the construction of, alteration of, and addition to, buildings, including accessory buildings, or structures, which are not Permitted Activities or Discretionary Activities (Restricted) are Discretionary Activities (Unrestricted).

For the purposes of clarification, this Rule does not apply to network utility infrastructure, as they are provided for in 'Section Chapter 23. Utility Rules' of the District Plan.

Relevant policies for preparing resource consent applications

See policies 6.2.8.1, 6.2.8.3 – 6.2.8.5

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

7.5 Non-Complying Activities

Activities that contravene a Rule in the Plan, and which have not been provided for as Permitted, Controlled, 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.

7.6 Centres Standards

<p>7.6.1 ACTIVITIES STANDARDS</p> <p>7.6.1.1 Noise</p> <p>7.6.1.2 Fixed Plant Noise</p> <p>7.6.1.3 Electronic Sound System Noise</p> <p>7.6.1.4 Temporary Activity Noise</p> <p>7.6.1.5 Construction Noise</p> <p>7.6.1.6 Port Noise</p> <p>7.6.1.75 Vehicle Parking, Servicing and Site Access</p> <p>7.6.1.86 Lighting</p> <p>7.6.1.97 Use, Storage or Handling of Hazardous Substances</p> <p>7.6.1.108 Screening of Activities and Storage</p> <p>7.6.1.119 Dust</p> <p>7.6.1.1210 Electromagnetic Radiation</p> <p>7.6.1.1311 Discharge of Contaminants</p>	<p>These standards apply to all activities in all Centres</p>
<p>7.6.2 BUILDINGS AND STRUCTURES STANDARDS</p> <p>7.6.2.1 Maximum building height</p> <p>7.6.2.2 Minimum building height</p> <p>7.6.2.3 Height Control adjoining Residential Areas</p> <p>7.6.2.4 Building mass</p> <p>7.6.2.5 Yards</p> <p>7.6.2.6 Windows adjacent to Residential Areas</p> <p>7.6.2.7 Primary and Secondary Street Frontages and display windows</p> <p>7.6.2.8 Fixed Plant Noise</p> <p>7.6.2.9 Noise Insulation and Ventilation</p>	<p>These standards apply to the construction of buildings and structures in all Centres</p>
<p>7.6.3 SIGNS STANDARDS</p> <p>7.6.3.1 Signs</p>	<p>These standards apply to the erection of signs in all Centres</p>
<p>7.6.4 SUBDIVISION STANDARDS</p> <p>7.6.4.1 Subdivisions</p>	<p>These standards apply to subdivisions in all Centres</p>
<p>7.6.5 CHURTON PARK DISTRICT CENTRE STANDARDS</p> <p>7.6.5.1 General requirements standards</p>	<p>These standards apply to all development in the Churton Park District Centre</p>

7.6.1 ACTIVITIES STANDARDS

These standards apply to all activities in all Centres

7.6.1.1 Noise

Noise (emitted and received within Centres)

- 7.6.1.1.1 Noise emission levels from activities in Centres 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 in Centres shall not exceed the following limits:
- Note, the term Noise Emission Level is defined in Section 3.10.*
- | | | |
|--------------|-------------------------|--|
| At all times | 60dB L_{Aeq} (15 min) | <i>This rule applies to those sources that can be readily controlled by the noise performance standards. Other day-to-day activities which may cause a noise nuisance can be controlled using the excessive noise provisions of the Act as well.</i> |
| At all times | 85dB L_{AFmax} | |
- 7.6.1.1.2 Where it is impractical to measure outside the building, measurements shall be made inside (with windows closed). Where indoor measurements are made, then the noise limits stated above shall be reduced by 15dB.
- 7.6.1.1.3 In relation to standard 7.6.2.89.1 where activities have been noise insulated 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 insulation had not been undertaken.
- 7.6.1.1.4 The noise limits set in standard 7.6.1.1.1 do not apply to noise from port related activities located in the Operational Port Area. ~~Noise from the Operational Port Area must comply with the Port Noise rules set out in standard 7.6.1.6.~~
- Note, all activities have a duty to avoid unreasonable noise under section 16 of the Resource Management Act regardless of the standards set in this Plan. At all times Council retains its power under the Act to ensure that the general duty under sections 16 and 17 to avoid unreasonable noise and avoid, remedy or mitigate any adverse effects of activities on the environment is met, and section 326 may be used to control excessive noise. The best practicable option shall be adopted to ensure that the emission of noise does not exceed a reasonable level.*
- #### Noise (emitted within Centres received in other Areas)
- 7.6.1.1.5 Noise emission levels from activities in Centres when measured at or within the boundary of any site in Residential and Rural Areas shall not exceed the following limits:
- #### Inner Residential Area / Areas of Change
- | | | |
|------------------|-------------|-------------------------|
| Monday to Sunday | 7am to 10pm | 50dB L_{Aeq} (15 min) |
| Monday to Sunday | 10pm to 7am | 40dB L_{Aeq} (15 min) |
| Monday to Sunday | 10pm to 7am | 70dB L_{AFmax} |
- #### Outer Residential Area
- | | | |
|------------------|-------------|-------------------------|
| Monday to Sunday | 7am to 7pm | 50dB L_{Aeq} (15 min) |
| Monday to Sunday | 7pm to 10pm | 45dB L_{Aeq} (15 min) |
| Monday to Sunday | 10pm to 7am | 40dB L_{Aeq} (15 min) |
| Monday to Sunday | 10pm to 7am | 65dB L_{AFmax} |
- #### Rural Areas
- | | |
|--------------|-------------------------|
| At all times | 55dB L_{Aeq} (15 min) |
|--------------|-------------------------|
- and

on any conceptual boundary of a residential building in the Rural Area:

Monday to Sunday	7am to 8pm	45dB L_{Aeq} (15 min)
Monday to Sunday	8pm to 7am	35dB L_{Aeq} (15 min)
Monday to Sunday	8pm to 7am	60dB L_{AFmax}

7.6.1.2 Fixed Plant Noise

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

At all times	55dB L_{Aeq} (15 min)
Monday to Sunday 10pm to 7am	80dB L_{AFmax}

7.6.1.2.2 The noise limits set in standard 7.6.1.2.1 do not apply to fixed plant located in the Operational Port Area. ~~Noise from the Operational Port Area must comply with the Port Noise rules set out in standard 7.6.1.6.~~

7.6.1.2.3 Noise emission levels from fixed plant in Centres must comply with standard 7.6.1.1.5.

7.6.1.2.4 The noise limits set in standard 7.6.1.2.1 and 7.6.1.2.3 shall not apply to fixed plant that is used solely for emergency purposes. Examples of such equipment are standby generator sets that are used to supply electricity only at times of electrical supply failure, or for plant used only during life threatening situations such as smoke fans or sprinkler pumps. This fixed plant is exempt from the noise limits provided that it:

- (i) only operates for maintenance between 8am and 5pm weekdays, and
- (ii) can comply with standard 7.6.1.1.1 and 7.6.1.1.5, or
- (iii) is an electricity generator set that can only be used on an emergency basis and is not used to generate power for the national grid.

7.6.1.3 Electronic Sound Systems Noise

7.6.1.3.1 ~~The Noise Emission Levels~~ in Centres in any public space (including streets and parks) generated by electronic sound systems shall not exceed ~~75dBA L10~~ 75dB L_{Aeq} when measured over any 2 minute period. In any event the measurements shall be made no closer than 0.6 metres from any part of a loudspeaker and at a height no greater than 1.8 metres (representative of the head of a passer-by).

7.6.1.3.2 The measured level(s) under 7.6.1.3.1 shall be compared directly with the applicable noise limit without any adjustments for special audible characteristics. However, the measured level shall be adjusted for any significant background sound in the area.

Aspects of these measurement and assessment criteria for electronic sound systems are different from and take precedent over the corresponding criteria that are set out in the Definitions Section of this Plan for 'Noise Emission Level'

7.6.1.4 Temporary Activity Noise

7.6.1.4.1 Temporary activities in Centres are not subject to the noise standards stated in standards 7.6.1.1.1, 7.6.1.1.5, and 7.6.1.3.1 and 7.6.1.6. This exemption applies between the hours of:

- 9am to 9pm each day (Sunday to Thursday)
- 9am to 10pm (Friday and Saturday).

On New Years Eve temporary activities are not subject to the noise standards stated in standards 7.6.1.1.1, 7.6.1.1.5, and 7.6.1.3.1 and 7.6.1.6. between the hours of 9pm on 31st December to 1am the following day.

7.6.1.5 Construction Noise

7.6.1.5.1 For noise from construction, maintenance and demolition activities, including those associated with urgent repair of utilities to maintain continuity of service, on any site or on any road shall comply with, and be measured and assessed using the recommendations of NZS6803:1999 Acoustics – Construction Noise (or its successor). At the discretion of the Council the requirements of this standard need not apply to construction work which cannot be carried out during normal working hours. In these cases an application for an exemption may be granted in approved circumstances.

7.6.1.5.2 For emergency construction work, nothing in the noise rules shall be used to prevent emergency work from taking place. Such work would arise from the need to protect life or limb or minimise or prevent loss or serious damage to property or minimise or prevent environmental damage.

7.6.1.6 Port Noise

7.6.1.6.1 At any point on land at, or beyond the Port Noise Control Line shown on the Plan Map 55, noise from port related activities shall not exceed the following levels:

Time Period	Sound Level
Any 5 consecutive 24 hour periods	65dBA L _{dn}
Any 24 hour period	68dBA L _{dn}
10pm – 7am (all days)	60dBA L _{eq} (9 hr)
	65dBA L _{eq} (15 min)
	85dBA L _{max}

Measurements shall be made in accordance with the requirements of NZS 6801:1991 *Measurement of Sound* (or its successor) and NZS 6809:1999 *Port Noise Management and Land Use Planning* (or its successor).

7.6.1.6.2 The port company shall undertake a noise monitoring programme to ensure that noise from port related activities comply with condition 7.6.1.6.1 at the Port Noise Control Line. This monitoring will be undertaken in accordance with the CentrePort Noise Management Plan and the information shall be reported to Wellington City Council.

7.6.1.6.3 The port company shall produce and at all times operate in accordance with a Port Noise Management Plan, which shall include but is not limited to the matters set out below. The Port Noise Management Plan shall be developed to the satisfaction of Wellington City Council and Greater Wellington Regional Council.^{PC49}

The Port Noise Management Plan shall:

- (i) State the objectives of the Management Plan.

- (ii) Identify all significant noise sources from port related activities within the Operational Port Area and the adjacent Coastal Marine Area.
- (iii) Identify the best practical options to ensure the emission of noise does not exceed the noise levels specified in 7.6.1.6.1.
- (iv) Identify techniques that will be considered to reduce the emission of noise over time and indicate which of these techniques will be adopted to achieve realistic objectives in managing noise.
- (v) Explain how the port company will take noise effects into account in the design and location of new or extended port activities.
- (vi) Identify how the port company will work with independent companies to ensure that transport noise and noise from other activities within the port area will be kept to a minimum practical level.
- (vii) Identify procedures for noise reduction through the port company's staff and contractor training.
- (viii) Provide for the establishment and maintenance of a Port Noise Liaison Committee (the port company may provide for this function within the operation of its Environmental Consultative Committee).
- (ix) List the Port Noise Liaison Committee functions; and the procedures for the recommendations of the Committee to be considered and determined by the port company.
- (x) Detail procedures for receiving and deciding on complaints.
- (xi) Detail procedures for noise monitoring; auditing and reporting.
- (xii) Include procedures for the review and alteration of the Port Noise Management Plan.^{PC49}

7.6.1.5 Parking, Servicing and Site Access

Vehicle parking

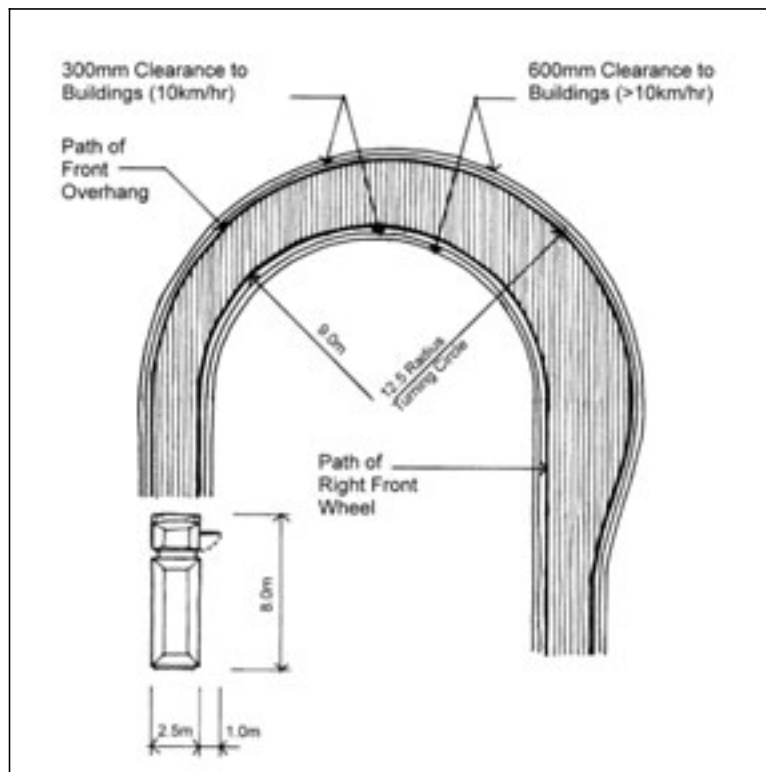
- 7.6.1.5.1** Activities in Centres are not required to provide on-site vehicle parking, but where parking is provided, it must not exceed a maximum of:
 - one space per 100m² gross floor area.
- 7.6.1.5.1** All parking shall be provided and maintained in accordance with sections 1, 2 and 5 of the joint Australian and New Zealand Standard 3428:90.1 - 2004, Parking Facilities, Part 1: Off-Street Car Parking.
- 7.6.1.5.2** Where carparking is located within a building, a minimum height clearance of no less than 2.2 metres is required.
- 7.6.1.5.3** The gradient for carparking circulation routes shall not be more than 1 in 8.
- 7.6.1.5.4** Open vehicle parking areas or parking at ground level within a building must not be situated at ground level at the front of sites where standard 7.6.2.67 (Primary and Secondary Street Frontages) applies.

Note, developments providing more than 70 parking spaces are provided for as Discretionary Activities (Restricted) whereby a Transport Assessment will be required.

Servicing

- 7.6.1.5.5** On each site in Centres (excluding Neighbourhood Centres, as listed in Policy 6.2.1.1), at least one loading area shall be provided as follows:
 - where loading areas are located within a building, a minimum height clearance of 4.25 metres is required;
 - for buildings serviced by lifts, all levels shall have access to a loading area by way of a lift; except where lifts only service parking levels;

- the loading area shall be located no further than 15 metres from a lift and there shall be level access between them;
- turning paths shall be based on the standard for a medium rigid truck as illustrated below:



- 7.6.1.5.6** For loading areas located outdoors, the minimum width shall be 3 metres and the minimum length 9 metres.
- 7.6.1.5.7** For loading areas located within a building, the minimum width shall be 4 metres and the minimum length 9 metres.
- 7.6.1.5.8** New servicing and loading areas at ground level within a building must not be situated at ground level at the front of sites to which standard 7.6.2.67 (Primary and Secondary Street Frontages) applies.

Site access for vehicles

- 7.6.1.5.9** Site access shall be provided and maintained in accordance with section 3 of the joint Australian and New Zealand Standard 342890.1 – 2004, Parking Facilities, Part 1: Off-Street Car Parking.
- 7.6.1.5.10** No new vehicle access is permitted at the front of sites to which standard 7.6.2.6 (Primary and Secondary Street Frontages) applies to a site across a primary frontage, as identified on Planning Maps 43 to 49A.
- 7.6.1.5.11** Subject to standard 7.6.1.57.1011, no vehicular access, shall be situated closer to an intersection than the following:
- | | |
|--------------------------------|-----|
| Arterial and principal streets | 20m |
| Collector streets | 15m |
| Other streets | 10m |
- 7.6.1.5.12** Subject to Standard 7.6.1.57.1011, there shall be a maximum of one vehicle access to any site except for sites that have more than one frontage. In such cases, a site may have one access across each frontage, unless one of the frontages is to a State highway, in which

case no access shall be to the State highway.

~~7.6.1.7.14 No access shall be provided to a primary frontage on a site that also has a frontage to a secondary street frontage.~~

~~7.6.1.5.13~~ The width of any vehicle crossing to a site shall not exceed 6 metres.

~~7.6.1.5.14~~ Where vehicular access can be provided from a service lane or right-of-way registered in favour of the site or other private road or private right-of-way, no vehicle access shall be from a street.

~~7.6.1.5.15~~ All access to sites must be designed to permit a free flow of traffic so that vehicles do not queue on the street.

7.6.1.6 Lighting

~~7.6.1.6.1~~ Any activity which requires outdoor areas to be lit shall ensure that direct or indirect illumination does not exceed 10 lux at the windows of residential buildings in any Residential Area.

~~7.6.1.6.2~~ Subject to standard 7.6.1.6.1 any development which includes roads and outdoor public spaces available for use during hours of darkness shall be designed and installed in accordance with AS/NZS 1158.3.1 : 2005 and amendments.

7.6.1.7 Use, Storage or Handling of Hazardous Substances

~~7.6.1.7.1~~ 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	$0.002 < ER^{PC35} \leq 0.05$	$0.002 < ER^{PC35} \leq 0.1$	≤ 0.002
Conditions applying	7.6.2.3.2 to 7.6.2.3.12	7.6.2.3.2 to 7.6.2.3.12	7.6.2.3.9, 7.6.2.3.11 and 7.6.2.3.12 only

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

~~7.6.1.7.2~~ 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.

~~7.6.1.7.3~~ 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.]PC35

~~7.6.1.7.4~~ 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.] PC35

7.6.1.7.5 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.

7.6.1.7.6 All stormwater grates, collection structures and inspection chamber covers on the site shall be clearly marked as such.

7.6.1.7.7 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.

7.6.1.7.8 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] PC35 the Code of Practice for the “Design, Installation and Operation of Underground Petroleum Storage Systems” (1992) is a minimum [requirement.] PC35

Signage

7.6.1.7.9 [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).] PC35

Waste Management

7.6.1.7.10 Any process waste or waste containing hazardous substances shall be stored in a manner which complies with 7.6.1.7.2 to 7.6.1.7.9 above.

7.6.1.7.11 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.] PC35

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.

Other

7.6.1.7.12 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*^{PC35}

7.6.1.8 Screening of Activities and Storage

7.6.1.8.1 Sites with yards which abut a Residential or Open Space Area must be screened from view by a solid fence of no less than 1.8 metres high that conceals the outdoor storage and activities.

7.6.1.8.2 Any exterior storage area, including waste storage area, must be screened so that it is not visible from any adjoining Residential Area or public space.

7.6.1.9 Dust

7.6.1.9.1 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.

7.6.1.9.2 With regard to the above provisions, where sites are contiguous and are held under the same ownership then any dust nuisance shall be measured at the periphery of the land holding within the District Plan area.

7.6.1.10 Electromagnetic Radiation

7.6.1.10.1 Activities must be conducted to comply with the New Zealand Standard NZS 277.1:1999 (Radio Frequency fields) and any subsequent amendment.

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.

7.6.1.11 Discharge of Contaminants

Note, 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.

7.6.2 BUILDINGS AND STRUCTURES STANDARDS

These standards apply to the construction of buildings and structures in all Centres.

7.6.2.1 Maximum building height

7.6.2.1.1 No building or structure shall exceed the building height as listed in Table 1 below:

Table 1:

Centre	Height (standard 7.6.2.1.1)	Planning Map No.
Sub-Regional Centres		
Johnsonville		
• Zone 1	12m	23
• Zone 2	18m	23
Kilbirnie	12m	6
Town Centres		
Karori	12m	11
Miramar	12m	7
Newtown	12m	6
Tawa	12m	30
Mt Cook (Adelaide Road)		
• Zone 1	12m	6/16
• Zone 2	18m	6/16
District Centres		
Brooklyn	12m	6
Churton Park	9m	26
Crofton Downs	12m	21
Island Bay	12m	4
Khandallah	12m	21
Newlands	12m	23/24
Neighbourhood Centres		
Aro Valley	9m	11/16
Berhampore	12m	6
Broadway, Strathmore	9m	7
Constable Street, Newtown	9m	6
Crofton Road, Ngaio	9m	21
Darlington Road, Miramar	9m	7
Hataitai	9m	6/12
Kelburn	9m	11
Kingston	9m	6
Linden	9m	31
Marsden Village	9m	11
Mersey Street, Island Bay	9m	4
Newlands Road	9m	23
Ngaio	9m	21
Northland	12m	11
Onepu Road, Lyall Bay	9m	6
Oxford Street, Tawa	9m	30
Rintoul Street, Berhampore	9m	6
Roseneath	9m	12

Seatoun	9m	7
Shorland Park shops, Island Bay	9m	4
Standen Street shops, Karori	9m	11
Strathmore	9m	7
Thorndon	9m	18
Tringham Street shops, Karori	9m	11
Wadestown	9m	15

7.6.2.2 Minimum building height

7.6.2.2.1 New buildings or structures or additions to **the frontages** of buildings and structures along any primary or secondary street frontages in Centres, as identified on Maps 43 to 49AA, shall have a minimum height of 7m. **This standard does not apply where Standard 7.6.2.3.1 applies.**

7.6.2.2.2 The ground floor to floor (stud) height of all new buildings along primary and secondary street frontages in Centres, as identified on Maps 43 to 49AA, shall be at least one-third higher than the upper storey(s) of the building.

7.6.2.3 Height control adjoining Residential Areas

7.6.2.3.1 Any building or structure must comply with the applicable building recession plane rule for the Residential Area at any point along a boundary adjoining the Residential Area. In addition, no building or structures in Centres shall be higher than 3 metres within 5 metres of a Residential Area boundary.

7.6.2.4 Building Mass in **Mt Cook Town Centre and Johnsonville Sub-Regional Centres and Mt Cook Town Centre only** (as listed in Appendix 1)

7.6.2.4.1 No building (or buildings) **within Zone 2 of the Johnsonville Sub-Regional Centre or Zone 2 of the Mt Cook Town Centre** shall have a mass in excess of the total building mass (volume) for the site. Total building mass (volume) is calculated using the following formula:

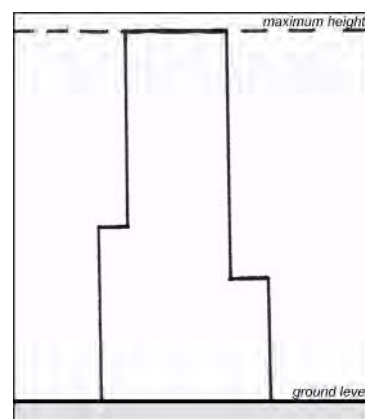
For illustrative purposes only

- A. In areas where building heights are measured above ground level:**

$$\text{Total mass} = \text{site area} \times \text{height} \times 0.75$$

- B. For freehold sites in strata (or portions of a site subdivided by strata):**

$$\text{Total mass} = \text{strata area} \times (\text{upper height} - \text{lower height}) \times 0.75$$

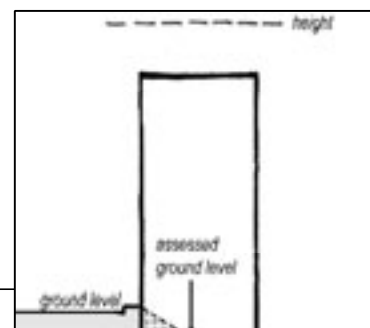


Scenario A

For the purpose of calculating total building mass (volume):

Assessed Ground Level - is as per the definition of assessed ground level in section 3.10.

Height - means the maximum height specified for the site in standards 7.6.2.1.1 – 7.6.2.1.3.



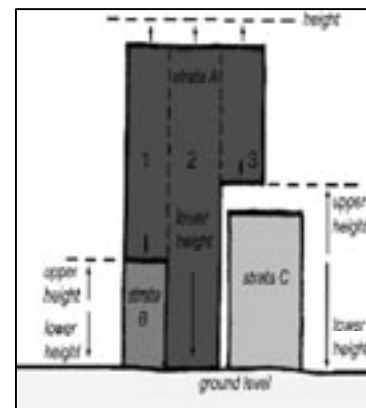
Lower Height - for strata lots the lower height will be taken to be whichever is the higher of either the assessed ground level, or the lower reduced level (r.l.) specified for the strata lot. In situations where the lower r.l. in a single strata lot varies across the site, the building mass must be calculated separately for each strata area.

Upper Height - for strata lots the upper height will be taken to be whichever is the lesser of either the upper reduced level of the strata area, or the maximum height specified for the site in standard 7.6.2.1.1, 7.6.2.2.1 or 7.6.2.2.2. ~~7.6.2.1.3.~~

Scenario B - 'Assessed ground level'

Site Area - means the total area of the site (or sites) that forms part of the development, but does not include any portion of the site subject to a strata title. See also the definition of site.

Strata Area - means any portion of a site that is subject to a strata height limit (upper, lower or both). In situations where the height limits in a single strata lot vary across the site, the building mass must be calculated for each unique combination of lower and/or upper height levels. Each mass calculation will then be combined to arrive at the total building mass for the strata lot. In the event that the r.l. is not flat (i.e. it is not parallel to mean sea level) a mean average height for the r.l. shall be used to calculate total mass for that strata area. The mean average height will be calculated as per the assessed ground level definition. (Note: this definition does not apply to individual Unit Titles in strata).



Scenario C - 'Strata titles.' Height limits for strata lots (upper height, lower height or height) shall be used with the strata area to determine the maximum building mass for each strata

Scenario C - 'Strata titles.' Height limits for strata lots (upper height, lower height or height) shall be used with the strata area to determine the maximum building mass for each strata lot

7.6.2.5 Yards

7.6.2.5.1 No structure or building shall be located closer than:

- 10 metres to the Porirua Stream ~~and its tributaries from the intersection of Main Road (Tawa) and Middleton Road and extending north;~~ provided that this standard does not apply to areas located within an identified Hazard (Flooding) Area, which are dealt with under Rules 7.3.9 and 7.4.4; or
- 5 metres to any other waterbody, excluding artificial ponds or channels.

7.6.2.5.2 No impervious surface associated with the use of the site shall extend closer than 5 metres to a waterbody or the coastal marine area, excluding artificial ponds or channels.

7.6.2.6 Windows adjacent to Residential Areas

7.6.2.6.1 All windows in walls of buildings above ground floor level located within 5 metres of and facing a Residential Area boundary shall have

privacy glazing to protect the privacy of adjoining residentially zoned properties.

7.6.2.6.2 Any deck, terrace or balcony with a finished floor, paving or turf level of 1.5 metres or more above ground level at the boundary shall be located no closer than 5 metres to an adjoining Residential Area boundary.

7.6.2.7 Primary and Secondary Street Frontages ~~and Display Windows~~

Verandahs

7.6.2.7.1 Verandahs must be constructed along any building ~~frontage~~ elevations ~~adjoining a street, pedestrian mall, pedestrian walkway, or other public space identified in primary frontage (as identified on District Plan Maps 43 to 49A, unless that building is a listed heritage building.~~

Alterations to a building that are within the scope of existing uses under the Act are not required to construct verandahs as required by 7.6.2.57.1

~~7.6.2.5.2 For frontages not identified on District Plan Maps 43–49A, verandahs may be constructed on any building frontage facing a public space within Centres provided that:~~

- ~~• the building is not a heritage building listed or area in Chapter 21, or~~
- ~~• the adjoining public space extends 12 metres or more perpendicular from the building frontage.~~

7.6.2.7.2 Any verandah must:

- provide a minimum clearance of 2.5 metres directly above the footpath or formed ground surface
- be no more than 4 metres (measured at the base of the verandah fascia) directly above the footpath or formed ground surface
- provide a minimum horizontal set back of 450mm from any point along the kerbing extending back to the site boundary
- extend no more than 3 metres in width from the front of the building

Standard 7.6.2.57.23 applies when verandahs are voluntarily provided. Standard 7.6.2.57.34 applies when verandahs are a mandatory requirement.

7.6.2.7.3 A verandah required by standard 7.6.2.57.1 must:

- extend for the full length of the building ~~elevation~~
- extend 3 metres outwards from the ~~front of the~~ building ~~elevation~~ (minus any requirement for a 450mm horizontal set back from the kerbing)
- provide continuous shelter with any adjoining verandah or pedestrian shelter

~~7.6.2.5.5 Secondary frontages in Neighbourhood Centres are not subject to the verandah standards stated in standards under 7.6.2.5.~~

Display Windows

7.6.2.7.4 Display windows must be constructed at ground floor level along all primary frontages identified on the District Plan Maps 43 to 49A, ~~except any heritage building listed in Chapter 21.~~

Alterations to a building that are within the scope of existing uses under the Act are not required to construct display windows as required by 7.6.2.67.14

7.6.2.7.5 Display windows on primary ~~and secondary street~~ frontages must be transparent and not be blocked off from view from the public street by the use of obscure roller shutter doors, obscure screens or similar structures. Transparent or semi-transparent security grilles are permitted.

7.6.2.7.6 At least 60% of ground floor elevations in building façades on primary street frontages are to be display space or transparent window or doors.

‘Active’ building edges

7.6.2.7.7 The entire ground floor of all buildings along primary and secondary street frontages within Sub-Regional, Town and District Centres shall be occupied by non-residential activities; in addition, for properties fronting Adelaide Road or John Street the entire first floor of all buildings must also be occupied by non-residential activities.

7.6.2.7.8 No continuous/blank ground floor wall shall be greater than 3 metres in width on primary street frontages.

7.6.2.7.9 New buildings built at the front of a site identified as having a primary street frontage (as identified on planning maps 43 to 49A), must be built up to the street edge along the primary frontage.

7.6.2.7.10 Any addition to, alteration or modification of a building or structure where the works are confined to the area below verandah level must not create a featureless façade more than 4 metres wide on any wall that faces a public space, and extends from a height of 1m above ground level up to a maximum height of 2.5m. A featureless façade will be considered to be one that lacks windows, doors, columns, recesses, stairs, niches or other architectural detailing.

This standard does not apply to new buildings/ structures, or to modifications extending above verandah level on existing buildings/ structures.

~~**7.6.2.6.7** No vehicle-oriented uses shall be located along primary frontages.~~

7.6.2.8 Fixed Plant Noise

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

At all times	55dB L_{Aeq} (15 min)
Monday to Sunday 10pm to 7am	80dB L_{AFmax}

Note, the term Noise Emission Level is defined in Section 3.10.

7.6.2.8.2 The noise limits set in standard 7.6.2.7.8.1 do not apply to fixed plant located in the Operational Port Area. Noise from the Operational Port Area must comply with the Port Noise rules set out in standard 7.6.1.6.

These standards apply to those sources that can be readily controlled by the noise performance standards. Other day to day activities which may cause a noise nuisance can be controlled using the excessive noise provisions of the Act as well.

7.6.2.8.3 Noise emission levels from fixed plant in Centres must comply with standard 7.6.1.1.5.

7.6.2.8.4 The noise limits set in standard 7.6.2.7.8.1 and 7.6.2.7.8.3 shall not apply to fixed plant that is used solely for emergency purposes. Examples of such equipment are standby generator sets that are used to supply electricity only at times of electrical supply failure, or for plant used only during life threatening situations such as smoke fans or sprinkler pumps. This fixed plant is exempt from the noise limits provided that it:

- (i) only operates for maintenance between 8am and 5pm weekdays, and
- (ii) can comply with standard 7.6.2.7.8.1 and 7.6.2.7.8.3, or
- (iii) is an electricity generator set that can only be used on an emergency basis and is not used to generate power for the national grid.

7.6.2.9 Noise Insulation and Ventilation

Noise Insulation

7.6.2.9.1 Except for port noise and airport noise zone, any habitable room in a building used by a noise sensitive activity within Centres shall be protected from noise arising from outside the building by ensuring the external sound insulation level achieves the following minimum performance standard:

- $D_{nT,w} + C_{tr} > 30$ dB

Note: In Centres, the definition for Noise Sensitive Activity includes residential activities.

Compliance with this performance standard shall be achieved by ensuring habitable rooms are designed and constructed in a manner that:

- accords with an acoustic design certificate signed by a suitably qualified acoustic engineer stating the design as proposed will achieve compliance with the above performance standard, **or**
- accords with the schedule of typical building construction set out below:

(the schedule describes the minimum requirements necessary to achieve an external sound insulation level of $D_{nT,w} + C_{tr} > 30$ dB)

Building Element	Minimum Construction Requirement	
External Walls of Habitable Rooms	Stud Walls: Exterior cladding:	20 mm timber or 9mm compressed fibre cement sheet over timber frame (100 mm x 50 mm). *
	Cavity infill: Interior lining:	Fibrous acoustic blanket (batts or similar of a minimum mass of 9 kg/m ³) required in cavity for all exterior walls. Minimum 90 mm wall cavity. One layer of 12 mm gypsum plasterboard. Where exterior walls have continuous cladding with a mass of greater than 25 kg/m ² (e.g. brick veneer or minimum 25 mm stucco plaster), internal wall linings need to be no thicker than 10 mm gypsum plasterboard.
	Combined superficial density:	Minimum not less than 25 kg/m ² being the combined mass of external and internal linings excluding structural elements (e.g. window frames or wall studs) with no less than 10 kg/m ² on each side of structural elements.
	Mass Walls:	190 mm concrete block, strapped and lined internally with 10 mm gypsum plaster board, or 150 mm concrete wall.
Glazed Areas of Habitable Rooms	Glazed areas up to 10% of floor area:	6 mm glazing single float
	Glazed areas between 10% and 35% of floor area:	6 mm laminated glazing
	Glazed areas greater than 35% of floor area:	Require a specialist acoustic report to show conformance with the insulation rule.
	Frames to be aluminium window frames with compression seals.	

Building Element	Minimum Construction Requirement	
Skillion Roof	Cladding:	0.5 mm profiled steel or 6 mm corrugated fibre cement, or membrane over 15mm thick ply, or concrete or clay tiles.
	Sarking:	17mm plywood (no gaps).
	Frame:	Minimum 100 mm gap with fibrous acoustic blanket (batts or similar of a mass of 9 kg/m ³).
	Ceiling:	Two layers of 10 mm gypsum plaster board (no through ceiling lighting penetrations unless correctly acoustically rated). Fibrous acoustic blanket (batts or similar of a minimum mass of 9 kg/m ³).
	Combined superficial density:	Combined mass of cladding and lining of not less than 25 kg/m ² with no less than 10 kg/m ² on each side of structural elements.
Pitched Roof (all roofs other than skillion roofs)	Cladding:	0.5 mm profiled steel or tiles, or membrane over 15mm thick ply.
	Frame:	Timber truss with 100 mm fibrous acoustic blanket. (batts or similar of a minimum mass of 9 kg/m ³) required for all ceilings.
	Ceiling:	12 mm gypsum plaster board.
	Combined superficial density:	Combined mass with cladding and lining of not less than 25 kg/m ² .
Floor areas open to outside	Cladding:	Under-floor areas of non-concrete slab type floors exposed to external sound will require a cladding layer lining the underside of floor joists of not less than 12 mm ply
	Combined superficial density:	Floors to attain a combined mass not less than 25 kg/m ² for the floor layer and any external cladding (excluding floor joists or bearers).
External Door to Habitable Rooms	Solid core door (min 25 kg/m ²) with compression seals (where the door is exposed to exterior noise).	

Notes:

- **The table refers to common specifications for timber size. Nominal specifications may in some cases be slightly less than the common specifications stated in the schedule for timber size.*
- *In determining the insulating performance of roof/ceiling arrangements, roof spaces are assumed to have no more than the casual ventilation typical of the jointing capping and guttering detail used in normal construction."*

Ventilation

7.6.2.9.2 Where habitable rooms with openable windows are proposed, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person.

7.6.3 SIGNS STANDARDS

These standards apply to the erection of all signs in Centres. All signs will be assessed against the Signs Design Guide.

7.6.3.1 Signs

Note signs located on a site with a listed heritage building are subject to the Heritage Rules in Chapter 21.

7.6.3.1.1 Any sign (excluding signs below verandah level) that is illuminated must not flash, or must not contain moving images, moving text or moving lights if that sign is:

- visible from a vehicle on the legal road within 100m of an intersection
- visible from and located within 50m of a Residential Area
- located on a building above ground floor level
- located on a site frontage (including on any building) that is adjoining or opposite (on the other side of the legal road) any Heritage Area (as shown in Chapter 21)

This standard does not apply to temporary signs provided for under standard 7.6.3.1.68.

7.6.3.1.2 Any sign located on a building:

- that is affixed to the underneath of a verandah must provide at least 2.5 metres clearance directly above the footpath or ground level
- must be displayed only on plain wall surfaces
- must not obscure windows or architectural features
- must not project above the parapet level, or the highest part of that part of the building to which the sign is attached. This part of the standard does not apply to temporary signs provided for under Standard 7.6.3.1.67
- must not project above the verandah level or the shopfront fascia. This part of the standard does not apply to temporary signs provided for under standard 7.6.3.1.67.
- must not be more than a maximum area of 5m²
- may project up to a maximum of 1 metre from the elevation of the building on which the sign is located

7.6.3.1.3 In addition to 7.6.3.1.2, no sign shall be for the purpose of third party advertising.

7.6.3.1.4 For ~~any one~~ free-standing sign or ~~any~~ sign located on a structure ~~(except Neighbourhood Centres):~~

- the maximum area is ~~5m²~~ 8m².
- the maximum height is 6m
- only one sign is permitted on any site frontage

Note: Neighbourhood Centres are listed in Policy 6.2.1.1 and in Table 1 under Standard 7.6.2.1.1.

~~7.6.3.1.5 For any free standing sign or any sign located on a structure in Neighbourhood Centres:~~

- ~~• the maximum area is 3m²~~
- ~~• the maximum height is 4m~~
- ~~• only one sign is permitted on any site frontage~~

7.6.3.1.5 For signs located in a Heritage Area, the information that may be displayed on the sign is limited to the building name, the name/logo of the business, owner or occupier of the building (or site) on which the sign is located, and/or the product or service available on site.

7.6.3.1.6 Any temporary sign that is established for the purpose of advertising a community event:

- must not be erected for more than 28 consecutive days before, and must be fully removed (including any associated structures) within 7 days of the completion of the event for which the sign was erected
- may exceed the standards in 7.6.3.1.3, 7.6.3.1.4 and 7.6.3.1.56. specifying the maximum area or maximum number of signs permitted, provided that all other sign standards are met
- may be an illuminated sign that flashes and contain moving text

Note, the term Temporary Sign is defined in Section 3.10

Any sign that complies with relevant sign standards in 7.6.3.1 is also permitted on a temporary basis.

For the purpose of this standard, a community event includes an event that promotes Wellington City or public activities within a local community, and that event is non-repetitive and temporary in nature. This standard excludes advertising for primarily commercial purposes.

7.6.4 SUBDIVISION STANDARDS

These standards apply to all subdivisions in Centres

7.6.4.1 Subdivision

7.6.4.1.1 Every building or structure adjoining a new boundary must comply fully with the standards for buildings and structures specified in 7.6.2 or otherwise be lawfully established.

Subdivision within a heritage area or on a site associated with a heritage item is controlled by the provisions of the Heritage Chapter (chapters 20 and 21).

7.6.4.1.2 Every allotment must have services in compliance with City Bylaws or if applicable the Council's Code of Practice for Land Development.

7.6.4.1.3 Every allotment must have practical, physical and legal access to a formed legal road ~~or by way of a registered right of way.~~

7.6.4.1.4 Every allotment must have drive-on vehicle access and parking constructed in accordance with standard 7.6.1.57.

7.6.4.1.5 All earthworks needed to complete the subdivision are undertaken.

7.6.4.1.6 No part of any allotment being subdivided may be within 20 metres of any river whose bed has an average width of 3 metres or more where the river flows through or adjoins an allotment.

7.6.4.1.7 No part of any allotment being subdivided may be within 20 metres of the line of mean high water springs. This rule shall not apply in the Operational Port Area, provided the land is utilised for operational port purposes.

7.6.4.1.8 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 item and is not specifically identified for preservation in the Plan as important to the setting of the item.

Archaeological sites associated with human activity that occurred before 1900 are protected under 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.

7.6.4.1.9 For any subdivision incorporating new roads, all services must be reticulated underground.

7.6.4.1.10 In respect of subdivision at Churton Park, all subdivision proposals must comply with the Churton Park Village Concept Plan and associated provisions.

See Appendix 1A in Chapter 7.

7.6.4.1.11 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 standard 7.6.4.1.1.
- 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 licensed cadastral or other suitably qualified person certifying their accuracy.

7.6.5 CHURTON PARK DISTRICT CENTRE STANDARDS

These standards apply to all development in the Churton Park District Centre Concept Plan (See Appendix 1)

7.6.5.1 General requirements

7.6.5.1.1 A **supermarket** shall be located toward the centre of the village and:

- shall be orientated toward (i.e. visually connect with) the commercial centre and open space area shown on the concept plan map; and
- shall fully activate any elevation(s) that front directly onto or face directly toward the open space area shown on the concept plan map; and
- shall activate a part of any elevation that directly abuts or faces onto any other ‘public space’ (as defined by the Plan), and shall articulate the remainder of any such elevation; and
- shall be serviced from the rear, southern, aspect; and
- may have a pedestrian link to or a pedestrian entrance on a street frontage. Any such portion of building on a street frontage shall provide verandah cover over the footpath.

7.6.5.1.2 The Commercial Centre may only contain **retail, community, commercial, healthcare** and related or similar activities, and **residential activities** above the ground floor.

7.6.5.1.3 Buildings comprising the Commercial Centre component of the village shall **occupy and engage the public street edge** along Westchester Drive and Lakewood Ave.

7.6.5.1.4 A **prominent landmark corner feature** using prominent building form supported by signage, landscaping or a combination thereof must be included on the street corner as shown on the map.

7.6.5.1.5 A dedicated **open space area**, free from vehicles and car parking, must be created adjacent to the commercial activities and be provided with visual and physical connections to the public street. The exact number and locations of these connections will ultimately depend on building design and layout. The open space area and connections shown on the map are indicative in terms of size and location. The open space area will not occupy all the area identified green on the map, but shall fit within that location.

7.6.5.1.6 **Medium density residential housing** shall flank the western boundary of the zone and front a portion of Lakewood Ave between the commercial activities and the southern boundary of zone.

7.6.5.1.7 Medium density residential housing shall be developed at a **density of 1 unit/300m²** of site area or greater (i.e. denser). Site area for the purpose of this requirement is the area of land to be legally associated with an individual or group of residential units. Proposals must therefore identify this land area if a subdivision has not already occurred to create it.

- 7.6.5.1.8 There shall be at least one main **vehicle access** providing for entry to and/or exit from the village on each street frontage, in addition to access points for residential activities. The concept plan map shows 2 vehicle accesses on Lakewood Ave but that is indicative only. A Traffic Engineers Assessment shall accompany each proposal involving provision of pedestrian access and vehicle access for any purpose. That report shall consider requirements 9 to 12 and 14, and include an assessment of effects on road safety, whether or not traffic calming measures are required on public roads, appropriateness of vehicle access location, type and volume of traffic use anticipated for each access and how pedestrian access will be facilitated to and from the centre (including crossing public roads). Each vehicle access shall be landscaped to assist the legibility of the village in finding the access points and also to assist pedestrians.
- 7.6.5.1.9 There shall be at least one dedicated **pedestrian access** provided through the commercial activities on each street frontage and throughout the car parking area. The pedestrian access points shown on the map are not precisely located and only indicate the need for the access.
- 7.6.5.1.10 **Car parking** shall be located behind the street front activities and must not directly front the public street.
- 7.6.5.1.11 **Car parking** for medium density residential housing shall be provided at a ratio of 1 car park / unit plus a minimum of 1 visitor car park per 4 units (this provision is the same as that for infill housing requirements in the outer residential area). If fractions result, additional parking is required where the fraction is 0.6 or higher.
- 7.6.5.1.12 All proposals incorporating any area of public space (as defined in the Plan) shall include a **landscaping** component. Specimen trees as part of that landscaping shall be included at the ratio identified in the guiding principles below.
- 7.6.5.1.13 **Public transport** must be facilitated by including cycle racks in a priority location near village entrances and integrated pedestrian links to bus stops. The cycle racks and pedestrian links shall be shown on plans accompanying development proposals.
- 7.6.5.1.14 All development and subdivision proposals must be designed to ensure a **secondary overland flow path** is available between Stebbings Dam and the southern most extent of the W4 designation area that is clear of buildings and structures and protected by easements at the time of subdivision or development; and that the **capacity of the culvert** from the W4 designation area (1 in 100 year flood detention) is not exceeded by introduced hard surfaces, including roofs and paving. Development and subdivision proposals must include information demonstrating how both these requirements are achieved, including identifying where the secondary overland flow path is to be located.
- 7.6.5.1.15 A **3m wide formed access** shall be provided to the W4 designation area in the vicinity of no. 61 Lakewood Ave. Easements shall be created over it at the time of subdivision in favour of both Greater Wellington Regional and Wellington City Council's.
- 7.6.5.1.16 **Subdivision** design and layout shall demonstrate that the above requirements can be met.

Proposed Plan Change 73 Annotated provisions of Volume 1 – Centres Chapter Appendices in the Operative District Plan showing proposed changes

Key to the following annotated text

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

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

Appendix 1. Masterplans

A) Churton Park District Centre – Concept Plan

1.0 Introduction

This Concept Plan is made up of a map, a set of standards and a set of guiding principles. Together these are intended to guide the development of a village centre. All resource consent applications made under Rules 7.3.6 (development in Churton Park District Centre Concept Plan area), 7.3.13 (subdivision), and 7.4.2 (development in Churton Park District Centre Concept Plan area that does not comply with standards in 7.6.5) must be assessed against all three parts of the Concept Plan. Any development or subdivision that departs from the **standards** of the Concept Plan, as stated in Rule 7.6.5, will be considered as a **Discretionary Activity (Unrestricted) Non-Complying Activity**. Any application for a resource consent will need to demonstrate, in the accompanying Assessment of Effects, how proposals meet the **guiding principles**, attached as Appendix 4 to the Centres Design Guide.

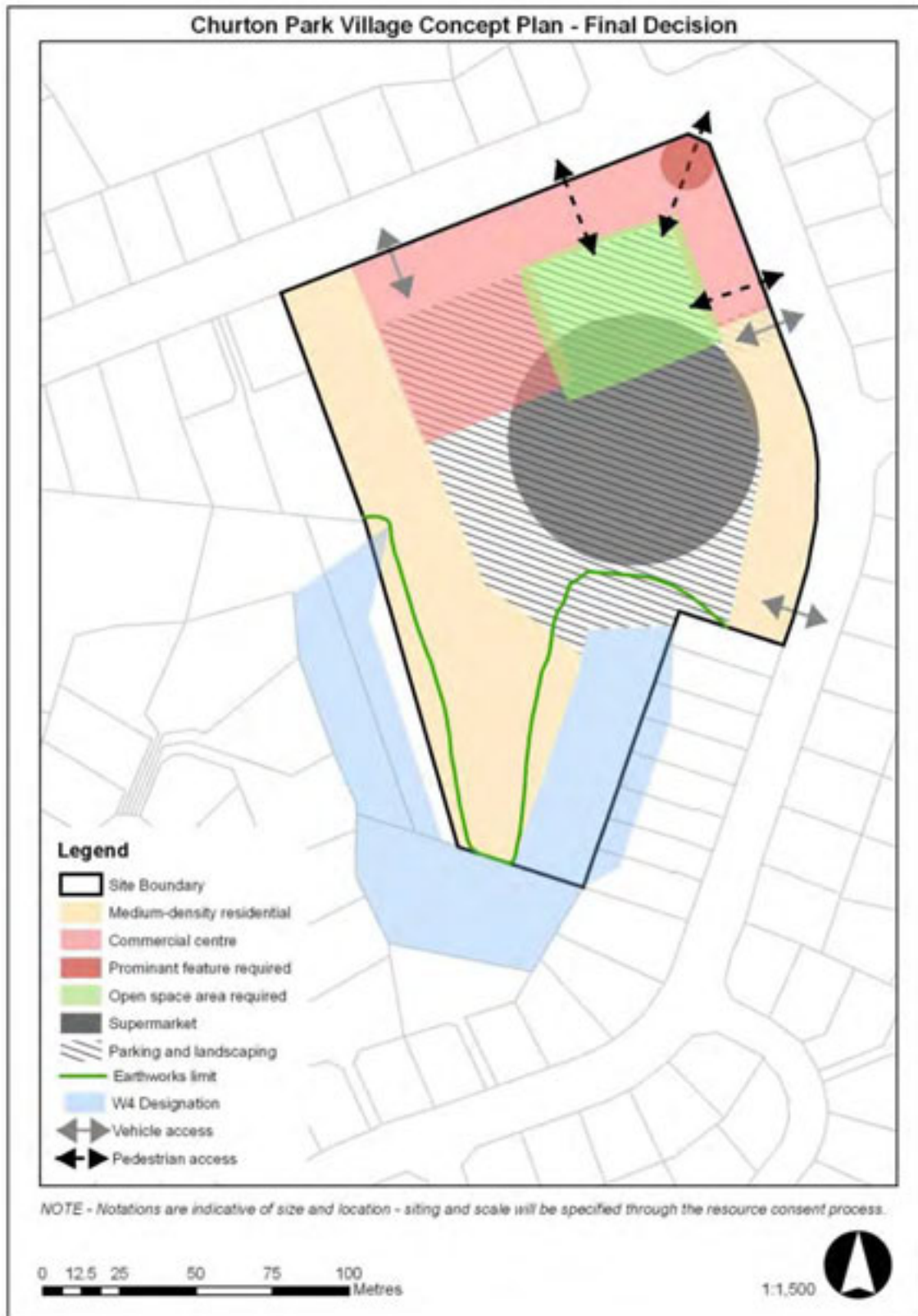
The map illustrates a flexible framework for development, indicating the general location within the village where activities should be located. The accompanying text reinforces the map with standards and the guiding principles are there to reinforce urban design principles that are to be achieved but do not fix the actual design for village or the individual buildings.

2.0 Vision Statement

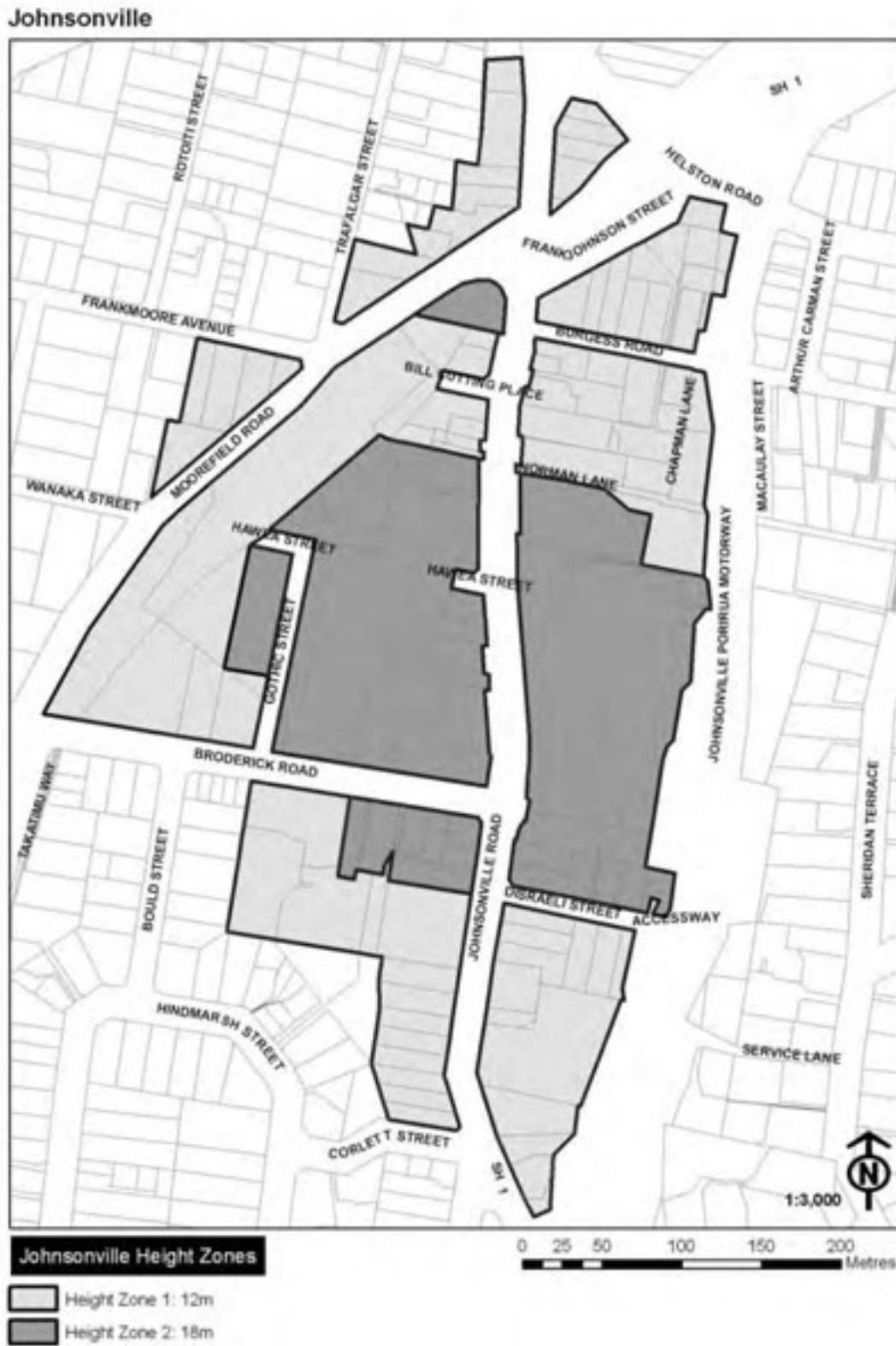
To provide the communities of Churton Park and Glenside with a Village that will form the focal point and social interaction hub for these communities whilst providing for their day-to-day needs. Quality of development is essential in delivering such a place. Buildings will create a degree of critical mass balanced by park and open space to ensure a sense of place is established. Accessibility for public transport, private vehicles and pedestrians is made easy though balanced against pedestrian amenity. The Village will be an inviting and safe place to be in at all times of the day and night.

3.0 Map

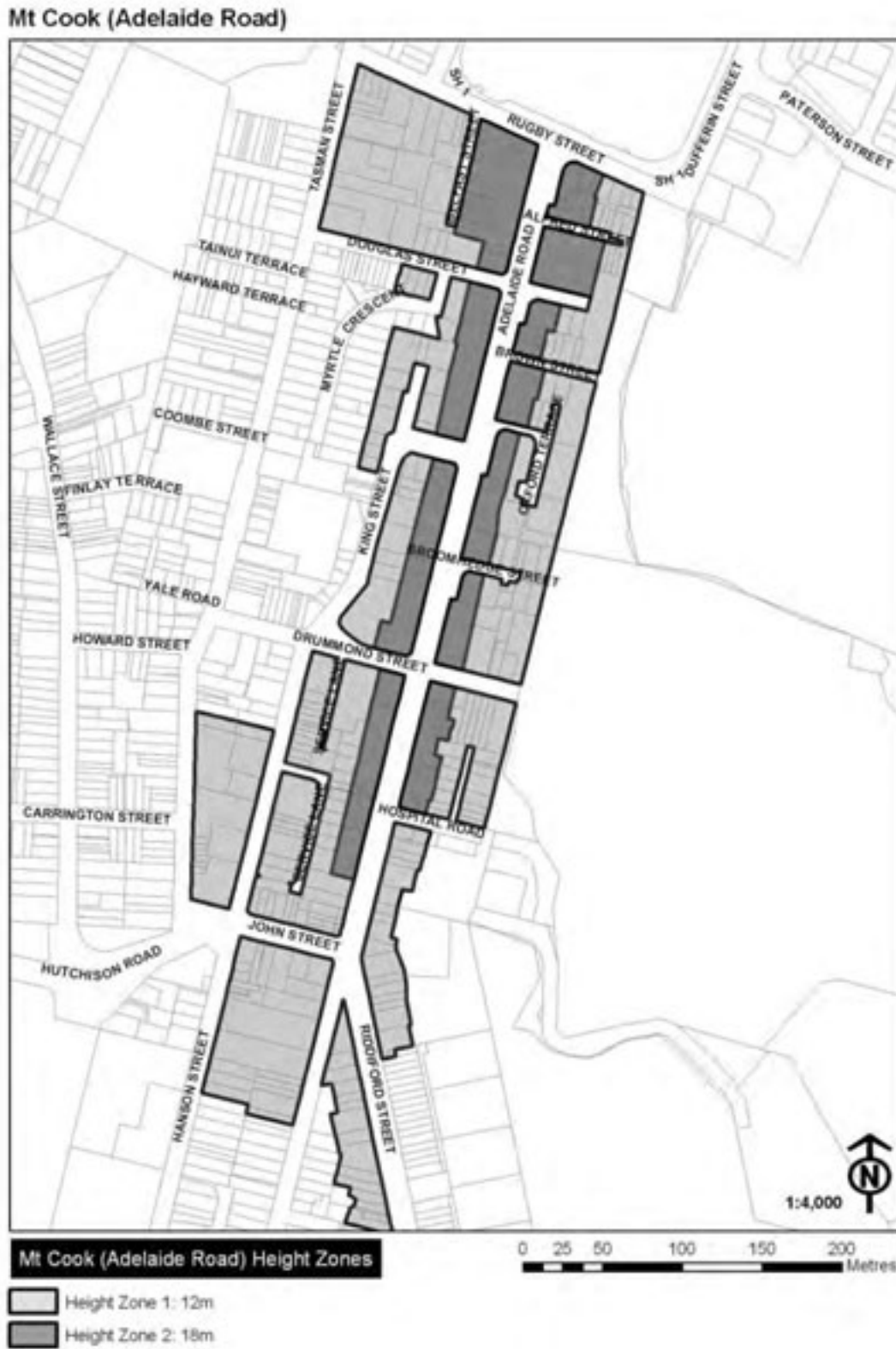
The different activity areas shown on the map *do not* represent the absolute location, footprint or specific land area to be used. Rather, these are diagrammatic representations of the general locations for buildings and activities. There is no specific requirement to either develop adjoined or separate buildings in any one part of the village. The final size, location and design of any component of the village required by the Concept Plan and shown on the map will be assessed through the resource consent process. Any subdivision will also be assessed through the resource consent process for compliance with the standards in 7.6.5 and compatibility with the map of the Concept Plan. Additionally, given that timing of development or subdivision of any part of the village is uncertain, the Concept Plan anticipates any balance areas *not* being developed, remain in grass cover or be landscape planted awaiting development. In particular, the plan does not intend that undeveloped areas be temporarily developed or used for car parking.



B) Johnsonville Height Zones



C) Mt Cook (Adelaide Road) Height Zones



Appendix 2. Wind

This Appendix describes the form and content of wind assessment reports, and details the requirements for wind tunnel tests and reports, as required by Rule 7.3.7.1.

1. Form of Wind Assessment Report

A wind assessment report is not based on the results of a wind tunnel test and so ultimately relies on the expert knowledge and opinion of the qualified wind specialist. However, it must contain the following:

- 1.1 A description of the existing wind conditions, including sources and limitations of information used in the assessment.
- 1.2 A description of the likely interaction of the existing buildings with the wind that leads to the existing wind conditions.
- 1.3 A review of the design of the development, and its appropriateness for a windy environment. The WCC Wind Design Guide should be used as a basis for a design evaluation checklist for this review.
- 1.4 A description of the expected influence of the proposed development on pedestrian level wind speeds in areas open to the public. The WCC Wind Design Guide should be used as the basis for a design evaluation checklist for this review. The review should also examine the role of amelioration measures, including large setbacks of upper levels from the street façade, deep balconies and full-width verandahs.
- 1.5 A discussion of the building design, including the effectiveness of ameliorative measures or major design changes that are recommended. It is intended that the wind assessment should provide clear evidence that the proposed building is the best practical aerodynamic design with respect to achieving the wind standards.
- 1.6 A statement at the conclusion of the report that, in the professional opinion of the expert, the proposal is unlikely to result in more than minor adverse effects on the wind environment at ground level.

2. Aims of the Wind Tunnel Test

The aims of a wind tunnel test are:

- 2.1 to quantify the effect of a building proposal on the surrounding pedestrian level wind environment by measuring and comparing the existing and proposed wind conditions, and
- 2.2 where wind conditions deteriorate as a result of the proposed building, to test alternative designs to it, and
- 2.3 to provide documentary evidence, of the proposed building's positive effect on the wind environment, emphasising measures taken to improve the wind environment, and demonstrating, where required, that every reasonable alternative design has been explored and that the proposed building is the best practical aerodynamic design arising from the other options that have been tested.

3. Form of the Wind Tunnel Test

Wind tunnel studies must meet the following conditions:

- 3.1 Wind studies should comply with the requirements of Australasian Wind Engineering Society Quality Assurance Manual, Wind Engineering Studies of Buildings, AWES-QAM-1-2001, except where the rules and requirements of the Wellington City District Plan supersede them.
- 3.2 The model scale used in the wind tunnel test must not produce models that are smaller than those obtained using a 1:500 scale.
- 3.3 The atmospheric boundary-layer simulation should be equivalent to Category 3 or Category 4 terrain, as defined in the Australia/New Zealand Loading Standard, AS/NZS 1170.2:2002.
- 3.4 Where there is no site wind speed data of sufficient quality, the reference wind speeds shall be derived using wind data from Wellington Airport, with the following corrections;
- winds at a height of 10 m at Wellington Airport have equivalent mean speed to winds at a height of 150 m above Wellington City, and
- wind directions over Wellington City are the same as those at Wellington Airport, except that the northerly wind directions (i.e. 0°-80° & 280°-360°) are rotated to the west by 10° (e.g. 360° at the airport becomes 350° over the city).
- 3.5 Wind speeds shall be measured for the reference wind directions (degrees clockwise with respect to true North) 150°, 170°, 190°, 210°, 320°, 340°, 360° and 020°.
- 3.6 The gust speeds shall be calculated as:
- $$\text{gust} = v + 3.7\sigma,$$
- where v = the annual maximum hourly mean wind speed for all wind directions combined, and
- σ = the corresponding standard deviation of the wind speed.
- This overall gust speed will be used to assess the compliance with the safety criteria given in standard 13.6.3.5.2 (a).
- 3.7 All wind speeds shall be measured at a full-scale height of 2 metres.
- 3.8 The percentage change in hours shall be calculated by dividing the change in the number of hours by 8760 (i.e. the total hours in one year).
- 3.9 Flow visualisation tests that show the spatial extent of windy areas throughout public areas that surrounding the development shall be made for the existing situation and for the proposed development. Flow visualisation testing will include at least six different wind speeds, and be undertaken for at least two representative northerly wind directions and two representative southerly wind directions.
- 3.10 Where Council Officers consider that any effects of the proposed development will be significant in nature, additional wind tunnel testing may be required to be undertaken to quantify the effects of alternative building designs and/or modifications. Clear evidence should be gathered to show that the proposed building is the best practical aerodynamic design with respect to achieving these standards. The recording and measurement of wind speeds for this investigation of alternatives need only be for those areas around the proposed building, and for those wind directions, where problems have been identified.

However, sufficient measurements must be taken to quantify all the changes with the alternative designs.

4. Form of Wind Tunnel Test Report

A wind tunnel test report must contain:

- 4.1 A description of the atmospheric boundary layer simulation that is used in the wind tunnel. This will include plots of the mean wind speed profile and turbulence intensity profile.
- 4.2 A description of the reference wind speeds that have been used to derive the wind speeds listed in the wind report. Any assumptions and limitations of the reference wind speed analysis and a description of the meteorological data used must be provided.
- 4.3 A calibration section, which contains images of the flow visualisation tests when applied to an isolated building model, subjected to the same wind tunnel test conditions as those used in the wind study. The building model shall be a square prism, 15 metres square in plan and 60 metres high, at the scale used in the test. Images of the flow visualisation test shall be taken for at least six different reference wind speeds. The final wind speed should correspond to an area of influence, that is identified by the flow visualisation, that is equal to 80% of a diameter of 50 metres (at the scale of the model), centred on the back face of the model. The intermediate speeds will be chosen to divide this maximum speed into equal parts.
- 4.4 An analysis of the errors limits and the precision that is achievable in the wind speeds and their frequency of occurrence that are listed in the body of the report. The relationship of the model (wind tunnel) to full-scale Wellington conditions, as far as it is known, should also be documented through reference to externally refereed papers or reports.
- 4.5 A diagram that clearly shows and identifies the locations/areas that were measured during testing
- 4.6 A table of the gust wind speeds for each wind direction and for each of the locations measured during testing. This will include listings for both the existing situation and for the proposed development.
- 4.7 A table of hours that the mean wind speeds of 2.5 m/s and 3.5 m/s are equalled or exceeded each year, for each of the locations measured during testing.
- 4.8 Records/diagrams of the flow visualisation tests.
- 4.9 A description of the effects of the proposed development on wind conditions in the surrounding area.
- 4.10 An analysis of the 3-dimensional wind flows around the proposed building indicating the way in which its effect on the air flow affects pedestrian-level winds. This should clarify:
 - 4.10.1 the cause(s) of any observed problems;
 - 4.10.2 the ways in which the problems might be avoided; and
 - 4.10.3 the ways in which these wind problems might be mitigated.At its simplest this might mean stating (for example):
 - that the root cause is the downwash caused by the building being very much bigger in scale than its neighbours;

- that reducing the size of the proposed building would remove this root cause;
- that large canopies around the building could provide shelter from the downwash in the immediate vicinity of the entry ways, although this may result in the carparking area beyond the canopy being made uncomfortable.

4.11 Where Council Officers consider that any effects of the proposed development will be significant in nature, an assessment of alternative designs and modifications including the results of additional wind tunnel testing that quantify the wind effects may be required to be provided. Clear evidence should be provided that the proposed building is the best practical aerodynamic design with respect to achieving these standards. Existing wind speeds and hours of occurrence shall be reported only at the locations / wind directions where alternative designs have been tested.

Appendix 3. Indicative list of activities under Schedule 3 of the Health Act 1956

The following list is indicative of the activities contained under Schedule 3 of the Health Act 1956:

- Blood or offal treating,
- Bone boiling or crushing,
- Collection and storage of used bottles for sale,
- Dag crushing,
- Fellmongering,
- Fish cleaning,
- Fish curing,
- Flax pulping,
- Flock manufacturing, or teasing of textile materials for any purpose,
- Tanning,
- Gut scraping and treating,
- Nightsoil collection and disposal,
- Refuse disposal,
- Septic tank desludging and disposal of sludge,
- Slaughtering of animals for any purpose other than human consumption,
- Storage, drying, or preserving of bones, hides, hoofs, or skins,
- Tallow melting,
- Wood pulping, and
- Wool scouring.

Proposed Plan Change 73

Volume 2 - Annotated provisions of the Centres Design Guide showing proposed changes

Key to the following annotated text

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

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

Wellington City Council District Plan

Centres Design Guide

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Introduction

Intention

To achieve high quality buildings, places and spaces in Centres.

This will be by considering they:
are coherently designed

- make a considered response to context
- address heritage values
- establish positive visual effects
- provide good quality living and working environments
- integrate environmental sustainability principles, and
- provide conditions of safety and accessibility.

Using this Guide

Application

The guide applies to new buildings, and additions and modifications to existing buildings in Centres, including heritage buildings. Specific and detailed design objectives are set out in each section, followed by related generic guidelines.

Relevance

Good design is site and programme specific, and not all of the generic design guidelines in this design guide will necessarily apply to every site. However, every guideline that is relevant to the project site, type and scope must be considered, and every relevant design objective satisfied.

Relevant guidelines can be identified by the designer and confirmed with WCC design reviewers in pre-application meetings.

Design flexibility and responsiveness to site

Sometimes a design objective may be best achieved by means not anticipated in these guidelines. In this situation, it is justifiable to depart from a guideline if it can be demonstrated that the alternative design solution better satisfies the associated design objective.

Prioritisation

Every design proposal is a response to a unique mix of requirements and circumstances. Sometimes, they are in competition. While each development should demonstrably satisfy all applicable objectives, the unique conditions of each location may mean some objectives are more important than others. Priority should be given to satisfying those guidelines that are most critical to the overall intentions of this guide. Priorities can be identified by the designer and confirmed with WCC design reviewers in pre-application meetings.

Explanation

Throughout this guide, italicised explanatory text provides further assistance on the proper interpretation and application of the guidelines.

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

Information requirements

Refer to Chapter 3 of the District Plan for a list of information required with each application. This includes a design statement that will describe how the proposal satisfies relevant design guidelines and objectives.

Wellington's Centres

The Wellington Centres hierarchy is described below. Each type of Centre is characterised by particular general attributes and activities, although many will show some divergence from the listed attributes.

Sub-Regional Centres

Regionally significant centre – suburban centre

Johnsonville
Kilbirnie

Service a significant part of the City and/or region and provides a significant retail offer. These centres are based around a traditional main street and contain one or more large supermarket and department store. A wide range of retail goods with some specialist stores is available. A range of civic and government services, employment, office, community, recreational, entertainment, residential activities can be found which are supported by a sub-regional transport hub. These centres have high levels of pedestrian activity, together with significant on-street and off-street parking facilities. These two Centres are recognised as Regionally Significant Centres in the proposed Regional Policy Statement.

Town Centres

Karori
Miramar
Mt Cook (Adelaide Road)
Newtown
Tawa

Service one or more suburbs and generally have very good access by public transport and the roading network. They are anchored by a main traditional main street with high levels of pedestrian activity and contain at least one supermarket and a range of other convenience-based retail goods. Town Centres contain some civic and government services and have medium scale employment office, community, recreational and entertainment activities. Residential uses, generally above ground floor, can be found in Town Centres. Both off-street and on-street parking is generally available.

District Centres

Brooklyn
Churton Park
Crofton Downs
Island Bay
Khandallah
Newlands

Contain a moderate retail offer and generally service the day-to-day convenience needs of their surrounding suburb. Accessed by good public transport, some District Centres contain a small supermarket and other convenience-based retail and also have access to some community, recreational and entertainment activities. Where offices are present, they are small scale in character. Residential uses tend to be located above ground floor. Mostly on-street parking is available, with only limited off-street parking.

Neighbourhood Centres

Aro Valley
Berhampore
Berhampore Rintoul Street
Broadway, Strathmore
Constable Street, Newtown
Crofton Road, Ngaio
Darlington Road, Miramar
Hataitai
Kelburn
Kingston
~~*Lincolnshire Farm Neighbourhood Centre*~~

Service the surrounding residential neighbourhood and offer small-scale convenience-based retail for day-to-day needs. Neighbourhood Centres tend to have easy pedestrian access for locals and have some community services and small scale offices. There is good accessibility to public transport and parking is generally on-street only.

Linden
Marsden Village
Mersey Street, Island Bay
Newlands Road
Ngaio
Northland
Onepu Road, Lyall Bay
Roseneath
Seatoun
Shorland Park shops, Island Bay
Standen Street shops, Karori
Strathmore
Tawa, Oxford Street
Thorndon
Tringham Street, Karori
Wadestown

1 Design Coherence

A new building or public space should have its own inherent design integrity and coherence. It should not simply be a piecemeal assemblage of elements and conditions required by the guidelines or other design criteria. This same principle applies to the design of additions and the way in which they relate to existing buildings. For heritage buildings, the integrity and coherence of the original building must be respected.



Building characterised by design coherence

Objective

- 01.1** To ensure each design solution is coherently designed, demonstrating design integrity and providing an optimal integration of all relevant design criteria

Guideline

Internal consistency and integration

- GI.1** Demonstrate in the design of any building an overall coherence that integrates the various design guide requirements.

Design coherence is characterised by internal consistency and cohesion in accordance with a definable integrating design concept. Integration requires that the planning, formal composition, and visual qualities of a building are considered as a whole as well as in part.

2 Relationship to Context

Relating to context is to understand and respond in a considered way to conditions beyond the site. New developments should not occur in isolation.

All development should consider multiple contexts. These include the local street environment and the wider neighbourhood. When a development is large relative to its neighbours, prominently located or accommodates an activity of public significance, the contexts of the wider neighbourhood and potentially the city itself need to be considered. Public significance is determined by the social or cultural importance of the activity and extent of its relevance to the wider community.

A successful relationship to context is based on first identifying and understanding its defining characteristics and patterns, and then responding to these in a considered way. Relevant characteristics will be location specific, however generally include typical building dimensions, orientations and alignments, complexity of form, and proportions. The nature of



Examples of relationship to context with contemporary building

movement past and activity in public space at the edge of the site is also important. Reference to the social or cultural history of the site, or the underlying landscape will assist in developing an authentic sense of place.

Objectives

- O2.1** To recognize the unique qualities of every urban setting and respond to and enhance these with new development.
- O2.2** To maintain or enhance the quality of the settings of individual heritage buildings including those in heritage areas.

Guidelines

Consistency or contrast

- G2.1** Maintain consistency with defining and valued neighbourhood patterns. Contrasts should be created only if the development is significant on a neighbourhood or city-wide scale and/or accommodates a unique or publicly significant function.

Defining and valued patterns will be determined by an analysis of the setting for the development and reference to documents such as Council character studies and Community Plans.

When is consistency required?

Consistency is most important when a new building is placed within a valued and recognised ensemble of buildings that have similar character, or where alignment, similarity and coherence is required to maintain the quality and character of the public environment. The collective quality of such a group of buildings or a public space could be significantly degraded if new development did not visually relate to it in important ways. New development should complement such settings. This means that a development should acknowledge and establish a respectful relationship with its immediate context. It does not imply replication, nor that should the style of new buildings match existing buildings.

New development should attempt to complete, improve and enhance the setting of heritage areas and individual buildings or groups of buildings listed as heritage items in the District Plan.

When contrast might be considered

Contrast creates a focus for attention. The extent to which this is appropriate depends on the public significance of the proposed development and its function. It also depends on the heritage or cultural value of the setting. Activities that have a neighbourhood-wide significance or unique function justify an expressive or contrasting treatment to differentiate them from the majority of buildings. Such activities may include local community facilities and infrastructure, potentially including some retail facilities.

Contrast may also create a local landmark. Landmark structures contribute diversity and richness, and enhance the identity of the city. As distinctive features, landmarks can also help orientation and wayfinding. Because of their visual prominence, they should be of high design quality. While they may alter local context, new landmark structures should not undermine a valued consistent local character. Landmark structures are appropriate for specific and culturally important



New development should complement and support important public, and heritage buildings.



A new publicly significant building demands contrast

sites, but they might also be appropriate in other settings – such as terminating vistas, and at corners and curves in the street.

Where a street or neighbourhood is valued for its complexity and diversity, design solutions that contribute to that diversity and largely remain within its limits will maintain those qualities.

Positive precedents

G2.2 Refer to positive rather than negative precedents.

Where existing patterns are negative or buildings have features that demonstrably compromise the quality of their setting (as determined by reference to this guide), these ‘non-contributing’ buildings or features should not be used as precedents or references for new development.

Achieving consistency

G2.3 Consider ways of complementing the existing built context including:

- compositional relationship or similarity in:
 - siting and alignment of walls in plan
 - frontage orientation
 - alignment of key elevational lines – including roof, cornice, parapet, verandah and/or floor lines
 - proportions of forms and openings
 - visual rhythm of frontage widths or openings
 - levels of complexity of form and material, including the amount of shadow-casting three dimensional detail
 - colour
 - material and constructional quality
- dimensional relationship or similarity
 - of overall building height
 - between secondary forms on a larger building and primary forms on the smaller
 - of frontage module
 - of overall building width

This list is not exhaustive, and other methods may also achieve the objective.

Visual links to the surrounding context are most important where an area possesses a distinctive local character and heritage value.

Generally, both compositional and dimensional relationships are required. The primary ways of achieving visual links are through similarity of plan and frontage alignment, and overall bulk and form.

There is no formula for establishing meaningful visual links. Simplistic or tokenistic responses are rarely successful, and simply selecting one or more of the methods described above will not guarantee the objective is achieved. Generally, however, the primary relationships described (similarity of plan and frontage alignment; overall bulk and form) are required, and these may be supported by others. There is no expectation that making more references will necessarily achieve a better result. An appropriate degree of consistency will be achieved when the mix of methods appropriate to each unique setting is selected and integrated into a coherent design response.

Developing an authentic sense of place

G2.4 Express the local sense of place with new development.



Complementing an existing building

Where there is little or no established pattern, new development should introduce sound design precedents for the future. This might be by expressing the intended use of the building, referring to the history of the site's development and use, or to underlying landscape patterns or elements. Where such references are appropriate and can be made, they should be an integral part of the development's design concept.

3 Siting, Height, Bulk and Form

The siting of building should allow for intended activities while also acknowledging neighbouring building, reinforcing valued patterns of public space, and creating positive open spaces.

Vehicle orientated retail and servicing plays a significant role in some centres, and it is necessary to find ways of successfully integrating these uses at the same time as maintaining a high quality public environment.

Height and bulk are both relative concepts. Buildings of great height or bulk can easily overwhelm their immediate surroundings. Where the length, width and/or height of a new development conflicts with the physical scale and texture of its surroundings, various design techniques may be employed to modify and mitigate the visual impacts.

Height

More attention should be given to formal composition and appearance when a building extends above the threshold established by the predominant height in an area. Building height becomes a particular issue when a building is elevated significantly above its neighbours, potentially creating problems such as visual domination, shading of public open spaces, and wind effects. When the building extends above the height limit, shading of neighbours may also become relevant. As new building extends above its neighbours, an increasingly sophisticated design response is required to achieve a satisfactory result. Conversely, a building that is much lower than its neighbours can break the coherence of the street edge.

Bulk

Bulk is a function of both the vertical and horizontal dimensions of a building and refers to the size of a building relative to its surroundings. A building may be of modest height, but still appear bulky.

Natural light, outlook and ventilation

A building's internal amenity and potential to be environmentally sustainable is significantly affected by the decisions designers make at the outset about planning, bulk and form. Amenity is also affected by existing neighbouring buildings and any neighbouring sites that may be developed. Therefore it is important to create conditions that maintain acceptable levels of daylight, outlook and natural ventilation should the development be 'built-out'. This relates particularly to setbacks from site boundaries. Consideration should be given to optimum widths and depths to take advantage of natural ventilation and daylight.

Objectives

- 03.1** To complement existing patterns of alignment, and achieve a positive scale relationship with adjoining buildings and public spaces.



Examples of buildings defining public space, and articulation of form and façade to give visual interest

- 03.2** To respect the setting of heritage items and identified heritage areas.
- 03.3** To create coherent patterns of building that contribute to the amenity of neighbouring public spaces.
- 03.4** To ensure that reasonable levels of ventilation, daylight to and outlook from habitable spaces in the building will be maintained should development on adjacent sites be maximised.
- 03.5** To enhance the informal pedestrian network within Centres.

Guidelines

Street edge definition and building alignment

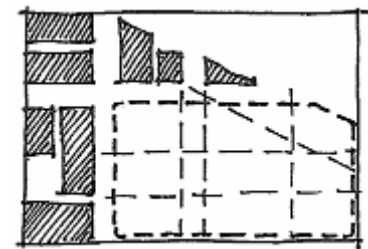
- G3.1** Site and align building forms to reinforce the local street grid and the local system of public open spaces, with common alignment and construction generally to the street edge.

Fronts of buildings should generally be built to the edge of streets and other spaces, and large or random edge setbacks should be avoided. Special-purpose buildings that have public, community and/or cultural relevance are exceptions - it may be appropriate that such buildings are expressed as local landmarks. Some parts of centres may be characterised by valued patterns of stand-alone buildings that are setback from the street edge and the complex shapes or prominent positions of particular sites may be recognised and expressed through a limited setback from the street edge. Vehicle orientated uses may justify setbacks, depending on location and always with careful design. However, any setbacks must maintain the general pattern and coherence of street edge definition, and create a positive open space that demonstrably contributes to the wider system of public space.

Alignment of building forms in parallel with the local street grid should generally be continued at upper levels. However, contrast may be appropriate on unique or prominent sites and with special purpose buildings for publicly significant activities.

- G3.2** Align buildings with the block pattern typical of the surroundings where there are no other buildings on the block.

The siting of new buildings on large open sites should establish a positive precedent for new development. New buildings are more intrusive when they are sited in isolation, and when they contradict the characteristic block and street layout of the surrounding area.



References for primary alignments on a vacant block

- G3.3** Maintain the general continuity of massing and street frontage alignment at bends and street corners.

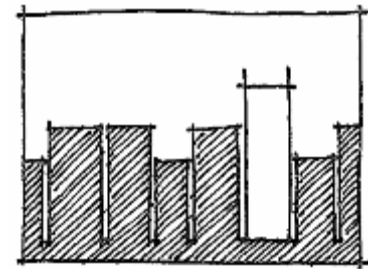
Buildings should, where practicable be built to the street corner in order to emphasise street edge definition. This may include employing shape and surface treatment to emphasise the curved or angular shape of the street bend or intersection. It may be possible in some locations to integrate a setback if this is essential to the function of a facility, and if the corner is celebrated by other means, and the space created is positive and in keeping with the wider street environment.

G3.4 Maintain general consistency of building height at the street edge.

Better streets and public spaces are formed when the height of buildings at their edges is a generally consistent. However some variation is possible, in the order of one-third of the height of the highest buildings in a street edge characterised by relatively consistent building height. Smaller variations in height are appropriate in heritage areas, where it is generally not appropriate to increase the street edge height by more than one storey above that of adjoining heritage buildings.

Landmark structures or buildings for activities that have neighbourhood or city-wide significance can, and often should, break the pattern. However it should not be general practice to conspicuously elevate other buildings to become landmarks. This is particularly inappropriate in heritage areas and may be considered in such areas only in special circumstances where contrast rather than consistency is appropriate.

Consistency of height is not important where a street edge is underdeveloped with a concentration of very low buildings or open sites.



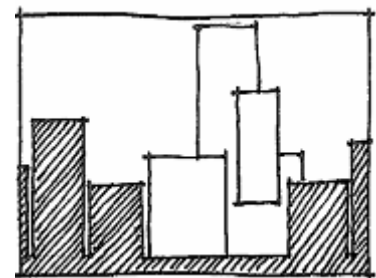
Variation in the order of one-third the height of the highest buildings

Height and scale relationship

G3.5 Ensure new buildings do not dominate adjacent public spaces and any significantly lower neighbouring buildings by moderating their height at and close to the street edge. This will achieve a scale transition between the higher and lower buildings.

This can be done by techniques including:

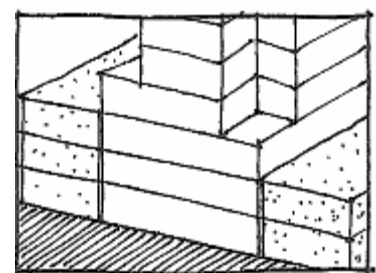
- *boundary setbacks at high level;*
- *secondary forms of similar dimension to those of the lower buildings, placed to act as transitional volumes;*
- *physical separation of large tall buildings from those that are much lower;*
- *reduced height adjacent to much lower buildings or spaces where shading is problematic, and;*
- *significantly reducing the plan area for the tallest components of the building, while potentially retaining full site coverage at lower levels.*



Achieving height and scale relationship using a variety of techniques

Where a new development adjoins a heritage building that is two storeys or less, its height should be not more than one storey above the heritage building, over an area extending approximately 5-8 metres along and back from the street frontage at the common boundary with the heritage building. Where a heritage building is higher than this reference, the extent of increased height relative to the heritage building increases proportionally.

A similar setback from the front of an adjoining heritage building and height transition at the common boundary is appropriate where adjoining heritage buildings are located mid-block or set back from the street edge. Means of avoiding visual dominance should also be considered when the neighbouring heritage building is close to but not immediately adjoining the common boundary.



Indicative setbacks adjacent to heritage buildings. Note that guidelines relating to design coherence also apply.

G3.6 Provide a generous ground to first floor height to buildings fronting main streets.

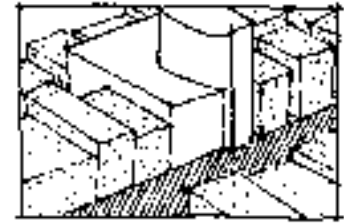
This should be around one third higher than the floor-to-floor height for typical upper storeys, should extend over the entire site, and should comfortably accommodate retail. It should provide the space and configuration that allows future installation of extract

ventilation and a grease trap. This recognises that a greater ground to first inter-storey height is both typical and traditional along main streets in Centres, and also helps accommodate a range of different future uses at ground floor level including food and beverage related retail.

- G3.7** Reduce the proportion of site area covered by parts of buildings that are significantly higher than existing surrounding buildings.

The area of site coverage above that threshold would be in the order of one half to two thirds. This applies where a building is in the order of a third higher than buildings on adjoining sites and immediately across the street, and affects those parts of the building extending above that height.

Because they are visually prominent, the highest parts of such buildings require particular attention to formal composition. Setbacks should be used to achieve a scale relationship with existing lower buildings. However, all setbacks should be consistent with a coherent formal concept for the building.



Reduction in site coverage to addressing visual dominance of conspicuously high building mass

Building bulk

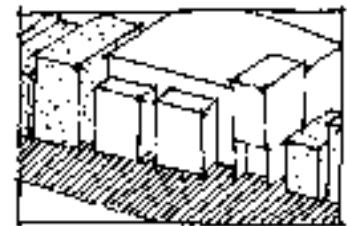
- G3.8** Mitigate the visual impact of the building bulk, where a building is large relative to its neighbours and to other nearby buildings.

This applies to buildings that are more than around 50% taller than their immediate neighbours. It also applies to large floor plate buildings, particularly those with an unusually elongated plan form or very large wall planes. Large floor plate buildings are those that are in the order of twice or three times the width and depth of other buildings around.

Utilise techniques such as introducing:

- *a secondary foreground volume or volumes to help obscure the primary volume when viewed from neighbouring spaces;*
- *transitional volumes between the smaller existing buildings and the larger, primary volume of the new development;*
- *contrast between projecting and recessive elements; and/or;*
- *sculptural form.*

In situations characterised by a mix of buildings, and where a building accommodates an important public function, contrast – in the form of large and simple bulk – may be justified. However, a sense of human scale is always required at the street, or at other public edges of the building that are used by pedestrians.



Mitigating bulk with transitional volumes

Natural light, outlook and ventilation

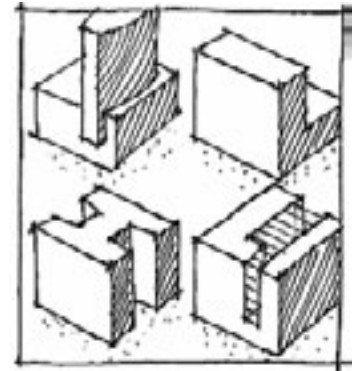
- G3.9** Provide on-site setbacks from side and rear boundaries (or atria and lightwells) and position windows as required to maintain acceptable natural light, outlook and ventilation for habitable spaces, while also considering privacy effects.

Internal amenity should not be dependant on windows that are placed on or very close to internal site boundaries. It should be assumed that openings at internal boundaries will be built out in the future, and so acceptable light and outlook should be provided by other means. In assessing this provision, Council will assume that development at the boundaries of neighbouring sites is, or will be, built to the maximum height anticipated by the District Plan.

Changes of occupation may occur over the life of a building, so this requirement applies to all building types. Coordinating setbacks on adjoining sites ensures light and outlook are shared

and maximised

Residential amenity and outdoor living require more consideration of these issues than other activities. The New Zealand Building Code requirements for light and outlook should be considered in the design of residential buildings when establishing plan and building form. Environmental efficiencies may be achieved by providing daylight and ventilation beyond the minimum building code standards.



Examples of approaches to achieve light, outlook and ventilation

Positive open space

- G3.10** Locate any publicly accessible open spaces on site and any setbacks from the street edge so that they complement other spaces within the street system, and positively shape and define any new spaces with edges of buildings or large scale landscape elements.

Publicly accessible open spaces on a site should have active edges, be located on main walking routes or ready access and visibility from them. They should wherever possible be sunny, and provide shelter that will attract and support occupation.

Some street edge setbacks may be necessitated at the street edge for drive-through or vehicle orientated retail. Where these are both essential and appropriately located, care should be taken with associated building design and landscaping to ensure they are seen and experienced as positive open spaces.

New open spaces should be orientated to receive sun during the time of day when most use can be expected, and may complement rather than reproduce existing spaces in this regard. Open spaces to the south of tall buildings are rarely occupied. Left-over or residual space without positive qualities is often unsuccessful. Where spaces have poor orientation and edge conditions, and lack natural surveillance, they are frequently poorly used or claimed for delinquent activities, and may provide opportunities for concealment and entrapment.

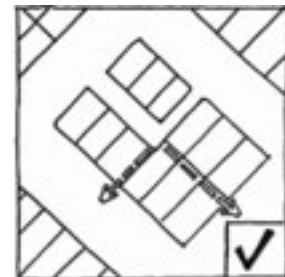
The size of new spaces should be appropriate to the intended use. Landscaping that is provided to enhance buildings that are set back from the street edge should enhance the appearance of the site from the road and define the street boundary. All landscaping should complement the adjacent streetscape and be attractive, robust and readily maintained.

Mid-block pedestrian access

- G3.11** Consider creating a new public thoroughfare through large blocks where this would enhance walkability.

Where existing blocks are large and impermeable, public thoroughfares or pathways that usefully link public destinations or existing paths and streets should be integrated into site redevelopment.

In planning mid-block pedestrian access, there should be a clear distinction between spaces and routes that are open to the public, and onsite communal open spaces that are private or semi-private, particularly in residential developments. The former should be open to all, and the latter access-controlled to maintain safety and security. Any through-site links should be designed to have a reasonable proportion of active edge.



Mid-block access to connect destinations and extend existing streets

4 Edge Treatment

The buildings that line the edges of streets and other public spaces establish their character, quality and attractiveness. They collectively define the setting for the activities that take place there.

Buildings should provide active edges, with frontages to adjoining streets and other public open spaces. These edges provide a sense of occupancy and natural surveillance, and contribute interest and safety for passersby. Safety is an essential attribute of successful urban spaces, and can be supported by adopting the principles of Crime Prevention Through Environmental Design (CPTED).

Factors that are particularly important in achieving a high quality public environment include the frequency, location and design of entrances and windows. The type and arrangement of activities, especially at ground level, are also important. Blank, visually monotonous building backs are not acceptable at the edge of any street or other public space.

Blank walls at high level in visible locations are also detrimental. It is anticipated that building height within Centres will increase over time as buildings extend up to the District Plan height limit. Therefore, in any area where existing buildings are relatively low, new buildings may be significantly taller and more visible than surrounding properties. Accordingly, it is important to give attention to the architectural treatment of all building facades.



Example of an active edge including building entrance

Objective

- 04.1** To create building edge conditions that support pedestrian activity and enhance visual interest, legibility, safety and comfort in streets and other public spaces.

Guidelines

Building fronts

- G4.1** Orientate building frontages, including windows and the main public entrance, to the street, ensuring also that all secondary facades that face a street are given an appropriate treatment.

The connection between building interiors and adjoining public spaces is fundamental in determining the character and quality of those public spaces. A building with openings or large amounts of glazing that display internal activity and doors at ground level, as well as windows above, offers visual interest, and opportunity for informal surveillance. This will create a more successful edge to public open space than a façade without openings.

Buildings that are set back from the street edge should also provide active edges fronting towards the street. However a main building entrance facing a park or square should connect with, but not appropriate, that space as a forecourt.

Where a site is bounded by more than one street or public space it should establish a primary frontage on one public boundary, generally to the most significant street or space. Secondary frontages should be established on others.



Building frontage to the street

- G4.2** Use lighting within shopfronts to create an attractive effect after dark, and also to contribute spill lighting to the footpath.

At night, spill light from shopfront windows enhances the attractiveness and safety of the street edge. Any security facility should ideally be an unobtrusive and inherent part of the shopfront.

Active edges

- G4.3** Place visible publicly-relevant activity in view at the public edges of buildings.

Publicly relevant activity includes retail, event space, show rooms and any other activity to which the public may gain access. A view of what is happening inside a building creates visual interest. It also communicates how the building is used and occupied, which helps people understand where they are in the neighbourhood. Buildings and public open spaces that have activity at their edges, including good visual connections with the street, also encourage informal surveillance that contributes to perceived and actual safety. Ground floor activity that supports the use of public open space is particularly important when a building fronts a park, square or retail orientated street. Car parking, which is often inactive and unattractive, is an undesirable activity at the edges of main streets in Centres.



Example of an active edge

- G4.4** Provide frontages that complement the adjoining street (or other publicly accessible open space).

The proportion of ground level windows and openings should be maximised along primary streets in areas of established retail activity and where intensive pedestrian use is likely. Secondary streets are preferred for vehicle-orientated and drive-through retail including service stations. Secondary streets and lanes are preferred locations for service access. The hierarchy of street types and relevant design

considerations are:

Primary and secondary streets:

- *Building should be at the street edge unless any setback is an integral part of a coherent public space plan for the street.*
- *Blank walls at the street edge should be avoided.*
- *Display windows or doors should comprise the majority of the frontage.*
- *Entries and exits to carparks should be located not to compromise pedestrian amenity.*
- *Canopies and verandahs are required at the street edge, and these will generally provide continuous shelter over footpaths.*
- *Fine grain of frontage is important, with frontages desirably not wider than in the order of 8-10 metres on primary streets, and 20 metres on secondary streets.*

Transitional streets:

- *May include a diverse range of buildings including wider frontages.*
- *Blank walls at the street edge should be avoided.*
- *Display windows or doors should comprise a reasonable proportion of the frontage except if this is residential, in which case windows to living areas should overlook the street.*
- *Shelter elements are required at building entrances, and these may or may not be continuous along the street edge.*

Frontage treatments should complement that of neighbours. However, where a street or public open space is currently dominated by inactive edges, it is important for new development to redress rather than perpetuate this situation.

Windows should be connected to internal activity. Blank or 'false' windows are not acceptable. The addition of roller doors or security screens to shopfronts is also not acceptable. Instead, security should be unobtrusively integrated into the building fabric.

In locations where residential activity is appropriate at ground level, techniques such as raising the ground floor slightly above pavement level and/or creating a shallow setback from the street edge might be employed to provide internal privacy while still ensuring that the building and activity within it positively addresses the street.

G4.5 Articulate or eliminate wall surfaces that are featureless or plain.

Large blank surfaces should not occur at ground level at the street edge, nor at high level if in prominent public view. While a building may have a primary frontage, all other visible facades should include detail and openings and be treated similarly as frontages - albeit secondary ones.

However, a large flat wall surface may be used to balance other more complex parts of a façade. It may provide contrast and visual relief or a scale relation to an adjacent larger building. A flat wall surface might constitute a small proportion of ground floor facades, but only if the quality of the street edge is not compromised as a result.

Some buildings may extend considerably above their neighbours, and parts of their service orientated side and rear

Street types

Primary streets

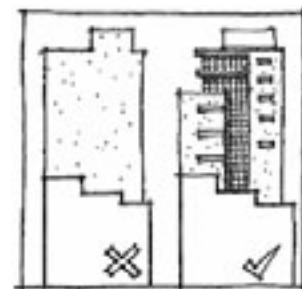
are at the core of the neighbourhood and include the central part of any 'main street'.

Secondary streets

are connected to primary streets and spaces, and likely to change use over time

Transitional streets

are all other streets within the centre. These are generally peripheral, transitional in use and potentially include intensive residential.



Wall articulation, including balance of modelled and flat surfaces

facades are likely to remain in prominent public view. It is important that such upper level facades are given visual interest with an architectural treatment. Consideration should be given to articulating these high level walls, often located close to boundaries, with openings, and architectural treatments including three-dimensional modelling.

Servicing and car parking

- G4.6** Integrate servicing and car parking functions in a way that does not compromise the quality of the street edge, nor the status of the main entry to the building.

Where possible place loading areas away from the main frontages and main entrance. Ensure service and rubbish storage areas are visually unobtrusive and/or back from the street edge.

Vehicle access to sites should be located so as to ensure safe pedestrian access along the street and maintain continuity of main retail frontages along the street edge. This should not compromise the quality of the street edge, nor the status of the main entry of the building.

Parking should be at the rear of buildings, or above/below ground so that they do not dominate the streetscape or the appearance of the building. Multiple garage doors facing the street should be avoided. This allows publicly relevant activity to be located at ground floor street edges.

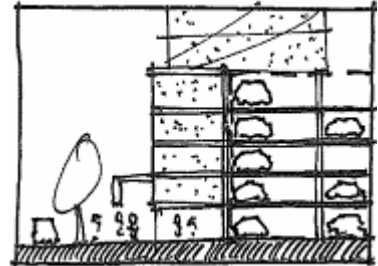
Where possible place loading areas away from the main frontages and main entrance. Ensure service and rubbish storage areas are visually unobtrusive and/or back from the street edge.

- G4.7** Provide space at the main entrance for loading and unloading when an on-site loading area is not available or practicable.

Space should be provided within or close to lobby areas so that goods can be moved through without compromising the lobby function. This should meet the reasonably expected demand for servicing and might be an unobtrusive part of a generous entrance lobby.

- G4.8** Provide for a safe and convenient pedestrian access from footpaths to the entry of buildings.

Landscaping that signals the intended use of spaces and routes, generous widths and gradients and ensuring adequate lines of vision and appropriate surface marking and signs all help to create a safe and convenient entry experience. Where buildings are set back from the street edge, pedestrian only or pedestrian priority areas will typically be provided with kerbs or raised pedestrian facilities or material differentiation. Otherwise, where vehicle use is low, shared surfaces may be acceptable.



Parking located behind a veneer of activity, maintaining an active edge to the street.

Shelter and building entrance enhancement

G4.89 Develop transitional spaces and/or features between the public street and building interiors. These should signal the location of entrances, enhance the sense of arrival and provide shelter.

Verandas, colonnades and entrance canopies offer the dual benefits of providing shelter and signalling the building's entrance. Where a street edge is likely to increasingly feature retailing, or is an important pedestrian path, consider extending this shelter along the entire building frontage.

While entrance definition and features are desirable, large setbacks should not be introduced – unless the open area created is attractive and useable public space, and maintains the quality and integrity of the street edge.

Universal access that allows all users, including those who are disabled, to use the same entrance is desirable, however this should not compromise heritage values.

Adding shelter elements or verandahs to heritage buildings should generally be avoided. However these may be considered in locations where a verandah has existed previously, where active edges and shelter are essential, and where they would not adversely affect the heritage values of the building or area.



Building entrance enhancement

5 Façade Composition and Building Tops

The composition of buildings determines their relation to context, their design coherence, and their suitability for a range of uses. Consideration should be given to the composition of every façade, including the building's top and its relationship to the building below.

The topography of Wellington ensures that many Centres are overlooked from surrounding areas, and even moderately tall buildings will be viewed from many directions. If building tops are designed in a positive rather than a utilitarian manner, they can enrich the character of the neighbourhood.



Coherence in façade composition

Objectives

- O5.1** To ensure that façade and building top design is coherently resolved.
- O5.2** To ensure that additions and alterations to heritage buildings maintain the heritage values of those buildings, their setting and any associated heritage area.
- O5.3** To facilitate multiple and changing buildings uses, except where such change adversely affects the heritage values of heritage buildings.

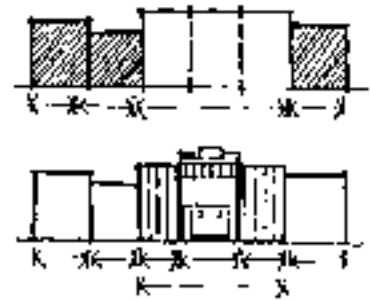
Guidelines

Relation to neighbouring buildings

- G5.1** Where there is a characteristic pattern of vertical and/or horizontal subdivision on neighbouring buildings along the street, relate the facades of new buildings to that pattern.

Visual subdivision of building facades can be used to relate the scale of a large building to much smaller neighbours, and also

avoid visual monotony and achieve a sense of human scale. This also ensures the building relates to its context. Visual subdivision techniques include alignment of floors, using similar frontage widths, and applying to the frontage secondary forms that are of similar dimension to all or parts of neighbouring buildings. Depending on context, a combination of these methods may be appropriate.



Frontage subdivision

- G5.2** Generally avoid reproducing the appearance of existing frontages on new buildings.

New buildings in heritage areas should respect the proportions, general dimensions and level of design quality of adjoining heritage buildings to retain design consistency in those areas. However, while new buildings are required to recognise their context, it is neither necessary nor desirable to replicate the style and appearance of heritage or other existing buildings. New facades can be innovative and reflect contemporary culture and norms, while still relating in fundamental ways to their context.

Additions and modifications to existing buildings

- G5.3** Establish a coherent compositional relationship with the existing structure, three-dimensional forms and facades when adding to or modifying existing buildings.

Methods include:

- Common alignments, particularly vertical alignments of load-bearing elements and centre-lines of openings;
- Use of common materials, textures and colours;
- Expression of common modules or elements of similar dimension and proportion; and/or
- Expression or reinforcement of a vertical hierarchy of base middle and top, if relevant to the existing building.

All solutions are project specific and the combination of appropriate methods will vary accordingly. It is often possible to integrate contrasting elements or treatments providing key alignments are retained, and the addition can demonstrate a considered positive relationship with the existing building.

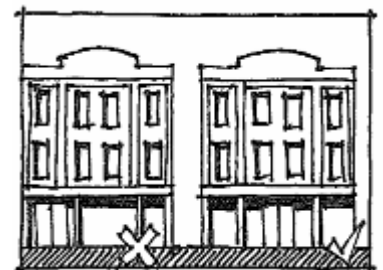


Example of relating to context with vertical alignment and completion of the composition of an existing building with a new top

Shopfronts

- G5.4** Relate shopfronts to the composition of the building, paying particular attention to the alignment of columns and other vertical elements.

Shopfronts may express a shop's identity, but should not undermine the composition of the building. This is particularly important for heritage buildings and buildings that include more than one shop at ground level. New shopfronts on heritage buildings should follow the composition of the original design.



Ensure load-bearing elements are aligned

- G5.5** Ensure new shopfronts that adjoin heritage buildings or heritage areas are compatible with existing significant heritage shopfronts.

Significant heritage shopfronts are those that retain heritage form, proportions and fabric.

- G5.6** Retain and conserve significant heritage shopfronts on heritage buildings.

Where possible, missing fabric should be restored. Materials and details should be compatible with the era of the building.

Building tops and roofscape

- G5.7** Integrate the top of a building, including plant and services, as an explicit and coherent part of its overall composition.

The top of a building is more than the roof. However, how much of a building comprises its 'top' varies, depending on its height and the chosen design concept. On a four storey building the 'top' may include the uppermost storey. How the building top is realised, or whether this consideration extends further down the building, is a matter of architectural judgement that depends on the design concept and proportions, as well as the building's overall height.



An integrated building top

- G5.8** Place particular emphasis on the design and appearance of the tops of tall buildings which are prominent in views across the neighbourhood.

The image and form of the neighbourhood is strongly influenced by buildings that are tall - either in absolute terms or relative to their neighbours - therefore are prominent on the skyline. The design of the tops of such buildings demands particular consideration. The articulation of form and surface of conspicuously tall buildings should generally present large, simple features that can be recognized from afar. Silhouette and profile should also be considered.

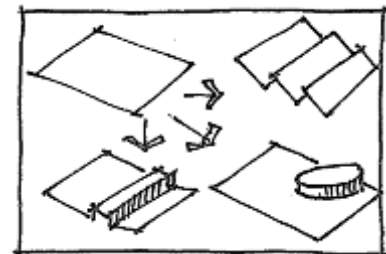
- G5.9** Avoid degrading the value of heritage area skylines by changing the parapets and roofs of heritage buildings or adding to buildings within or immediately adjacent to heritage areas.

Parapet lines contribute to the identity of the building and are often a distinguishing characteristic of the street edge. The roof is a 'fifth elevation' of a heritage building, and its heritage values should be recognised and protected.

The relevant skyline is that which is viewed from the adjacent street and other public vantage points.

- G5.10** Modulate the scale of, and create visual interest in, the roofs of large floor plate low-rise buildings that are viewed from elevated sites or are otherwise prominent.

Regardless of their height, the roofs of large floor-plate buildings can have significant visual impacts - especially when seen from elevated sites around the city. In this respect, low-rise buildings with large plan dimensions can produce more significant visual effects than tall buildings with small footprints. Modulation techniques may include visual subdivision of large roof planes; sculptural roof forms; and expression of structure or secondary form, such as service rooms and towers. The roof edges of such buildings are important when viewed from below, and consideration should be given to the composition of this edge, including its shape and visual rhythm.



Indicative modulation of roofscape

Human scale

- G5.11** Give a sense of human scale at the publicly occupied edges of buildings.

This might be achieved by various means including openings with proportions and/or dimensions that are similar to those of the human figure; textures and subdivision of elements that are of commonly understood dimensions; and elements and components that are sized for human occupation and use.

Flexibility and adaptability

- G5.12** Develop façade imagery that is not exclusively associated with a single type of use, or which could be readily adapted for a number of different activities.

Building use is likely to change over time, except for buildings such as service stations which are necessarily purpose-built. Buildings that are most likely to contribute vitality to the public environment are those that can be readily adapted, ensuring continuity of occupation. This is facilitated by easy subdivision of internal space, multiple entrances at the street edge, and proportions that readily allow subdivision or amalgamation to accommodate different uses. The ability for existing building stock to readily accept change of use is an aspect of environmental sustainability.

Proposed changes of use of heritage buildings should be carefully considered to avoid adverse effects to their heritage values.

6 Materials and Detail

Materials and detail are important in maintaining visual interest and a positive relation to context and heritage value.

The quality of materials and detail is particularly important at ground level. Here, people are able to view buildings at close range and perhaps touch them, increasing the risk of damage. This fact also determines maintenance requirements and serviceability, factors that are particularly important on more inaccessible parts of buildings.

Heritage values should be identified and protected, allowing spaces and fabric of lesser significance to be adapted for re-use. The heritage values of a building or area can be enhanced by reinstating missing original fabric, sensitively replacing existing fabric, and/or ameliorating the effect of previous changes.



Sophisticated detailing in a contemporary building

Objectives

- O6.1** To achieve qualities of visual interest and physical robustness consistent with demands arising from the building's location.
- O6.2** To respect and conserve original heritage fabric.

Guidelines

Compositional coherence

- G6.1** Ensure the quality of materials and detailing is consistent with the compositional theme of the building.

This applies particularly to additions to existing buildings. It is important that the palette of materials characteristic of the original construction be used in any minor additions and alterations to heritage buildings. Similar levels of material quality can also be used to ensure a new building responds appropriately to a valued or

important neighbour.

G6.2 Reinststate missing architectural details on heritage buildings where possible.

This includes reinstating verandas, balconies, parapets etc. where they have been known to exist previously.

G6.3 Ensure richness of detail is provided in public areas and other parts of buildings that are experienced by the public at close range and for extended periods of time.

These parts of buildings require enhanced visual interest to engage the eye of occupants and passers-by. This can be achieved by greater attention to fine detail – for example with materials selected for textural or colour effect, and increased complexity of form at the detailed level. Conversely, large simple forms and a relative absence of fine detail are appropriate in those parts of developments that are experienced only at long range or at speed. Some parts of buildings may be experienced in several ways: a composition that integrates fine detail with medium and large-scale elements is important in such cases.

The incoherent composition of elements (including signage, services and other items) that causes visual clutter to buildings and streetscapes is to be avoided.



Richness of detail at ground level

G6.4 Use three dimensional detail to give visual richness, depth and relief to facades.

A façade is given depth, richness and visual interest with shadow casting detail. This can be created by expressing structural elements; modelling openings with deep reveals; overlapping modular façade materials; double skin facades, and applying shading devices and other elements such as louvres, light reflectors, screens or balconies.

Areas of three dimensional detail may be contrasted and balanced by flat areas for further architectural effect. This approach requires consideration of the overall composition of the building.

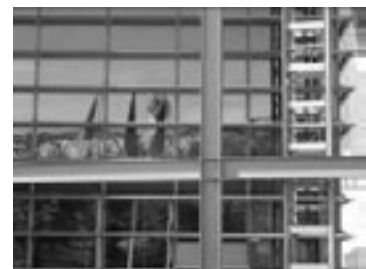


Three-dimensional form

Physical robustness

G6.5 Use physically robust, readily maintained materials and details in areas that can be expected to be subject to damage or vandalism.

High quality finishes and good maintenance help establish an attractive image for a building or place. Materials, finishes and details that are resistant to damage and/or readily repaired or replaced are desirable. Signs of damage or lack of care (as well as overt signs of ‘target-hardening’ such as barred windows and security shutters at shop fronts) will raise perceptions of disorder and a potential safety threat. Some people may be dissuaded from using these places.



Three-dimensional form and detail

Façade transparency

G6.6 Use glazing systems that maintain visual connections between public spaces and building interiors.

Limit, or avoid, the use of highly reflective glazing that precludes day-time visual connection. Such glazing not only prevents the public environment from benefitting from signs of activity, but it can, when used over an entire façade, lead to the

building being visually dominant. Methods for achieving environmental control and privacy that do not preclude visual connections are available. Highly reflective cladding materials should also be avoided where they would create glare conditions in neighbouring streets and public spaces.

Centres Design Guide

Appendix 1 – Newtown

Of all of the suburban centres in the city, only Newtown retains a significant proportion of turn-of-the-century commercial buildings. Clustered around Riddiford Street, these buildings give a distinctive character to the centre of Newtown.

Defining Features

Newtown's distinctive character is based on the following:

Linear form of the commercial centre extending along Riddiford Street.

A variety of building styles with 19th century shopfronts predominant, complemented by other buildings from 1930 to the present day.

Variety of use and diversity of street activity.

Fine grain of development with buildings typically narrow fronted and generally two storeys high.

A particularly prominent concentration of old buildings with a distinctive continuity of shopfronts along Riddiford Street, between Emmett Street and Newtown Avenue.

Notable turn-of-the-century buildings including Castles the Chemist (139 Riddiford Street), the Ascot Theatre (181-189 Riddiford Street) and the Ashleigh Court hotel (112-122 Riddiford Street).

Parapets as a prominent feature of existing frontages, contributing to a distinctive skyline silhouette at the street edge.

Verandas with supporting poles as a typical feature of the shop frontages.

Character Overview

Building type

This area is characterised by narrow fronted mixed use buildings with shops at ground and either offices or residential above. This predominant building type is complemented by a number of community buildings and some large floor plate buildings of variable quality.

While the predominantly 19th century shopfronts give the area its distinctive character, these are interspersed with a diverse range of more recent buildings. Some of these are recognisably contemporary, but nevertheless contribute positively to the streetscape. Others neither contribute to the street nor reflect its essential qualities. Additions and alterations to such 'non-



Riddiford Street



Landmark buildings are prominent at street intersections

character' buildings present an opportunity to improve the street edge.

Building size

Buildings are generally two storeys high, although there are many that are single storey and a few three storey buildings that have a landmark presence and contribute to the definition of the street edge.

Building widths are variable, although most shopfronts are reasonably narrow. The predominant pattern of building width ranges from 4 to 7 metres, which reflects the original pattern of subdivision.

Building relationship to the street

While many of the individual buildings within the area are not of any particular merit, collectively they form a streetscape with distinctively special qualities.

The buildings within this area are typically continuously aligned with the street edge and create a notable consistency of street edge definition. Even though this is the defining characteristic, several parts of the street frontage are characterised by narrow gaps between buildings, and in places there are a variety of uncharacteristically larger setbacks.

Interactive, publicly used ground floors with shops and other activities are an integral part of the street character. Shopfronts are generally formed as bays with shop entrances recessed, either centrally or at one side.

Vehicle access and parking

While much parking is on-street, on-site parking at the street edge is uncharacteristic and discouraged. There are several accessways to parking at the rear of sites.

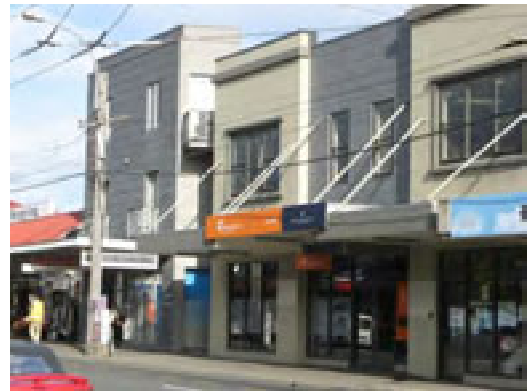
Building form and façade treatment

Visual richness, facade relief and three-dimensional detail are typical features of the street facades of old buildings. To reflect this pattern, new buildings should achieve a complementary level of facade relief and visual complexity.

Most buildings have parapets. Some also have elaborate frieze areas and pediments reflecting various architectural styles and periods. Parapets and friezes are generally in proportion to the height of the existing upper storey windows, the most common proportion being at least the equivalent of one window height, although there are occasional examples of parapets being one and a half times window height. In three-storey buildings, the second and third storeys have similar proportions, the third storey incorporating a parapet, with height approximately half of the window height.

Veranda posts are one of the most distinguishing features. These give a sense of enclosure to footpaths, add character by way of detail to the facades, and offer an opportunity for decoration. While there are some notable examples in cast-iron, most are simple tubular steel. Their thickness and spacing should reflect existing patterns.

The size, style and placement of windows above the ground floor level are some of the distinguishing characteristics of buildings



Some recent buildings contribute positively to the streetscape



Modest, narrow-fronted old buildings group together to make a distinctively attractive streetscape



Typically narrow shopfront



Richness of detail

here. Windows have vertical proportions, being generally twice as high as wide, and are in most cases regularly spaced. Windows in the older Victorian and Edwardian buildings tend to be double hung, while those of the inter-war period are usually casement windows.

Materials

The existing buildings use a variety of materials including timber, plaster and brick. Colour has been used generally to emphasise design features and enhance detail.

Street landscaping

Street landscaping on private lots is not a feature here, however street trees are beginning to mature and have a strong visual presence along parts of Riddiford Street.



Upper level windows and parapets



Detail of cast iron veranda posts

Centres Design Guide

Appendix 2 – Brooklyn

Brooklyn is a ‘District Centre’ set in an amphitheatre-like bowl and point of convergence of a number of important local streets. Long established, it contains a diverse collection of buildings representing all of the key eras of development over the last century.

Defining Features

Brooklyn’s distinctive character is based on the following:

Landmark buildings at and visible from the intersection of Ohiro Road and Cleveland Street (including the Penthouse Cinema), complemented by other venerable older buildings along Cleveland Street.

A high degree of diversity of building types, styles, siting, form and materials.

Richness, variation and informality arising from the diversity of buildings, and dispersal and openness of development here.

Dispersal and openness allowing potential for successful integration of new infill development.



Cleveland Street

Character Overview

Building type

Brooklyn includes a highly diverse range of building types with examples from most eras of development. Shops and community facilities including library, church and cinema are interspersed with a mix of houses and apartments.

The church buildings overlooking the Ohiro Road intersection are prominent on the local skyline, but because of their elevation, do not have a strong presence at the street edge.

Building size

Buildings vary in height from one to three storeys but are predominantly two storeys. Building widths are also variable, although most shopfronts are reasonably narrow.

The single storey development on the south side of Cleveland Street including the fire station and extending to Ohiro Road is uncharacteristically low, and offers the potential for new development with a stronger visual presence.



Landmark buildings at the intersection of Cleveland Street and Ohiro Road

Landform and character

Location in a bowl-like setting surrounded by steep hills creates variation at the street edge, and with the surrounding elevated residential areas providing a backdrop in many views from the street, adds visual interest.

Building relationship to the street

While many (and particularly the older) developments are built to the street edge, the street frontages are characterised by gaps and a variety of setbacks.

Most but not all buildings have shopfronts to the street. Gaps are common at the street edge, and often provide access to parking at the rear of sites. Local shops are interspersed with houses with front gardens along the northern edge of Cleveland Street, creating further discontinuity at the street edge.

Vehicle access and parking

While much parking is on-street, there is some on-site parking at the street edge as well as accessways to parking at the rear of sites. Car parking at or visible from the street edge is typically not well-landscaped, and compromises the streetscape.

Building form and façade treatment

The primary forms of most buildings, particularly older buildings, are large and simple. Nevertheless the wide diversity of building types, ages and styles is reflected in variation of façade treatment.

Materials

The centre shows a diverse mix of materials reflecting the wide range of building ages and styles. A mix of light timber framing and timber cladding, rendered brick and concrete masonry as well as concrete construction all contribute to the characteristic diversity.

Street landscaping

Street landscaping is not a feature here. Planting is generally recessive, with the most prominent landscape elements being areas of planting on the frontages of existing houses, complemented by a few small street trees.



The prominent façade of the Penthouse Cinema is both a local landmark that signals an important community destination



Gaps and variation in height and alignment along the street edge



Variety in building form, scale and type

Centres Design Guide

Appendix 3 – Kelburn

Kelburn is a ‘Neighbourhood Centre’ set on a ridge top at the apex of a curve on Upland Road. A ridge-top location and established residential at its boundary limit its extent, concentrating a broad mix of retail and community facilities to give a sense of vitality.

Defining Features

Kelburn’s distinctive character is based on the following:

Spatial enclosure from its location at the apex of a curve in Upland Road in combination with closely spaced buildings that define the edges of the road.

The group of landmark buildings including St Michael’s Church and Hall and the Kelburn Villas, which collectively are prominent at the apex of the curve of Upland Road.

Concentration of closely packed activity and narrow frontages that give a strong sense of intensity and vitality.

Richness and intricacy arising from diverse building types, narrow frontages, setbacks at upper level and complex additions to buildings.

Asymmetrical street cross-section with contrast between high buildings on the south side of Upland Road and low buildings on the north side

Street trees and the open grassy area around St Michael’s Church.

Character Overview

Building type

Kelburn contains a diverse range of building types including a church and hall, converted residential villas, an apartment block and conventional strip retail with the unusual hybrid of villas placed above these.

These villas are set above and back from the street edge, located close to the apex of the curve and are therefore prominent in views when approaching the centre.

The northern side of the street demonstrates a consistent type of development with three low buildings subdivided for narrow retail frontages.

Building size

Buildings on the southern side of Upland Road, range from one to four storeys in height but give an impression of being generally



Curvature of Upland Road creates a sense of spatial enclosure

two-three storeys high.

In contrast, the north edge of the street is defined by single storey buildings although these extend one or two storeys below the road. The north-facing rear of these buildings is prominent in views from the Glen, North Terrace and parts of Upland Road close to the cable car.

The entire centre has a relatively fine grain, with many small tenancies and consistently narrow frontages.

Landform and character

Location on a restricted area along a ridge has led to concentration and intensity, and lack of on site car parking.

The escarpment above St Michaels Crescent in combination with the curve of Upland Road lends spatial enclosure to the centre.

Building relationship to the street

Buildings are consistently built to the street edge with shopfronts to the street. Pedestrian access only to the rear of sites is provided with narrow gaps between buildings, thus maintaining an apparently continuously defined street edge.

A minor exception to the norm is the steps up to the Kelburn Villas, and the entrance and lawn space around St Michaels Church. However, these pedestrianised spaces complement the street edge, and provide a location for social and community activities.

There are variable setbacks at high level at the south side of Upland Road where detached villas are set back from the edge of a single storey plinth.

Vehicle access and parking

A complete absence of vehicle access from Upland Road gives total pedestrian priority to the street edge.

Building form and façade treatment

With few exceptions, this is a complex aggregation of relatively small forms. It is characterised by richness and intricacy and is particularly complex and diverse on the southern side of the street.

Visible parts of the north facing facades of buildings on the north side of Upland Road have generally been treated as secondary frontages, with activity within the building taking advantage of northerly aspect and views.

Materials

With the exception of the brick masonry of St Michael's Church, buildings are predominantly light timber framed and visible facades are typically timber clad. Monolithic cladding appears only in one recent development and is uncharacteristic.

Street landscaping

Street trees are an important defining characteristic. Mature pohutukawas by St Michaels Church, and the exotic trees on the other side of the street continue the Upland Road pattern of planting. The trees opposite the shops reinforce the asymmetry of the street here, and provide a soft green contrast to the core retail area.



Rear of buildings prominent in long-range views from the north



Narrow, single storey frontages to the north side of Upland Road



Richness and intricacy within the Kelburn Villas and in the additions at its frontage.



Large, mature pohutukawa trees frame the western entry into Kelburn

Centres Design Guide

Appendix 4 – Churton Park

Churton Park Village has been identified as a ‘District Centre’ to provide the communities of Churton Park and Glenside with a Village centre that will form the focal point and social interaction hub for these communities whilst providing for their day-to-day needs. Quality of development is essential in delivering such a place. Buildings will create a degree of critical mass balanced by park and open space to ensure a sense of place is established. Accessibility for public transport, private vehicles and pedestrians is made easy though balanced against pedestrian amenity. The Village centre will be an inviting and safe place to be in at all times of the day and night.

Design, external appearance and siting of buildings

Design in context of intended use:

Buildings need to be designed to accommodate the anticipated activities for the village centre. The supermarket is located centrally, substantially (but not necessarily entirely) behind the street front shops and residential activities, in order that it does not overly dominate the village feel of the development and to ensure a balance is struck across all anticipated uses. Plans submitted with applications will need to demonstrate what activities are anticipated for any individual or part of a new building or extension. Likewise, subdivision layout needs to be able to accommodate the anticipated activities and this needs to be demonstrated in applications.

Street edge:

The commercial buildings fronting Westchester Drive and Lakewood Ave need to form an active edge through their siting and design. This does not necessarily require that buildings form an unbroken lineal edge along the street but that needs to be considered in the context of the requirement for continuous verandah cover over the public street. Buildings may be setback with a curtilage that edges the street, or have recessed doors at the street edge, though any such treatment or design needs to take account of the verandah, display window and prominent feature requirements. Any supermarket design that extends a pedestrian link or pedestrian entrance to a street frontage needs to be in keeping with these street edge design principles and meet the **standards in 7.6.2** for display windows and verandah cover and active building edges.

The prominent feature will be the identifier for the centre and as such needs to be designed as a landmark. It may extend into the public street, but this may require an encroachment licence to be obtained from Council.

Buildings:

All buildings in the commercial centre must have front and rear elevation treatments that are appropriate to the spaces and activities they adjoin or face. All buildings, including the supermarket building, facing a public space must form an appropriate relationship with it, including fronting and interacting with the space.

For the supermarket building, the appropriateness of the relationship between any building elevation and public space will be determined by:

- Whether or not the elevation, or part thereof, faces directly onto or toward the public space that is part of the required open space area (shown green on the concept plan map). Any such elevation will need to be fully activated; and otherwise
- What part of the site a building elevation facing public space is located in:
 - a) The actual length of activation considered necessary for each elevation will depend upon the length and importance of the elevation facing the public space and how prominent on the site the elevation is.
 - b) Areas towards the front of the site and heart of the village centre, nearer road frontages, site access points and integral activities of the village centre are important so up to 50% of an elevation at the front of the site should be activated.
 - c) Areas towards the rear (south), of the site and away from site entranceways are less important so activated building elevations will not be necessary. This does not dispense with the need for articulation or other appropriate elevation treatments to deal with building appearance, blank walls and mass. Landscaping may be used to assist but building treatments are more important.

The design of any building needs to be derived from a coherent overall compositional idea, taking into consideration the adjoining or adjacent building. Dimensions should aim to reduce the apparent size of a building, using modulation where necessary. Un-modulated square boxes and multi storey blank walls are not anticipated. All elevations must exhibit some form of relief, whether by architectural detailing or openings with doors and windows. Detailing and tactile qualities should provide visual interest and materials should be used that give an appearance of durability and robustness.

In siting and designing the floor layout of buildings, consideration needs to be given to connectivity to public space and interconnections with other buildings and activities within the centre. Building location and layout will need to demonstrate how safe pedestrian ‘pathways’ are facilitated so that the centre is legible and permeable from all edges and between all activities.

Additionally, all buildings shall be located to avoid the secondary overland flow path referred to in standard 7.6.5.1.154. The overland flow path is required to be shown on all development plans.

Structure and design of public space

The open space area needs to have good access to sunlight and be protected from the wind. Physical and visual connections need to be made with the public street as well as active edges with adjoining buildings and pathways. The layout and design of buildings and any public space surrounding them need to consider crime prevention and public safety, including (but not limited to) lighting, sense of security and the ability for observation over public space areas. Overall public space needs to provide a pleasant place for people to congregate, be user friendly and well connected to other parts of the centre. The design and location of public space needs to demonstrate all these attributes and show how they will be achieved through design, landscaping, furniture, planting etc.

Location and layout of parking and servicing, and servicing hours

Service and parking areas are essential to the efficient functioning of the **village centre** though both have the potential to visually detract from it if not well planned and integrated.

Car parking:

The layout of parking and vehicle circulation areas should be easy to navigate for both drivers and pedestrians, and accommodate clear and safe pedestrian routes linking the **village centre's** activities.

Car parking should be laid out in a manner that avoids the appearance of a ‘sea of parking’, rather parking should be compartmentalised and broken up. This can be achieved through building location, appropriate site design using landscaping (including planting), and pedestrian pathways through the parking area that have a different surface (texture or colour) treatment. Both landscaping and pedestrian pathways are required so these need to be included in parking layout design.

Plans accompanying proposals will need to demonstrate how the above matters are achieved.

Service areas:

Service areas for all activities/buildings should be located separately from public spaces and pedestrian pathways wherever possible (i.e. predominantly); appropriate screening and/or landscaping needs to be used in the few instances where service areas *cannot be* located separately from and back onto public space. Plans accompanying applications need to show all service areas, demonstrate they are located in the best possible place and how interface areas are to be treated.

Applications for all activities requiring or providing service areas will need to provide information about likely service times, what types of service vehicles will frequent the site and which site access will be used. If necessary resource consent conditions may be imposed limiting service delivery hours between the hours of 10pm and 7am all days of the week in order to manage potential noise and disturbance effects to neighbouring or adjacent residential properties and dwellings.

Landscaping

Landscaping has several functions besides providing amenity value for the **village centre**. It can be used to identify pedestrian from vehicle routes, to screen unsightly service/rear of building areas, as a means of storm water management and to create feature areas.

Landscape components of developments should consider the need for hard surface and planted areas. Pedestrian routes need to have different surface treatments (texture or colour). The open space area needs to include furniture, lighting, planting and hard surface areas (pathways and seating space).

Any hard surface areas may need to have a permeability function for storm water management if they drain to the W4 area, thus materials need to be investigated for their function and identified in landscape plans accompanying development proposals.

Specimen trees need to be included at a ratio of not less than 1 tree per 10 car parks *plus* 1 tree per 25m at other locations throughout the **village centre** such as between activities and along boundaries.

The use of plants needs to be appropriate to their location and intended function and affect. Landscape plans need to identify plant type and state their intended purpose in the area proposed; e.g. specimen tree to break parking area, or row of 1m tall shrubs to edge open space, or mass planting of grasses to add texture and colour. Planting needs to be effective, visible from the intended viewing space and create soft edges to built development. Landscape plans need to demonstrate how this is achieved. An inappropriate use of plants would be for example, low level grasses in a large format parking area as they are hardly visible and do not compartmentalise or break-up the open space created by parking.

Site Access, pedestrian and vehicular

Site access needs to consider where vehicles and pedestrian will enter and leave the site, what vehicle use will be made of each access point and appropriateness of design of the access to suit the intended use (i.e. will vehicle access be used by service delivery vehicles, cars or residential?), what impacts/changes will occur in the public street as a result of vehicle and pedestrian access points and whether or not alterations to or in the public street (e.g. traffic calming, pedestrian crossings etc) will be necessary to ensure public safety and transport safety factors are provided for. Public transport also needs to be considered and integrated into site access design and functions. The Traffic Engineers Report required to be submitted will be used to assess these matters and the appropriateness of response to them in any resource consent application.

Pedestrian:

The location of pedestrian access points to the **village centre** need to be legible and visible from the public street, be connected with public transport and provide views to focal point(s) within the **village centre** (such as the supermarket, a specimen tree or the open space). Approximate locations for pedestrian access points are indicated on the map, though the number and locations are not precise and are ultimately dependent on building design and location, vehicle access points and location of public transport.

Vehicular:

The design of vehicle access points needs to incorporate landscape treatments and space for signs. Additionally, pedestrian friendly design of the vehicle access points is to be considered with use of islands, paths and landscaping to assist. Development proposals must demonstrate these components have been considered and incorporated.

Residential development

Semi-detached residences or rows/terraces of attached residences are anticipated to make up the bulk of residential development. Standalone houses should be limited (i.e. comprising less than one quarter of the housing), but may be considered in providing a range of housing options. All residential development, whether stand alone, semi-detached or attached shall be designed in accordance with the Residential Design Guide.

Storm water management

On site developments and subdivision need to consider the volume of water that would be discharged in a 1 in 100 year storm event into the adjacent W4 flood detention area designated by Wellington Regional Council. How water is treated and discharged into the W4 area will be assessed for appropriateness in any development or subdivision application, and again conditions of consent imposed where necessary.

Additionally, the secondary overland flow path shall be identified, protected by easements in any subdivision proposal and all building development clear of it. The appropriateness of treatment of the secondary overland flow path by development and subdivision will be assessed at the time a resource consent application is made, and where necessary conditions of consent imposed.

The role of soft landscaping options need to be considered in reducing storm water flow from the site and be used as a means of primary treatment of storm water.

Subdivision

Subdivision type (tenure), layout (including access arrangements) and lot size need to facilitate the envisaged development identified on the map. Applications for subdivision must clearly demonstrate how the subdivision layout and lot size will facilitate development of the **village centre** as per the map and the standards in 7.6.5.

Centres Design Guide

Appendix 5 – Adelaide Road/Mt Cook

The Adelaide Road area is a long wide corridor, defined by a busy arterial street. It is bounded to the west by Massey University and the residential area of Mount Cook, with Government House and Wellington Hospital to the east, and three major secondary schools in close proximity. A consequence of the wide range of activities of various types and scale within the area is a diverse range of building types and sizes. Furthermore it is an identified 'area of change' where significant development is anticipated.

Defining Features

The Adelaide Road area's character is based on the following:

Diversity

Historically a mixed use area, this diversity continues into the present day, with continuation of a wide range of building ages, types, and radically diverse building sizes and frontage setbacks. While diversity is a defining characteristic, and attributes such as mixed building type and use contribute positively to character, other aspects such as a diversity of frontage setbacks and street edge treatments establish precedents which should not be followed.

Opportunity for change

The relatively low development on most sites relative to that permitted, and the openness of many sites fronting Adelaide Road offers significant development potential and opportunity for change. Well serviced and accessible, this area has been identified as suitable for change, and is planned to accommodate significant intensification.

Utilitarian building stock and streetscapes

The area also has a relatively undeveloped streetscape, and many utilitarian buildings with poor edges to the street. Streets are heavily vehicle dominated or service-oriented and lack public landscaping. The spaces between buildings are typically service oriented. With the exception of some spatial definition, the area has few of the qualities associated with high quality urban design. Characteristics include variable uncoordinated frontage setbacks, expanses of asphalt and on-site parking at the street edge, large monolithic walls. Large scale landscaping is notably absent. However, the diversity of urban form and activity, and the commercial and 'gritty' nature of Adelaide Road suggests vitality and contributes to a distinctive sense of place. When developing a new character, aspects of this vitality might be maintained in parallel with significant amenity enhancements.

Proximity to Government House

This area provides the setting for Government House: its main entry is from Dufferin/Rugby Streets, and the ceremonial drive extends along the eastern boundary of the area.



Characteristic diversity and opportunity for change along Adelaide Road

Government House and its grounds have a high public significance. They include heritage elements and features of local and national significance, and also contribute a park-like environment to the broader urban landscape. The significance of Government House, its adjacent grounds and driveway are such that special care is required with:

- The quality, articulation, composition and coherence of the tops and rear of buildings that are in view from Government House, from its grounds adjacent to the zone boundary, and frontages to Rugby Street adjacent to the main entrance.
- Avoiding visual dominance, compromising privacy and causing excessive shading at the main entrance space accessed from Dufferin/Rugby Streets, to the nearby Coronation Grove and the ceremonial drive that links these spaces.
- The visual quality of any structure or development adjacent to the main entrance to Government House.

Boundary to an old inner residential area

Along much of its eastern boundary this area adjoins concentrations of the older inner city housing of Mount Cook. This has a fine-grained domestic scale, interspersed with some large scale institutional buildings such as Massey University. Scale relationship adjacent to this area will be important.

Few and widely dispersed heritage buildings

There are several identifiable heritage buildings in the area, and these are widely dispersed. The most prominent is the hotel that occupies the south-west corner of Drummond Street and Adelaide Road. In only one instance, at the east side of Adelaide Road close to the John Street intersection is there a concentration of character buildings. This concentration of narrow-fronted retail buildings close to John Street extends the shops in adjacent Riddiford Street, contributing to a streetscape with a distinctive, fine-grained quality.

Local difference

Reinforcing the general diversity of character, different parts of this large area have their own definable character. Residential is dispersed throughout, but is concentrated along the fringes in the south-west and north east of the area. Even here, a significant variety of building type, and size as well as a variety of uses is apparent. Vehicle-oriented retail is typically found fronting on to Adelaide Road, and the streets immediately off that, however this creates uncoordinated open spaces and conditions which are not welcoming to pedestrians. The group of character buildings on the eastern side of Adelaide Road opposite John Street is the only grouping that relates to traditional patterns of retail development.

Character Overview

Building type

The area contains a highly diverse mix of building types accommodating a range of activities. Institutional buildings, large floor-plate industrial and manufacturing buildings, vehicle oriented retail, trade yards, medium rise apartments and small scale residential all occupy this area. Plans for large supermarkets at the northern end, and just beyond the south have been developed. There are however no buildings that rise significantly above the norm with the exception of a few outside the area in the



Government House main entrance with related entrance space behind



Coronation Grove



The ceremonial drive is a private tree-lined avenue of approach to Government House

adjacent Wellington Hospital, Massey University and Wellington College grounds.

Building size

Buildings here are highly variable in size, both in the vertical and horizontal dimensions. Small single storey cottages and two storey villas are interspersed with buildings that have large floor plates and are much higher, often up to four or five storeys in height. The permitted and discretionary height levels reflect that even taller buildings are anticipated.

Landform and character

Located along a valley floor, this area is looked down on from both residential areas to the west and Government House to the east. This makes the roofscape, including quality of building backs and tops, visually significant.

Building relationship to the street

The entire area is characterised by variable spatial enclosure with building fronts right on the street edge in some parts, and a variety of vacant sites and sometimes arbitrary setbacks in other places. Verandas are discontinuous, appearing only on four old buildings close to John Street. The western side of Adelaide Road has several wide frontages built to the street edge, and a higher degree of spatial definition than the eastern side.

Frontages vary greatly in width along Adelaide Road, depending on their location and size of building. There are many relatively blank and inactive facades at or close to the street edge, particularly with commercial and industrial buildings.

Vehicle access and parking

Adelaide Road carries a heavy traffic load and provides street-side car parking. Many existing activities have extensive on-site parking at the frontage, or parking that is dominant in view from the street. While a defining characteristic, this detracts from the amenity of the area.

Building form and facade treatment

Buildings are typically simple rectilinear primary forms, and simple shapes, aligned parallel to the street edge. This reflects the utilitarian origins of many of the industrial and commercial buildings here.

Buildings close to John Street have a richness of facade detailing characteristic of the era in which they were constructed. This detailing includes double hung windows, wide window facings, brackets or cover boards at corners, although these frontages have been heavily modified. The base of any shopfront glazing is typically raised above pavement level. While not every building in this grouping has a veranda, where these occur, veranda posts are typical. Upper level windows are typically proportioned to give a vertical emphasis.

Materials

The wide variety of materials used on different buildings through this area reflects the general diversity of building type, size and age.

Street landscaping

Street landscaping is limited and uncoordinated, with most frontages where buildings are not built to the street edge accommodating car parking, sometimes with associated planting.



Fine-grained neighbouring development on Douglas Street



One of the few dispersed heritage buildings, contributing positively to the streetscape



Mix of building types, viewed from King Street



Mix of building types and street edge along King Street

Existing patterns do not provide a precedent for future development.



Modest, narrow-fronted old buildings form a traditional streetscape close to John Street



Utilitarian buildings and typical street edge treatment along Adelaide Road

Proposed Plan Change 73

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

Key to the following annotated text

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

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

33. BUSINESS AREAS

33.1 Introduction

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

33.2 Business Area Objectives and Policies

OBJECTIVE – ROLE AND FUNCTION OF BUSINESS AREAS

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

POLICIES

To achieve this objective, Council will:

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

METHODS

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

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

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

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

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

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

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

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

METHODS

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

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

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

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

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

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

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

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

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

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

OBJECTIVE – ACTIVITIES

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

POLICIES

To achieve this objective, Council will:

Range of activities

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

METHODS

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

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

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

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

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

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

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

METHODS

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

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

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

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

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

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

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

METHODS

- Planning Maps
- Rules

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

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

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

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

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

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

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

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

Retail activities

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

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

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

METHODS

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

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

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

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

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

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

METHODS

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

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

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

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

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

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

METHODS

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

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

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

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

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

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

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

Kiwi Point Quarry

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

METHODS

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

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

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

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

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

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

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

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

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

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

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

Temporary Activities

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

METHODS

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

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

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

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

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

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

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

Noise

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

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

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

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

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

METHODS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

METHODS

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

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

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

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

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

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

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

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

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

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

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

Environmental issues

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

METHODS

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

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

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

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

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

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

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

METHODS

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

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

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

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

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

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

OBJECTIVE – BUSINESS PRECINCTS

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

POLICIES

To achieve this objective, Council will:

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

METHODS

- Rules
- Design Guide (Shelly Bay)

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

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

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

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

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

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

METHODS

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

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

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

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

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

OBJECTIVE – BUILT DEVELOPMENT, URBAN DESIGN AND PUBLIC SPACE

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

POLICIES

To achieve this objective, Council will:

Design Guidance

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

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

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

METHODS

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

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

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

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

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

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

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

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

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

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

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

METHODS

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

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

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

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

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

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

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

Residential development

33.2.4.4 Allow residential development in Business 1 Areas where it utilises upper floors of buildings and provides a secure and pleasant environment for the occupiers.

33.2.4.5 Enhance the quality and amenity of residential buildings in Business 1 Areas by guiding their design to ensure current and future occupants have an adequate standard of amenity and appropriate access to daylight and an awareness of the outside environment.

METHODS

- Rules
- Design Guides

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

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

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

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

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

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

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

Zone interfaces

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

METHODS

- Rules
- Advocacy
- Design Guidance

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

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

Building height, bulk and location

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

METHODS

- Rules
- Design Guide for Centres

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

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

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

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

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

Health, safety and security

33.2.4.8 Ensure that all spaces accessed by the public are safe and are designed to minimise the opportunities for crime.

METHODS

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

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

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

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

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

OBJECTIVE – BUILDING EFFICIENCY AND SUSTAINABILITY

33.2.5 To promote energy efficiency and environmental sustainability in new building design.

POLICIES

To achieve this objective, Council will:

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

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

METHODS

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

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

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

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

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

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

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

OBJECTIVE – ACCESS AND TRANSPORT

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

POLICIES

To achieve this objective, Council will:

Multiple transport modes

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

METHODS

- Planning Maps
- Rules

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

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

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

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

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

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

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

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

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

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

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

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

Managing adverse effects

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

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

METHODS

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

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

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

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

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

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

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

Roading hierarchy

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

METHOD

- Rules

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

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

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

Pedestrian access and accessibility for people with restricted mobility

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

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

METHODS

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

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

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

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

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

Servicing and site access

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

METHODS

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

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

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

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

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

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

OBJECTIVE – SIGNS

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

POLICIES

To achieve this objective, Council will:

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

METHOD

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

METHODS

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

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

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

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

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

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

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

METHODS

- Rules
- Design Guides

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

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

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

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

OBJECTIVE – SUBDIVISION

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

POLICIES

To achieve this objective, Council will:

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

METHODS

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

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

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

Matters to consider in assessing all applications for subdivision include:

- the requirements of Section 106 of the Act;

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

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

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

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

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

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

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

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

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

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

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

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

OBJECTIVE – NATIONAL GRID

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

POLICIES

To achieve this objective, Council will:

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

METHODS

- Rules
- Advocacy

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

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

and development of the National Grid.

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

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

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

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

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

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

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

OBJECTIVE – COASTAL ENVIRONMENT

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

POLICIES

To achieve this objective, Council will:

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

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

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

METHODS

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

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

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

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

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

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

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

OBJECTIVE – NATURAL AND TECHNOLOGICAL HAZARDS

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

POLICIES

To achieve this objective, Council will:

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

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

METHOD

- Rules

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

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

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

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

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

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

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

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

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

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

METHODS

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

- Rules
- Advocacy

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

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

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

METHODS

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

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

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

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

METHOD

- Rules

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

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

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

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

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

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

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

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

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

OBJECTIVE – HAZARDOUS SUBSTANCES

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

POLICIES

To achieve this objective, Council will:

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

METHODS

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

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

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

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

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

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

33.2.12.2 Reduce the potential adverse effects of transporting hazardous substances.

METHODS

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

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

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

The environmental result will be safer communities.

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

METHODS

- Rules

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

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

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

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

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

METHOD

- Rules

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

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

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

- *site layout, design and management to avoid, remedy or mitigate any adverse effects of the activity;*
- *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.*
- *necessity for secondary containment of bulk storage vessels;*
- *location of and separation distance between the hazardous facility and residential activities;*
- *location of and separation distance between the hazardous facility and critical facilities and lifelines;*
- *location of the facility in relation to the nearest waterbody or the coastal marine area;*
- *access routes to the facility, location and separation distance between the*

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

Note, section 3.2.2.9 sets out the information required for a Site Management Plan (or Environmental Management System) to include as part of any resource consent application relating to hazardous substances.

Note, Council will require the design of the site to include measures which will prevent the accidental releases of any hazardous substances into the environment.

facility and sensitive activities and uses, sensitive environments and areas of high population density;

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

OBJECTIVE – TANGATA WHENUA

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

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

POLICIES

To achieve this objective, Council will:

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

tangata whenua and other Maori.**METHODS**

- Rules
- Information

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

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

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

METHOD

- Rules

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

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

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

METHOD

- Rules (condition on resource consent, consultation)

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

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

Proposed Plan Change 73

Annotated provisions of new Chapter 34 – Business Area rules and standards to Operative District Plan showing proposed changes

Key to the following annotated text

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

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

Chapter 34. Business Area 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 that comply with standards in 34.6.1	34.1.1	●			
In Business 1 Areas, all retail activities, except supermarkets with a gross floor area greater than 1,500m ² GFA and integrated retail developments with a GFA greater than 10,000m ²	34.1.2	●			
In Business 2 Areas, trade supply retail, wholesalers, service retail, ancillary retail, and yard-based retail activities are a Permitted Activity	34.1.3	●			
Activities relating to the upgrade and maintenance of roads and accessways	34.1.4	●			
Quarrying - Kiwi Point [or Kiwi Point Quarry Extension Area (Ngauranga Gorge)] ^{PC25} subject to conditions	34.1.5	●			
Any activity listed in Section 3.5.2.2 (hazardous substances)	34.2.1		●		
Activities that provide more than 70 parking spaces	34.3.1			●	
Critical facilities in a Hazard Area	34.3.2			●	
Quarrying and cleanfilling activities that do not meet standards in 34.6	34.3.3			●	
Permitted, Controlled or Discretionary (Restricted) Activities that do not meet standards in 34.6.1	34.3.4			●	
New noise sensitive activities within the Business 2 Areas	34.4.1				●
Supermarkets in all Business 1 Areas with a gross floor area greater than 1500m ²	34.4.2				●
Integrated retail developments comprising large format retail activities in Business 1 Areas with a cumulative gross floor area greater than 10,000m ²	34.4.3				●
Integrated retail developments comprising any other retail activity apart from large format retail activities in Business 1 Areas with a cumulative gross floor area greater than 2,500m ²	34.4.4				●
Retail activities in Tawa South and Takapu Island that do not comply with standard 34.6.1.14	34.4.5				●
Helicopter landing areas	34.4.6				●
Buildings	Rule	P	C	DR	DU
Construction of, alteration of and addition to buildings and structures subject to standards in 34.6.2	34.1.6	●			
Total or partial demolition or removal of buildings and structures except heritage items	34.1.7	●			
Construction, alteration of, and addition to buildings, including accessory buildings, and structures within the Tawa Hazard (Flooding) Area	34.2.2		●		
Construction, alteration of, and addition to buildings, including accessory buildings, and structures within the Tawa Hazard (Flooding) Area and the Takapu Hazard (Flooding) Area	34.3.11			●	
Construction, alteration of, and addition to buildings, including accessory buildings, and structures within the Tawa Hazard (Flooding) Area and the Takapu Hazard (Flooding) Area	34.4.10				●
Construction, alteration of and addition to buildings and structures in	34.3.5			●	

Business 1 Areas with a gross floor area exceeding 500m ²					
Construction of new residential buildings, including accessory buildings, or the conversion of existing buildings for residential activities on any site within Business 1 Areas (except the Shelly Bay Business Precinct and those sites contained within the airnoise boundary)	34.3.6			●	
Construction, alteration of, and addition to buildings and structures in Shelly Bay Business Precinct	34.3.7			●	
Construction, alteration of and addition to buildings and structures in Business 2 Areas with a gross floor area exceeding 4000m ² and located on a site adjacent to or abutting a Residential Area or a state highway	34.3.8				
Construction, alteration of, or addition to buildings and structures that would be Permitted Activities but that do not meet standards in 34.6.2	34.3.9			●	
Construction, alteration and addition to buildings and structures exceeding 30m ² gross floor area in the Hazard (Fault Line) Area	34.3.10			●	
Construction of buildings or structures <u>involving the provision of which provide</u> more than 70 parking spaces	34.3.12			●	
Construction of new residential buildings within the airnoise boundary	34.4.7				●
Construction of new residential buildings, including accessory buildings, or the conversion of existing buildings for residential activities on any site within Business 2 Areas	34.4.8				●
Pedestrian bridges, buildings and structures over roads	34.4.9				●
Signs	Rule	P	C	DR	DU
Signs complying with the standards in 34.6.3	34.1.8	●			
Signs that do not meet standards in 34.6.3	34.3.13			●	
Subdivision	Rule	P	C	DR	DU
Subdivision except for company lease, cross lease and unit title subdivision, subject to standards 34.6.4	34.1.9	●			
Company lease, cross lease and unit title subdivision	34.2.32		●		
Subdivision not being Permitted or Controlled Activities	34.3.14			●	
Heritage	Rule	P	C	DR	DU
Activities affecting heritage items	21.0	●	●		●
Buildings affecting heritage items	21.0			●	
Utilities	Rule	P	C	DR	DU
Utilities	23.0	●	●	●	●

Schedule of Appendices

Number	Appendix
1	Shelly Bay Business Precinct – Boundary Location
2	Kiwi Point Quarry (Ngauranga Gorge)
3	Indicative list of activities under Schedule 3 of the Health Act 1956
<u>4</u>	<u>Rongotai South Area Specific Provisions</u>

34. BUSINESS AREA RULES

34.1 Permitted Activities

Section 34.1 describes which activities, buildings, structures, signs and subdivisions are permitted in Business Areas provided they comply with the standards in section 34.6.

ACTIVITIES

34.1.1 Any activity is a Permitted Activity provided that it complies with the standards specified in section 34.6.1 (activities), except:

- retail activities in Business 1 Areas (see Rule 34.1.2)
- retail activities in Business 2 Areas (see Rule 34.1.3)
- the use, storage or handling of those hazardous substances, listed in section 3.5.2.2 (see Rule 34.2.1)
- any activity that provides more than 70 parking spaces (see Rule 34.3.1)
- any critical facility within a Hazard Area (excluding port activities located within the Operational Port Area which are permitted) (see Rule 34.3.2)
- noise-sensitive activities within Business 2 Areas (see Rule 34.4.1)
- helicopter landing areas (see Rule 34.4.6)
- those activities listed under the Third Schedule to the Health Act 1956 (see Rule 34.5)
- cleanfills greater than 100m³, except as provided for in Rule 34.1.5, Kiwi Point Quarry Area in Ngauranga Gorge (see Rule 34.5)
- landfills (see Rule 34.5)
- quarrying, other than that provided for in Ngauranga Gorge under Rule 34.1.5 (see Rule 34.5)
- any activity in the southern part of the Kiwi Point Quarry (defined as the area south of the access point from State Highway One) in Ngauranga Gorge, other than that provided for in Rule 34.1.5 (see Rule 34.5)

Note, that the activities listed in section 3.5.2.1 do not require a HFSP assessment and are consequently exempt from the hazardous substances provisions of the Plan.

Noise sensitive activities are defined in Chapter 3.10.

Note, Appendix 63 lists the types of activities contained in the Third Schedule of the Health Act 1956.

34.1.2 In Business 1 Areas, all retail activities, are a Permitted Activity provided that they comply with the standards specified in section 34.6.1 (activities), except:

- supermarkets with a gross floor area exceeding 1,500m² (see Rule 34.4.2)
- ~~integrated retail developments comprising large format retail activities, apart from trade supply, wholesalers and yard-based retail, with a cumulative total gross floor area exceeding 10,000m² (see Rule 34.4.3)~~
- ~~integrated retail developments comprising any other retail activity apart from large format retail activities with a cumulative total gross floor area exceeding 2,500m² (see Rule 34.4.4)~~
- integrated retail developments comprising large format retail activities (i.e. any individual activity exceeding 450m²) with a cumulative total gross floor area exceeding 10,000m² (see Rule 34.4.3)
- integrated retail developments that are not large format retail activities (i.e. any individual activity not exceeding 450m²) with a cumulative total gross floor area exceeding 2,500m² (see Rule 34.4.4)
- in Tawa South and Takapu Island, retail activities that do not comply with standard 34.6.1.14.1 (see Rule 34.4.5)

Retail activities, supermarkets, and integrated retail developments are defined in Chapter 3.10.

Note that trade supply, wholesalers and yard-based retail are permitted activities.

34.1.3 In Business 2 Areas, the following retail activities are a Permitted Activity provided that they comply with the standards specified in sections 34.6.1 (activities):

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

Definitions for Trade Supply Retail, Wholesalers, Building Improvement Centres, Service Retail, Ancillary Retail, and Yard Based Retail activities are defined in Section 3.10.

34.1.4 Any activity relating to the upgrade and maintenance of existing formed roads and public accessways including associated earthworks, except the construction of new legal road, is a Permitted Activity. ^[PC70]

34.1.5 Quarrying and clean filling on part Lot 1, and part Lot 2 DP 72995, part Lot 4, part Lot 5 and part Lot 6 DP 72996, part Lot 1 DP 34015, part Lot 1 DP 65030 and part Lot 2 DP 91179 Ngauranga Gorge (known as Kiwi Point Quarry) is a Permitted Activity provided that it complies with the standards specified in sections 34.6.1 (activities), 34.6.2 (buildings and structures) and 34.6.5 (Kiwi Point Quarry standards), (except that standard 34.6.1.10.2 does not apply to the temporary stockpiling or storage of quarried rock material).

BUILDINGS AND STRUCTURES

34.1.6 The construction or alteration of, or addition to buildings and structures are Permitted Activities provided they comply with the standards specified in section 34.6.2 (buildings and structures), except:

- the construction, alteration of, and addition to, buildings, including accessory buildings, and structures within the Tawa Hazard (Flooding) Area or the Takapu Hazard (Flooding) Area (see Rules ~~34.2.2~~, 34.3.11 and 34.4.10).
- the construction of, or addition to, buildings and structures in Business 1 Areas with a gross floor exceeding 500m² (see Rule 34.3.5)
- the construction of new ~~residential~~ buildings or the conversion of existing buildings for residential activities on any site (see Rules 34.3.6, ~~34.4.7~~ and ~~34.4.8~~)
- the construction of, or addition to, buildings and structures in the Shelly Bay Business Precinct Area (see Rule 34.3.7)
- the construction of, or addition to, buildings and structures in Business 2 Areas with a gross floor area exceeding 4000m² and located on a site adjacent to or abutting a Residential Area or a state highway (see Rule 34.3.8)
- the construction or alteration of, or addition to buildings and structures which would be Permitted, Controlled or Discretionary (Restricted) Activities but that do not meet one or more of the standards outlined in 34.6.2 (see Rule 34.3.9)
- any building or structure with a gross floor area exceeding 30m² within a Hazard (Fault Line) Area (see Rule 34.3.10)
- the erection of buildings or structures involving the provision of more than 70 parking spaces (see Rule 34.3.12)
- buildings and structures, including pedestrian bridges, located above the street that exceed 25 percent of the width of the street at any point (see Rule 34.4.9).

For work on listed heritage buildings and within heritage areas see Chapters 20 and 21.

34.1.7 The total or partial demolition or removal of buildings and structures are Permitted Activities, except those listed in the District Plan as heritage items or within an identified heritage area.

For schedule of listed heritage items, refer to Chapter 21.

SIGNS

34.1.8 Signs are a Permitted Activity provided that they comply with the standards specified in section 34.6.3 (signs).

SUBDIVISION

34.1.9 Subdivision is a Permitted Activity provided that it complies with the standards specified in section 34.6.4 (subdivision), except:

- **company lease, cross lease and unit title subdivision (see Rule 34.2.3)**

For Pt Lot 2 DP 54434, Grenada, refer to Appendix 5

Subdivision proposals must comply with the City Bylaws. Refer to Section 3.9 of the Plan about requirements to meet Council's Code of Practice for Land Development, service connections to public infrastructure, and vesting infrastructure in the Council.

34.2 Controlled Activities

Section 34.2 describes which activities are Controlled Activities in Business Areas. A resource consent will be required but consent cannot be refused. Conditions may be imposed relating to the matters specified in Rules 34.2.1 – 34.2.2. 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.

ACTIVITIES

34.2.1 Any activity listed in Section 3.5.2.2 involving the use, storage or handling of hazardous substances, is a Controlled Activity in respect of:

34.2.1.1 the use, storage or handling of hazardous substances

Note, that the activities listed in section 3.5.2.1 do not require a HFSP assessment and are consequently exempt from the hazardous substances provisions of the Plan.

Non-notification/ service

~~In respect of Rule 34.2.1 applications do not need to be publicly notified and do not need to be served on affected persons.~~

~~In respect of Rule 34.2.1 applications will not be publicly notified (unless special circumstances exist) or limited notified.~~

Relevant policies for preparing resource consent applications

See policies 33.2.12.1 – 33.2.12.5

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

~~BUILDINGS AND STRUCTURES~~

~~**34.2.2 In the Tawa Hazard (Flooding) Area, the construction, alteration of, and addition to, buildings, including accessory buildings, and structures which are more than 10 metres from the Porirua Stream and have a flood level above the 1 in 100 year flood event within the Tawa Hazard (Flooding) Area are Controlled Activities in respect of:**~~

~~**34.2.2.1 building floor levels and building floor area**~~

~~**34.2.2.2 building and structure location within the site**~~

~~**34.2.2.3 the displacement of flood waters from the site.**~~

~~**For the purposes of clarification, this Rule does not apply to network utility infrastructure, as they are provided for in ‘Section 23. Utility Rules’ of the District Plan.**~~

If the activity does not comply with standards for activities in 34.6.1, Rule 34.3.9 applies in addition to this Rule.

Non-notification/ service

~~In respect of Rule 34.2.2 applications do not need to be publicly notified and do not need to be served on affected persons.~~

Relevant policies for preparing resource consent applications

See policies 33.2.11.1 – 33.2.11.5

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

SUBDIVISION

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

34.2.3.1 stormwater, sewerage and water supply

34.2.2.1

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

provided that all activities, buildings and structures and signs (existing and proposed) comply with the standards specified in section 34.6 relating to vehicle parking, loading, servicing and site access; buildings and structures; and signs. In terms of Standard 34.6.4.1.4, applications must either meet the vehicle access and parking standards, or demonstrate an ability to meet these standards.

The requirement to meet these standards may be waived if resource consent has been sought and granted for those aspects that do not comply, or the buildings has existing use rights under section 10 of the Resource Management Act.

Non-notification/ service

~~In respect of Rule 34.2.3 applications do not need to be publicly notified and do not need to be served on affected persons.~~

In respect of Rule 34.2.2 applications will not be publicly notified (unless special circumstances exist) or limited notified.

Relevant policies for preparing resource consent applications

See policy 33.2.8.1

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

34.3 Discretionary Activities (Restricted)

Section 34.3 describes which activities are Discretionary Activities (Restricted) in Business Areas. Consent may be refused or granted subject to conditions. Grounds for refusal and conditions will be restricted to the matters specified in rules 34.3.1 – 34.3.14. 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.

Any activity under Rules 34.3.1 to 34.3.3 that do not meet one or more of the standards specified in 34.6.1 (activities) is also subject to Rule 34.3.4.

Any building or structure under Rules 34.3.5, 34.3.6, 34.3.7, 34.3.8, 34.3.10, 34.3.11 or 34.3.12 that does not comply with the standards specified in 34.6.2 (buildings and structures) is also subject to Rule 34.3.9.

ACTIVITIES

- 34.3.1 Any activity that provides more than 70 parking spaces is a Discretionary Activity (Restricted) in respect of:**
- 34.3.1.1 the movement of vehicular traffic to and from the site.**
- 34.3.1.2 the impact on the roading network and the hierarchy of roads (see Map 33) from trip patterns, travel demand or vehicle use.**
- 34.3.1.3 the provision and location of facilities for multiple modes of transport.**

If the activity does not comply with standards for activities in 34.6.1, Rule 34.3.4 applies in addition to this Rule.

Note, any activity that triggers Rule 34.3.1 will require a Transport Assessment to accompany any application for resource consent, as required by section 3.2.2.4 of the District Plan.

Non-notification/ service

In respect of Rule 34.3.1 applications do not need to be publicly notified and do not need to be served on affected persons.

In respect of Rule 34.3.1 applications will not be publicly notified (unless special circumstances exist) or limited notified, except that the New Zealand Transport Agency may be considered to be an affected party to any application that involves a site that fronts a State highway.

Relevant policies for preparing resource consent applications

See policies 33.2.6.1- 33.2.6.6

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

- 34.3.2 Any critical facility within any Hazard Area is a Discretionary Activity (Restricted) in respect of:**

If the activity does not comply with standards for

34.3.2.1 the location of the facility.

activities specified in section 34.6.1, Rule 34.3.4 applies in addition to this Rule.

Non-notification/ service

~~In respect of Rule 34.3.2 applications do not need to be publicly notified and do not need to be served on affected persons.~~

In respect of Rule 34.3.2 applications will not be publicly notified (unless special circumstances exist) or limited notified.

Relevant policies for preparing resource consent applications

See policies 33.2.12.1 - 33.2.12.5.

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

34.3.3 Quarrying and cleanfilling activities in Ngauranga Gorge (Kiwi Point Quarry) which would be Permitted Activities but that do not meet one or more of the standards specified in sections 34.6.1 (activities), 34.6.2 (buildings and structures) and 34.6.5 (Kiwi Point Quarry standards) are Discretionary Activities (Restricted), (except that standard 34.6.1.10.2 does not apply to the temporary stockpiling or storage of quarried rock material). Discretion is restricted to the effects generated by the standard(s) not met, subject to compliance with the following condition:

34.3.3.1 the duration of any consent granted for processing plant or buildings in the southern part of the Quarry provided for under this Rule shall not exceed 10 years.

Non-notification/ service

~~In respect of Rule 34.3.3 applications do not need to be publicly notified and do not need to be served on affected persons.~~

In respect of Rule 34.3.3 applications will not be publicly notified (unless special circumstances exist) or limited notified.

Relevant policies for preparing resource consent applications

See policy 33.2.2.7

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

34.3.4 Activities which would be Permitted or Controlled Activities but that do not meet one or more of the following standards outlined in section 34.6.1 (activities) are Discretionary Activities (Restricted). Discretion is restricted to the effects generated by the standard(s) not met:

Any activity that does not comply with standard 34.6.1.14 will be covered by Rule

34.4.5.

- 34.3.4.1 noise (standard 34.6.1.1)
- 34.3.4.2 noise (fixed plant) (standard 34.6.1.2)
- 34.3.4.3 electronic sound system noise (standard 34.6.1.3)
- 34.3.4.4 temporary activity noise (standard 34.6.1.4)
- ~~34.3.4.5 construction noise (standard 34.6.1.5)~~
- 34.3.4.6 port noise (standard 34.6.1.65)
- ~~34.3.4.5~~
- 34.3.4.7 vehicle parking, servicing and site access (standard 34.6.1.76)
- ~~34.3.4.6~~
- 34.3.4.8 lighting (standard 34.6.1.87)
- ~~34.3.4.7~~
- 34.3.4.9 use, storage, or handling of hazardous substances (standard 34.6.1.98)
- ~~34.3.4.8~~
- 34.3.4.10 screening of activities and storage (standard 34.6.1.109)
- ~~34.3.4.9~~
- 34.3.4.11 dust (standard 34.6.1.110)
- ~~34.3.4.10~~
- 34.3.4.12 electromagnetic radiation (standard 34.6.1.121)
- ~~34.3.4.11~~
- 34.3.4.13 ~~discharge of contaminants (standard 34.6.1.13)~~
- subject to compliance with the following conditions:**
- ~~34.3.4.14~~ *noise emission levels under standards 34.6.1.1 and 34.6.1.2 shall not be exceeded by more than 5 decibels (if appropriate within the scope of the standards). This condition does not apply to temporary activity noise.*
- ~~34.3.4.12~~
- ~~34.3.4.15~~ *maximum lighting levels under standard 34.6.1.8 must not be exceeded by more than 20 percent.*
- ~~34.3.4.13~~
- ~~34.3.4.16~~ *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 greater than or equal to 0.1 or does not meet the standard 34.6.2.3 unless the site is located in a Hazard Area.*
- ~~34.3.4.14~~
- ~~34.3.4.17~~ *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 standard 34.6.2.3.*
- ~~34.3.4.15~~

Non-notification/ service

~~In respect of Rule 34.3.4 applications do not need to be publicly notified and do not need to be served on affected persons in respect of:~~

In respect of the following items applications will not be publicly notified (unless special circumstances exist) or limited notified, except that the New Zealand Transport Agency may be considered to be an affected party to any application that involves a site that fronts a State highway:

- 34.3.4.76 (vehicle parking, servicing and site access), and
- 34.3.4.109 (screening of activities and storage), and
- 34.3.4.110 (dust), and
- 34.3.4.121 (electromagnetic radiation)

Relevant policies for preparing resource consent applications

See policies 33.2.2.8 – 33.2.2.16, 33.2.6.2, 33.2.6.6, 33.2.9.1- 33.2.9.3, 33.2.12.1-33.2.12.5.

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

BUILDINGS AND STRUCTURES

34.3.5 The construction of, or the addition to, buildings and structures in Business 1 Areas resulting in a total gross floor area exceeding 500m² are Discretionary Activities (Restricted) in respect of:

34.3.5.1 design, external appearance and siting

34.3.5.2 the location and type of buildings or structures

34.3.5.3 site layout, parking and site access

34.3.5.4 adequate on-site car parking provision

34.3.5.5 the provision and location of facilities for multi modal transport

34.3.5.56 provision for pedestrian movement

34.3.5.67 site landscaping

34.3.5.78 the quality of the built edge and its relationship to the character of the Lyall Bay coastal environment (relates only to lots fronting Lyall Parade)

Except that this rule does not apply to the following:

- any development ~~for~~ that includes residential activities (see Rule 34.3.6)
- any development within the Shelly Bay Business Precinct Area (see Rule 34.3.7)

Building work covered by Rule 34.3.5 will be assessed against the provisions of the Business Areas Design Guide. Applications require a Design Statement as required by section 3.2.4.

If the proposal does not comply with standards for buildings and structures in 34.6.2, Rule 34.3.9 applies in addition to this Rule.

Non-notification/ service

~~In respect of Rule 34.3.5 applications do not need to be publicly notified and do not need to be served on affected persons.~~

~~In respect of Rule 34.3.5 applications will not be publicly notified (unless special circumstances exist) or limited notified.~~

Relevant policies for preparing resource consent applications

See policies 33.2.4.1, 33.2.4.3-33.2.4.8, 33.2.5.1-33.2.5.2, 33.2.6.1-33.2.6.6.

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

34.3.6 The construction of new residential buildings, or the conversion of existing buildings, for residential activities on any site, within Business 1 Areas are a Discretionary Activity (Restricted) in respect of:

34.3.6.1 design, external appearance and siting

34.3.6.2 the location and type of buildings or structures

34.3.6.2 residential amenity

34.3.6.3

34.3.6.3 site layout, parking and site access

34.3.6.4

34.3.6.4 adequate on-site car parking provision

34.3.6.5

34.3.6.5 provision for pedestrian movement

34.3.6.5 site landscaping

34.3.6.7

Except that this rule does not apply to the following:

- any development within the Shelly Bay Business Precinct Area (see Rule 34.3.7)
- any residential development on sites contained within the airnoise boundary as depicted on Planning Map 35 (see Rule 34.4.7)

If the activity does not comply with standards for buildings and structures in 34.6.2, Rule 34.3.9 applies in addition to this Rule.

Building work covered by Rule 34.3.6 will be assessed against the provisions of the Residential and Business Areas Design Guide. Applications require a Design Statement as required by section 3.2.4.

Non-notification/ service

~~In respect of Rule 34.3.6 applications do not need to be publicly notified and do not need to be served on affected persons.~~

~~In respect of Rule 34.3.6 applications will not be publicly notified (unless special circumstances exist) or limited notified.~~

Relevant policies for preparing resource consent applications

See policies 33.2.4.1, 33.2.4.3-33.2.4.8, 33.2.5.1-33.2.5.2, 33.2.6.1-33.2.6.6.

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

34.3.7 The construction of, or addition to, buildings and structures, including new residential buildings, or the conversion of existing buildings for residential activities in the Shelly Bay Business Precinct Area are Discretionary Activities (Restricted) in respect of:

34.3.7.1 design, external appearance and siting

34.3.7.2 residential amenity

34.3.7.3 character and sense of place

34.3.7.4 parking and site access

34.3.7.5 site landscaping

If the activity does not comply with standards for buildings and structures in 34.6.2, Rule 34.3.9 applies in addition to this Rule.

Building work covered by Rule 34.3.7 will be assessed against the provisions of the Shelly Bay Design Guide. Applications require a Design Statement as required by section 3.2.4.

Relevant policies for preparing resource consent applications

See policies 33.2.3.1, 33.2.4.1, 33.2.4.3 -33.2.4.8, 33.2.5.1-33.2.5.2, 33.2.6.1-33.2.6.6.

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

34.3.8 The construction of, or the addition to, buildings and structures in Business 2 Areas resulting in a total gross floor area exceeding 4000m², and located on a site adjacent to or abutting a Residential Area or a state highway are Discretionary Activities (Restricted) in respect of:

34.3.8.1 design, external appearance and siting

34.3.8.2 the location and type of buildings or structures

34.3.8.3 site layout, parking and site access

34.3.8.4 provision for pedestrian movement

34.3.8.5 landscaping

Building work covered by Rule 34.3.8 will be assessed against the provisions of the Business Areas Design Guide. Applications require a Design Statement as required by section 3.2.4.

If the proposal does not comply with standards for buildings and structures in 34.6.2, Rule 34.3.9 applies in addition to this Rule.

Relevant policies for preparing resource consent applications

See policies 33.2.4.1, 33.2.4.3 -33.2.4.8, 33.2.5.1-33.2.5.2, 33.2.6.1-33.2.6.6.

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

34.3.9 The construction or alteration of, or addition to buildings and structures which would be a Permitted, Controlled or Discretionary (Restricted) Activity but that does not meet one or more of the following standards outlined in section 34.6.2 (buildings and structures), are Discretionary Activities (Restricted). Unless otherwise noted below, discretion is limited to the effects generated by the

standard(s) not met:

34.3.9.1 height (standard 34.6.2.1)

- design, external appearance and siting
- the amenity of adjoining properties
- sunlight access to streets, public space, or residential buildings in Residential Areas
- the character of the surrounding streetscape, including the form and scale of neighbouring buildings
- the impact of wind from additional building height on pedestrian amenity and safety, particularly at surrounding building entries

34.3.9.2 minimum building height (standard 34.6.2.2)

34.3.9.2 height control adjoining Residential Areas (standard 34.3.9.3 34.6.2.23)

34.3.9.3 yards (standard 34.6.2.34)

34.3.9.4

34.3.9.4 windows (standard 34.6.2.45)

34.3.9.5

34.3.9.6 active building edges (standard 34.6.2.6)

34.3.9.5 verandahs (standard 34.6.2.57)

34.3.9.7

34.3.9.6 proximity to high voltage transmission lines (standard 34.3.9.8 34.6.2.68), discretion is limited to:

- the separation distance between the building or structure and the transmission lines
- the impact of the proposed works on the ongoing operation, maintenance and upgrading of the national grid

34.3.9.7 fixed plant noise (standard 34.6.2.79)

34.3.9.9

34.3.9.8 noise insulation and ventilation (standard 34.6.2.810)

34.3.9.10

34.3.9.9 noise insulation – port noise affected area (standard 34.3.9.11 34.6.2.911)

34.3.9.12 noise insulation and ventilation – Air Noise Boundary (standard 34.6.2.12)

subject to compliance with the following conditions:

34.3.9.10 in all Business Areas, except for Grenada North, 34.3.9.13 the southern end of Rongotai South (as identified in Appendix 4), and Ngauranga, the maximum building height assessed under standard 34.6.2.1.1 must not be exceeded by more than 50 percent.

34.3.9.14 **at the southern end of Rongotai South (as identified in Appendix 4), the maximum building height assessed under standards 34.6.2.1.1 must not be exceeded by more than 18 metres.**

34.3.9.11 **in Grenada North and Ngauranga, the maximum building height assessed under standards 34.6.2.1.1 must not be exceeded by more than 33 percent.**

34.3.9.12 **in relation to height control adjoining Residential Areas,**
34.3.9.16 **the angle of inclination for recession plane access must not exceed the standard referred to in 34.6.2.2.1 by more than 10 degrees and the maximum height must not be exceeded by more than 20 percent the building recession planes must not be exceeded by more than 3 metres measured vertically.**

Non-notification/ service

In respect of Rule 34.3.9 applications do not need to be publicly notified and do not need to be served on affected persons in respect of:

In respect of the following items applications will not be publicly notified (unless special circumstances 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:

- 34.3.9.34 (yards)
- 34.3.9.57 (verandahs)
- 34.3.9.810 (noise insulation and ventilation)

Relevant policies for preparing resource consent applications

See policies 33.2.2.9-33.2.2.13, 33.2.4.1 – 33.2.4.8, 33.2.5.1-33.2.5.2, 33.2.9.1-33.2.9.3.

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

34.3.10 The construction, alteration of, or addition to buildings and structures exceeding a gross floor area of 30m² within a Hazard (Fault Line) Area is a Discretionary Activity (Restricted) in respect of:

34.3.10.1 the location and type of buildings or structures.

Building work covered by Rule 34.3.10 will be assessed against the provisions of the Business Areas Design Guide.

If the proposal does not comply with the standards for buildings and structures in 34.6.2, Rule 34.3.9 applies in addition to this Rule.

Non-notification/ service

~~In respect of Rule 34.3.10 applications do not need to be publicly notified and do not need to be served on affected persons.~~

In respect of Rule 34.3.10 applications will not be publicly notified (unless special circumstances exist) or limited notified.

Relevant policies for preparing resource consent applications

See policies 33.2.11.1 – 33.2.11.4.

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

34.3.11 Within an identified Flood Hazard (Flooding) Area, the construction of, alteration of, and addition to, buildings, including accessory buildings, and structures which are:

- **more than 10 metres from the Porirua Stream and its tributaries within the Tawa Hazard (Flooding) Area, and that are not Controlled Activities; or**
- **more than 5 metres from the Takapu Stream within the Takapu Hazard (Flooding) Area; and**
- **which have a floor level above the 1 in 100 year flood event**

are Discretionary Activities (Restricted) in respect of:

34.3.11.1 building and structure floor levels and building floor area

34.3.11.2 building and structure location within the site

34.3.11.3 the displacement of flood waters from the site.

34.3.11.4 effects of the proposal on the erosion and flood hazard risks and stream maintenance access.

If the activity does not comply with standards for activities in 34.6.1, Rule 34.3.9 applies in addition to this Rule.

“For the purposes of clarification, this Rule does not apply to network utility infrastructure, as they are provided for in ‘Section Chapter 23. Utility Rules’ of the District Plan.”

Non-notification/ service

~~In respect of Rule 34.3.11 applications do not need to be publicly notified and do not need to be served on affected persons.~~

In respect of Rule 34.3.11 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.

Relevant policies for preparing resource consent applications

See policies 33.2.4.1 – 33.2.4.8, 33.2.5.1-33.2.5.2, 33.2.11.1, 33.2.11.3, 33.2.11.4.

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

34.3.12 The construction of buildings or structures involving the provision of which provide more than 70 parking spaces is a Discretionary (Restricted) Activity in respect of:

34.3.12.1 the movement of vehicular traffic to and from the site.

34.3.12.2 the impact on the roading network and the hierarchy of roads (see Map 33) from trip patterns, travel demand or vehicle use.

34.3.12.3 the provision and location of facilities for multiple modes of transport.

If the activity does not comply with standards for buildings and structures in 34.6.2, Rule 34.3.9 applies in addition to this Rule.

Note, any activity that triggers Rule 34.3.12 will require a Transport Assessment to accompany any application for resource consent, as required by section 3.2.2.4 of the District Plan.

Non-notification/ service

~~In respect of Rule 34.3.12 applications do not need to be publicly notified and do not need to be served on affected persons.~~

In respect of Rule 34.3.12 applications will not be publicly notified (unless special circumstances exist) or limited notified, except that the New Zealand Transport Agency may be considered to be an affected party to any application that involves a site that fronts a State highway.

Relevant policies for preparing resource consent applications

See policies 33.2.6.1 – 33.2.6.6.

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

SIGNS

34.3.13 Signs that do not meet one or more of the standards specified in section 34.6.3.1, are a Discretionary Activities (Restricted), with discretion restricted to the standard not met.

An encroachment licence must be obtained from Council to locate any sign on or in the airspace over council land, even where the sign is affixed to a building on private property. Similarly, landowner approval should be obtained to erect a sign on or in the airspace over private land.

Non-notification/ service

~~In respect of Rule 34.3.13 applications do not need to be publicly notified and do not need to be served on affected persons.~~

In respect of Rule 34.3.13 applications will not be publicly notified (unless special circumstances exist) or limited notified, except that the New Zealand Transport Agency may be considered to be an affected party to any application that involves a site that fronts a State highway.

Relevant policies for preparing resource consent applications

See policies 33.2.7.1- 33.2.7.5

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

SUBDIVISION

34.3.14 Any subdivision not being a Permitted or Controlled Activity is a Discretionary Activity (Restricted) in respect of:

34.3.14.1 roading, access, stormwater, sewerage, and water supply

34.3.14.2 esplanades

Non-notification/ service

~~In respect of Rule 34.3.14 applications do not need to be publicly notified and do not need to be served on affected persons.~~

In respect of Rule 34.3.14 applications will not be publicly notified (unless special circumstances exist) or limited notified.

Relevant policies for preparing resource consent applications

See policies 33.2.8.1, 33.2.6.2 – 33.2.6.6

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

34.4 Discretionary Activities (Unrestricted)

Section 34.4 describes which activities are Discretionary Activities (Unrestricted) in Business Areas. 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.

ACTIVITIES

34.4.1 **Noise sensitive activities within the Business 2 Areas and within the airnoise boundary are a Discretionary Activity (Unrestricted).**

Noise sensitive activities are defined in Chapter 3.10.

Relevant policies for preparing resource consent applications

See policies [33.2.2.3](#), [33.2.2.9](#) - [33.2.2.134](#)

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

34.4.2 **Supermarkets in Business 1 Areas with a gross floor area exceeding 1500m² are a Discretionary Activity (Unrestricted).**

Supermarkets are defined in Chapter 3.10.

Relevant policies for preparing resource consent applications

See policies [33.2.2.4](#) - [33.2.2.5](#).

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

34.4.3 **~~Integrated retail developments comprising large format retail activities, apart from trade supply, wholesalers, building improvement centres, and yard-based retail, in Business 1 Areas with a cumulative total gross floor area exceeding 10,000m² are a Discretionary Activity (Unrestricted).~~**

Integrated retail developments and large format retail activities are defined in Chapter 3.10.

Integrated retail developments comprising large format retail activities (i.e. any individual activity exceeding 450m²) with a cumulative total gross floor area exceeding 10,000m² are a Discretionary Activity (Unrestricted).

Note that trade supply, wholesalers, yard-based retail and building improvement centres are permitted activities.

Relevant policies for preparing resource consent applications

See policies [33.2.2.4](#) - [33.2.2.5](#) and Centres Design Guide.

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

34.4.4 ~~Integrated retail developments comprising any other retail activity apart from large format retail activities in Business 1 Areas with a cumulative total gross floor area exceeding 2,500m² are a Discretionary Activity (Unrestricted).~~

Integrated retail developments that are not large format retail activities (i.e. any individual activity not exceeding 450m²) with a cumulative total gross floor area exceeding 2,500m² are a Discretionary Activity (Unrestricted).

Integrated retail developments and large format retail activities are defined in Chapter 3.10.

Note that trade supply, wholesalers, yard-based retail and building improvement centres are permitted activities.

Relevant policies for preparing resource consent applications

See policies 33.2.2.4 - 33.2.2.5 and Centres Design Guide.

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

34.4.5 **Retail activities in the Tawa South or Takapu Island Business 1 Areas that do not comply with standard 34.6.1.14.1 (minimum gross floor area) are a Discretionary Activity (Unrestricted).**

Retail activities are defined in Chapter 3.10.

Relevant policies for preparing resource consent applications

See policy 33.2.2.5

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

34.4.6 **Helicopter landing areas are a Discretionary Activity (Unrestricted).**

Relevant policies for preparing resource consent applications

See policies 33.2.2.9-33.2.2.13

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

BUILDINGS AND STRUCTURES

34.4.7 **The construction of new residential buildings for noise sensitive activities within the airnoise boundary as depicted on Map 35 are Discretionary Activities (Unrestricted).**

Relevant policies for preparing resource consent applications

See policies 33.2.2.9-33.2.2.13

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

34.4.8 The construction of new residential buildings, including accessory buildings, or the conversion of existing buildings for residential activities on any site, within Business 2 Areas are Discretionary Activities (Unrestricted).

Relevant policies for preparing resource consent applications

See policy 33.2.2.3

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

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

Relevant policies for preparing resource consent applications

See policies 33.2.4.1, 33.2.4.3, 33.2.4.7

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

34.4.10 Within an identified Flood Hazard (Flooding) Area, The construction of, alteration of, and addition to, buildings, including accessory buildings, and structures: which are not Permitted Activities or Discretionary Activities (Restricted)

- ~~less than 10 metres from the Porirua Stream within the Tawa Hazard (Flooding) Area, or~~
 - ~~less than 5 metres from the Takapu Stream within the Takapu Hazard (Flooding) Area, or~~
 - ~~less than 10 metres from the coastal marine area~~
- are Discretionary Activities (Unrestricted).

“For the purposes of clarification, this Rule does not apply to Operational Port Area buildings and structures, or network utility infrastructure, as they are provided for in ‘Section Chapter 23 Utility Rules’ of the District Plan.”

Relevant policies for preparing resource consent applications

See policies 33.2.11.1, 33.2.11.3 – 33.2.11.5

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

34.5 Non-Complying Activities

Activities that contravene a Rule in the Plan, and which have not been provided for as Permitted, Controlled, 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.

34.6 Business Area Standards

<p>34.6.1 ACTIVITIES STANDARDS</p> <p>34.6.1.1 Noise</p> <p>34.6.1.2 Fixed Plant Noise</p> <p>34.6.1.3 Electronic Sound Systems Noise</p> <p>34.6.1.4 Temporary Activity Noise</p> <p>34.6.1.5 Construction Noise</p> <p>34.6.1.65 Port Noise</p> <p>34.6.1.76 Vehicle Parking, Servicing and Site Access</p> <p>34.6.1.87 Lighting</p> <p>34.6.1.98 Use, Storage or Handling of Hazardous Substances</p> <p>34.6.1.109 Screening of Activities and Storage</p> <p>34.6.1.110 Dust</p> <p>34.6.1.121 Electromagnetic Radiation</p> <p>34.6.1.1312 Discharge of Contaminants</p> <p>34.6.1.1413 Minimum Gross Floor Area</p>	<p>These standards apply to all activities in Business Areas.</p>
<p>34.6.2 BUILDINGS AND STRUCTURES STANDARDS</p> <p>34.6.2.1 <u>Maximum building height</u></p> <p>34.6.2.2 Minimum building height</p> <p>34.6.2.23 Height control adjoining Residential Areas</p> <p>34.6.2.34 Yards</p> <p>34.6.2.45 Windows adjacent to Residential Areas</p> <p>34.6.2.6 'Active' building edges</p> <p>34.6.2.57 Verandahs</p> <p>34.6.2.68 Proximity to High Voltage Transmission Line</p> <p>34.6.2.79 Fixed Plant Noise</p> <p>34.6.2.810 Noise insulation and ventilation – <u>Business Areas</u></p> <p>34.6.2.911 Noise insulation – Port Noise Affected Area</p> <p>34.6.2.12 Noise insulation and ventilation – Air Noise Boundary</p>	<p>These standards apply to the construction of buildings and structures in Business Areas.</p>
<p>34.6.3 SIGN STANDARDS</p> <p>34.6.3.1 Signs</p>	<p>These standards apply to signs in all Business Areas.</p>

<p>34.6.4 SUBDIVISION STANDARDS</p> <p>34.6.4.1 Subdivisions</p>	<p>These standards apply to subdivisions in Business Areas.</p>
<p>34.6.5 KIWI POINT QUARRY STANDARDS</p> <p>28.6.5.1 <u>34.6.5.1</u> General</p> <p>28.6.5.2 <u>34.6.5.2</u> Dust</p> <p>28.6.5.3 <u>34.6.5.3</u> Quarry activities</p> <p>28.6.5.4 <u>34.6.5.4</u> Cleanfill activities</p> <p>28.6.5.5 <u>34.6.5.5</u> Location of quarry plant</p> <p>28.6.5.6 <u>34.6.5.6</u> Traffic movement</p> <p>28.6.5.7 <u>34.6.5.7</u> Rehabilitation and treatment of stripped areas</p>	<p>These standards only apply to the Kiwi Point Quarry within the Business Zone</p>

34.6.1 ACTIVITIES STANDARDS

These standards apply to all activities in Business Areas.

34.6.1.1 Noise

Noise (emitted and received within Business 1 Areas)

34.6.1.1.1 Noise emission levels from activities in Business 1 Areas 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 in Business 1 Areas shall not exceed the following limits:

At all times 60dB L_{Aeq} (15 min)

At all times 85dB L_{AFmax}

Note, the term Noise Emission Level is defined in Section 3.10.

This rule applies to those sources that can be readily controlled by the noise performance standards. Other day to day activities which

Noise (emitted and received within Business 2 Areas)

34.6.1.1.2 Noise emission levels from activities in Business 2 Areas 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 in Business 2 Areas shall not exceed the following limits:

At all times 65dB L_{Aeq} (15 min)

At all times 85dB L_{AFmax}

may cause a noise nuisance can be controlled using the excessive noise provisions of the Act as well.

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

Note, all activities have a duty to avoid unreasonable noise under section 16 of the Resource Management Act regardless of the standards set in this Plan. At all times

34.6.1.1.4 In relation to standard 34.6.1.1 where activities have been noise insulated 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 insulation had not been undertaken.

Council retains its power under the Act to ensure that the general duty under sections 16 and 17 to avoid

34.6.1.1.5 The noise limits set in standard 34.6.1.1.1 do not apply to noise from port related activities located in the Operational Port Area. Noise from the Operational Port Area must comply with the Port Noise rules set out in standard 34.6.1.65.

unreasonable noise and avoid, remedy or

Noise (emitted within Business Areas received in other Areas)

34.6.1.1.6 Noise emission levels from activities in Business Areas when measured at or within the boundary of any residential site, in Centres, Residential and Rural Areas shall not exceed the following limits:

mitigate any adverse effects of activities on the environment is met, and section 326 may be used to control excessive noise. The best practicable option shall be adopted to ensure that the emission of noise does not exceed a reasonable level.

Centres

At all times 60dB L_{Aeq} (15 min)

At all times 85dB L_{AFmax}

Inner Residential Area

Monday to Sunday 7am to 10pm 50dB L_{Aeq} (15 min)

Monday to Sunday 10pm to 7am 40dB L_{Aeq} (15 min)

Monday to Sunday 10pm to 7am 70dB L_{AFmax}

Outer Residential Area

Monday to Sunday	7am to 7pm	50dB L _{Aeq} (15 min)
Monday to Sunday	7pm to 10pm	45dB L _{Aeq} (15 min)
Monday to Sunday	10pm to 7am	40dB L _{Aeq} (15 min)
Monday to Sunday	10pm to 7am	65dB L _{AFmax}

Rural Areas

At all times 55dB L_{Aeq} (15 min)

and

on any conceptual boundary of a residential building in the Rural Area:

Monday to Sunday	7am to 8pm	45dB L _{Aeq} (15 min)
Monday to Sunday	8pm to 7am	35dB L _{Aeq} (15 min)
Monday to Sunday	8pm to 7am	60dB L _{AFmax}

34.6.1.2 Fixed Plant Noise

34.6.1.2.1 Noise emission levels in Business 1 Areas from fixed plant when measured at or within the boundary of any site, or at the outside wall of any building on any site, other than the building or site from which the noise is emitted on shall not exceed the following limits:

At all times	55dB L _{Aeq} (15 min)
Monday to Sunday 10pm to 7am	80dB L _{AFmax}

34.6.1.2.2 Noise emission levels in Business 2 Areas from fixed plant when measured at or within the boundary of any site, or at the outside wall of any building on any site, other than the building or site from which the noise is emitted on shall not exceed the following limits:

At all times	65dB L _{Aeq} (15 min)
Monday to Sunday 10pm to 7am	85dB L _{AFmax}

34.6.1.2.3 The noise limits set in standards 34.6.1.2.1 and 34.6.1.2.2 do not apply to fixed plant located in the Operational Port Area. Noise from the Operational Port Area must comply with the Port Noise rules set out in standard 34.6.1.65.

34.6.1.2.4 Noise emission levels from fixed plant in Business Areas must comply with standard 34.6.1.1.5.

34.6.1.2.5 The noise limits set in standard 34.6.1.2.1 shall not apply to fixed plant that is used solely for emergency purposes. Examples of such equipment are standby generator sets that are used to supply electricity only at times of electrical supply failure, or for plant used only during life threatening situations such as smoke fans or sprinkler pumps. This fixed plant is exempt from the noise limits provided that it:

- (i) only operates for maintenance between 8am and 5pm weekdays, and
- (ii) can comply with standard 34.6.1.1.1 and 34.6.1.1.5, or
- (iii) is an electricity generator sets that can only be used on an emergency basis and is not used to generate power for the national grid.

34.6.1.3 Electronic Sound Systems Noise

34.6.1.3.1 The Noise Emission Levels in any public space (including streets and parks) generated by electronic sound systems shall not exceed

Aspects of these measurement and

~~75dBA L10~~ **75dB L_{Aeq}** when measured over any 2 minute period. In any event the measurements shall be made no closer than 0.6 metres from any part of a loudspeaker and at a height no greater than 1.8 metres (representative of the head of a passer-by).

assessment criteria for electronic sound systems are different from and take precedent over the corresponding criteria that are set out in the Definitions Section of this Plan for 'Noise Emission Level'

34.6.1.3.2 The measured level(s) under 34.6.1.3.1 shall be compared directly with the applicable noise limit without any adjustments for special audible characteristics. However, the measured level shall be adjusted for any significant background sound in the area.

34.6.1.4 Temporary Activity Noise

34.6.1.4.1 Temporary activities in Business Areas are not subject to the noise standards stated in standards 34.6.1.1.1, 34.6.1.1.5, 34.6.1.3.1 and 7.6.1.6 This exemption applies between the hours of:

- 9am to 9pm each day (Sunday to Thursday)
- 9am to 10pm (Friday and Saturday).

On New Years Eve temporary activities are not subject to the noise standards stated in standards 34.6.1.1.1, 34.6.1.1.5, 34.6.1.3.1 and 34.6.1.6 between the hours of 9pm on 31st December to 1am the following day.

34.6.1.5 Construction Noise

~~34.6.1.5.1~~ For noise from construction, maintenance and demolition activities, including those associated with urgent repair of utilities to maintain continuity of service, on any site or on any road shall comply with, and be measured and assessed using the recommendations of NZS6803:1999 Acoustics – Construction Noise (or its successor). At the discretion of the Council the requirements of this standard need not apply to construction work which cannot be carried out during normal working hours. In these cases an application for an exemption may be granted in approved circumstances.

~~34.6.1.5.2~~ For emergency construction work, nothing in the noise rules shall be used to prevent emergency work from taking place. Such work would arise from the need to protect life or limb or minimise or prevent loss or serious damage to property or minimise or prevent environmental damage.

34.6.1.6 Port Noise

34.6.1.5.1 At any point on land at, or beyond the Port Noise Control Line shown on the Plan Map 55, noise from port related activities shall not exceed the following levels:

Time Period	Sound Level
Any 5 consecutive 24 hour periods	65dBA L _{dn}
Any 24 hour period	68dBA L _{dn}
10pm – 7am (all days)	60dBA L _{eq} (9 hr)
	65dBA L _{eq} (15 min)
	85dBA L _{max}

Measurements shall be made in accordance with the requirements of NZS 6801:1991 *Measurement of Sound* and NZS 6809:1999 *Port*

Noise Management and Land Use Planning.

34.6.1.5.2 The port company shall undertake a noise monitoring programme to ensure that noise from port related activities comply with condition 34.6.1.65.1 at the Port Noise Control Line. This monitoring will be undertaken in accordance with the CentrePort Noise Management Plan and the information shall be reported to Wellington City Council.

34.6.1.5.3 The port company shall produce and at all times operate in accordance with a Port Noise Management Plan, which shall include but is not limited to the matters set out below. The Port Noise Management Plan shall be developed to the satisfaction of Wellington City Council and Greater Wellington Regional Council.]^{PC49}

The Port Noise Management Plan shall:

- (i) State the objectives of the Management Plan.
- (ii) Identify all significant noise sources from port related activities within the Operational Port Area and the adjacent Coastal Marine Area.
- (iii) Identify the best practical options to ensure the emission of noise does not exceed the noise levels specified in 34.6.1.65.1.
- (iv) Identify techniques that will be considered to reduce the emission of noise over time and indicate which of these techniques will be adopted to achieve realistic objectives in managing noise.
- (v) Explain how the port company will take noise effects into account in the design and location of new or extended port activities.
- (vi) Identify how the port company will work with independent companies to ensure that transport noise and noise from other activities within the port area will be kept to a minimum practical level.
- (vii) Identify procedures for noise reduction through the port company's staff and contractor training.
- (viii) Provide for the establishment and maintenance of a Port Noise Liaison Committee (the port company may provide for this function within the operation of its Environmental Consultative Committee).
- (ix) List the Port Noise Liaison Committee functions; and the procedures for the recommendations of the Committee to be considered and determined by the port company.
- (x) Detail procedures for receiving and deciding on complaints.
- (xi) Detail procedures for noise monitoring; auditing and reporting.
- (xii) Include procedures for the review and alteration of the Port Noise Management Plan.]^{PC4}

34.6.1.76 Vehicle Parking, Servicing and Site Access

Vehicle parking

34.6.1.6.1 All parking shall be provided and maintained in accordance with sections 1, 2 and 5 of the joint Australian and New Zealand Standard 342890.1 - 2004, Parking Facilities, Part 1: Off-Street Car Parking.

34.6.1.6.2 Where carparking is located within a building, a minimum height clearance of no less than 2.2 metres is required.

Note, developments providing more than 70 parking spaces or have unsatisfactory car parking provision are provided for as Discretionary Activities

34.6.1.6.3 The gradient for carparking circulation routes shall not be more than 1 in 8.

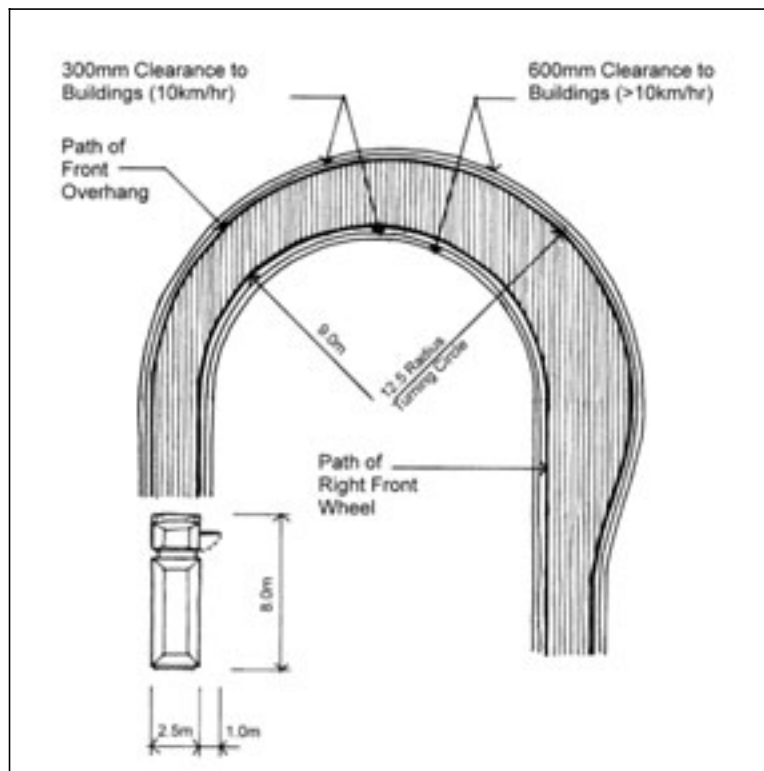
(Restricted) whereby a Transport Assessment will be required.

34.6.1.6.4 Open vehicle parking areas or parking at ground level within a building must not be situated at ground level at the front of sites which adjoin the Open Space A zoned land fronting Lyall Parade, as identified in Appendix 4.

Servicing

34.6.1.6.5 On each site in Business Areas, at least one loading area shall be provided as follows:

- where loading areas are located within a building, a minimum height clearance of 4.25 metres is required
- for buildings serviced by lifts, all levels shall have access to a loading area by way of a lift
- the loading area shall be located no further than 15 metres from a lift and there shall be level access between them.
- turning paths shall be based on the standard for a medium rigid truck as illustrated below:



34.6.1.6.6 For loading areas located outdoors, the minimum width shall be 3 metres and the minimum length 9 metres.

34.6.1.6.7 For loading areas located within a building, the minimum width shall be 4 metres and the minimum length 9 metres.

34.6.1.6.8 New servicing and loading areas at ground level within a building must not be situated at ground level at the front of sites which adjoin the Open Space A zoned land fronting Lyall Parade, as identified in Appendix 4.

Site access for vehicles

34.6.1.6.9 Site access shall be provided and maintained in accordance with section 3 of the joint Australian and New Zealand Standard 342890.1 – 2004, Parking Facilities, Part 1: Off-Street Car Parking (or its successor).

34.6.1.6.10 Subject to standard 34.6.1.76.11 no vehicular access, shall be situated closer to an intersection than the following:

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

34.6.1.6.11 There shall be a maximum of one vehicle access to any site except that sites with more than one frontage may have one access across each frontage, unless one of the frontages is to a State highway, in which case no access shall be to the State highway.

34.6.1.6.12 Sites adjoining the Open Space A zoned land fronting Lyall Parade, as identified in Appendix 4, must not gain vehicle access from Lyall Parade.

34.6.1.6.13 The width of any vehicle crossing to a site shall not exceed 6 metres.

34.6.1.6.14 Where vehicular access can be provided from a service lane or right-of-way registered in favour of the site or other private road or private right-of-way, no vehicle access shall be from a street.

34.6.1.6.15 All access to sites must be designed to permit a free flow of traffic so that vehicles do not queue on the street.

34.6.1.87 Lighting

34.6.1.7.1 Any activity which requires outdoor areas to be lit shall ensure that direct or indirect illumination does not exceed 10 lux at the windows of residential buildings in any Residential Area.

34.6.1.7.2 Subject to standard 34.6.2.23.1 any development which includes roads and outdoor public spaces available for use during hours of darkness shall be designed and installed in accordance with AS/NZS 1158.3.1 : 2005 and amendments.

34.6.1.98 Use, Storage or Handling of Hazardous Substances

34.6.1.8.1 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	$0.002 < ER^{PC35} \leq 0.05$	$0.002 < ER^{PC35} \leq 0.1$	≤ 0.002
Conditions applying	7.6.2.3.2 to 7.6.2.3.12	7.6.2.3.2 to 7.6.2.3.12	7.6.2.3.9, 7.6.2.3.11 and 7.6.2.3.12 only

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

34.6.1.8.2 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.

34.6.1.8.3 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.]^{PC35}

34.6.1.8.4 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.]^{PC35}

34.6.1.8.5 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.

34.6.1.8.6 All stormwater grates, collection structures and inspection chamber covers on the site shall be clearly marked as such.

34.6.1.8.7 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.

34.6.1.8.8 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] PC35 the Code of Practice for the “Design, Installation and Operation of Underground Petroleum Storage Systems” (1992) is a minimum [requirement.]^{PC35}

Signage

34.6.1.8.9 [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).]^{PC35}

Waste Management

34.6.1.8.10 Any process waste or waste containing hazardous substances shall be stored in a manner which complies with 34.6.1.98.2 to 34.6.1.98.9 above.

34.6.1.8.11 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.]^{PC35}

Other

34.6.1.8.12 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]*^{PC35}

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.

34.6.1.10.9 Screening of Activities and Storage

34.6.1.9.1 Sites with yards which abut a Residential or Open Space Area must be screened from view by a solid fence of no less than 1.8 metres high that conceals the outdoor storage and activities.

34.6.1.9.2 Any exterior storage area, including waste storage area, must be screened so that it is not visible from any adjoining Residential Area or public space.

34.6.1.110 Dust

34.6.1.10.1 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.

34.6.1.10.2 With regard to the above provisions, where sites are contiguous and are held under the same ownership then any dust nuisance shall be

measured at the periphery of the land holding within the District Plan area.

34.6.1.1211 Electromagnetic Radiation

34.6.1.11.1 Activities must be conducted to comply with the New Zealand Standard NZS 277.1:1999 (Radio Frequency fields) and any subsequent amendment.

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.

34.6.1.1312 Discharge of Contaminants

Note, 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.

34.6.1.1413 Minimum Gross Floor Area

34.6.1.13.1 In the Tawa South and Takapu Island Business 1 Areas, the minimum gross floor area for any individual retail activity tenancy shall be 450m², except for the following retail activities:

- (i) trade supply retail
- (ii) wholesale retail
- (iii) building improvement centre**
- (iv) service retail
- (v) ancillary retail
- (vi) yard-based retail activities

34.6.2 BUILDINGS AND STRUCTURES STANDARDS

These standards apply to the construction of buildings and structures in Business Areas.

34.6.2.1 Maximum building height

34.6.2.1.1 No building or structure shall exceed the building height as listed in Table 1 below, except for:

- cranes, elevators and similar cargo handling equipment and lighting poles in the Miramar/Burnham Wharf Operational Port Area, which may be higher than 12m
- buildings and structures in the Shelly Bay Business Precinct which are subject to the Shelly Bay Design Guide (refer to the Design Guide in Volume 2)

Table 1:

Area	Height (standard 34.6.2.1.1)	Planning Map No.
Business 1 Areas		
Glenside	15m	26
Greta Point	12m	12/7
Kaiwharawhara	15m	15
Kilbirnie North	15m	6/7
Park Road, Miramar	15m	7
Rongotai South	12m	5/7
<u>Rongotai South (southern end)</u>	<u>16m</u>	<u>5/7</u>
Ropa Lane, <u>Miramar</u>	12m	7
Southern Newtown	12m	6
<u>Takapu Island</u>	<u>12m</u>	<u>30</u>
Tawa <u>East Junction</u>	15m	30
Tawa South	12m	30
Shelly Bay	Design Guidance	7
Business 2 Areas		
<u>Burnham/Miramar Wharf Land</u>	<u>12m</u>	<u>7</u>
Collins Ave	15m	31
Grenada North	18m	30
Kiwi Point Quarry	12m	22/23
Miramar South	12m	7
Newlands/Ngauranga	15m	23
Ngauranga	18m	22/23
Rongotai East	12m	7
Southern Landfill	12m	4/2
<u>Takapu Island</u>	<u>12m</u>	<u>30</u>
Tawa Street, Tawa	12m	30

34.6.2.2 Minimum building height

34.6.2.2.1 The ground floor to floor (stud) height of all new buildings on sites adjoining the Open Space A zoned land fronting Lyall Parade, as identified in Appendix 4, shall be a minimum of 4m.

34.6.2.2.2 The above ground floor to floor (stud) height of all new buildings on sites adjoining the Open Space A zoned land fronting Lyall Parade, as identified in Appendix 4, shall be a minimum of 3m.

34.6.2.23 Height control adjoining Residential Areas

34.6.2.3.1 Any building or structure must comply with the applicable building recession plane rule for the Residential Area at any point along a boundary adjoining the Residential Area. In addition, no building or structures in Business Areas shall be higher than 3 metres within 5 metres of a Residential Area boundary.

34.6.2.34 Yards

34.6.2.4.1 Where any site adjoins the coast the minimum yard width is 10 metres measured from mean high water springs except at Shelly Bay where the design guide will apply.

34.6.2.4.2 No structure or building shall be located closer than:

10 metres to the Porirua Stream ~~and its tributaries from the intersection of Main Road (Tawa) and Middleton Road and extending north;~~ provided that this standard does not apply to areas located within an identified Hazard (Flooding) Area, which are dealt with under Rules 34.3.11 and 34.4.10; or

10 metres to the coastal marine area, excluding artificial ponds or channels; or

5 metres to any other waterbody, excluding artificial ponds or channels.

34.6.2.4.3 No impervious surface associated with the use of the site shall extend closer than 5 metres to a waterbody or the coastal marine area, excluding artificial ponds or channels.

34.6.2.4.4 Standards 34.6.2.34.1 to 34.6.2.34.3 do not apply to areas used for port activities in the Miramar/Burnham Wharf Operational Port Area.

34.6.2.45 Windows adjacent to Residential Areas

34.6.2.5.1 All windows in walls of buildings above ground floor level located within 5 metres of and facing a Residential Area boundary shall have privacy glazing to protect the privacy of adjoining residentially zoned properties.

34.6.2.5.2 Any deck, terrace or balcony with a finished floor, paving or turf level of 1.5 metres or more above ground level at the boundary shall be located no closer than 5 metres to an adjoining Residential Area boundary.

34.6.2.6 'Active' building edges

34.6.2.6.1 The entire ground floor of all new buildings on sites adjoining the Open Space A zoned land fronting Lyall Parade, as identified in Appendix 4, shall be occupied by non-residential activities.

34.6.2.6.2 New buildings built on a site adjoining the Open Space A zoned land fronting Lyall Parade, as identified in Appendix 4, must be built in

alignment with the existing Lyall Parade street frontage.

34.6.2.6.3 Any addition to, alteration or modification of a building or structure on a site adjoining the Open Space A zoned land fronting Lyall Parade, as identified in Appendix 4, where the works are confined to the area below verandah level must not create a featureless façade. A featureless façade will be considered to be one that lacks windows, doors, columns, recesses, stairs, niches, public access or other architectural detailing.

This standard does not apply to new buildings/ structures, or to modifications extending above verandah level on existing buildings/ structures.

34.6.2.57 Verandahs

34.6.2.7.1 Verandahs may be constructed on any building frontage facing a public space within Business Areas provided that:

- the building is not a heritage building or area listed in Chapter 21.
- ~~the adjoining public space extends 12 metres or more perpendicular from the building frontage.~~
- the verandah is a minimum clearance of 2.5 metres directly above the footpath or formed ground surface.
- the verandah is no more than 4 metres (measured at the base of the verandah fascia) directly above the footpath or formed ground surface.
- there is a minimum horizontal set back of 450mm from any point along the kerbing extending back to the site boundary.
- it extends no more than 3 metres in width from the front of the building.

34.6.2.68 Proximity to High Voltage Transmission Lines

34.6.2.8.1 Any buildings (including additions), and structures over 2 metres in height, shall be located further than 32 metres from high voltage transmission lines (as measured from the centreline at ground level).

Guidance is provided by the Transpower document titled “Guide for Development Near High Voltage Transmission Lines” Compliance with the New Zealand Electrical Code of Practice 34:2001 is mandatory for buildings, earthworks and mobile plant within close proximity to all electricity lines. Compliance with the Electricity (Hazards from Trees) Regulations 2003 is also mandatory for tree trimming and planting.

34.6.2.79 Fixed Plant Noise

34.6.2.9.1 Noise emission levels in Business 1 Areas from fixed plant when measured at or within the boundary of any site or at the outside wall of any building on any site, other than the building or site from which the noise is emitted shall not exceed the following limits:

At all times	55dB L _{Aeq} (15 min)
Monday to Sunday 10pm to 7am	80dB L _{AFmax}

34.6.2.9.2 Noise emission levels in Business 2 Areas from fixed plant when measured at or within the boundary of any site, or at the outside wall of any building on any site, other than the building or site from which the noise is emitted shall not exceed the following limits:

At all times	65dB L _{Aeq} (15 min)
Monday to Sunday 10pm to 7am	85dB L _{AFmax}

34.6.2.9.3 The noise limits set in standards 34.6.2.79.1 and 34.6.2.79.2 do not apply to fixed plant located in the Operational Port Area. Noise from the Operational Port Area must comply with the Port Noise rules set out in standard 34.6.1.65.

34.6.2.9.4 Noise emission levels from fixed plant in Business Areas must comply with standard 34.6.1.1.5.

34.6.2.9.5 The noise limits set in standard 34.6.2.79.1 shall not apply to fixed plant that is used solely for emergency purposes. Examples of such equipment are standby generator sets that are used to supply electricity only at times of electrical supply failure, or for plant used only during life threatening situations such as smoke fans or sprinkler pumps. This fixed plant is exempt from the noise limits provided that it:

- (i) only operates for maintenance between 8am and 5pm weekdays, and
- (ii) can comply with standard 34.6.2.79.1 and 34.6.2.79.2, or
- (iii) is an electricity generator sets that can only be used on an emergency basis and is not used to generate power for the national grid.

34.6.2.810 Noise Insulation and Ventilation – Business Areas

Noise Insulation Business 1 Areas

34.6.2.10.1 Except for port noise and airport noise zone, any habitable room in a building used by a noise sensitive activity within Business 1 Areas shall be protected from noise arising from outside the building by ensuring the external sound insulation level achieves the following minimum performance standard:

- $D_{nT,w} + C_{tr} > 30$ dB

Compliance with this performance standard shall be achieved by ensuring habitable rooms are designed and constructed in a manner that:

- accords with an acoustic design certificate signed by a suitably qualified acoustic engineer stating the design as proposed will achieve compliance with the above performance standard, or

Note, the term Noise Emission Level is defined in Section 3.10.

These standards apply to those sources that can be readily controlled by the noise performance standards. Other day to day activities which may cause a noise nuisance can be controlled using the excessive noise provisions of the Act as well.

Note: In Business Areas the definition for Noise Sensitive Activity includes residential activities.

For Port Noise, see Standard 34.6.2.11.

For Airport Noise, see Standard 34.6.2.12.

- accords with the schedule of typical building construction set out below:

(the schedule describes the minimum requirements necessary to achieve an external sound insulation level of $D_{nT,w} + C_{tr}$ 30 dB)

Building Element	Minimum Construction Requirement	
External Walls of Habitable Rooms	Stud Walls: Exterior cladding: Cavity infill: Interior lining: Combined superficial density:	20 mm timber or 9mm compressed fibre cement sheet over timber frame (100 mm x 50 mm). * Fibrous acoustic blanket (batts or similar of a minimum mass of 9 kg/m ³) required in cavity for all exterior walls. Minimum 90 mm wall cavity. One layer of 12 mm gypsum plasterboard. Where exterior walls have continuous cladding with a mass of greater than 25 kg/m ² (e.g. brick veneer or minimum 25 mm stucco plaster), internal wall linings need to be no thicker than 10 mm gypsum plasterboard. Minimum not less than 25 kg/m ² being the combined mass of external and internal linings excluding structural elements (e.g. window frames or wall studs) with no less than 10 kg/m ² on each side of structural elements.
	Mass Walls:	190 mm concrete block, strapped and lined internally with 10 mm gypsum plaster board, or 150 mm concrete wall.
Glazed Areas of Habitable Rooms	Glazed areas up to 10% of floor area: Glazed areas between 10% and 35% of floor area: Glazed areas greater than 35% of floor area:	6 mm glazing single float 6 mm laminated glazing Require a specialist acoustic report to show conformance with the insulation rule.
	Frames to be aluminium window frames with compression seals.	
Skillion Roof	Cladding:	0.5 mm profiled steel or 6 mm corrugated fibre cement, or membrane over 15mm thick ply, or concrete or clay tiles.
	Sarking:	17mm plywood (no gaps).
	Frame:	Minimum 100 mm gap with fibrous acoustic blanket (batts or similar of a mass of 9 kg/m ³).
	Ceiling:	Two layers of 10 mm gypsum plaster board (no through ceiling lighting penetrations unless correctly acoustically rated). Fibrous acoustic blanket (batts or similar of a minimum mass of 9 kg/m ³).
	Combined superficial density:	Combined mass of cladding and lining of not less than 25 kg/m ² with no less than 10 kg/m ² on each side of structural elements.
Pitched Roof (all roofs other than skillion roofs)	Cladding:	0.5 mm profiled steel or tiles, or membrane over 15mm thick ply.

Building Element	Minimum Construction Requirement	
	Frame:	Timber truss with 100 mm fibrous acoustic blanket. (batts or similar of a minimum mass of 9 kg/m ³) required for all ceilings.
	Ceiling:	12 mm gypsum plaster board.
	Combined superficial density:	Combined mass with cladding and lining of not less than 25 kg/m ² .
Floor areas open to outside	Cladding:	Under-floor areas of non-concrete slab type floors exposed to external sound will require a cladding layer lining the underside of floor joists of not less than 12 mm ply
	Combined superficial density:	Floors to attain a combined mass not less than 25 kg/m ² for the floor layer and any external cladding (excluding floor joists or bearers).
External Door to Habitable Rooms	Solid core door (min 25 kg/m ²) with compression seals (where the door is exposed to exterior noise).	

Notes:

- **The table refers to common specifications for timber size. Nominal specifications may in some cases be slightly less than the common specifications stated in the schedule for timber size.*
- *In determining the insulating performance of roof/ceiling arrangements, roof spaces are assumed to have no more than the casual ventilation typical of the jointing capping and guttering detail used in normal construction.*

Ventilation – Business 1 Areas

34.6.2.10.2 Where habitable rooms with openable windows are proposed, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person.

Noise Insulation - Business 2 Areas

34.6.2.10.3 Except for within the Port Noise Affected Area and Airport Noise Boundary zone, any habitable room in a building used by a noise sensitive activity within Business 2 Areas shall be protected from noise arising from outside the building by ensuring the external sound insulation level achieves the following minimum performance standard:

$$D_{nT,w} + C_{tr} > 35 \text{ dB}$$

Compliance with this performance standard shall be achieved by ensuring habitable rooms are designed and constructed in a manner that:

- accords with an acoustic design certificate signed by a suitably qualified acoustic engineer stating the design as proposed will achieve compliance with the above performance standard.

Note: In Business Areas the definition for Noise Sensitive Activity includes residential activities.

*For Port Noise, see Standard 34.6.2.11.
For Airport Noise, see Standard 34.6.2.12.*

Ventilation – Business 2 Areas

34.6.2.10.4 Where habitable rooms with openable windows are proposed, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person.

34.6.2.911 Noise Insulation – Port Noise Affected Area

34.6.2.11.1 Except for ~~new residential activities~~ within the airnoise boundary (refer to Rule 34.4.7), any habitable room in a building used by a noise sensitive activity within the Port Noise Affected Area shown on Planning Map 55 shall be protected from noise arising from outside the building by ensuring the external sound insulation level achieves the following minimum performance standards:

$D_{nT,w} + C_{tr} > 35 \text{ dB}$ – Inner Port Noise Affected Area

Compliance with this performance standard shall be achieved by ensuring habitable rooms are designed and constructed in a manner that accord with an acoustic design certificate signed by a suitably qualified acoustic engineer stating the design as proposed will achieve compliance with the above performance standard.

$D_{nT,w} + C_{tr} > 30 \text{ dB}$ – Outer Port Noise Affected Area

Compliance with this performance standard shall be achieved by ensuring habitable rooms are designed and constructed in a manner that:

- accords with an acoustic design certificate signed by a suitably qualified acoustic engineer stating the design as proposed will achieve compliance with the above performance standard, or
- accords with the schedule of typical building construction set out in standard 34.6.2.10.1.

34.6.2.11.2 Where habitable rooms with openable windows are proposed, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person.

34.6.2.11.3 The above provisions do not apply to construction of new residential buildings within the airnoise boundary.

34.6.2.12 Noise Insulation and Ventilation - Airnoise Boundary

34.6.2.12.1 Any habitable room in a building used by a noise sensitive activity within the airnoise boundary depicted on Map 35 shall be protected from noise arising from outside the building by ensuring the external sound insulation level achieves the following minimum performance standard:

$D_{nT,w} + C_{tr} > 35 \text{ dB}$

Compliance with this performance standard shall be achieved by ensuring habitable rooms are designed and constructed in a manner that:

- accords with an acoustic design certificate signed by a suitably qualified acoustic engineer stating the design as proposed will achieve compliance with the above performance standard.

34.6.2.12.2 Where habitable rooms with openable windows are proposed, a positive supplementary source of fresh air ducted from outside is required at the time of fit-out. The supplementary source of air is to achieve a minimum of 7.5 litres per second per person.

34.6.3 SIGNS STANDARDS

These standards apply to the erection of all signs in Business Areas. All signs will be assessed against the Signs Design Guide.

34.6.3.1 Signs

Note signs located on a site with a listed heritage building are subject to the Heritage Rules in Chapter 21.

34.6.3.1.1 Any sign (excluding signs below verandah level) that is illuminated must not flash, or must not contain moving images, moving text or moving lights if that sign is:

- visible from a vehicle on the legal road within 100m of an intersection
- visible from and located within 50m of a Residential Area
- located on a building above ground floor level
- located on a site frontage (including on any building) that is adjoining or opposite (on the other side of the legal road) any Heritage Area (as shown in Chapter 21)

This standard does not apply to temporary signs provided for under standard 34.6.3.1.85

34.6.3.1.2 Any sign located on a building:

- that is affixed to the underneath of a verandah must provide at least 2.5 metres clearance directly above the footpath or ground level
- must be displayed only on plain wall surfaces
- must not obscure windows or architectural features
- must not project above the parapet level, or the highest part of that part of the building to which the sign is attached. This part of the standard does not apply to temporary signs provided for under standard 34.6.3.1.85
- must not project above the verandah level or the shopfront fascia. This part of the standard does not apply to temporary signs provided for under standard 34.6.3.1.65
- must not be more than a maximum area of 10m²
- ~~the sign~~ may project up to a maximum of 1.5 metres from the elevation of the building on which the sign is located.

34.6.3.1.3 In addition to 34.6.3.1.2, any sign that is for the purpose of third party advertising:

- is limited to one sign per elevation (including roof space) or frontage
- must be no more than a maximum size of 5m²

34.6.3.1.4 For any free-standing sign or any sign located on a structure:

- the maximum area is 8m² except where the site adjoins or faces a Residential Area across the road, where the maximum area is 6m²

- the maximum height is 8m except where the site adjoins or faces a Residential Area across the road, where the maximum height is 6m
- only one sign is permitted on any site frontage.

34.6.3.1.5 Any temporary sign that is established for the purpose of advertising a community event:

- must not be erected for more than ~~3428~~ consecutive days before, and must be fully removed (including any associated structures) within 7 days of the completion of the event for which the sign was erected
- may exceed the standards in 34.6.3.1.3, ~~and~~ 34.6.3.1.4 ~~and 34.6.3.1.5~~ specifying the maximum area or maximum number of signs permitted, provided that all other sign standards are met
- may be an illuminated sign that flashes and contain moving text

Note, the term Temporary Sign is defined in Section 3.10

Any sign that complies with relevant sign standards in 34.6.3.1 is also permitted on a temporary basis.

For the purpose of this standard, a community event includes an event that promotes Wellington City or public activities within a local community, and that event is non-repetitive and temporary in nature. This standard excludes advertising for primarily commercial purposes.

34.6.4 SUBDIVISION STANDARDS

These standards apply to all subdivisions in Business Areas

34.6.4.1 Subdivisions

- 34.6.4.1.1 Every building or structure adjoining a new boundary must comply fully with the standards for buildings and structures specified in 34.6.2 or otherwise be lawfully established. *Subdivision within a heritage area or on a site associated with a heritage item is controlled by the provisions of the Heritage Chapter (chapters 20 and 21).*
- 34.6.4.1.2 Every allotment must have services in compliance with City Bylaws or if applicable the Council’s Code of Practice for Land Development.
- 34.6.4.1.3 Every allotment must have practical, physical and legal access to a formed legal road ~~or by way of a registered right of way.~~
- 34.6.4.1.4 Every allotment must have drive-on vehicle access and parking constructed in accordance with standard 34.6.1.76. *Archaeological sites associated with human activity that occurred before 1900 are protected under 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.*
- 34.6.4.1.5 All earthworks needed to complete the subdivision are undertaken.
- 34.6.4.1.6 No part of any allotment being subdivided may be within 20 metres of any river whose bed has an average width of 3 metres or more where the river flows through or adjoins an allotment.
- 34.6.4.1.7 No part of any allotment being subdivided may be within 20 metres of the line of mean high water springs. This rule shall not apply in the Operational Port Area, provided the land is utilised for operational port purposes.
- 34.6.4.1.8 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 item and is not specifically identified for preservation in the Plan as important to the setting of the item.
- 34.6.4.1.9 For any subdivision incorporating new roads, all services must be reticulated underground.
- 34.6.4.1.10 Any new allotment within 32 metres of a high voltage transmission line (as measured from the centre line at ground level) must include sufficient land area outside of the transmission corridor to accommodate a complying building.
- 34.6.4.1.11 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 standard 34.6.4.1.1.
 - 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 licensed cadastral or other suitably qualified person certifying their accuracy.

34.6.5 KIWI POINT QUARRY STANDARDS

These standards apply to all quarrying and clean filling activities in the Kiwi Pont Quarry.

34.6.5.1 General

34.6.5.1.1 Any relevant provisions of standards 34.6.1 and 34.6.2 except that Rule 34.6.1.109.2 does not apply to the temporary stockpiling or storage of quarried rock material.

34.6.5.2 Dust

34.6.5.2.1 Dust control measures shall be undertaken to avoid creating a dust nuisance beyond the Quarry Boundary.

34.6.5.3 Quarry activities

34.6.5.3.1 Quarry activities shall be restricted to the area within the Business Area north of the abattoir and south of the access road, excluding the area shown as a buffer area, as identified on the plan included as Appendix 42.

34.6.5.3.2 Some blasting may be carried out as part of the normal quarrying operations. Blasting of faces for crushed rock production must take place between 10.00am and 2.00pm Monday to Friday only.

34.6.5.3.3 In all cases, residents of Tarawera Road, Plumer Street, 113, 130, 166, 170 and 175 Fraser Avenue, and 146 Burma Road must be notified by mail no less than one week in advance of blasting.

Blasting must be immediately preceded by a siren or hooter with a sound which distinguishes it from normal Police, Ambulance or Fire Service sirens.

34.6.5.3.4 The finished slope of quarry faces shall not exceed 55 degrees from the horizontal.

34.6.5.3.5 The maximum height of finished batters shall not exceed 15 metres.

34.6.5.3.6 A buffer area with a minimum width of 25 metres shall be maintained on the uphill boundary of the site as shown on Appendix 52. This area will be allowed to revegetate naturally except where there is a need for additional planting.

Note: At the north end of the quarry near Plumer Street and Tarawera Road, the buffer area is within the Open Space B Area as shown in Appendix 4 and is governed by the Open Space provisions.

34.6.5.3.7 A fence must be maintained adjacent to any properties in the Residential Area along the quarry boundary to a height of 1.2m.

34.6.5.3.8 Prior to commencement of operations in any area, a security fence must be installed and maintained along the outer edge of the buffer area.

34.6.5.3.9 No quarry activities shall be undertaken within the buffer area unless agreed by Council.

34.6.5.4 Cleanfill activities

34.6.5.4.1 Cleanfill activities shall be restricted to the area shown on the plan included as Appendix 42.

34.6.5.4.2 The cleanfill shall comply with the definition of cleanfill in Section 3 (Definitions) of this District Plan.

34.6.5.5 Location of quarry plant

34.6.5.5.1 The primary crusher may be moved as the quarry face recedes and new faces are worked. Any processing plant or buildings within the southern part of the quarry shall be relocatable.

34.6.5.6 Traffic movement

34.6.5.6.1 There shall be one entry point to the quarry, via Crossing Place 22 from State Highway One (also the main access to the adjacent Abattoir). This must be the sole means of entry and exit for quarry vehicles. This access must be maintained to the standard of local streets.

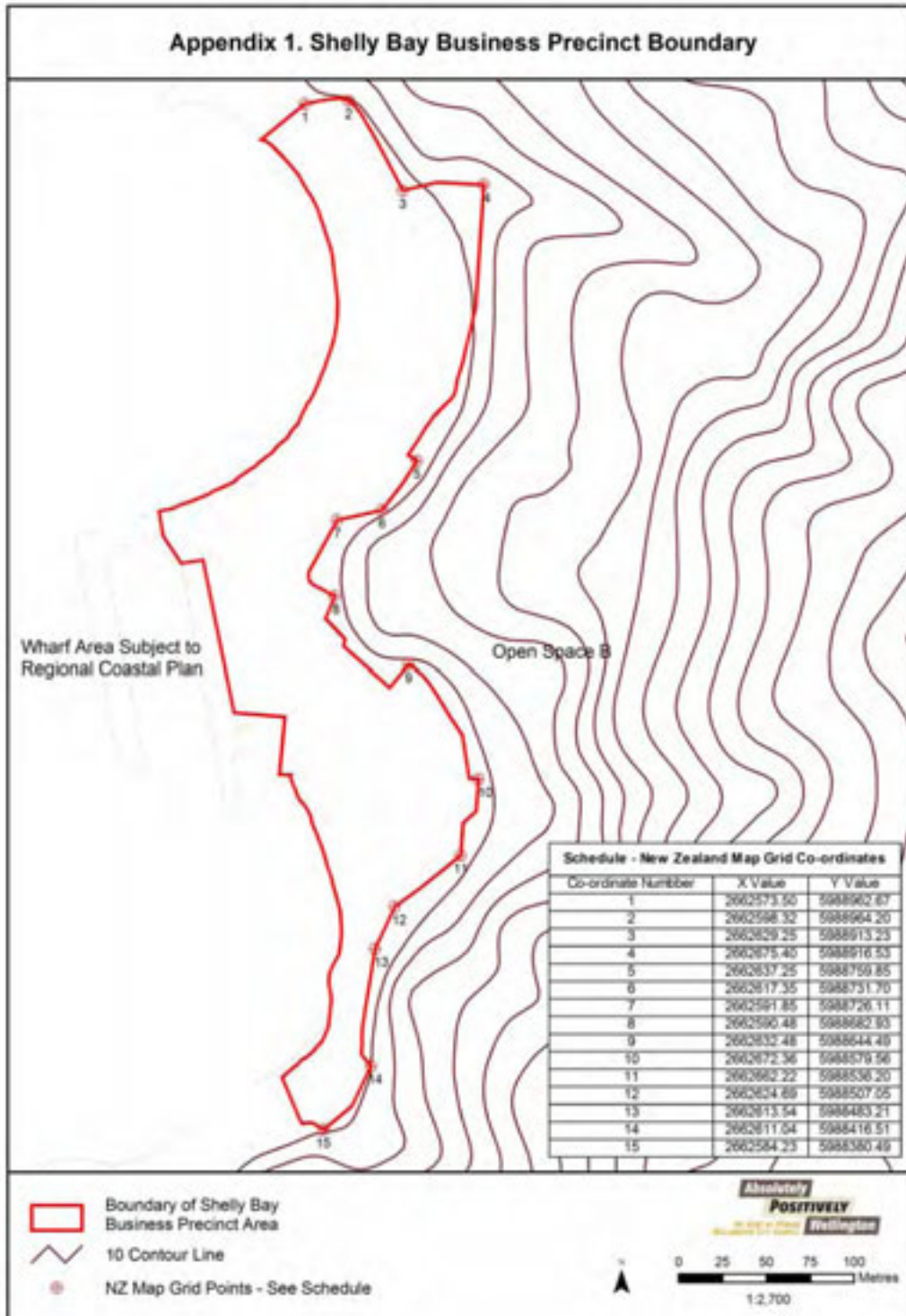
34.6.5.7 Rehabilitation and treatment of stripped areas

34.6.5.7.1 All land encompassed within the quarry boundary shall be progressively rehabilitated (except where used for other permitted or consented activities). Any planting will take place as soon as practicable following the completion of the quarry or cleanfill activity. Planting will be undertaken using indigenous species from local sources, except where exotic species are required to provide erosion control and/or temporary nurse cover for revegetation with indigenous species.

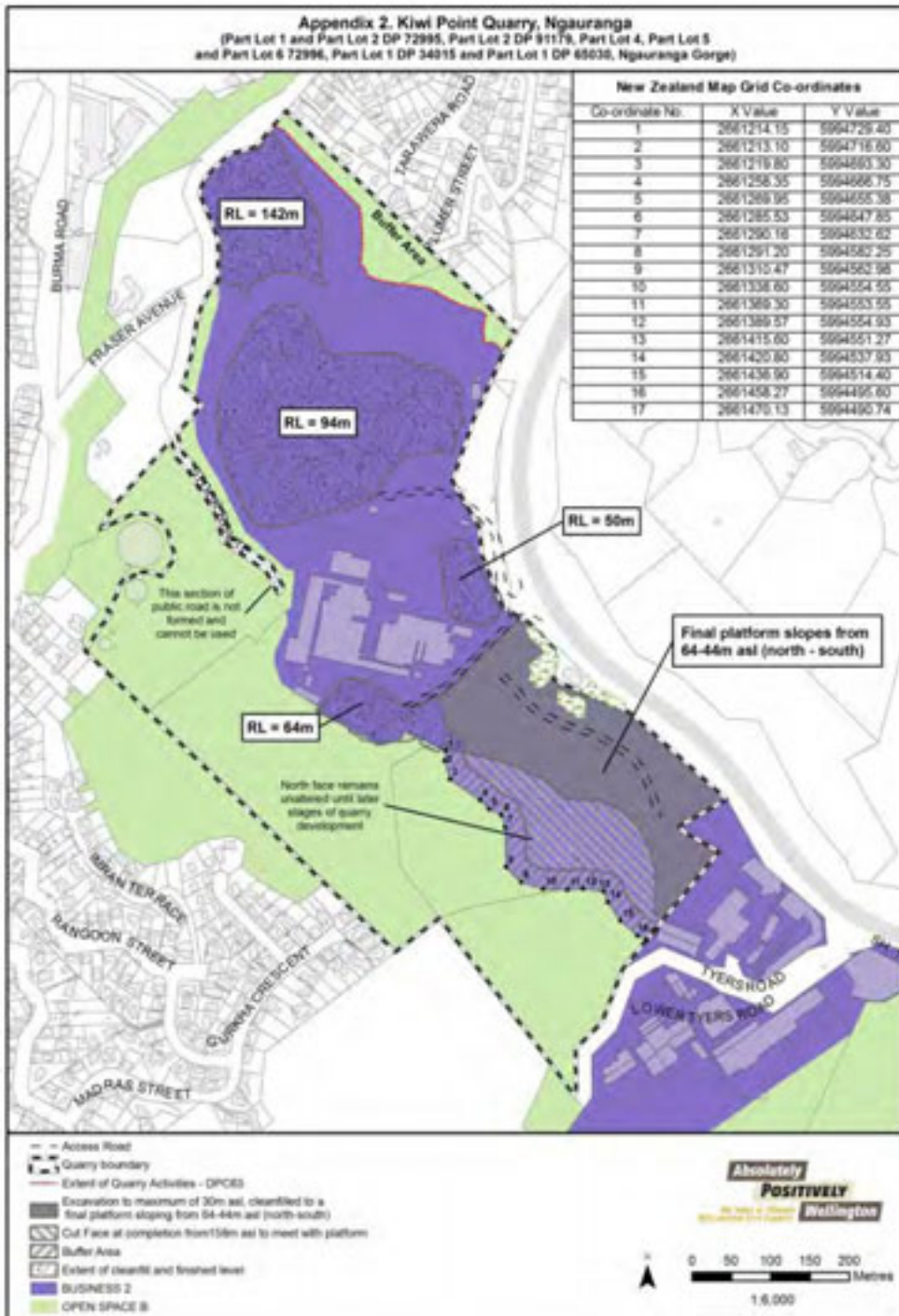
34.6.5.7.2 Excluding the Abattoir area, areas shown on Appendix 2 which are not shown as areas for quarrying and/or cleanfilling shall be allowed to revegetate.

34.6.5.7.3 All exposed surfaces of fill shall be hydro-seeded, or any other approved method, immediately following completion of works as a dust and erosion control measure.

Appendix 1. Shelly Bay Business Precinct Area – Boundary Location



Appendix 2. Kiwi Point Quarry (Part Lot 1 and Part Lot 2 DP 72995, Part Lot 2 DP 91179, Part Lot 4, Part Lot 5 and Part Lot 6 DP 72996, Part Lot 1 DP 34015 and Part Lot 1 DP 65030, Ngauranga Gorge)

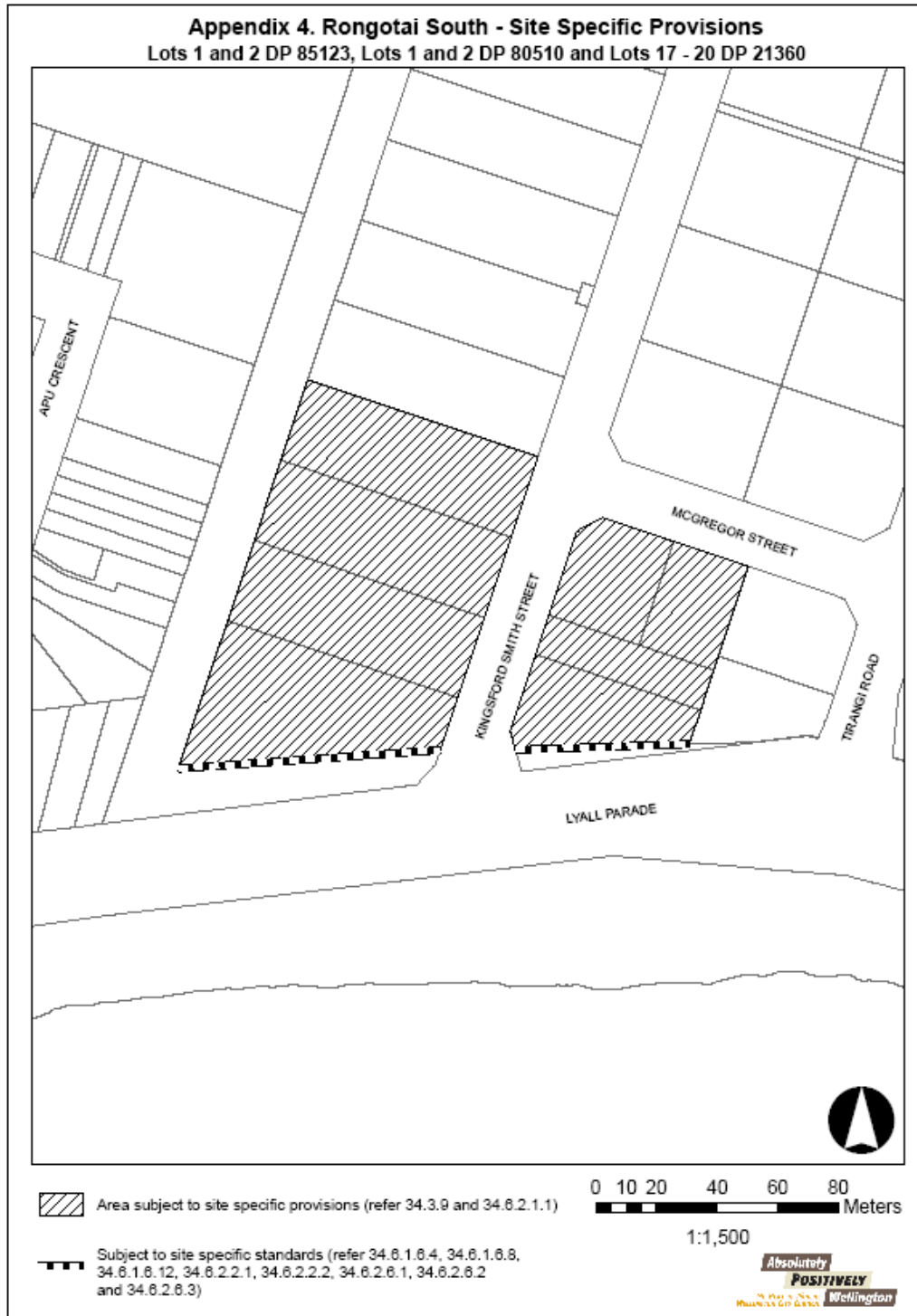


Appendix 3. Indicative list of activities under Schedule 3 of the Health Act 1956

The following list is indicative of the activities contained under Schedule 3 of the Health Act 1956:

- Blood or offal treating,
- Bone boiling or crushing,
- Collection and storage of used bottles for sale,
- Dag crushing,
- Fellmongering,
- Fish cleaning,
- Fish curing,
- Flax pulping,
- Flock manufacturing, or teasing of textile materials for any purpose,
- Tanning,
- Gut scraping and treating,
- Nightsoil collection and disposal,
- Refuse disposal,
- Septic tank desludging and disposal of sludge,
- Slaughtering of animals for any purpose other than human consumption,
- Storage, drying, or preserving of bones, hides, hoofs, or skins,
- Tallow melting,
- Wood pulping, and
- Wool scouring.

Appendix 4. Rongotai South Area Specific Provisions (Lots 1 and 2 DP 85123, Lots 1 and 2 DP 80510 and Lots 17 – 20 DP 21360)



Proposed Plan Change 73

Volume 2 - Annotated provisions of the Business Areas Design Guide showing proposed changes

Key to the following annotated text

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

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

Wellington City Council District Plan

Business Area Design Guide

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Introduction

Intention

To achieve high quality buildings, places and spaces in Business Areas.

This will be by considering they:

- are designed in an integrated way
- respond to their context
- establish positive visual effects
- provide good quality working environments
- integrate environmental sustainability principles, and
- create places that are safe and accessible.

Using this Guide

Application

The guide applies to new buildings, and additions to existing buildings in Business Areas (as specified in the Business Rules). Specific design objectives are set out in each section, followed by related guidelines.

Relevance

Not all of the design guidelines in this design guide will necessarily apply to every site. However, every guideline that is relevant to the project site, type and scope must be considered, and every relevant design objective satisfied.

Design flexibility and responsiveness to site

Sometimes a design objective may be best achieved by means not anticipated in these guidelines. In this situation, it is justifiable to depart from a guideline if it can be demonstrated that the alternative design solution satisfies the associated design objective.

Prioritisation

Every design proposal is a response to a unique mix of requirements and circumstances. Sometimes, they are in competition. While each development should demonstrably satisfy all applicable objectives, the unique conditions of each location may mean some objectives are more important than others. Priority should be given to satisfying those guidelines that are most critical to the overall intentions of this guide. Priorities can be identified by the designer and confirmed with WCC design reviewers in pre-application meetings.

Explanation

Throughout this guide, italicised explanatory text provides further assistance on the interpretation and application of the guidelines.

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

Information requirements

Refer to Chapter 3 of the District Plan for a list of information

required with each application. This includes a design statement that will describe how the proposal satisfies relevant design objectives and guidelines.

Wellington’s Business Areas

Business 1 Areas

Glenside
Greta Point
Kaiwharawhara
Kilbirnie North
Park Road, Miramar
Rongotai South
Ropa Lane, Miramar
Shelly Bay
Southern Newtown
Takapu Island
Tawa East Junction
Tawa South

Business 1 Areas contain a mix of uses including employment activities, light industrial, commercial and business services. Some retailing can be found, including large format and vehicle orientated retail activities. These areas contain some recreational and entertainment uses, residential activities and local community services. There is good to moderate accessibility to public transport and on and off street parking.

Business 2 Areas

Burnham/Miramar Wharf Land
Collins Avenue
Grenada North
Kiwi Point Quarry
Miramar South
Newlands/Ngauranga
Ngauranga
Rongotai East
Southern Landfill
Tawa Street, Tawa

Business 2 Areas contain a high proportion of employment and work-based activities. Yard based activities and trade suppliers with a vehicle orientated focus, and some commercial and small scale retail ancillary to the main activity can also be found. There is generally limited accessibility to public transport but range of on and off street parking is generally available.

1 Integrated Design

The design of a new building and its associated yard and external spaces should be undertaken in an integrated way, and not simply a piecemeal assemblage of elements. This applies also to the design of additions and the way in which they relate to existing buildings and the site.

Objective

- 01.1** To ensure buildings and external spaces are designed to form an integrated solution.

Guideline

Consistency and integration

- G1.1** Demonstrate integrated design and integration of all building elements.

Integration requires both the design process and the built outcomes to be considered in terms of each element as well as the development as a whole.

2 Siting, Height, Bulk and Form

The siting of buildings should acknowledge neighbouring buildings, reinforce patterns of streets and other public open spaces, and create attractive and useable open spaces on site.

The primary ways of achieving visual links with the existing context, are through similarity of plan and frontage alignment, and overall bulk and form. Buildings of great height or bulk may visually overwhelm their immediate surroundings. Where the length, width and/or height of a new development conflicts with the characteristics of its surroundings, design techniques may be employed to modify and mitigate the visual impacts.

Objectives

- 02.1** To complement existing street patterns, and achieve an appropriate scale relationship with adjoining buildings and public spaces.
- 02.2** To ensure that the siting of buildings respond and contribute to the amenity of neighbouring public spaces.
- 02.3** To ensure that reasonable levels of ventilation, daylight to and outlook from habitable spaces in the building will be maintained should development on adjacent sites be maximised.
- 02.4** To enhance the pedestrian network within Business 1 Areas.

Guidelines

Street edge definition and building alignment

- G2.1** Site and align building forms to reinforce the local system of streets and public open spaces, with alignment generally to the street edge.
Fronts of buildings should generally be built to the edge of

streets and other spaces, and large or random edge setbacks should be avoided. Special-purpose buildings that have public, community and/or cultural relevance are exceptions - it may be appropriate that such buildings are expressed as local landmarks.

The complex shapes or prominent positions of particular sites or those that accommodate vehicle orientated uses may be recognised and expressed through a limited setback from the street edge. However, this must maintain the general pattern and coherence of the street edge.

Generally, it will be acceptable to set buildings back from the street edge only where:

- this is a high quality building set within a high quality open space design,
- where the setback maintains an existing and valued pattern of street edge treatment,
- where the setback contributes to a coherent open space design for the locality, or
- the building is on a generally open site in an area that lacks spatial definition of the street edge

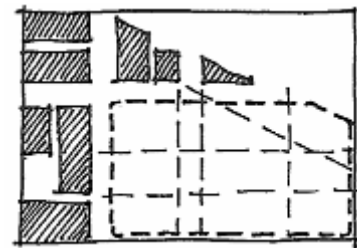
Depending on context, frontage setbacks may or may not include car parking. However, in the situations where car parking is appropriate, it should be part of a coherent landscape plan for the site.

In Business 2 Areas, where the uses are purely for large-scale industrial activities or predominantly open spaces (ie. a quarry) or when the street bounded is a major highway with no connection, relation to the street edge may be irrelevant. In this case occupied buildings should be located close to and readily visible from points of entry to the site, and landscape elements might be used to achieve a positive edge to the street.

G2.2 Align buildings with the block pattern typical of the surroundings where there are no other buildings on the block.

The siting of new buildings on large open sites should establish a positive precedent for new development. New buildings are more intrusive when they are sited in isolation, and when they contradict the characteristic block and street layout of the surrounding area.

References for primary alignments on a vacant block



Building bulk

G2.3 Mitigate the visual impact of the building bulk, where a building is large relative to its neighbours and to other nearby buildings, or prominent in views from nearby highways or arterial roads.

This particularly applies to buildings that are more than around 50% taller than their immediate neighbours. It also applies to large floor-plate buildings (those that are in the order of two or three times the width and depth of other buildings around), particularly those with an elongated plan form or large wall planes.

In situations characterised by a mix of buildings, contrast – in the form of large and simple bulk – may be justified. However where the public edges of the building or spaces are used by pedestrians a sense of human scale is always

required at the street.

Where viewers are motorists travelling at speed, subdivision or modelling of the form of the wall should be larger and simpler.

Natural light, outlook and ventilation

- G2.4** Provide on-site setbacks from side and rear boundaries and position windows as required to maintain acceptable natural light, outlook and ventilation for habitable spaces, while also considering privacy effects where buildings are adjacent to habitable spaces and residential neighbours.

Internal amenity should not be dependent on windows that are placed on or very close to site boundaries. It should be assumed that neighbouring sites will be built-out in the future, and so acceptable light and outlook should be provided by other means. In assessing this provision, Council will assume that development at the boundaries of neighbouring sites will be built to the maximum height anticipated by the District Plan.

Positive open space

- G2.5** Locate any publicly accessible open spaces and any setbacks so that they complement the street system, and positively shape and define any new spaces with edges of buildings or large scale landscape elements.

This guideline does not apply to private yard and other service, industrial or storage spaces which are access-controlled, and which are not part of the public domain.

Publicly accessible open spaces on a site should be located on main walking routes or be readily accessible and visible from them. They should wherever possible have good access to sunlight and provide shelter for users.

In some Business Areas, open spaces at the edges of streets might accommodate carparking, drive-through or open-air retail display. Spaces for these activities should also be shaped and defined as positive open space as part of an integrated site development plan.

Mid-block pedestrian access

- G2.6** In Business 1 Areas, consider creating a new public thoroughfare through large blocks where this enhances walkability and links publicly-relevant destinations.

Where existing blocks are large, public thoroughfares or pathways that usefully link public destinations or existing paths and streets should be integrated into site redevelopment. In planning mid-block pedestrian access, there should be a clear distinction between spaces and routes that are open to the public, and onsite open spaces that are private or semi-private. The former should be open to all, and the latter access-controlled to maintain safety and security. Any through-site links should be designed to have a reasonable proportion of active edges.

3 Street Edge Treatment

While many Business Areas are typically vehicle-oriented, buildings should provide frontages towards adjoining

streets and other public open spaces. These edges provide a sense of occupancy and natural surveillance, and contribute interest and safety for passersby. Safety is an essential attribute of successful urban spaces, and can be supported by adopting the principles of Crime Prevention Through Environmental Design (CPTED).

Factors that are particularly important in achieving a high quality public environment include the frequency, location and design of entrances and windows. The type and arrangement of activities, especially at ground level, are also important.

Objectives

- O3.1** To create building edge conditions that enhances legibility and safety in streets and other public spaces, and support pedestrian activity.

Guidelines

Building fronts

- G3.1** Orient building frontages, including the occupied parts of buildings, offices, windows and the main public entrance, to the street.

The connection between building interiors and adjoining public spaces, including streets, is fundamental in determining the character and quality of those public spaces. A building with openings or large amounts of glazing that display internal activity and doors at ground level, as well as windows above, offers visual interest, and opportunity for informal surveillance.

Sites should always have a pedestrian entrance, and the building entrance should be located close to the main pedestrian entrance to the site in order to assist wayfinding for visitors.

Where a site is bounded by more than one street or public space it should establish a primary frontage on one public boundary, generally to the most significant street or space. Secondary frontages may be established on others.

Active edges

- G3.2** Avoid or articulate featureless or plain wall surfaces that are at the street edge or prominent in view from immediately adjacent dwellings or highways.

Large blank surfaces should not occur at ground level at the street edge, nor where a building backs onto or is otherwise prominent in view from a major road, irrespective of whether there is any physical connection. However, a large flat wall surface may be used to balance other more complex parts of a façade. It may provide contrast and visual relief or a scale relation to an adjacent larger building. A flat wall surface might constitute a reasonable proportion of ground floor facades, but only if the quality of the street edge is not compromised as a result.

Where service orientated side and rear facades are likely to remain in prominent public view from a state highway or other key route, it is important that they are given visual interest with an architectural treatment. Large

walls might be articulated with openings, and where this is not possible, with architectural treatments including three-dimensional modelling.

While colour can contribute to the positive visual effect, it should be applied in combination with other architectural means.

Shelter and building entrance enhancement

- G3.3** Entrance canopies, transitional spaces and/or other features should be used to signal the location of entrances, enhance the sense of arrival and provide shelter.

While entrance definition and features are desirable, large setbacks should not be introduced – unless the open area created is attractive and useable public space, and maintains the quality and integrity of the street edge.

Human Scale

- G3.4** Give a sense of human scale at the publicly occupied edges of buildings.

This might be achieved by various means including openings with proportions and/or dimensions that are similar to those of the human figure; textures and subdivision of wall surfaces that are of commonly understood dimensions; and elements and components that are sized for human occupation and use.

4 Façade and Building Tops

The topography of Wellington ensures that many buildings will be overlooked from surrounding residential areas and from streets and arterial roads. How the various elements of a building come together has an important influence on how they fit with their context, and whether the building appears coherent. Consideration should be given to the façade, the building's top and the side and rear elevations of buildings.

Objectives

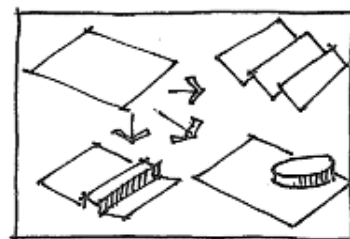
- O4.1** To ensure that the design of each façade and the building top is considered in relation to its context and as an integrated element of the design solution.

Guidelines

Roofscape, plant and services

- G4.1** Modulate the scale of, and create visual interest in, the roofs of large floor plate low-rise buildings that are viewed from elevated sites or are otherwise prominent.

Regardless of their height, the roofs of large floor-plate buildings can have significant visual impacts - especially when seen from elevated sites around the city. In this respect, low-rise buildings with large plan dimensions can produce more significant visual effects than tall buildings with small footprints. Modulation techniques may include visual subdivision of large roof planes; sculptural roof



Indicative modulation of roofscape

forms; and expression of structure or secondary form, such as service rooms and towers. When the roof edges of such buildings are prominent in public view, consideration should be given to the composition of this edge, including its shape and visual rhythm.

G4.2 Integrate plant and services as a coherent part of the overall design of the development.

Mechanical plant and services will often be a significant part of a development. Some plant will be untidy, and will best be treated with enclosure. Other plant, such as cranes, gantries, hoppers, conveyors, silos and so forth may be visible, and if so can contribute to the character of a Business Area. It helps people to locate a facility and can be a visual asset, contributing both diversity and interest to the neighbourhood.

Plant, if it has sufficient scale and visual presence may also be expressed architecturally. While provided for functional reasons, it often can be used to modulate the scale of a building and create visual interest. This might be by methods including alignments, grouping, creating a visual rhythm and using contrasting colour.

G4.3 Architecturally express vertical elements such as masts, towers, flues and aerials.

Vertical elements if judiciously placed and well-designed will be a positive contribution in Business Areas. They:

- *will offer visual relief from the typical horizontality and box building forms of most work areas;*
- *can express the function of activities, contributing to legibility;*
- *offer potential to contribute visual interest to both facades and the skyline; and*
- *may also, if sufficiently large, well-located and appropriately designed, create a positive landmark effect.*

Nevertheless, because these are tall, and therefore usually visually prominent, their placement and design is important. They might be expressed as an integral part of the architectural composition of the building, or act as vertical accents or space defining landscape elements. They should be designed and placed to avoid visually dominating neighbours or the street edge, or casting shadow on any neighbouring residential site.

5 Materials and Detail

Materials and detail are important in maintaining visual interest and a positive relation to context.

The quality of materials and detail is particularly important at ground level and at the publicly accessible and visible parts of buildings. Here, people are able to view buildings at close range and perhaps touch them, increasing the risk of damage.

Objectives

- 05.1** To ensure the level of visual quality and physical robustness of the building is appropriate to its type and location.

Guidelines

Visual interest

- G5.2** Use three dimensional detail to visually enhance facades.

A façade is given depth, richness and visual interest with shadow casting detail. This can be created by expressing structural elements; modelling openings with deep reveals; overlapping modular façade materials; varying the alignment of wall planes; using double skin facades, and applying shading devices and other elements such as louvres, light reflectors, screens or balconies.

Areas of three dimensional detail may be contrasted and balanced by flat areas for further architectural effect. This approach requires consideration of the overall composition of the building.

Physical robustness

- G5.3** Use physically robust, readily maintained materials and details in areas that may be subject to damage or vandalism.

High quality finishes and good maintenance help establish an attractive image for a building or place. Materials, finishes and details that are resistant to damage and/or readily repaired or replaced are desirable. Signs of damage or lack of care (as well as overt signs of ‘target-hardening’ such as barred windows and security shutters at shop fronts) will raise perceptions of disorder and a potential safety threat. Some people may be dissuaded from using places where these conditions exist.

6 Open Space, Car Parking and Landscape

In contrast to city and suburban centre locations, a relatively high proportion of sites will be open space, and the design of this space becomes important. Much of it will be necessarily devoted to vehicle circulation, parking and servicing. Because of its predominance and potential to dominate the adjacent streetscape, it is important that carparking is carefully designed.

The landscape context should be considered, particularly as many of these sites are at peripheral locations close to rural or reserve areas. In these cases, the landscape treatment of a development should complement its context.

Objectives

- 06.1** To create landscape and open space areas which contribute to local amenity.
- 06.2** To enhance legibility and safety in streets and other public spaces, providing for the necessary vehicle access while supporting pedestrian activity.

Guidelines

Relation to landscape and streetscape context

- G6.1** Use type, species and patterns of planting that are characteristic of the locality, and which will enhance the development.

Where existing landscape themes are strong and positive they should be extended. In other situations, the opportunity to establish positive precedents for the future with planting that is both functionally and aesthetically appropriate should be taken.

- G6.2** Concentrate planting in the areas best placed to benefit from it.

Rather than necessarily distributing planting evenly around the site it should be concentrated where it is visible, and where it contributes to maintaining or extending a valued landscape, habitat, or streetscape pattern. Planting may contribute amenity to all areas, but is not necessary within utilitarian work yards at the rear of sites.

Maintenance and serviceability

- G6.3** Ensure species are suitable for growing conditions, that optimal growing conditions are provided, and make provision for maintenance.

Planting that is difficult to maintain will often deteriorate, so serviceability and maintenance requirements should be considered and planned for. Retention swales might also be considered as a means of providing for irrigation. Where establishment of planting will be difficult, a landscape management plan should be produced.

Car parking, yards and servicing

- G6.4** Locate car parking, yards and servicing where these functions provide for the necessary convenient vehicle access but do not compromise the quality of the street edge, nor the status of the main entry to the building.

The appropriate location of parking depends on context. Where the street edge has moderate to high pedestrian use, parking should be at the side or rear of buildings, or above/below ground. This allows the most publicly relevant activity to be located at ground floor street edges. Car parking might be used to activate the frontage only in locations where there is otherwise little public activity.

- G6.5** Design the layout of parking areas so that the on-site circulation space is safe, convenient and easily understood by motorists and pedestrians alike.

Landscaping that signals the intended use of spaces, ensuring adequate lines of vision and appropriate surface marking and signs all help to create a safe and convenient car park environment.

- G6.56** Break very large areas of car-parking into smaller groups, using structures or landscape elements to separate these groups.

Landscaping elements such as large trees in combination with low level landscaping should be used, ensuring that there are good lines of sight for drivers across the car park. Retention swales might be used as low level landscaping, as these irrigate planted areas and help minimise stormwater runoff. This ceases to be relevant where the parking is at the rear of a site, or not visible from off the site.

- G6.6** Locate loading and service areas away from the main frontages and main entrance.

Rubbish and other messy storage areas should be visually unobtrusive and/or back from the street edge. However, where a servicing or storage activity is clean, visually ordered, and signals the purpose of the business occupying the site, it might be at or in view from the frontage. In this case it can contribute visual interest and enhance legibility of the work area by displaying activity.

The degree to which vehicles may occupy the site frontage will be determined by context. For activities in some vehicle oriented Business Areas, vehicle entries may become the front entry to the site, and frontages may readily accommodate car-parking. Drive through activity is acceptable at such frontages, and should be visible from the frontage.

Pedestrian Access

- G6.7** Provide for safe and convenient pedestrian access from footpaths to the entry of buildings, as well as extending footpaths along street edges where these do not already exist.

Separate access facilities will be required for pedestrians where justified by the type and intensity of vehicle use: that is, where traffic speeds, volumes or the type of traffic raise a safety risk.

Pedestrian only or pedestrian priority areas will typically be provided with kerbs or raised pedestrian facilities or material differentiation. Otherwise, where vehicle use is low, shared surfaces may be acceptable.

Paving treatments should be supplemented by appropriate amenity lighting, and directional signs if the entrance or destination is not immediately visible. Amenity landscaping is desirable associated with pedestrian accessways.

Safety and security

- G6.8** Control access to areas which may allow unobserved access to buildings and facilities.

Where the means of access control is visible from the street, ensure it is integrated with building design and landscape planning.

- G6.9** Ensure outdoor spaces can be overlooked from within the building, and that these areas are well lit if after dark use is anticipated.

The potential for informal surveillance and risk of being observed has the effect of deterring many potential intruders. It also enhances the sense of safety for legitimate users of the site.

In particular, landscaping should not provide opportunity for concealment or entrapment close to the street, pathways and entrances to the building.