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**DECISION ON DISTRICT PLAN CHANGE 50:  
ARO VALLEY BOUNDARY ADJUSTMENTS AND PRE-1930'S  
BUILDING DEMOLITION RULE**

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**1. Purpose of Report**

To report to Council the recommendations of the District Plan Hearing Committee concerning District Plan Change 50 – Aro Valley Boundary Adjustments and pre-1930's Building Demolition Rule.

**2. Recommendation**

- (a) That Council approves the recommendations of the District Plan Hearing Committee in respect of District Plan Change 50 – Aro Valley Boundary Adjustments and pre-1930's Building Demolition Rule.*

Proposed District Plan Change 50 was publicly notified on 2 September 2006.

Proposed District Plan Change 50 is a Council initiated plan change and addresses issues of residential character in the suburb of Aro Valley. Specifically, it deals with the removal or demolition of pre-1930 buildings in the residentially zoned areas of Aro Valley.

The plan change applies existing rule 5.3.11 to Aro Valley making the demolition of pre-1930 buildings a Discretionary Activity (Restricted) requiring a resource consent. This rule already applies in Thorndon, Mt Victoria and more recently has been applied to Newtown, Berhampore and Mt Cook. The proposed plan change introduced a new clause to rule 5.3.11 to cover the removal or destruction of architectural features and detailing on the 'primary elevation' of pre-1930 buildings.

The Officer's Report on the plan change was distributed to submitters who had indicated they wished to be heard, prior to the hearing.

The Hearing for District Plan Change 50 was held on 27 March 2007.

**3. Discussion**

Twenty-nine main submissions and no further submissions were received on Proposed District Plan Change 50. The submissions covered a range of issues raised by the plan change.

Two submitters Aro Valley Community Council and Victoria University attended the hearing and spoke to their submissions.

The Committee gave careful consideration to all the issues raised by the submitters, including those issues elaborated on in presentations by the individuals who appeared before the Committee.

Two submissions opposed the plan change in its entirety on the grounds that the blanket application of the demolition rule was unjustified and would make it difficult to undertake development within the area.

Twenty-four submissions supported the plan change but requested amendments to some areas. They considered that the plan change was a positive step in helping to protect the special character of Aro Valley.

Two submissions neither supported nor opposed but requested changes to either the rules or assessment criteria.

The remaining submission requested that the proposed plan change be amended to remove a number of properties from being subject to the new provisions.

All of the above submissions are considered in detail in the Hearing Committee's report attached as Appendix 1.

Having considered the requirements of the RMA and the issues raised in submissions, the Hearing Committee considered that the plan change was generally appropriate and would allow the Council to better manage the residential character of Aro Valley. An exception to this was in Landcross Street where the Committee was persuaded that the demolition rule was not appropriate as they considered that Landcross Street principally formed part of Kelburn rather than Aro Valley.

The Committee recommends a number of amendments to the provisions (as notified) to improve their clarity, application and effectiveness. These changes include:

- *Add additional explanation to Policy 4.2.3.3 explaining the application of permitted baseline.*
- *Amend assessment criteria 5.3.11.4.A to provide additional clarity as to the effects that are being managed under rule 5.3.11.*
- *Provide additional assessment criteria 5.3.11.4.D to recognise the link between building demolition and the quality of the proposed replacement building(s).*
- *Remove Landcross Street from the Demolition Rule (Rule 5.11.3) and Appendix 9 (Appendix 1).*
- *Amend the Multi Unit Design Guide by including additional description for Adams Terrace sub area and Ohiro Rd/Brooklyn Rd sub area.*

Overall the Hearing Committee recommends that Council endorse DPC 50, with the above amendments. A copy of the revised plan change is set out in Appendix 2 to this report.

Once approved by Council the decision will be publicly notified and served on the submitters. Submitters then have the option of appealing the matter to the Environment Court within 30 working days. If no appeals are made the plan change will become operative.

***Report from: Alick Shaw***

*Chair of the District Plan Hearings Committee*

*Plan Change 50 – Aro Valley Boundary Adjustments and pre-1930's Building Demolition Rule.*

# APPENDIX ONE REPORT OF THE HEARING COMMITTEE

## WELLINGTON CITY COUNCIL REPORT OF THE HEARING COMMITTEE

### SUBJECT:

PROPOSED DISTRICT PLAN CHANGE 50: ARO VALLEY BOUNDARY ADJUSTMENTS AND PRE-1930'S BUILDING DEMOLITION RULE.

### COMMITTEE MEMBERS:

CRS SHAW  
WAIN  
Mr IAN HUTCHINGS

### DATE OF HEARING:

27 APRIL 2007

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## 1. RECOMMENDATIONS

1) *Approve District Plan Change 50 – Aro Valley Boundary Adjustments and pre-1930's Building Demolition Rule:*

- *Add additional explanation to Policy 4.2.3.3 explaining the application of permitted baseline.*
- *Amend assessment criteria 5.3.11.4.A to provide additional clarity as to the effects that are being managed under rule 5.3.11.*
- *Provide additional assessment criteria 5.3.11.4.D to recognise the link between building demolition and the quality of the proposed replacement building(s).*
- *Remove Landcross Street from the Demolition Rule (Rule 5.3.11) and Appendix 9 (Appendix 1A).*
- *Amend the Multi-Unit Design Guide by including additional description for Adams Terrace sub area and Ohiro Rd/Brooklyn Rd sub area and amend guideline 5.2 to include references to the importance of mature greenery.*

*A copy of the revised plan change is set out in Appendix 2*

2) *Accept or reject all the submissions and further submissions to the extent that they accord with recommendation (1) above. See sections 3.1 - 3.10 below for further details.*

## 2. INTRODUCTION

This decision relates to Proposed District Plan Change 50 – Aro Valley Boundary Adjustments and pre-1930's Building Demolition Rule.

Proposed District Plan Change 50 was publicly notified on 2 September 2006.

Proposed District Plan Change 50 is a Council initiated plan change and addresses issues of residential character in the suburb of Aro Valley. Specifically, it deals with the removal or demolition of pre-1930 buildings in the residentially zoned areas in Aro Valley.

The plan change applies existing rule 5.3.11 to Aro Valley making the demolition of pre-1930 buildings a Discretionary Activity (Restricted) requiring a resource consent. This rule already applies in Thorndon and Mt Victoria and has more recently been confirmed for Newtown, Berampore and Mt Cook. The proposed plan change also introduces a new clause to rule 5.3.11 to cover the removal or destruction of architectural features and detailing on the ‘primary elevation’ of pre-1930 buildings.

The Officer’s Report on the plan change was distributed to submitters who requested to be heard prior to the hearing.

The Hearing for District Plan Change 50 was held at Council Offices on 27 April 2007.

Twenty-nine main submissions and no further submissions were received on Proposed District Plan Change 50.

At the hearing on the 27 April 2007, Alison Newbald (Council’s planner) spoke to the officer’s report on the plan change. Two submitters appeared at the hearing and spoke to their submissions:

- Aro Valley Community Council (represented by Roland Sapsford) (submission 22)
- Victoria University (represented by Dave Povey, Acting Director of Facilities Management at Victoria University, Graeme McIndoe, Urban Designer and Robert Schofield, Planner).

The Committee gave careful consideration to all the issues raised by the submitters, including those issues elaborated on in presentations by the submitters who appeared before the Committee.

The following discussion sets out the key issues and the Committee’s reasons for making its decision.

### 3. SUBMISSIONS AND DISCUSSION

Submissions were received from:

Submitter No.	Submitter Name
1	Karan August
2	Anthony Hood
3	Angus Lonie
4	Ann Margaret Cook
5	Sian Rose Collins and Peter James MacDonald
6	Nathan Hickey
7	Andrew Walker
8	Ross Talbot Harris
9	Jaquilin Tutt
10	Barbro Harris
11	Ana Isobel Veitch
12	Clive Lyttle
13	Robert John Bennett
14	Alan Joesph Fairless
15	Jane Bennett
16	Joanna Margaret Higgins
17	Janet Dunn
18	Michael John Robertson

Submitter No.	Submitter Name
19	The New Zealand Historic Places Trust
20	Victoria University
21	Stephen Sargent
22	Aro Valley Community Council
23	Diana Sugate
24	Brent Lincoln Efford
25	Julia Brooke White
26	James Donald Marchbanks
27	Barbara Jean Harrison
28	Lisa Thompson
29	Kay Larsen

No further submissions were received.

The key issues raised in submissions, and the Hearing Committee’s decisions on the submissions are addressed in sections 3.1-3.10 below

### 3.1. Oppose plan change and request that it be withdrawn

Submissions 2, 21 oppose Plan Change 50 and seek that the demolition rule not be introduced and the status quo retained. They consider that urban renewal and new innovative designs for new buildings should be encouraged.

***Consideration:***

The Hearing Committee noted the concerns raised by these submitters.

The Hearing Committee accepted that the application of the proposed rule 5.3.11 to Aro Valley would increase compliance costs for certain works. Under the plan change resource consent will be required for full building demolition and the removal of architectural features on a building’s ‘primary elevation’, which were previously Permitted Activities. However, the Committee noted that these costs must be weighed against the potential benefits of the plan change, which would be an improved ability to manage residential character and the quality of the streetscape in each of the three suburbs.

The Hearing Committee noted that the proposed rule does not prohibit demolition of pre-1930’s buildings. If it can be demonstrated that the proposed replacement building would be as good or better than the original building in terms of its contribution to the streetscape, noting the nature of the existing streetscape in question, then consent would be likely to be granted. It is considered that undertaking this assessment before the existing building is removed or demolished is an important mechanism in ensuring that new development in these suburbs is of a suitably high standard. The Hearing Committee emphasised that the plan change was not about preserving Aro Valley in its current state per se - rather it was about ensuring that new development and replacement buildings are of sufficient quality as to make a positive contribution to the wider character of the suburbs. It did however consider that the plan change may well reduce the rate of change by preventing poor quality development and streetscape outcomes which in the absence of the plan change would have been permitted activities.

Furthermore in considering the question of compliance costs, experience indicates that where demolition is undertaken it is usually to make room for a new multi-unit development. The Hearing Committee noted that resource consent is already required for the majority of multi-unit developments. The Committee considered that in this scenario the cost of applying for resource consent to demolish and existing pre-1930 building would not significantly increase the overall development cost.

The Hearing Committee also noted that the plan change did not hinder building maintenance. Repair and maintenance of existing buildings remains a permitted activity, as do most renovations and

additions. The Hearing Committee noted that there is a cost associated in maintaining all property, and that the application of rule 5.3.11 would not significantly alter maintenance costs for property owners in Aro Valley.

On balance, the Hearing Committee considered that Plan Change 50 should be retained in all but one area (Landcross St, discussed later in this report). The original reasoning behind the plan change in terms of maintaining residential character was considered sound, and the plan change remained valid.

**Decision:**

- **Reject** submissions 2 and 21 that seek to have Plan Change 50 withdrawn in its entirety

### **3.2. Support plan change and request that it be approved**

Twenty-four submissions supported the plan change as notified.

**Consideration:**

The Hearings Committee accepted the support of these submitters, but noted that the majority of these submissions also request some changes to either the boundaries of Appendix 9 and/or amendments to the Multi-Unit Design Guide. These issues are addressed separately in Section 3.3-3.6 below. The Committee considered that the submissions which supported the plan change as notified should be accepted to the extent that they are consistent with any amendments that are made to the plan change as part of the Hearings Committees' decision.

**Decision:**

- **Accept** Submissions 1, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 22, 23, 24, 25, 26, 27, 28 and 29 insofar as they support plan change 50, subject to any amendments resulting from other submissions, and outlined below.

### **3.3. Amend the extent of the areas subject to the demolition rule and provide heritage and character protection for additional areas.**

Matters raised in submissions:

Include the following areas:

- Holloway Rd, Norway, Thule and Entrance Street (Submitter 22) in the Demolition Rule and Multi Unit Design Guide;
- Provide Heritage and character protection for Entrance St, Thule St, Norway St and Holloway Rd (Submitters 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 24, 25, 26, 27 and 28);
- Provide controls to maintain the heritage, character and streetscape of the area between Aro Valley and the bypass (Submitters 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 22, 24, 25, 26, 27 and 28);
- The areas zoned Suburban Centre (Submitters 1, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 22, 23, 24, 25, 26, 27 and 28) in the Demolition Rule.
- Include the properties on the northern side of Abel Smith St as far east as the Inner City bypass, including Inverlochly Pl (Submitter 5) in the demolition rule and Multi Unit Design Guide.

Exclude the following areas:

- Victoria University's properties on Adams Terrace, Landcross St and Upper Aro St from the Demolition Rule and Landcross St from the Multi Unit Design Guide (Submitter 20).

**Consideration:**

The Hearing Committee considered a number of requests that the 1930's demolition rule be applied to additional areas in and around Aro Valley.

Submitter 22 has requested that Entrance St, Thule St, Norway St and Holloway Rd be included in the Demolition Rule and Multi Unit Design Guide and other submitters have requested that heritage and character protection be provided for this area. This area is zoned Outer Residential and was not included in the initial study or consultation area for the demolition rule. The analysis undertaken on the residential character of Aro Valley did not look at these streets or the heritage value of individual or groups of buildings on the basis that they are physically dislocated from the core Aro Valley area. The District Plan identifies a number of historic buildings in Holloway Rd, Entrance St, Norway Rd and the heritage provisions of the District Plan provide protection for these properties. Further research and consultation would be required before any changes could be made to the District Plan to identify heritage areas or precincts in this area. The issue of whether heritage issues should be included as an assessment matter is discussed under section 3.4 below.

Submitter 5 seeks that the Appendix 9 boundary be amended to cover the properties on the northern side of Abel Smith St as far east as the Inner City bypass, including Inverlochly Pl and bounded by the Terrace. This area was not included in the original research area and is separated from Aro Valley by distance and a change in topography (being situated north of the entrance to Aro Valley). The area also has a more varied built character than Aro Valley with buildings of a wider age range and a number of substantial apartment developments. As such the Hearings Committee considered it was not part of the core Aro Valley area and that the character of this area is defined, in part, by a number of listed historic buildings and trees and that this character is protected by the heritage provisions of the District Plan. For these reasons the Hearing Committee considered that it was not appropriate to include this area in the Demolition Rule and Multi Unit Design Guide for Aro Valley.

Submitters 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 22, 23, 24, 25, 26, 27 and 28 request that Rule 5.3.11 and the Multi-Unit Design Guide apply to the area zoned Suburban Centre. Rule 5.3.11 (demolition of pre-1930's buildings) is an existing rule that applies to specific areas within the Inner Residential zone. The Aro Valley Commercial Centre is zoned Suburban Centre and the Hearings Committee considered that applying rule 5.3.11 to the Suburban Centre Zone mentioned above goes beyond the scope of the plan change as it would require the development of objectives, policies and rules within that chapter relating to the protection of streetscape character. However, the Hearings Committee noted that the Suburban Centre chapter of the District Plan is scheduled for review commencing in 2007. The submitters concerns regarding the character of the Suburban Centre area of Aro Valley have been noted and will include as part of the Suburban Centre review process.

Submitter 22 (Aro Valley Community Council) is concerned that the zoning of the area between Aro Valley and the Inner City Bypass (ICB) does not reflect the actual use and type of the buildings in this area. A number of other submitters request that heritage, character and streetscape of the area between Aro Valley and the ICB be protected. The Hearings Committee notes that this area is zoned Central Area and contains a mix of residential and commercial uses and it has become physically separated from the main Central Area zone by the recent construction of the ICB. However, the Hearing Committee note that applying Rule 5.3.11 to an area zoned Central Area goes beyond the scope of this Plan Change. The Central Area review has just been undertaken and a submission addressing the zoning and use of this area has been made on the Central Area Plan Change. The Hearing Committee considers that the Central Area Plan Change is the most appropriate forum in which to address this issue.

Aro Valley consists of a central street (Aro St) running up a narrow valley with houses extending up the steep slopes of the valley sides. The Hearings Committee consider that this topography contributes to the unique character of Aro Valley as it is geographically separated from the remainder of the City and has a strong sense of enclosure. While not all the valley and hillsides are visible from any one point, as you walk up Aro St the areas visible from this central street represent the majority of the core valley

area. The Hearings Committee consider that the area proposed to be included in District Plan Change 50 is focused on Aro St and the slopes above that form its immediate context and environment.

Victoria University (Submitter 20) seeks that its properties on Landcross St, Adams Terrace and upper Aro St be excluded from the Demolition Rule and that Landcross St be excluded from the Demolition Rule and the Multi-Unit Design Guide. Victoria University is the principle landowner in Landcross St owning all but 3 properties.

The Hearings Committee considered that the Universities' properties in Aro St and Adams Tce form part of the core Aro Valley area as described above and therefore should be subject to the Demolition Rule and the Multi Unit Design Guide as notified in Plan Change 50.

However, in relation to Landcross St, the Hearings Committee was persuaded by the evidence provided by the University that Landcross St was not part of the core Aro Valley Area and that this Street is part of Kelburn. The Hearings Committee considered that while at street level Landcross Street does have an intimate streetscape of predominantly pre-1930's bungalows and villas that this streetscape was not particularly unique or special within Wellington. The Committee considered that the immediate streetscape of Landcross St was very local to that street and that the principal views of the streetscape of Landcross St were distant and mainly from Kelburn. In addition, the principal physical connections between Landcross St are to Kelburn. Therefore the Hearings Committee considered that applying the Demolition Rule and Appendix 9 would be of little benefit to the streetscape of the core Aro Valley area. On this basis the Committee agreed the Landcross St area should be removed from the Demolition Rule and Appendix 9 (appendix 1A).



The Hearings Committee considered that that when viewed from the valley floor, that there are buildings on Landcross St that because of their building form and volume, the uniformity of building separation and the presence of greenery represent an important and visible backdrop to the Valley. However, the Hearings Committee heard that while the University have indicated that they wish to undertake development for student accommodation as well as a desire to maintain the existing form of development (bulk, form and orientation of buildings) in the Landcross Street area there are no immediate plans for development. Therefore the Committee considers that the immediate risk for redevelopment is low.





The Hearings Committee noted that Council Officers and the University had looked at a number of options other than a Demolition Rule for its properties in Landcross St including, consideration of rules requiring a master plan or comprehensive development plan. The Hearings Committee considered that the high level of detail required by a Master Plan made this option unsuitable as Victoria University are not in a position to be able to commit to a specific development proposal at this stage. The Hearings Committee also considered the alternative approach of requiring a comprehensive development plan through a specific rule would not be appropriate due to need to have a very specific highly detailed rule for a small number of properties. The Hearings Committee considered that the existing multi-unit rules along with the revised infill provisions of Plan Change 56 provide adequate opportunity for the issues relating to Landcross St and its relationship to Aro Valley to be considered in any new development.

### **Decision**

- **Reject** Submissions 1, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 22, 23, 24, 25, 26, 27 and 28 insofar as they request that Rule 5.3.11 (Demolition Rule) be applied to the area zoned Suburban Centre within Aro Valley.
- **Reject** Submission 22 insofar as they request that Rule 5.3.11 (Demolition Rule) and the Multi Unit Design Guide be applied to Holloway Rd, Entrance, Thule and Norway St.
- **Reject** Submissions 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 22, 24, 25, 26, 27 and 28 insofar as they request the inclusion of controls to maintain the heritage, character and streetscape of the area between Aro Valley and the bypass.
- **Reject** Submissions 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 24, 25, 26, 27 and 28 insofar as they request the inclusion of heritage and character protection for Entrance St, Thule St, Norway St and Holloway Rd.
- **Reject** Submission 5 insofar as the submitter requests amendments to the Appendix 9 boundary to cover the properties on the northern side of Abel Smith St as far east as the Inner City bypass (including Inverlochyl PI) to take in buildings on both sides of Abel Smith St.
- **Accept** Submission 20 insofar as they request that properties in Landcross St be excluded from the Rule 5.3.11 (Demolition Rule) and Appendix 9 (Appendix 1A).
- **Reject** Submission 20 insofar as they request that the Victoria University's properties in Adams Terrace and Aro St be excluded from Rule 5.3.11 (Demolition Rule) and Multi Unit Design Guide.

### **3.4 Amend Rule 5.3.11 which requires consent for the demolition of pre-1930 buildings, and the definition of key terms.**

Matters raised in Submissions:

- Include a reference to the desirability of applicants consulting with the Aro Valley Community Council (Submitter 1, 22).
- Make all applications under Rule 5.3.11 non-notified (Submitter 20).
- Include an additional matter "Effects on historic heritage" as a matter for discretion in Rule 5.3.11 (Submitter 19).
- Amend the definition of key terms e.g. Primary Elevation (Submitter 20)

### ***Consideration***

Submitter 22 has requested that rule 5.3.11 be amended to include the desirability of applicants consulting with the Aro Valley Community Council (AVCC) on planning matters.

The Hearings Committee note that the AVCC acknowledge that the clause currently applying to the Mt Victoria and Thorndon's Residents Associations (installed by the Environment Court as part of a mediated settlement where an application need not be publicly notified if the applicant supplies written documentation of consultation) is not ideal and has caused significant frustration for these residents association's due to the presumption of non-notification, even if the association has concerns regarding the proposal.

For this reason Plan Change 50 did not apply the non-notification statement to Aro Valley preferring instead to rely on the provisions of the RMA to decide when the effects of a consent application are sufficient to warrant public notification. The Hearings Committee considers it inappropriate to amend rule 5.3.11 to require or recommend consultation with local residents associations. To require consultation would have the effect of making the association an 'affected party' to every consent application, irrespective of the scale of the work or the degree of effect. The Committee are of the opinion that decisions for an application to be non-notified should be made by Council officers in accordance with the requirement of s94 of the RMA.

Submitter 20 requests that all applications under Rule 5.3.11 be considered as non-notified applications. The Hearings Committee note that the decision to publicly notify an application is made under s94 of the RMA and reflects the overall impact of the proposal on the local streetscape. Factors that would influence the notification decision include the scale of the work, the architectural quality, visibility and prominence of the existing building and the quality of the any proposed replacement building. For example, consent to demolish a pre-1930's dwelling in original condition that was highly visible from the street is more likely to be publicly notified as there may be significant impacts on the streetscape. However, consent to demolish a pre-1930's dwelling that is located on a rear site that is not visible from a surrounding street could well be granted as a non-notified application as the impact on the streetscape would be negligible.

On this basis the Hearings Committee considers it appropriate that rule 5.3.11 be retained with no specific notification statement, so that each notification decision can be made under s94 of the RMA based on the potential effects of the proposal.

Submitter 19 requests that "effects on historic heritage" be added to Rule 5.3.11 as a matter over which Council should retain discretion. The Hearings Committee note that Plan Change 50 was prepared to address the issue of streetscape character and is not intended to be a mechanism for heritage protection. Applications to demolish a pre-1930's building must demonstrate that the replacement buildings contribution to the local streetscape character will be as good as, or better than the existing building. They are not required to consider the possible heritage value of the building as a full evaluation of a buildings architectural, social and cultural significance goes beyond the scope of considering streetscape character. The Hearings Committee consider that having a heritage based assessment criteria would effectively make every property in Aro Valley a listed heritage building and would require the applicant to undertake a heritage assessment before applying for a consent, placing a significant additional cost on a resource consent application.

The Hearings Committee considers that if Council wishes to conserve and manage the heritage values of buildings it has an obligation to first establish that each building or area is of sufficient heritage value to warrant a heritage listing. To do so under the guise of streetscape character protection is considered inappropriate. The analysis undertaken on the residential character of Aro Valley did not consider the heritage value of individual buildings. This analysis is therefore not sufficiently robust to justify listing individual buildings as heritage items. As such the Hearings Committee do not consider that the issue of heritage significance can be addressed through Plan Change 50.

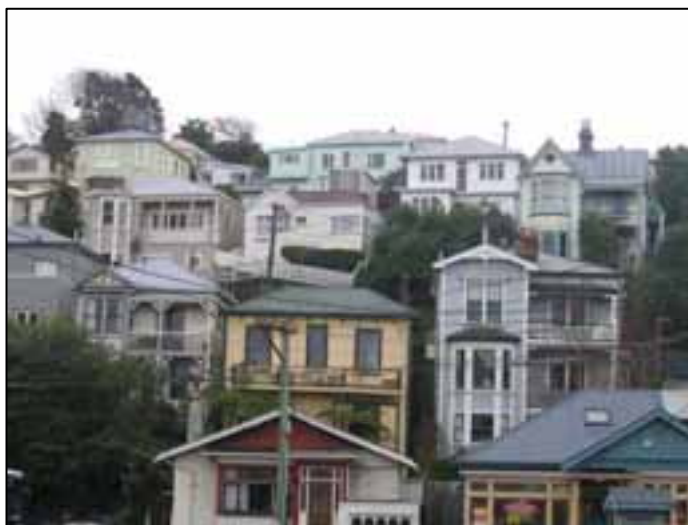
Submitter 20 (Victoria University) is concerned that that the definition of key terms (eg Primary Elevation) creates an onerous level of uncertainty and that consent could be required for relatively minor changes that may only ever be potentially visible from distant views.

The Hearings Committee note that Plan Change 50 proposes to apply rule 5.3.11 as it is presently applied in Thorndon and Mt Victoria, with one significant amendment. In Thorndon and Mt Victoria the control of demolition applies to the primary form of the building. The primary form is defined as:

***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.

The Hearings Committee consider that the focus on primary form works reasonably well in situations where the character can be appreciated from a distance and the finer details of the façade become harder to distinguish. In this situation it is principally the bulk, siting and rooflines of buildings that determine the visual character.

As a rule, the suburb of Aro Valley is not ‘experienced’ from a distance. The special character of this suburb is more commonly viewed from a nearby street or adjoining public spaces. In this situation it is considered that the architectural features and elements on individual houses is as important in determining streetscape and neighbourhood character as the primary form of the building. For this reason the definition of demolition in Aro Valley (and also Newtown, Berhampore and Mt Cook under District Plan Change 38) was extended to include the removal or destruction of pre-1930 architectural features and elements from a dwelling’s ‘Primary Elevation(s)’.



In most instances the ‘Primary Elevation’ will be the elevation that fronts onto the street. As this elevation contains the majority of the detailing and architectural features, however in some instances a building’s main detailed elevation is oriented away from the street towards a view or outlook. This is usually due to the topography of the site, normally where the ground level slopes steeply away from the street frontage. In this situation it is proposed to apply Rule 5.3.11 to both the street and main elevations. A definition of ‘Primary Elevation’ is included in the proposed plan change to clarify which elevation(s) on a building would be subject to the pre-1930’s rule. The rule is worded to allow repair and maintenance, and the reinstatement of original architectural features, as of right.

**PRIMARY ELEVATION(S) (FOR THE PURPOSE OF BUILDINGS IN 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 usually 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. An exception to this occurs where a building’s main elevation is oriented away from the street towards a view or outlook. This is due to the topography of the area and normally occurs where the ground level slopes steeply away from the street frontage. In this situation both the street elevation and the main elevation shall be considered to be primary elevations for the purpose of Rule 5.3.11.

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 or steps.

The Hearings Committee considers that retention of the ‘primary elevation’ rule for street elevations within Aro Valley is appropriate. In Aro Valley the characteristic detailing on the street façade of many pre-1930 houses is an important feature contributing to streetscape character. In addition the

steep topography of Aro Valley is such that there will be instances where both the street and rear (and/or side) elevations would be determined to be “Primary Elevations”. This character can be significantly compromised through insensitive additions and alterations to the street elevation. The explanation to rule 5.3.11 notes:

“In Aro Valley consideration will be given to the impact on streetscape and neighbourhood character of the removal or demolition of architectural features and elements from a building’s primary elevation(s). The special character of these neighbourhoods is perceived, by the public at large, from the street. What can be seen from the street is collectively referred to as streetscape. In most instances the ‘primary elevation(s)’ will be the elevation of the building that faces the street. However on some properties the buildings main elevation fronts to a view or outlook as a result of the topography of the area. This generally occurs on sites where the ground level slopes steeply away from the street frontage. In this situation the main elevation is often still visible from surrounding streets and public spaces (albeit from an increased distance) and contributes to the overall character of the neighbourhood”.

A secondary reason for retaining the ‘primary elevation’ rule, considered by the Hearings Committee is to close a potential loop hole in relation to the removal or demolition of a complete pre-1930 house. If the demolition of architectural features is permitted as of right, it is conceivable that an applicant may remove the architectural details from a pre-1930’s building in order to lower the streetscape contribution of the building, thus improving their chances of gaining consent to demolish the entire structure.

The Hearings Committee note that Victoria University’s concerns about the definition of Primary Form are in relation to Landcross St. As a result of the Committee’s decision to remove Landcross St from the Demolition Rule and Appendix 9 (refer paragraph 3.3 above) the definition of “primary form” no longer applies to the properties in Landcross St.

#### **Decision**

- **Reject** Submissions 1 and 22 insofar as they request that Rule 5.3.11 be amended to require consultation with the local residents group.
- **Reject** Submission 5 insofar as they request that all applications under Rule 5.3.11 be non-notified.
- **Reject** Submissions 19 insofar as they request that the effects of historic heritage be included as a matter over which Council retains discretion.
- **Reject** Submission 20 insofar as it seeks changes to the definition of “Primary Elevation” (but note that Victoria University’s concerns in relation to their properties in Landcross St have been met by the Committee’s Decision to remove Landcross St from the Demolition Rule and Appendix 9 refer Section 3.3 of this report).

### **3.5 Make changes to Rule 5.3.10 and the Multi-Unit Design Guide**

Matters raised in Submissions:

- Apply the more sensitive bulk and location requirements that apply within Appendix 9A to single dwellings, to multi unit developments within the broader Appendix 9 area (Submitters 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 22, 24, 25, 26, 27, 28, and 29).
- Include bulk and massing of buildings as a matter for discretion (Submitter 3).
- Strengthen the Design Guide to better recognise the existence of well defined sub-areas where there is a strong clustering of similar types of buildings (Submitter 22).
- Include character protection and enhancement of Aro Valleys green areas within the Design Guide (Submitters 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 22, 23, 24, 25, 26, 27, 28, and 29).
- Clarify whether the Aro Valley Design Guide applies to single dwellings (Submitter 22).

***Consideration:***

The Hearings Committee note that in areas recognised as having a strong identifiable character, the current District Plan bulk and location requirements generally reflect modern concepts of amenity (i.e. sunlight access and building proximity) and not the built form that exists. Therefore if a building complied with the current bulk and location requirements it would not be representative of the existing built form or streetscape of the area. The tension between the “character” of an area and the amenity concepts of bulk and location has long been recognised.

The Hearing Committee observes that a major frustration with the current Multi-Unit Design Guides has been that the principles of the design guides are not being used to mitigate the scale and bulk of new multi-unit development. In particular it was anticipated that the design guides would carry more weight and could be used to lower heights below the maximum of 10m in situations where the existing character was 1-2 storeys. The way in which case law on ‘permitted baseline’ has evolved since the District Plan was adopted has meant that the permitted activity standards regarding height, site coverage and parking have dominated issues of context and design.

The Hearings Committee consider that permitted baseline is a useful tool when considering the scale of the proposed building and its relationship to neighbouring properties. If a building complies with the District Plan standards (particularly sunlight access planes and maximum height), then it is appropriate to apply permitted baseline when considering the impact of the building on adjoining properties. However the Hearings Committee considers that it is not appropriate to apply permitted baseline to address how a new multi-unit development impacts on the character of the street and local neighbourhood. Experience shows that buildings built in accordance with the permitted standards in the District Plan can be quite out of character with the surrounding neighbourhood. For this reason the Hearings Committee consider that the permitted baseline scenarios should not be applied when considering the impact of a development on streetscape character.

The Hearings Committee note that issues relating to the permissive baseline approach were highlighted during the Plan Change 38 & 39 process (Controls on residential development in Newtown Berhampore and Mt Cook) and the revision of the explanation to the policy relating to multi-unit developments was suggested as a means to address this issue. Policy 4.2.3.3 seeks to “control the potential adverse effects of multi-unit residential development” and the following wording was included in the explanation to the policy as part of Plan Change 39:

*The permitted bulk and location standards that apply within the Inner Residential Areas of Mt Cook, Newtown and Berhampore (as shown in Appendix 9) are reflective of the area’s predominant development type, which is one dwelling per site. A single dwelling on a site, built in accordance with the bulk and location standards, will generally be of a scale and mass that is consistent with the character of the surrounding area. Single dwellings, even when built up to full site coverage, retain a significant degree of openness and greenery on site. However, multi-unit developments designed and built in accordance with the bulk and location controls can have quite different effects on neighbourhood character because:*

- *The increased number of units and residents on a site can potentially adversely impact on privacy and overlooking.*
- *The height and mass of buildings, being often substantially larger than is characteristic of the surrounding neighbourhood can adversely affect the quality of the streetscape character.*
- *Increased site area required for vehicle manoeuvring and parking can reduce green space and landscaping opportunities on site.*

*For this reason the Council will not apply a permitted baseline assessment when considering the effects of new multi-unit developments on streetscape character.*

The Hearings Committee consider that the above text should also be applied to Aro Valley. The insertion of this clause maintains the core principle of flexibility within the Multi-Unit Design Guide while ensuring that Council has discretion over the bulk and massing of any new multi-unit

development. The Hearings Committee considers that this option avoids the need for prescriptive requirements, that if complied with, may result in a less than desirable design solution.

Submitters 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 22, 24, 25, 26, 27, 28, and 29 requested that the more stringent bulk and location requirements of Appendix 9A also be applied to new multi-unit developments within the wider Appendix 9 area as a means of limiting the bulk and location of Multi-Unit developments and hence the impact on streetscape character.

The Hearings Committee noted that Plan Change 7 introduced more stringent bulk and location requirements to the core Aro Valley Area. The new requirements included a lower maximum height (7.5m), lower site coverage 40% and lower sunlight access planes that were based on midwinter sun angles. These rules apply to properties within the Appendix 9A (old Appendix 10).

The Hearings Committee considered that applying these requirements to multi-unit developments could result in a built form that was more out of character than what would result from the slightly more permissive bulk and location requirements of the general Inner Residential Area. The Committee considered that a more appropriate result could be achieved by inserting “bulk and massing of building on site (Aro Valley)” into Rule 5.3.10 as a matter over which Council has reserved its discretion (Submitter 3). This approach allows consideration of the bulk and siting of multi-unit developments, its effect on neighbouring properties and streetscape without prescribing specific standards that may result in buildings that are out of character with the surrounding area.

Submitter 22 also requested that the Appendix 9A be amended to include the portion of Mortimer Terrace and Durham Crescent that are proposed to be excluded from Appendix 9A by Plan Change 50 if the requested changes to the bulk and location requirements that apply multi-unit developments are not made. The Hearings Committee gave consideration to this request however, the Committee were of the opinion that the boundary of Appendix 9A should remain as publicly notified (Appendix 1B).

Submitter 22 requested that the Multi-Unit Design Guide be strengthened to better recognise the existence of well defined sub-areas where there is a strong clustering of similar types of buildings. The submitter is concerned that the descriptions and references in the Design Guide are less focussed than is desirable, and that greater variation exists within Aro Valley than is evident in the Design Guide. The Hearings Committee notes that it is often difficult to achieve a balance between general groupings and the desire to be specific and recognise all the different attributes of an area. The descriptions within the Design Guide are intended to provide a starting point and context from which an applicant may obtain a picture of their own site within the more general characteristics of an area. The Hearings Committee consider that the descriptions may be more general than was anticipated and that additional wording would help to provide clarity.

The Hearings Committee therefore consider it appropriate that section “3. Peripheral Areas” of the Design Guide be amended to create an additional area for Adams Terrace as follows:

**Adams Tce**

- Variation of frontage setback and building character reflecting the changing topography, with some distinctive groupings and clusters of buildings of similar scale, type and style.
- The two sides of the street have generally consistent but different characteristics - buildings on the north/west side are smaller and are strongly related to the green backdrop behind, buildings on the opposite side are larger/taller, some with deeper frontage setbacks.

And that the Ohiro Rd/Brooklyn Road description be expanded as follows:

**Ohiro Road/Brooklyn Road**

It comprises three distinctive parts. The area has a transitional character and as a whole is quite diverse

- the part west of Ohiro Road is a mixture of old and new buildings.
- the part east of Ohiro Rd is distinctly different including multi-storey blocks of flats
- the west side of Brooklyn Road has a more consistent character with a row old houses of similar age

Submitters 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 22, 23, 24, 25, 26, 27, 28, and 29 request that the Design Guide include the need for character protection and enhancement of Aro Valleys green areas. The Hearings Committee notes that The Multi Unit Design Guide – Aro Valley recognises that importance of vegetation to the setting of the valley and states “*Private open space on the valley walls, particularly steeply sloping sites, is characterised by significant concentrations of vegetation, enhancing the garden setting of the valley*” and that the Design Guide contains two specific guidelines:

Guideline 5.1 states “*Maintain the predominant pattern of rear yard setbacks*”; and  
 Guideline 5.2 states “*Maintain the visual dominance of vegetation on the valley walls.*”

The Hearing Committee observes that these guidelines have not been altered as a result of the Plan Change 50. In addition, the new sub-area descriptions proposed for the Design Guide mention vegetation as an important factor in defining the character of these areas.

The Hearing Committee notes that recent developments within the valley have demonstrated that these guidelines have not been as effective as they could be. In particular, it is the retention of vegetation around buildings and the definition this gives to the separation between dwellings that is important. In order to address this issue the Committee considers it appropriate that guideline 5.2 be amended as follows:

Guideline 5.2 Maintain the visual dominance of vegetation on the valley walls with a particular reference to (visually prominent) established clusters of mature greenery.

Submitter 22 asks for clarification as to whether the Multi-Unit Design Guide applies to single dwellings. In particular they have concerns about the new wording proposed under 2.0 Intention of the Design Guide.

The Hearing Committee notes that the following words are proposed to be deleted by the Plan Change:

“As specified in rule 5.3.4 of the District Plan, new multi-unit residential development of three or more household units on site is a discretionary Activity. This Design Guide provides the standards or criteria against which discretionary applications are assessed.

And replaced with:

*“This Design Guide provides the standards and criteria against which resource consent applications for new multi-units are assessed (which depending on the relevant District Plan rule can include two units or three or more units.)”*

The Committee notes that the reason for this amendment is that since the inception of the Design Guide the number of rules within the District Plan that refer to the Design Guide has increased. In addition, many rules now require the Design Guide to be applied for two units instead of the three. The wording within the Design Guide has become inconsistent with the wording in various rules of the District Plan. The opportunity was taken in Plan Change 50 to clarify that the Design Guide can be applied to the development of two dwellings as well as three.

The Multi-Unit Design Guide applies to the development of more than one household unit and not specifically to single dwellings. However, where additions and alterations to a single dwelling do not comply with the bulk and location requirements (Rule 5.3.3) and a resource consent is required, consideration of the effects on streetscape character can be considered using the Multi-Unit Design

Guide as a reference, under Assessment Criteria 5.3.3.7. The Committee notes that this has not changed as a result of Plan Change 50.

The Hearings Committee note that under the provisions of Plan Change 50 any application to demolish a pre-1930 building in Aro Valley requires consideration of the streetscape contribution of the proposed replacement building. This would allow consideration of the design of new two unit developments, but only in situations where an existing pre-1930 unit was to be removed or demolished. In order to address the concerns of the Submitter, that the Design Guide apply to single dwellings where a pre-1930 dwelling is to be demolished the Hearings Committee consider that it is appropriate to add the following assessment criteria to Rule 5.3.11 noting that replacement building(s) will be assessed against the content of the Multi-Unit design Guide.

“5.3.11.4.D In Aro Valley the extent to which the replacement building(s) are consistent with the content of the Multi-Unit Design Guide

### **Decision**

- **Reject** submissions 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 22, 24, 25, 26, 27, 28, and 29 insofar as they request that the more restrictive bulk and location requirements that apply to single dwellings with Appendix 9A to multi-unit developments within the new Appendix 9 boundaries.
- **Accept** submissions 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 22, 24, 25, 26, 27, 28, and 29 insofar as the proposed plan change has been amended to allow more effective management of the effects of new multi unit developments. This has been done by adding explanatory text to Policy 4.2.3.3 to clarify the application of permitted baseline to multi unit developments.
- **Accept** Submission 3 insofar as the “bulk and massing of buildings” is retained as a matter over which Council has retained discretion in Rule 5.3.10.
- **Reject** Submission 22 insofar as they request that the boundary of Appendix 9A be amended to include the portion of Mortimer Tce and Durham Crescent that is proposed to be excluded.
- **Accept** Submission 22 to amend the Design Guide by including a new peripheral area for Adams Terrace and additional wording for Ohiro Rd /Brooklyn Rd as outlined above.
- **Accept** Submissions 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 22, 23, 24, 25, 26, 27, 28, and 29 insofar as it provides additional recognition of the importance of greenspace to Aro Valley and include additional wording to Guideline 5.2 as outlined above.
- **Accept** Submission 22 and include an additional Assessment Criteria in Rule 5.3.11 to state:  
“5.3.11.4.D In Aro Valley the extent to which the replacement building(s) are consistent with the content of the Multi-Unit Design Guide

### **3.6 Consequential amendments resulting from decisions on Plan Change 38 (Residential Character - Control of demolition of Pre-1930’s houses Newtown, Berhampore and Mt Cook).**

The Hearing Committee noted that a number of changes have been suggested to Rule 5.3.11 as a result of the hearings and decisions on Plan Change 38. These changes are relatively minor and seek to clarify the rule and assessment criteria rather than change its meaning. In the interests of maintaining consistency the Hearings Committee consider that it is also appropriate to adopt these changes for Aro Valley.



*5.3.11.4.A In Newtown, Berhampore, ~~and~~ Mt Cook and Aro Valley, the extent to which any work will compromise or destroy any pre-1930 design features or materials on the primary elevation(s). Whether the demolition and work will detract from the architectural style and character of the existing building, and have adverse effects on the special character of the streetscape and neighbourhood as a whole.*

### **3.7 RMA considerations**

The Committee noted that the proposed District Plan Change 50 could only be endorsed if they were satisfied that the proposed demolition rule would better meet the requirements of the RMA and the objectives of the District Plan.

The purpose of the Resource Management Act, 1991 (RMA) is to promote the sustainable management of natural and physical resource (section 5). The Council has additional obligations under section 7 of the Act. Section 7 requires that Council, in achieving the purposes of the RMA, have particular regard to:

- (b) the efficient use and development of natural and physical resources:*
- (c) the maintenance and enhancement of amenity values:*
- (f) maintenance and enhancement of the quality of the environment:*

The Committee considered that the collective and largely coherent character of Aro Valley is a special resource that contributes significantly to the character and sense of place of Wellington City. The Committee considered that the existing character contributes to the amenity of local residents and visitors alike, and it's maintenance and enhancement is an important aspect of the quality of the local environment.

While acknowledging that the proposed plan change would increase costs for certain works (particularly those involving demolition of pre-1930 buildings), the Committee considered that the plan change would not compromise land owners ability to use and develop their properties with a reasonable degree of efficiency.

Overall, the Committee was satisfied that the proposed demolition provisions represent an appropriate balance between promoting intensive residential development, while maintaining amenity values and the quality of the existing environment within Aro Valley. An exception to this is Landcross St where the Committee were not satisfied that Landcross St was part of Aro Valley and therefore should not be subject to the Demolition Rule or be part of Appendix 9. The Committee did however consider that a portion of Landcross St contributes to the backdrop of Aro Valley and that specific provisions should be provided to ensure this is taken into consideration should any development in this are be undertaken.

#### **Decision**

Adopt District Plan Change 50 on the grounds that it is consistent with Part II of the RMA.

### **4.0 CONCLUSION**

The suburb of Aro Valley has a distinct local character derived from the retention of a high proportion of houses dating from the late 19<sup>th</sup> and early 20<sup>th</sup> centuries. In recognition of this character, District Plan Change 50 makes the removal or demolition of pre-1930's buildings in these suburbs a Discretionary Activity (Restricted). It is proposed to apply existing rule 5.3.11 to the Inner Residential Areas of Aro Valley with an additional provision relating to the removal or demolition of the 'primary elevations(s)' of pre-1930's buildings

Having given due weight to all matters raised in submissions, and the evidence of those submitters that appeared at the hearing, the Hearing Committee considered that Plan Change 50 should be approved, with the following amendments:

- Add additional explanation to Policy 4.2.3.3
- Removal of the properties in Landcross St from the Demolition Rule and Appendix 9.
- Amend assessment criteria to provide additional clarity as to the effects that are being managed by the demolition rule.
- Provide additional assessment criteria to recognise the link between building demolition and the quality of the proposed replacement building(s).
- Amend the Multi -Unit Design Guide to include additional descriptions of sub areas.

The resulting plan change will allow the Council to more effectively manage issues of character and streetscape quality in the suburb of Aro Valley, while providing owners with a reasonable degree of freedom to alter and develop their properties. Overall the Hearing Committee recommends that Council endorse DPC 50, with the above amendments.

Alick Shaw

**Chair, Hearing Committee –**

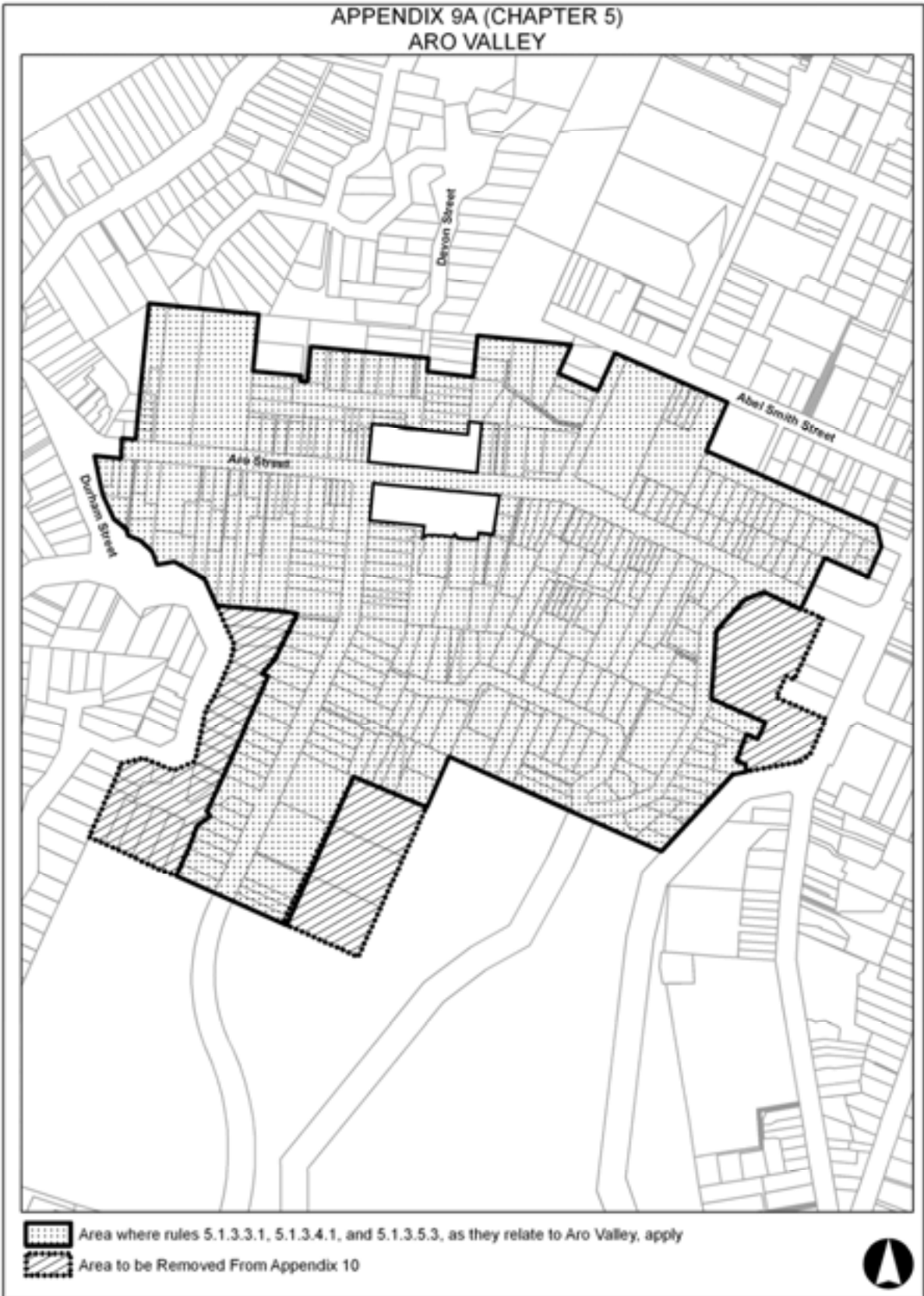
**District Plan Change 50 – Aro Valley Boundary Adjustments and Pre-1930's Building Demolition Rule.**



### 3.0 - Sub Areas Within the Aro Valley



-  Existing Sub-Area Boundaries
-  Areas to be Added to Aro Valley Sub-Areas Map on page 75 of the Multi Unit Development Design Guide
-  Area removed from sub-areas as a result of Council Decision



## WELLINGTON CITY DISTRICT PLAN

### PROPOSED DISTRICT PLAN CHANGE 50– ARO VALLEY BOUNDARY ADJUSTMENTS AND PRE-1930'S DEMOLITION RULE

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#### ALTERATIONS TO THE WELLINGTON CITY DISTRICT PLAN

Detailed below are the alterations to the Wellington City District Plan to incorporate changes to the Definitions and Residential Area chapters, and the Multi Unit Development Design Guide. To assist the understanding of the new provisions an annotated copy of the Definitions (Chapter 3.10) Residential Areas (Chapter 4), Residential Rules (Chapter 5) in volume 1 of the District Plan and the Multi Unit Development Design Guide in Volume 2 of the District Plan is provided as a separate document.

#### A. ALTERATIONS TO VOLUME ONE, DEFINITIONS

Chapter 3, 'Definitions'. Insert new provisions by making the following amendments:

1. **Add** the following text to the first definition of 'Demolition (which refers to 'Appendix 9 to Chapter 5)', after 'Mt Victoria':

*“and Aro Valley.”*

In addition, **replace** the word 'and' after 'Thorndon' (in the same sentence) with a comma.

2. **Add** the following text to the first definition of Demolition (which refers to Appendix 9 to Chapter 5), after the words 'definition of "additions and alterations"':

*“In 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'.”*

3. **Add** the following text after the definition of 'Plan or District Plan':

**“PRIMARY ELEVATION(S) (FOR THE PURPOSE OF BUILDINGS IN 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 usually 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. An exception to this occurs where a building’s main elevation is oriented away from the street towards a view or outlook. This is due to the topography of the area and normally occurs where the ground level slopes steeply away from the street frontage. In this situation both the street elevation and the main elevation shall be considered to be primary elevations for the purpose of Rule 5.3.11.*

*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 or steps.”*

4. **Add** the following text after the definition of ‘Recreation Activity’:

**“REPAIR OR MAINTENANCE (FOR THE PURPOSE OF PRE-1930 BUILDINGS IN ARO VALLEY – 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 primary 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.”*

## **B. ALTERATIONS TO VOLUME ONE, RESIDENTIAL AREAS**

Chapter 4, “Residential Areas”. Insert new provisions by making the following amendments:

5. **Amend** the second bullet point of the section ‘Methods’ in Policy 4.2.3.2, by inserting the following text after the word ‘Thorndon’:

*“and Multi Unit Developments).”*

6. **Add** the following text to the explanation of Policy 4.2.3.2, in the second sentence of the second paragraph after ‘Mt Victoria’:

*“and Aro Valley”.*

In addition, **replace** the word ‘and’ after ‘Thorndon’ (in the same sentence) with a comma.

7. **Add** the following text to the explanation of Policy 4.2.3.3 by adding the following after the second paragraph:

*“The permitted bulk and location standards that apply within the Inner Residential Areas of Aro Valley (as shown in Appendix 9) are reflective of the area’s predominant development type, which is one dwelling per site. A single dwelling on a site, built in accordance with the bulk and location standards, will generally be of a scale and mass that is consistent with the character of the surrounding area. Single dwellings, even when built up to full site coverage, retain a significant degree of openness and greenery on site. However, multi-unit developments designed and built in accordance with the bulk and location controls can have quite different effects on neighbourhood character because:*

- *The increased number of units and residents on a site can potentially adversely impact on privacy and overlooking.*
- *The height and mass of buildings, being often substantially larger than is characteristic of the surrounding neighbourhood can adversely affect the quality of the streetscape character.*
- *Increased site area required for vehicle manoeuvring and parking can reduce green space and landscaping opportunities on site.*

*For this reason the Council will not apply a permitted baseline assessment when considering the effects of new multi-unit developments on streetscape character.”*

## **C. ALTERATIONS TO VOLUME ONE, RESIDENTIAL RULES**

Chapter 5, “Residential Rules”. Insert new provisions by making the following amendments:

7. **Amend** the ‘Schedule of Appendices’ by adding the following text after ‘Mt Victoria’ to the description of Appendix 9:

*“and Aro Valley”.*

In addition, **replace** the word ‘and’ after ‘(except the Thorndon Character Area)’ with a comma.



8. **Amend** the “Schedule of Appendices’ by replacing the reference to Appendix 10 Aro Valley Area to Appendix “9A Area where rules 5.1.3.3.1, 5.1.3.4.1 and 5.1.3.5.3 as they relate to Aro Valley, apply.
9. **Replace** the reference to ‘Appendix 10’ in the second bullet point of Rule 5.1.3.3.1 with “Appendix 9A.”
10. **Replace** the reference to ‘Appendix 10’ in the third bullet point of Rule 5.1.3.4.1 with “Appendix 9A.”
11. **Replace** the reference to ‘Appendix 10’ in the fifth bullet point of Rule 5.1.3.5.3 with “Appendix 9A.”
12. **Add** new text to Rule 5.1.4, following ‘Mt Victoria’ in the third bullet point as follows:  
  
*“ or Aro Valley”.*  
  
In addition, **replace** the word ‘and’ after ‘Thorndon’ with a comma.
13. **Replace** the reference to ‘Appendix 10’ in the Standards and Terms for Rule 5.3.3 after the words ‘including the Aro Valley Area’ with “Appendix 9A”.
14. **Add** the following text below Rule 5.3.10.3 as follows:  
  
*“5.3.10.3A bulk and massing of buildings on site in Aro Valley.”*
15. **Add** the following text to the explanation to Rule 5.3.10, at the end of the second paragraph (ending with ‘respect the predominant patterns.’) as follows:  
  
*“In Aro Valley, this will include ensuring that new buildings are of a scale and bulk that is complimentary to adjoining buildings.”*
16. **Add** new text to Rule 5.3.11 after ‘Mt Victoria’ as follows:  
  
*“or Aro Valley.”*  
  
In addition, **replace** the word ‘or’ after ‘Thorndon’ with a comma.
17. **Add** new text to Rule 5.3.11, at the end of the “Non-notification” statement as follows:  
  
*“This non-notification statement does not apply in Aro Valley.”*
18. **Add** new text to Rule 5.3.11, after Assessment Criteria 5.3.11.4 as follows:

*“5.3.11.4.A In Aro Valley, the extent to which any work will compromise or destroy any pre-1930 architectural features or materials on the primary elevation(s). Whether the demolition and work will detract from the architectural style and character of the existing building, and have the adverse effects on the special character of the streetscape and neighbourhood as a whole.”*

*5.3.11.4.B In Aro Valley, in relation to rear sites, the level of visibility of the primary elevation from the street or other public space.”*

19. **Add** a new Assessment Criteria to Rule 5.3.11 as follows:

*“5.11.3.4.D In Aro Valley the extent to which the replacement buildings) are consistent with the content of the Multi Unit Design Guide.”*

20. **Add** the following text to Rule 5.3.11, in the first line of the explanation after ‘Thorndon’:

*“ and Aro Valley.”*

In addition, **replace** the word ‘and’ after ‘Mt Victoria’ with a comma.

21. **Add** new text to Rule 5.3.11, after the third paragraph of the explanation as follows:

*“In Aro Valley consideration will be given to the impact on streetscape and neighbourhood character of the removal or demolition of architectural features and elements from a building’s primary elevation(s). The special character of these neighbourhoods is perceived, by the public at large, from the street. What can be seen from the street is collectively referred to as streetscape. In most instances the ‘primary elevation(s)’ will be the elevation of the building that faces the street. However on some properties the buildings main elevation fronts to a view or outlook as a result of the topography of the area. This generally occurs on sites where the ground level slopes steeply away from the street frontage. In this situation the main elevation is often still visible from surrounding streets and public spaces (albeit from an increased distance) and contributes to the overall character of the neighbourhood.”*

22. **Add** new text to Rule 5.3.11, in the second line of the fourth paragraph of the explanation after ‘Thorndon’ as follows:

*“ and Aro Valley.”*

In addition, **replace** the word ‘and’ after ‘Mt Victoria’ with a comma.

23. **Add** new text to Rule 5.3.11, at the end of the fourth paragraph as follows:

*“The requirement to consult with the local residents association does not apply to applications for resource consent in Aro Valley.”*

24. **Replace** Map 2 of 3 of Appendix 8 to Chapter 5, with new Appendix 8, with modified boundaries as provided in Attachment A.

25. **Replace** Appendix 9 (Chapter 5) Aro Valley, with new Appendix 9, with modified boundaries as provided in Attachment B.

26. Replace Appendix 10 Aro Valley Area, with new Appendix 9A, with modified boundaries as provided in Attachment C.

**D. ALTERATIONS TO VOLUME TWO, MULTI UNIT DEVELOPMENTS DESIGN GUIDE**

Section 2.0 “Intention of the Design Guide”. Insert new provisions by making the following amendments:

27. **Replace** the first paragraph with the following new text:

*“This Design Guide provides the standards or criteria against which resource consent applications for new multi-unit developments are assessed (which depending on the relevant District Plan rule can include two units or three or more units).”*

28. **Add** the following new text to the end of the fifth bullet point in the fourth paragraph (after – Mount Victoria) as follows:

- “Aro Valley”

**E. ALTERATIONS TO VOLUME TWO, MULTI UNIT DEVELOPMENTS DESIGN GUIDE – APPENDIX 3**

Insert new provisions by making the following amendments:

29. **Amend** the Table of Contents page by adding the following bullet points after the sixth bullet point under the ‘3.0 Sub-areas within the Aro Valley’ (after ‘Upper Devon and Abel Smith Streets’) as follows:

- *Peripheral areas*
- *Upper Durham Street/Mortimer Terrace and Adams Terrace*
- *Palmer/Abel Smith Street and St Johns Streets*
- *Ohiro Road/Brooklyn Road*

30. **Amend** the first paragraph under the section 'Purpose' ('in Section 1.0 Introduction') by adding the following new text after the words 'development proposals':

*"for two or more household units in"*

In addition, **delete** words 'for the' before the words 'Aro Valley' in the same sentence, and **add** the word "to" after the words 'Aro Valley'.

31. **Amend** the second sentence in the second paragraph under the section 'Building Type' (in 'Section 2.0 Character Overview'), as follows:

- place the words 'particularly at a right angle to the street' in brackets; and
- add the words "*as well as stepped/cascading form of development,*" after the words 'particularly at a right angle to the street'.

32. **Replace** the map under the heading '3.0 Sub-areas within the Aro Valley' with a new map as provided in Attachment D.

33. **Add** the following new section after the sub section titled 'Upper Devon and Abel Smith Street' (in section '2 Adjoining streets and elevated areas') as follows:

### **'3 Peripheral areas**

*The peripheral areas are located along the east and west edges of Aro Valley. Upper Durham Street/Mortimer Terrace and Adams Terrace have a close relationship with the Town Belt and their overall character is similar to that of the streets and elevated areas adjoining Aro Street. Palmer Street/Abel Smith Street/St Johns Street and Ohiro Road/Brooklyn Road are more diverse and have a strong association with the central city.*

#### **Upper Durham Street/Mortimer Terrace**

- *Variation in building type, orientation and frontage setback, accentuated by the changing topography*
- *General consistency in scale and materials*
- *Wide and steep berms with established vegetation and planting on steep sites is a characteristic element.*

#### **Adams Tce**

- *Variation of frontage setback and building character reflecting the changing topography, with some distinctive groupings/clusters of buildings of similar scale, type and style.*
- *The two sides of the street have generally consistent but different characteristics – buildings on the north/west side are*

*smaller and are strongly related to the green backdrop behind, buildings on the opposite are larger/taller, some with deeper frontages setbacks.*

**Palmer/Abel Smith and St Johns Street**

- *These areas, located at the interface with the central city, are in close proximity to the Inner City Bypass. They are characterised by variation in building type and scale and a general consistency of siting.*

**Ohiro Road/Brooklyn Road**

- *Comprised of three distinctive parts, the area has a transitional character and as a whole is quite diverse:*
  - *The part west of Ohiro Rd is a mixture of old and new buildings.*
  - *The part east of Ohiro Rd is distinctly different including multi-storey blocks of flats.*
  - *The west side of Brooklyn Rd has a more consistent character with a row of old house of similar age.*

34. **Amend** the title of the last sub section under '2 Adjoining streets and elevated areas' by including the text "and *peripheral areas*" to the end (after 'elevated areas').
35. **Amend** Guideline 5.2 by adding "*with particular reference to (visually prominent) established clusters of mature greenery*" after "...valley walls".

# PROPOSED DISTRICT PLAN CHANGE 50– ARO VALLEY BOUNDARY ADJUSTMENTS AND PRE-1930’S DEMOLITION RULE

The Following pages make up the formal part of Proposed District Plan Change 50.

## ***Key to annotated Text***

The way in which the changes are to be read is outlined in the key below. This describes how you can see what text is being deleted and what text is being added to the current Operative District Plan.

<b>Key to Changes:</b>	
<b>Abcdefghijklmnop</b> Abcdefghijklmnop	Existing text (Operative District Plan) to be deleted.
<u><b>Abcdefghijklmnop</b></u> <u>Abcdefghijklmnop</u>	Proposed new text.
<u><b>Abcdefghijklmnop</b></u> <u>Abcdefghijklmnop</u>	Text included by Committees Decision.
<u><b>Abcdefghijklmnop</b></u> <u>Abcdefghijklmnop</u>	Text deleted by Committees Decision.

# Volume One: Alterations and Amendments to Definitions, Policies, and Rules.

## A ALTERATIONS TO VOLUME ONE, 3.10 DEFINITONS

### Amendments to Definitions

**DEMOLITION (FOR THE PURPOSE OF BUILDINGS IN THORNDON, AND MT VICTORIA AND ARO VALLEY - 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 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’.

**PRIMARY ELEVATION(S) (FOR THE PURPOSE OF BUILDINGS IN 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 usually 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. An exception to this occurs where a building’s main elevation is oriented away from the street towards a view or outlook. This is due to the topography of the area and normally occurs where the ground level slopes steeply away from the street frontage. In this situation both the street elevation and the main elevation shall be considered to be primary elevations for the purpose of Rule 5.3.11.

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 or steps.

**REPAIR OR MAINTENANCE (FOR THE PURPOSE OF PRE-1930 BUILDINGS IN ARO VALLEY – REFER APPENDIX 9 TO CHAPTER 5 OF THE PLAN)** includes:

- (iv) any repair that substantially preserves or recreates the original structural appearance and materials of the buildings main elevation(s).
- (v) 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:

- (vi) any demolition of any structural element.

For the purpose of this definition:

‘structural’ in relation to any building means any façade or exterior wall.

## **B ALTERATIONS TO VOLUME ONE – CHAPTER 4 RESIDENTIAL AREAS**

### **Amendments to Policy 4.2.3.2**

#### **4.2.3.2 Maintain the special character of identified residential character areas.**

##### **METHODS**

- Rules
- Design Guides (Mt Victoria North, Thorndon and Multi Unit Developments)

*Within Residential Areas particular neighbourhoods have an identifiable or distinct character. Wellington examples include Thorndon, Mount Victoria and Aro Valley. Thorndon, Mt Victoria, and Aro Valley, also contain large numbers of older buildings which collectively are important to the identity of Wellington City as a whole. A number of these buildings are listed heritage buildings. Council considers the collective character of these areas is important and they should be more fully protected from inappropriate or unsympathetic development.*

*Therefore, Council has incorporated, as part of this Plan, Design Guides for some residential neighbourhoods (eg Thorndon Character Area Design Guide) and placed extra controls on multi-unit housing for others (eg Thorndon, Mt Victoria and Aro Valley). The Council has also included rules restricting the demolition of pre-1930 buildings in Thorndon, ~~and~~ Mt Victoria and Aro Valley. In those places significant concentrations of older buildings create particularly distinctive streetscape character.*

*The benefits of protecting the special character of these areas, which contribute much to the qualities of the city, outweigh the costs of administering and complying with such rules.*

*The environmental result will be the ongoing development of identified areas in a manner that will maintain their character.*

### **Amendments to Policy 4.2.3.3**

#### **4.2.3.3 Control the potential adverse effects of multi-unit residential development.**

##### **METHODS**

- Rules
- National standard access design criteria
- Advocacy
- Design Guide (Multi-Unit Housing)

*To allow effective use of land in the developed parts of the city, the Plan provides for multi-unit residential developments. Multi-unit housing can significantly alter neighbourhood amenities, particularly where smaller sites are amalgamated and established development patterns are changed. Council seeks to promote excellence in the design of multi-unit residential developments. To ensure that all multi-unit developments are designed to be compatible with existing residential development and to maintain local amenities, proposals will be assessed against the appropriate Design Guide. The Design Guide identifies various design principles to be followed but does not seek to impose aesthetic control. The benefits of achieving high standards of development and more efficiency in the city are expected to be greater than the costs of promoting good development in this way.*

*The accessibility of multi-unit dwellings is an important design issue, as it affects the amenity values and the sustainability of the resource over the long term. Council will promote the accessibility of multi-unit development to ensure that a high proportion of new*



*dwelling units are designed to be accessible and usable by older people and all others with mobility restrictions.*

*The permitted bulk and location standards that apply within the Inner Residential Areas of Aro Valley (as shown in Appendix 9) are reflective of the area's predominant development type, which is one dwelling per site. A single dwelling on a site, built in accordance with the bulk and location standards, will generally be of a scale and mass that is consistent with the character of the surrounding area. Single dwellings, even when built up to full site coverage, retain a significant degree of openness and greenery on site. However, multi-unit developments designed and built in accordance with the bulk and location controls can have quite different effects on neighbourhood character because:*

- *The increased number of units and residents on a site can potentially adversely impact on privacy and overlooking.*
  - *The height and mass of buildings, being often substantially larger than is characteristic of the surrounding neighbourhood can adversely affect the quality of the streetscape character.*
  - *Increased site area required for vehicle manoeuvring and parking can reduce green space and landscaping opportunities on site.*
- For this reason the Council will not apply a permitted baseline assessment when considering the effects of new multi-unit developments on streetscape character.*

*The environmental result will be new multi-unit residential developments with better design standards.*

## **C ALTERATIONS TO VOLUME ONE – CHAPTER 5 RESIDENTIAL RULES**

### **Amendments to Rule 5.1.3**

5.1.3.3.1 In the Inner Residential Area the maximum coverage is 50 percent except for the following:

- in the Oriental Bay Height Area (as shown in Appendix 4) there is no maximum coverage
- in the Aro Valley Area (as shown in Appendix 9A) the maximum coverage is 40 percent.

5.1.3.4.1 In the Inner Residential Area the maximum height for buildings and structures, including fences and walls, is 10 metres, except for the following:

- for fences or walls within 1 metre of a boundary or in a front yard (refer to rule 5.1.3.6)
- for maximum heights in the Thorndon Character Area refer to the design guide Volume 2
- in the Aro Valley Area (as shown in Appendix 9A) the maximum height is 7.5 metres
- in the Oriental Bay Height Area the maximum height is as shown in Appendix 4
- in the North Kelburn/Bolton St Area the maximum height is as shown in Appendix 6.

5.1.3.5.3 Determination of the angle of inclination of the sunlight access control line.

The inclination of the sunlight access control line to the horizontal shall be based upon the direction in which the boundary faces which is ascertained by the bearing of a line drawn outwards from the site at 90° to that boundary line, so that:

- for a boundary that faces between 330° and 30°, the angle of inclination shall be 3 vertical to 1 horizontal (71° 30' approximately)
- for a boundary that faces between 270° and 330° or between 30° and 90°, the angle of inclination shall be 2 vertical to 1 horizontal (63° 30' approximately)
- for a boundary that faces between 90° and 150° or between 210° and 270°, the angle of inclination shall be 1.5 vertical to 1 horizontal (56° 20' approximately)
- for a boundary that faces between 150° and 210°, the angle of inclination shall be 1 vertical to 1 horizontal (45°)
- in the Aro Valley Area (as shown in Appendix 9A) for a boundary that faces between 150° and 210°, the angle of inclination shall be 0.5 vertical to 1 horizontal (26° 34' approximately). For boundaries that face between 30° and 150° and 210° and 330°, the angle of inclination shall be 0.85 vertical to 1 horizontal (40° 21' approximately). For a boundary that faces between 330° and 30° the angle of inclination shall be 3 vertical to 1 horizontal (71° 30' approximately)
- where a bearing lies exactly on a boundary between two of the above sectors, the owner of the site may use either of the two sector inclinations
- no account shall be taken of aerials, chimneys or decorative features that do not exceed 1 metre in any horizontal direction
- gable end roofs may penetrate the sunlight access plane by no more than one third of the gable height.



## Amendments to Rule 5.1.4

- 5.1.4** The total or partial demolition or removal of buildings and structures are Permitted Activities except:
- those listed in the District Plan as heritage items
  - all buildings constructed before 1930 in the Thorndon Character Area
  - any demolition of any building in Thorndon, or Mt Victoria or Aro Valley that is restricted by rule 5.3.11.

*For schedule of listed heritage items, refer to Chapter 21*

*See Thorndon Character Area Design Guide, Volume 2*

## Amendments to Rule 5.3.3

- 5.3.3** The construction, alteration of, and addition to residential buildings, accessory buildings and residential structures, which do not comply with any one or more of the following conditions for Permitted Activities in rule 5.1.3:

5.3.3.1 yards

5.3.3.2 site coverage

5.3.3.3 maximum height

5.3.3.4 sunlight access

5.3.3.4A maximum fence height

**are Discretionary Activities (Restricted) in respect of the condition(s) that are not met.**

### *Standards and Terms*

Rule 5.1.3.3 relating to site coverage may only be exceeded by a maximum of 20% in:

- the Inner Residential Area including the Aro Valley Area (Appendix 9A)
- the Mitchelltown Area (Appendix 5)
- the Roseneath Area (Appendix 7)

In the remainder of the Outer Residential Area, the maximum site coverage including decks shall not exceed 42%.

Rule 5.1.3.4 relating to maximum height may only be exceeded by a maximum of 20%. In the Oriental Bay Height Area rule 5.1.3.4 relating to maximum height may only be exceeded by 20% for the property at 20A Oriental Terrace. For other properties in the Oriental Bay Height Area (Appendix 4) the height limited specified in Appendix 4 shall not be exceeded.

Rule 5.1.3.5 relating to sunlight access may only be exceeded by a maximum of 3 metres (the maximum of 3 metres cannot be increased by the gable end roof allowance).

*Assessment Criteria*

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

- 5.3.3.5 Whether a better standard of development can be achieved by varying the specified conditions.
- 5.3.3.6 Whether the topography of the site or the location of any built feature(s) on the site or other requirements such as easements or rights-of-way impose constraints that make compliance impracticable.
- 5.3.3.7 Whether the form, scale and character of the new building or structure is compatible with that of buildings and structures in the immediate vicinity of the site, and streetscape amenities can be maintained. For multi-unit residential development Council will have regard to the Design Guide for Multi-unit Housing. For all development subject to this rule in Thorndon, Mt Victoria and Aro Valley, Council will have regard to the relevant area related appendix to the Multi-unit Design Guide.
- 5.3.3.8 Whether new building work will cause significant loss of sunlight, daylight or privacy to adjoining sites.
- 5.3.3.9 The extent to which it can be demonstrated that buildings [or structures]<sup>4</sup> adjoining Conservation Sites will have no adverse effects on the ecological values of the Conservation Site.

*The conditions for permitted dwellinghouse activities and accessory buildings, including fences and walls, are designed to ensure that the visual amenities of both the Inner and Outer Residential Areas are generally maintained. However, because residential building development in the City is very diverse and Wellington's topography is rugged, conditions will need to be varied on occasion. Variations to the extent specified are flexible enough to allow the establishment of new residential development while maintaining general amenity standards.*

*In the Oriental Bay Height Area, building heights have been set to maximise potential for residential development, while at the same time offering protection for the amenity of properties to the rear, the public amenity along Oriental Parade, and views of St Gerard's Monastery and the escarpment below the monastery from along Oriental Parade and further a field. Because permitted building heights in the Oriental Bay Height Area have been assessed and set on a site by site basis, the flexibility provided by discretionary height increases is not required. The exception to this is the property at 20A Oriental Terrace, where provision for a discretionary height increase has been provided in recognition of the constraints placed on developing the property by its inclusion in the Oriental Bay Height Area (rather than the Inner Residential Area) combined with the site topography and elevation above the mean sea level.*

## Amendments to Rule 5.3.10

**5.3.10 In the area shown in Appendix 9 (Thorndon, Mt Victoria and Aro Valley), and in the Thorndon Character Area, the construction, alteration of, and addition to residential buildings, accessory buildings and residential structures, where the result will be two or more household units on any site is a Discretionary Activity (Restricted), except in the circumstances where Rule 5.4.8 applies in a Hazard (Fault Line) Area, in respect of:**

**5.3.10.1 design, external appearance and siting**

**5.3.10.2 site landscaping**

**5.3.10.3 parking and site access.**

**5.3.10.3A bulk and massing of buildings on site (in Aro Valley)**

### *Non-notification*

The written approval of affected persons will not be necessary in respect of items 5.3.10.1 – 5.3.10.3. Notice of applications need not be served on affected persons and applications need not be notified except where the Rules 5.1.3.2, 5.1.3.3, 5.1.3.4 and 5.1.3.5 are not met. Where this occurs the presumption towards non-notification will not apply.

### *Standards and Terms*

All the conditions in rules 5.1.1.2, 5.1.1.3 and rule 5.1.3.6 must be met unless consent is concurrently sought and granted under rule 5.3.1 and/or rule 5.3.3 in respect of any non-compliance. For the avoidance of doubt conditions 5.1.3.2, 5.1.3.3, 5.1.3.4 and 5.1.3.5 of the Permitted Activity rule 5.1.3 do not apply and proposals that do not meet these conditions will be assessed under this rule (rule 5.3.10).

### *Assessment Criteria*

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

5.3.10.4 The Design Guide for Multi-unit Development (particular attention will be paid to area specific Appendices).

5.3.10.5 The relevant character area design guide.

In respect of development in the Mt Victoria North Character Area the Multi-unit Design Guide shall be the predominant document. In respect of development in the Thorndon Character Area the Thorndon Character Area Design Guide shall be the predominant document.

5.3.10.6 Where rules 5.1.3 for yards, site coverage, building height and sunlight access are not met and the written approval of any affected person has not been obtained, whether new building work will cause significant loss of sunlight, daylight or privacy to adjoining sites.

*Thorndon, Mt Victoria and Aro Valley have a distinctive character which makes a significant contribution to the identity of the City.*

*While not precluding renewal and redevelopment the Council is concerned to ensure that new multi-unit residential buildings in Thorndon, Mt Victoria and Aro Valley are well designed and respect the predominant patterns. In Aro Valley, this will include ensuring that new buildings are of a scale and bulk that is complimentary to adjoining buildings.*

*For this reason multi-unit development has been made a Discretionary Activity (Restricted) and no specific building standards and terms apply to multi-unit development in these areas. This is to enable proposals to be assessed against design guidance tailored specifically for each area and to ensure that common development patterns are maintained. The purpose of the design guides is not to impose specific design solutions but to identify design principles that will promote better development and enhance Mt Victoria, Thorndon and Aro Valley. The presumption towards non-notification will not apply for proposals which exceed the permitted rules (Rule 5.1.3) such as building height, site coverage, sunlight access and yards. Such proposals will only be non-notified if they meet the conditions of section 94(2) of the Resource Management Act.*

## Amendments to Rule 5.3.11

**5.3.11 The demolition of any building in Thorndon, ~~or~~ Mt Victoria or Aro Valley (shown in Appendix 9), excluding accessory buildings, constructed before 1930, or for which approval for construction was granted before 1930, is a Discretionary Activity (Restricted) in respect of:**

**5.3.11.1 the contribution of the building to the streetscape character of the neighbourhood.**

### *Non-notification*

Where an application contains details on the outcome of consultation with the local residents' association about the possible demolition of the building, and the Council is able to verify (in writing) that such consultation has occurred and the outcome of such consultation, then the approval of affected persons will not be necessary and applications need not be notified.

If no information on the outcome of the consultation is provided, or the Council is unable to verify that consultation has occurred and the outcome of that consultation, then this non-notification clause will not apply.

This non-notification statement does not apply in Aro Valley.

### *Assessment Criteria*

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

- 5.3.11.2 Whether the building is consistent in form and style with surrounding buildings and is consistent with a strong local pattern. In particular, whether the building is an integral part of a row of buildings that are consistent in form, scale and siting.
- 5.3.11.3 Whether the building is within a sub-area as identified in the Mt Victoria appendix to the Multi-unit Design Guide.
- 5.3.11.4 The extent to which the building retains its original design features relating to form, materials and detailing and the extent to which the form, style and important details have been modified to the extent that restoration is not reasonably practicable.
- 5.3.11.4.A In Aro Valley, the extent to which any work will compromise or destroy any pre-1930 design features or materials on the primary elevation(s). Whether the demolition and work will detract from the architectural style and character of the existing building, and have adverse effects on the special character of the streetscape and neighbourhood as a whole.
- 5.3.11.4.B In Aro Valley, in relation to rear sites, the level of visibility of the primary elevation from the street or other public space.
- 5.3.11.4.D In Aro Valley the extent to which the replacement building(s) are consistent with the content of the Multi-Unit Design Guide.
- 5.3.11.5 The degree of the economic effects on the owner and occupier through the retention of the building.

- 5.3.11.6 The effectiveness of other statutory and non-statutory methods available to ensure retention of the streetscape character, including the extent to which the design of new building on the site will ensure that particular streetscape values of the neighbourhood will be maintained.
- 5.3.11.7 Whether the building is important to the context of a building listed in the Schedule of Listed Heritage Items.
- 5.3.11.8 Whether the building poses a risk to life in the event of an earthquake.

*Mt Victoria, ~~and~~ Thorndon and Aro Valley contain large numbers of older buildings which collectively are important to the identity of Wellington City as a whole. To help protect the value of these buildings to the streetscape the demolition or removal of pre 1930 buildings has been made a Discretionary (Restricted) Activity. The focus of this rule is the contribution of the buildings to the streetscape. This rule does not restrict the addition to or alteration of existing building.*

*The date of 1930 has been chosen as buildings older than that date tend to match the characteristic building types of the area. The Council holds information on the ages of buildings which is available on request. It is recognised that different parts of the same building might be different ages. The age of the primary form of the building will be taken as the relevant date. Primary form 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.*

*There are many variations of primary form. However, the primary form of the Victorian and Edwardian villa is typically square or rectangular in plan, one or two stories in height with a hip roof. The primary form of the cottage is typically single storey, rectangular in plan, with a gable roof.*

*In Aro Valley consideration will be given to the impact on streetscape and neighbourhood character of the removal or demolition of architectural features and elements from a building's primary elevation(s). The special character of these neighbourhoods is perceived, by the public at large, from the street. What can be seen from the street is collectively referred to as streetscape. In most instances the 'primary elevation(s)' will be the elevation of the building that faces the street. However on some properties the buildings main elevation fronts to a view or outlook as a result of the topography of the area. This generally occurs on sites where the ground level slopes steeply away from the street frontage. In this situation the main elevation is often still visible from surrounding streets and public spaces (albeit from an increased distance) and contributes to the overall character of the neighbourhood.*

*Council archives and the building consent database contain records as to the date of many of the buildings in Mount Victoria, ~~and~~ Thorndon and Aro Valley. These should be used in the first instance to establish the date of construction or approval for construction. Where Council records are inadequate to determine the date of construction, or approval for construction, a report from a suitably qualified conservation architect may be required. It is also a requirement that information be provided as part of any application for resource consent on the outcome of discussions with the local residents' association about the possible demolition of the building. (See Section 3.2 – Information Requirements). The requirement to consult with the local residents association does not apply to applications for resource consent in Aro Valley.*

*Individual buildings or groups of buildings with particular heritage significance have been identified in the Council's Schedule of Listed Heritage Items and are subject to the provisions of Chapters 20 and 21.*



**Amendments to Appendix 8**

Refer to Attachment A

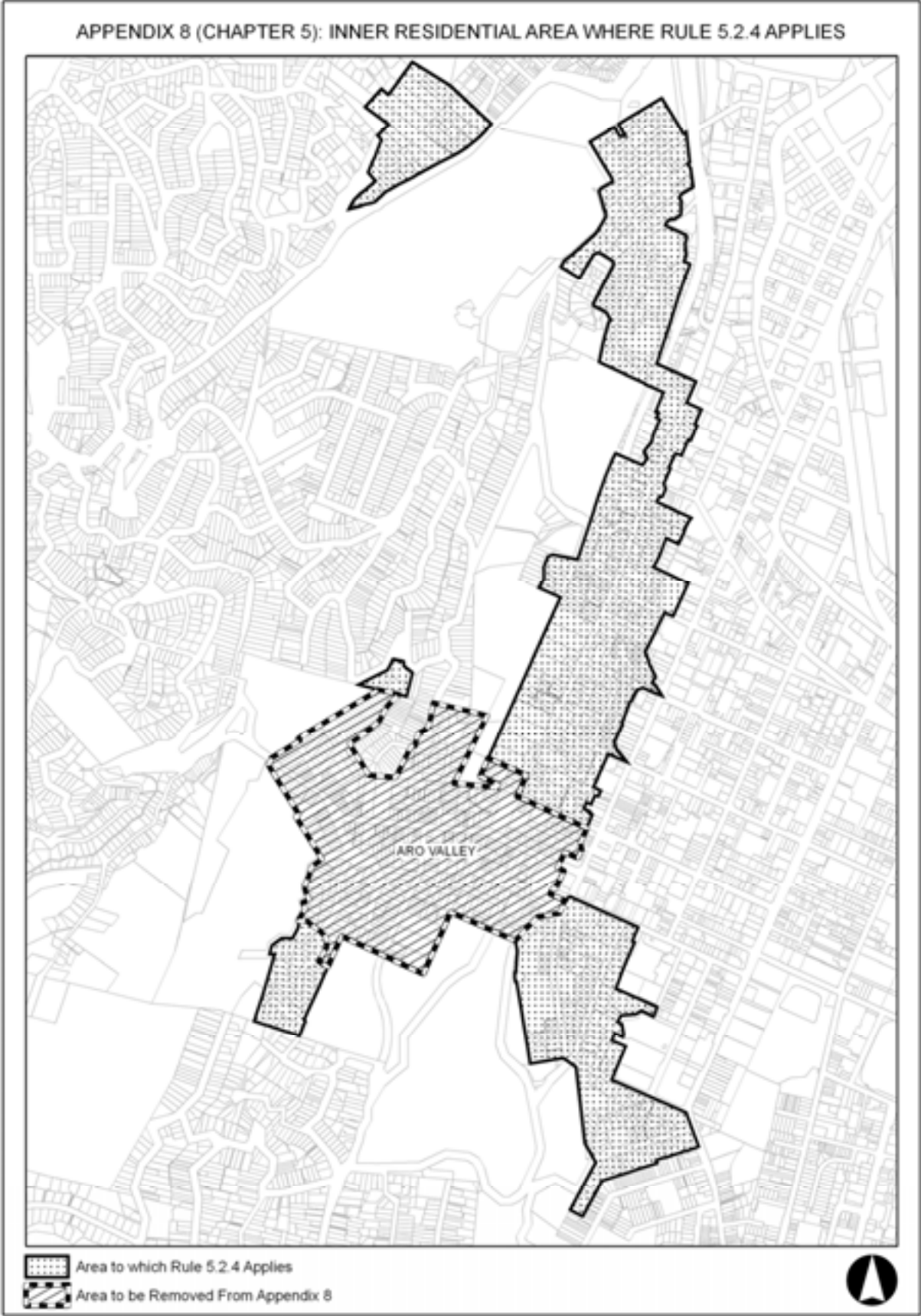
**Amendments to Appendix 9**

Refer to Attachment B

**Amendments to Appendix 10**

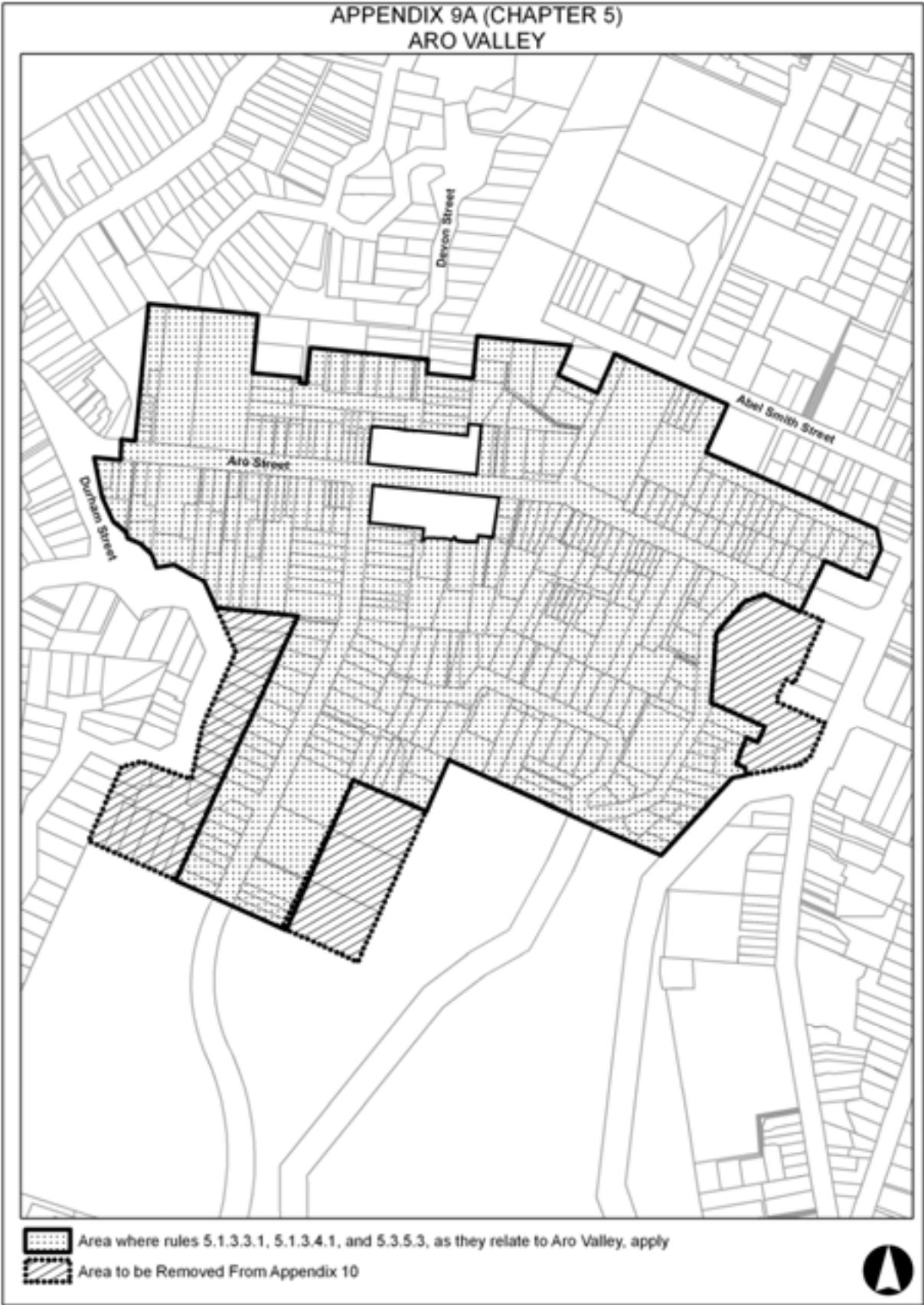
Refer to Attachment C

# ATTACHMENT A



**ATTACHMENT B**





# Volume Two: Alterations and Amendments to Design Guides.

## D ALTERATIONS TO VOLUME TWO – MULTI UNIT DEVELOPMENTS DESIGN GUIDE

### Amendments to Section 2.0 Intention of the Design Guide

## 2.0 Intention of the Design Guide

~~As specified in Rule 5.3.4 of the District Plan, new multi-unit residential development of three or more household units on a site is a Discretionary Activity. This Design Guide provides the standards or criteria against which discretionary applications are assessed.~~

This Design Guide provides the standards or criteria against which resource consent applications for new multi-units are assessed (which depending on the relevant District Plan rule can include two units or three or more units).

Applicants will be required to demonstrate through the detailed design of new development a commitment to improving design standards. Beyond this intention and in general accordance with the design guidelines a significant degree of flexibility is given to designers in the preparation of development proposals.

No precise formula exists for ensuring the skilful and innovative design of buildings. However, the provisions of this Design Guide require that some clear design principles be observed. Applicants will have to demonstrate that the provisions of this design guide have been acknowledged and interpreted and the objectives satisfied. This will provide the basis for assessment.

More specifically this Design Guide aims to:

- encourage responsiveness to the character of each particular site, including consideration of the physical and visual qualities of the street and the immediate area
- ensure that new multi-unit development fits into an existing neighbourhood in a way that maintains reasonable standards of privacy and daylight for residents and neighbours
- encourage the design of multi-unit housing to respond to known and typical user needs
- encourage good-quality, cost-effective design
- Provide specific guidelines for identified residential areas:
  - Thorndon
  - Mount Victoria
  - Aro Valley.

(Note the specific guidelines for identified residential areas shall be read in conjunction with the main Design Guide provisions. However, where there is any variation between the two the specific guidelines relating to the identified residential area shall prevail unless otherwise stated.)

It recognises that a higher density of residential development demands consideration of a wider range of factors, and more careful design than is perhaps necessary to achieve an acceptable standard of amenity in a lower-density environment.

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

## **E ALTERATIONS TO VOLUME TWO – MULTI UNIT DEVELOPMENTS DESIGN GUIDE – APPENDIX 3**

### **Amendment to Section 1.0 Introduction**

#### **Purpose**

This document aims to help those involved in development proposals for two or more household units in ~~for the~~ Aro Valley to apply the “Character” guidelines contained in the Design Guide for Multi-Unit Housing.

This guide first identifies the patterns of development that determine the character of the Aro Valley (sections 2 and 3). Guidelines are then listed which aim to ensure the Aro Valley’s distinctive character will be maintained and enhanced (section 4).

The intention is that the design of new multi-unit and infill housing is informed by the patterns of siting, relationship to the street, building bulk, form, scale and typical materials that give the area its character.

*This document should be read in conjunction with the Design Guide for Multi-Unit Housing. Where there is any variation on issues of character between the two documents, the specific guidelines outlined in this appendix should take precedence.*

### **Amendment to Section 2.0 Character Overview**

#### **Building type**

*Limited range of building types.* Most residential buildings are either villas or cottages, with around equal proportions of both. Close to half the villas are single storey. This relatively narrow range of consistently sized building blocks establishes the character of the Aro Valley.

Row house or apartment development is not common. Row housing (particularly at a right angle to the street), as well as stepped/cascading form of development would contrast and be uncharacteristic. However, the concentration and orthogonal alignment of individual dwellings on separate small lots located very closely to each other on the flatter parts of the area suggests a form of cluster development.

Consistency and variation of building height co-exist



*Cluster development roofscape suggested*

## Amendments to Section 3.0 Sub – areas within Aro Valley

Replace the existing map at the beginning of the section with the new map in Attachment D.

### Upper Devon, Landcross St and Abel Smith Streets

- Characterised by very steep topography in combination with highly variable and generally large frontage setbacks.
- Planting on steep sites is an important character element.



*Dominance of planting on steep sites*

### **3 Peripheral areas**

The peripheral areas are located along the east and west edges of Aro Valley. Upper Durham Street/Mortimer Terrace and Adams Terrace have a close relationship with the Town Belt and their overall character is similar to that of the streets and elevated areas adjoining Aro Street. Palmer Street/Abel Smith Street/St Johns Street and Ohiro Road/Brooklyn Road are more diverse and have a strong association with the central city.

### Upper Durham Street/Mortimer Terrace and Adams Terrace

- Variation in building type, orientation and frontage setback, accentuated by the changing topography
- General consistency in scale and materials
- Wide and steep berms with established vegetation and planting on steep sites is a characteristic element

### **Adams Tce**

- Variation of frontage setback and building character reflecting the changing topography, with some distinctive groupings/clusters of buildings of similar scale, type and style.
- The two sides of the street have generally consistent but different characteristics – buildings on the north/west side are smaller and are strongly related to the green backdrop behind, buildings on the opposite side are larger/taller, some with deeper frontages setbacks.

### **Palmer/Abel Smith and St Johns Street**

- These areas, located at the interface with the central city, are in close proximity to the Inner City Bypass. They are characterised by variation in building type and scale and a general consistency of siting.

### **Ohiro Road/Brooklyn Road**

- This highly diverse area has a transitional character and pronounced variation in building type and scale, including multi storey blocks of flats and a heritage landmark building (School of Philosophy).

- Comprised of three distinctive parts, the area has a transitional character and as a whole is quite diverse:
  - the part west of Ohiro Rd is a mixture of old and new buildings.
  - The part east of Ohiro Rd is distinctly different including multi-storey blocks of flats
  - The west side of Brooklyn Rd has a more consistent character with a row of old houses of similar age.

**Implication for design specific to adjoining streets and elevated areas and peripheral areas:**

- There is greater opportunity for diversity in the siting and mix of building forms here than on the central parts of Aro Street.

...

## 4.0 Guidelines

The purpose of these guidelines is to inform the design and assessment of development applications, so that the character of the Aro Valley is maintained and enhanced.

### Predominant visual characteristics of the Aro Valley

...

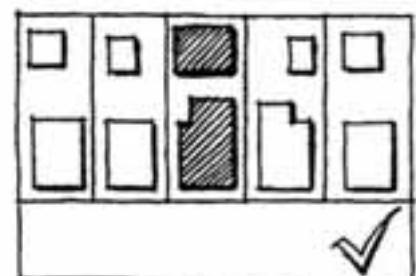
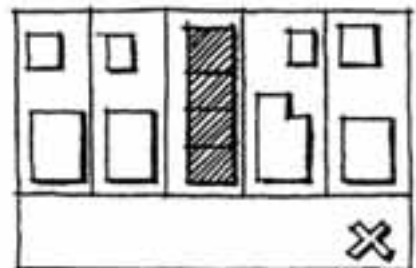
#### 5 Private open space and rear yards

Private rear yards on the intensively developed valley floor areas are typically small. Private open space on the valley walls, particularly steeply sloping sites, is characterised by significant concentrations of vegetation, enhancing the garden setting of the valley.

### Guidelines

5.1 Maintain the predominant pattern of rear yard setbacks.

5.2 Maintain the visual dominance of vegetation on the valley walls with a particular reference to (visually prominent) established clusters of mature greenery.









## WELLINGTON CITY DISTRICT PLAN

### PROPOSED DISTRICT PLAN CHANGE 50 - RESIDENTIAL BOUNDARIES AND BUILDING CONTROLS IN ARO VALLEY

#### 1 Introduction

Before a proposed District Plan change is publicly notified the Council is required under section 32 of the Resource Management Act 1991 (the Act) to carry out an evaluation of the proposed change and prepare a report. As prescribed in section 32 of the Act:

*An evaluation must examine:*

- (a) the extent to which each objective is the most appropriate way to achieve the purpose of the Act; and*
- (b) whether, having regard to their efficiency and effectiveness, the policies, rules, or other methods are the most appropriate for achieving the objectives.*

*An evaluation must also take into account:*

- (a) the benefits and costs of policies, rules, or other methods; and*
- (b) the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the policies, rules or other methods.*

*Benefits and costs are defined as including benefits and costs of any kind, whether monetary or non-monetary.*

*A report must be prepared summarising the evaluation and giving reasons for the evaluation. The report must be available for public inspection at the time the proposed change is publicly notified.*

This Section 32 reports deals with possible changes to the residential building controls in the Aro Valley area, and the boundaries within which the residential building controls will be applied.

#### 2. Background

The key drivers for the initiation of a review of several of the residential building controls that apply within Aro Valley, and of the boundaries in the District Plan which determine the extent of the areas within which the various rules are applied, are outlined below:

##### ***Issues relating to the boundaries of Aro Valley***

There are currently three Appendix areas in Chapter 5 (Residential Area) of the District Plan that apply various residential building controls in Aro Valley. They include:

**Appendix 8** – this appendix identifies areas within Aro Valley, and other Inner Residential areas, where the construction of two or more household units requires resource consent as a Controlled Activity under Rule 5.2.4. In order to retain Controlled Activity status, a development must comply with all the permitted bulk and location standards for the zone. The generic “character” section of the Multi Unit Development Design Guide is the key reference point for assessing these developments.

**Appendix 9** – identifies an area where multi unit developments of two or more units in the Aro Valley area require resource consent for a Discretionary Activity (Restricted) under Rule 5.3.10. Proposals are assessed against the general Multi Unit Development Design Guide, as well as the specific “special character” guidelines for Aro Valley in Appendix 3 to the Guide.

**Appendix 10** – identifies an area where more stringent provisions relating to site coverage, maximum height and sunlight access planes apply. These provisions have been carried over from the previous District Plan.

Issues relating to the consistency of the boundaries of Appendices 9 and 10 for the Aro Valley area were identified through decision making process for Plan Change 7 – Aro Valley Character Controls in 2002. Specifically, the Hearings Committee recommended in the decision that:

3. *That further consideration be given to the inclusion of houses in Durham Crescent and Mortimer Terrace within the boundary of the Aro Valley Area shown in Appendix 10 to the residential provisions in the Operative District Plan.*

The recommendation was made in response to concerns by the Committee regarding the inclusion of the more modern houses in Durham Street and Mortimer Terrace within Appendix 10 (in which more stringent provisions relating to site coverage, maximum height controls, and sunlight access planes apply).

In addition, the Aro Valley Community Board lodged an appeal to decision Plan Change 7. As part of the Environment Court settlement the Council agreed that:

*Before the end of June 2004 prepare a report on the Plan boundary issues pertaining to the Aro Valley for discussion and consultation with the referrer and the wider community; ...”*

Specifically, the need for consideration of the boundaries of Aro Valley with respect to the Environment Court settlement arose from confusion arising from significantly different boundaries for the application of the Multi Unit Design Guide (as identified in Appendix 9 of the District Plan), and the boundaries within which more stringent building controls with respect to site coverage, maximum building height and sunlight access planes apply to single household dwellings (identified in Appendix 10).

Another issue identified with the boundaries of Aro Valley (through the preparation of this proposed Plan Change is an overlap and inconsistency between Appendix 8 (which requires consideration of two or more household units as a Controlled Activity under Rule 5.2.4), with Appendix 9 which requires a resource consent for a Discretionary Activity (Restricted) for two or more household units under Rule 5.3.10.

### ***Protection of Character***

The District Plan uses various mechanisms to protect character. This includes by ensuring that new buildings and developments recognise and enhance the character of the suburbs, as well as

protecting those buildings, spaces and other features that contribute to the character in each suburb.

Several controls are already in place in Aro Valley to ensure that new buildings and developments recognise and maintain the character of the suburb. This includes (through the adoption of Plan Change 7) the application of the Multi Unit Development Design Guide to two or more new household units, with specific guidance on the character of Aro Valley contained in Appendix 3 to the Design Guide. In addition, area specific bulk and location rules apply to the construction of a dwelling within the core area of the Aro Valley area (as defined by Appendix 10), which are more stringent than in other Inner Residential Areas.

The primary mechanisms used to protect the character of existing buildings include the identification of specific heritage buildings (with different rules applying), and through the Multi Unit Development Design Guide against which development proposals for two or more units are assessed.

An additional layer of protection in relation to the character of existing buildings applies to the suburbs of Mt Victoria and Thorndon, with a significant proportion of older housing stock (like Aro Valley) through Rule 5.3.11. This rule makes the demolition of pre-1930's houses a Discretionary Activity, requiring resource consent from the Council, with the primary purpose being to protect streetscape (i.e. 'the look and feel' of an area). Applications for resource consent to demolish are required to demonstrate that either the existing building does not make a significant contribution to the streetscape character, or that the streetscape contribution made by the proposed replacement building will be as good, if not better, than the original dwelling. Proposed Plan Change 38 has since been publicly notified (on 9 July 2005), which seeks to also apply Rule 5.3.11 (with some modifications) to pre-1930's dwellings in Newtown, Berhampore, and Mt Cook to provide additional protection for streetscape character.

The overall aim of the work leading up to the preparation of this Proposed Plan Change has been to investigate and resolve all issues relating the various boundaries under which various rules are applied in Aro Valley, while at the same time investigating the need for addition streetscape character protection. In summary, this work has focussed on:

- reviewing the boundary of Appendix 9 (Aro Valley) to Chapter 5 (in which the Multi Unit Development Design Guide applies to two or more household units – under Rule 5.3.10 as a discretionary Activity (Restricted)), to determine whether any additional areas should be included or existing areas excluded;
- reviewing the boundary of Appendix 10 to Chapter 5 (in which the more stringent bulk and location rules apply – under Rule 5.1.3), to determine whether there is a need to either exclude areas currently covered by this appendix or to include areas outside the boundary;
- assessing the relevance of Rule 5.2.4 and Appendix 8 (which provides for two household units as a Controlled Activity) to Aro Valley;
- in relation to the consideration of the three appendices above, identifying what might be an appropriate boundary for the wider Aro Valley area;
- consideration of the need for additional streetscape character protection in terms of the existing building stock (for example, application of the existing pre 1930's demolition rule);
- identifying the need for any subsequent changes to the Aro Valley section of the Multi Unit Development Design Guide; and

- the identification of any other consequential changes arising from the above, in particular to make the appendices more concise and easier to apply.

A range of options have been canvassed in the preparation of this proposed District Plan change to address the issues identified above.

### 3. RMA Context

The purpose of the RMA is to promote the sustainable management of natural and physical resources. Sustainable management includes managing the use and development of natural and physical resources to enable people to provide for their health and safety. The Act also contains an explicit obligation for Territorial Authorities to maintain and enhance amenity values and the quality of the environment. Local authorities are also required to protect historic heritage from inappropriate subdivision, use and development.

### 4. Policy Analysis

The process which led to the development of this proposed District Plan change has been lengthy, beginning in 1995 when an urban design evaluation of the Inner City Areas was undertaken. Other relevant policy documents that have informed the review include a Sense of Place Strategy and the Built Heritage Policy (2005) for Wellington City - both of which make reference to protection of the character of inner city suburban areas.

An urban design assessment of the issues identified with the boundaries of Appendices 8, 9 and 10 and the associated rules (as they relate to Aro Valley) was commissioned as a key input into this Proposed Plan Change. In addition, reference has been made to previous work undertaken in the preparation of District Plan Change 7 – Aro Valley Character Controls, and more recently the preparation of Proposed Plan Change 38 – Residential Character, Newtown, Berhampore and Mt Cook. Other inputs have included information from the Council’s monitoring of the level of development activity occurring in the city.

These key pieces of work are summarised below to provide the reasoning for proposing this District Plan change. Copies of the reports referred to are available on request.

#### **Urban Design Evaluation – Wellington Inner City Residential Areas**

In 1995, Graeme McIndoe (Architect and Urban Designer), Chris McDonald (School of Architecture) and Christina van Bohemen were commissioned by Wellington City Council to undertake an urban design evaluation of the residential character of Wellington’s inner city residential areas. Their report was finalised in December 1995. Their key findings included:

- there are areas of identifiable local character within the inner city suburbs.
- within these areas the substantial retention of original, very old buildings, and their aesthetic coherence and unique streetscape quality warrant area specific development control.

#### **Proportion of residential buildings built before 1919**

	Mt Victoria	Thorndon	The Terrace	Aro Valley
Up to 1919	81%	74%	61%	68%

- multi-unit housing is the predominant new development type in the Inner City Residential Areas, and also the form of development with the greatest potential to impact on the

visual character of the surrounding neighbourhood. This is because multi-unit developments are generally larger (both height and width) than existing buildings, make use of different design forms and materials, and have different site layouts especially in the pattern of vehicular access and parking provision.

The report concluded that in order to maintain and enhance local identity, special provisions relating to contextual design of new buildings and restrictions on the demolition of character buildings should be applied in Mount Victoria, Thorndon, central and southern parts of the Terrace and Aro Valley.

### **Wellington City Council Sense of Place Document (2005)**

Recognising and acknowledging the importance of the past also contributes to the community's understanding and awareness of a sense of place. This has been acknowledged in the Wellington City Council Sense of Place Document. In this paper the Council's goal for Wellington is quality of life, growth and prosperity. In striving for this goal, the Council wants to ensure that what makes Wellington special is preserved.

In preparing the Sense of Place Strategy, research was undertaken to determine what Wellingtonian's treasure about their city, and what gives the city its unique character or essence. From the range of factors identified, the following are relevant to proposed District Plan change:

- the compact and integrated urban layout
- the distinct character of communities, neighbourhoods, urban quarters and suburban centres – people and buildings – and the city's confident, unpretentious personality, and
- the symbols, images, places and buildings that identify the people of Te Whanganui-a-Tara and Wellington city, and tell their history.

The Council is committed to work to ensure that all new growth respects these values and, if possible, enhances them.

### **Draft Urban Development Strategy**

The Council's Draft Urban Development Strategy signals a growth management strategy that directs growth to where the benefits are greatest and where adverse effects are minimised, the long term direction for urban development is intensification along a growth spine from Johnsonville to Kilbirnie. Aro Valley is not located on the growth spine and the additional controls proposed will have little or no impact on Council's ability to realise the growth spine concept.

The Plan Change will contribute to the outcomes of a "stronger sense of place" and "a more compact city" within the Draft Urban Development Strategy by providing a balance between retaining and enhancing the existing character of Aro Valley and the provision for multi unit development.

### **Built Heritage Policy – Adopted by Council 28 June 2005**

The Council's built heritage policy includes a number of objectives that, together, aim to achieve the vision that "*Wellington is a creative and memorable city that celebrates its past through the recognition, protection, conservation and use of its built heritage for the benefit of the community and visitors, now and for future generations.*"

One objective of the Policy is to protect the city's built heritage from adverse effects that may compromise the heritage values of a place, including physical deterioration and inappropriate subdivision, development and use. This is relevant to this plan change because one action

identified in the Policy is to “*extend the protection of heritage values to suburban areas through identifying more heritage areas and other mechanisms*”.

**Aro Valley: Boundary Adjustment Review Urban Design Report – June 2006**

Deyana Popova (Urban Perspectives Ltd) was commissioned by Wellington City Council to undertake an urban design evaluation of:

- the appropriateness of the boundaries of Appendices 8, 9 and 10 (to Chapter 5) as they apply Aro Valley;
- the appropriateness of the application of a rule requiring a resource consent for demolition of pre 1930 buildings; and
- the need for any changes to the Design Guide for Multi Unit Developments as it applies to Aro Valley.

The recommendations of the report of particular relevance to this plan change include:

- The revision of the boundaries of Appendix 9 (i.e. the area in which the Multi Unit Development Design Guide applies to two or more household units) to include the additional areas in the following streets:
  - Upper Durham Street
  - Mortimer Terrace
  - Adams Terrace and Landcross Street
  - Palmer Street/Abel Smith Street/Johns Street
  - Ohiro Road/Brooklyn Road.

The main reason for including these areas is due to their visual proximity to the ‘core’ Aro Valley area. In addition, the report recommends the inclusion of Landcross Street as part of the Devon Street sub area, as it has similar character to that area. Landcross Street was formerly part of the Victoria University Institutional Precinct, and for this reason it would not have been included in Appendix 9 which relates to areas zoned Inner Residential.

- That Upper Durham Street and the Council housing area to the east of Ohiro Road be removed from Appendix 10 (i.e. the areas where more stringent site coverage, maximum height and sunlight access provisions apply) as the existing building in these areas are not of the scale provided for by the Appendix 10 rules.
- That the demolition rule be applied to the area within Appendix 9 (that is to the recommended new boundaries) with a number of buildings constructed in this area prior or around the 1930’s.
- Various changes are recommended to the Multi Unit Developments Design Guide to reflect the changes made to the extended boundary of Appendix 9.

The report also recommends that the more stringent bulk and location provisions in Appendix 10 provisions be applied to multi-unit development of two or more units within Appendix 9, as an additional tool to manage the impact of multi unit development on existing character and amenity. Consideration has subsequently been given to this specific approach, however, due to issues identified with its workability and consistency with the existing provisions for similar older character suburbs. Accordingly, other means of providing additional protection have been considered through the changes to the rules and the Multi Unit Development Design Guide.



### ***Consultation process – late 2004 to present***

Planning for the protection and enhancement of the Aro Valley neighbourhood now spans a period of some 30 years. In the early 1970's studies were undertaken in response to the decay of many houses and other buildings and the desire of the Council to promote the renewal of the area. This work led eventually to the adoption of the Aro Valley Comprehensive Urban Renewal Area Zone or CURA Zone in the former District Scheme. In essence, this zone sought to limit unnecessary demolition of existing houses and ensured that any new buildings reflected the existing architectural character and took full account of their neighbours. To achieve the latter, very strict bulk and location provisions were introduced with height limits for different housing types between 6m and 9m and sunlight access controls based on mid-winter calculations. In addition, the Council also sought to promote more accommodation in the area and apartment houses up to a maximum of 12 m were provided for.

The preparation of the new District Plan under the Resource Management Act in the mid 1990's sought to streamline the residential provisions and promote a more effects based approach to the management or control of residential development. This was achieved by creating an inner residential area, including the Aro Valley and controlling multi-unit development through the application of the Multi-Unit Design Guide. The existing CURA provisions were not carried over into the new plan because these were highly prescriptive use-based controls related to a range of individual building types and as such they did not accord with the new approach.

Between 1994 when the Proposed District Plan was publicly notified and the year 2000 when the Plan was approved there was a concentrated focus on inner residential issues. A range of submissions had been lodged to the proposed inner residential plan provisions seeking more targeted and specific controls to protect and enhance the character of the various neighbourhoods or suburbs. Many of the submissions from the Aro Valley sought the reinstatement of the former CURA provisions. Around the same time the Council initiated an urban design evaluation of the inner city residential suburbs as the basis for further work and conducted a comprehensive consultation exercise.

The decisions on the District Plan submissions in 1996 made no major change to the inner residential rules at that time except for the Aro Valley where some of the key bulk and location provisions from the CURA zone, namely building height, site coverage and sunlight access were reinstated. This was seen as a holding measure until more work could be undertaken. In respect of all inner residential submissions the Council had agreed to initiate further work on the introduction of appropriate character controls. However, Environment Court Appeals were lodged by the Thorndon Society and the Mt Victoria Residents Association. The mediation of these appeals led to the notification of District Plan Variation 14 that included new multi-unit design guide provisions and controls on the demolition of pre 1930's buildings in Thorndon and Mt Victoria. Variation 14 was adopted and incorporated into the District Plan prior to its approval in 2000.

The Aro Valley was not considered for inclusion as part of Variation 14 because no appeals had been lodged by parties in the Valley and the local Community Council was keen to work with the City Council to develop separate provisions for the area. In March 2001 the Council formally confirmed that the general policy direction for character control in the inner residential suburbs should be applied to the Aro Valley and the officers were requested to proceed with the development of options for implementing the policy with the Aro Valley community.

In August 2001 a consultation programme for the Aro Valley was undertaken involving the circulation of a discussion paper on the issues and options for District Plan character controls in the Aro Valley and a series of public meetings. The discussion paper sought feedback on the desirable level of District Plan intervention and the methods for protecting character including the adoption of a demolition rule akin to Thorndon and Mt Victoria. The summary of the resident's comments is available if required.

The debate on the issues that followed was vigorous and at times acrimonious. At one extreme were those who supported a high level of intervention and design control down to the level of individual houses and the adoption of a demolition rule. At the other extreme were those who favoured less intervention and no additional District Plan controls. The polarisation of the community at that time was reflected in the responses to the discussion paper. From the 83 responses received there was a fairly even split between the supporters of high regulation and low regulation and on the specific issue of introducing a demolition control rule 27.5% were in support, 52.5% opposed and 20% were unspecified.

As a result of the divisions within the community a 'middle of the road' plan change was proposed that provided additional design guide control for multi unit housing in the Aro Valley, the adoption of the sunlight access controls applying to other inner residential areas and a lowering of the permitted building height in the suburban centre to 9m. These proposals were publicly notified (on 29 May 2002) as District Plan Change 7.

Plan Change 7 attracted a total of 69 main submissions and 2 further submissions. The submissions addressed a wide range of issues relating to the greater protection of the Aro Valley character. Of these some 34 requested the adoption of a demolition rule. Following the hearing of submissions the Council decided to adopt the plan change generally as notified except that the multi unit design control was extended to cover two unit developments and the more restrictive mid winter sunlight access provisions were retained. The submissions on the other issues raised were deemed to be beyond the scope of the change and were not accepted.

The Council's decision on Plan Change 7 was appealed by the Aro Valley Community Council but the appeal subsequently withdrawn following an Environment Court settlement. Of relevance to this proposed Plan Change is that among other matters the settlement required the Council to initiate a review of boundary issues for discussion and consultation with the Aro Valley Community Board and the wider community.

Work in relation to consideration of the boundaries of Aro Valley, as required by the Environment Court settlement on Plan Change 7, commenced in early 2006. Around the same time, the Council surveyed residents (both owners and occupiers) within the boundaries of the existing Appendix 9 and Appendix 10 areas to determine the communities' current views on the introduction of a rule in the District Plan that controls the demolition of pre-1930 buildings within these areas. The survey was later extended to include the peripheral areas being considered for inclusion into the boundaries of Appendix 9 area (including areas within Upper Durham Street, Mortimer Terrace, Adams Terrace and Landcross Street, Palmer Street/Abel Smith Street/Johns Street, and the bottom of Ohiro Road/Brooklyn Road). The findings of the survey are set out in Figure 1 below, and demonstrate a significant degree of support for greater protection of the early housing stock through a demolition rule. Specifically, there was 76% in support from within the existing Appendix 9 and 10 areas in support, and 68% in support within the peripheral areas being considered for inclusion into Appendix 9.

	Area currently within Appendix 9 and 10		Additional areas potentially to be included into Appendix 9	
<b>Response Rate</b>	<b>30.1%</b>		<b>25%</b>	
<b>Percentage Yes's</b>	<b>76%</b>		<b>68%</b>	
	Owner Occupier	51%	Owner Occupier	55%
	Absentee Owner	27%	Absentee Owner	28%
	Occupier	22%	Occupier	17%
<b>Percentage No's</b>	<b>24%</b>		<b>32%</b>	
	Owner Occupier	49%	Owner Occupier	35%
	Absentee Owner	43%	Absentee Owner	65%
	Occupier	8%	Occupier	0%

**Figure 1: Response to survey question: Do you want a rule in the District Plan that controls the demolition of pre-1930's buildings within the Aro Valley Area?**

Note: In total 1040 questionnaires were sent out, with 307 responses ie a 30% approx. response rate.

### **Development Activity in Aro Valley**

The Council's District Plan Monitoring Programme includes a number of indicators relating to urban form and growth, and related residential activities.

Figure 2 (next page) shows the number of approved residential units in each suburb between 2004 - 2005. Aro Valley is ranked 46th out of 58 suburbs, with only six new dwellings approved between 2000 and 2004. A review of the resource consents granted since that time shows that there has been an increase in the number of dwellings, with 11 new dwellings created through three multi unit developments alone<sup>1</sup>. However, regardless of this, in comparison with other suburbs the rate of activity remains relatively low.

To complement these findings, an analysis of the Council's demolition building consents was carried out for a ten year study period (1995 – 2005) to see if any trends emerged relating to the rate of demolition in the Inner Residential Areas. A total of 666 demolition consents were in the sample size. After removing all consents not within the study areas and any consents for demolition of accessory buildings (which are not subject to the 1930s rule), the following results occurred:

- 21 demolition consents were approved in the Mt Victoria and Thorndon areas in the study period (e.g. Chapter 5, Appendix 9 of the District Plan). This equates to 3.1% of all demolition consents from the sample.
- 45 demolition consents were approved for Newtown, Berhampore and Mt Cook within the study period. This equates to 6.7% of all demolition consents in the study period.
- 3 buildings were demolished in the Aro Valley area within the study period, with all of these being prior to the introduction of the stricter residential building controls under Plan Change 7 (operative 2004).

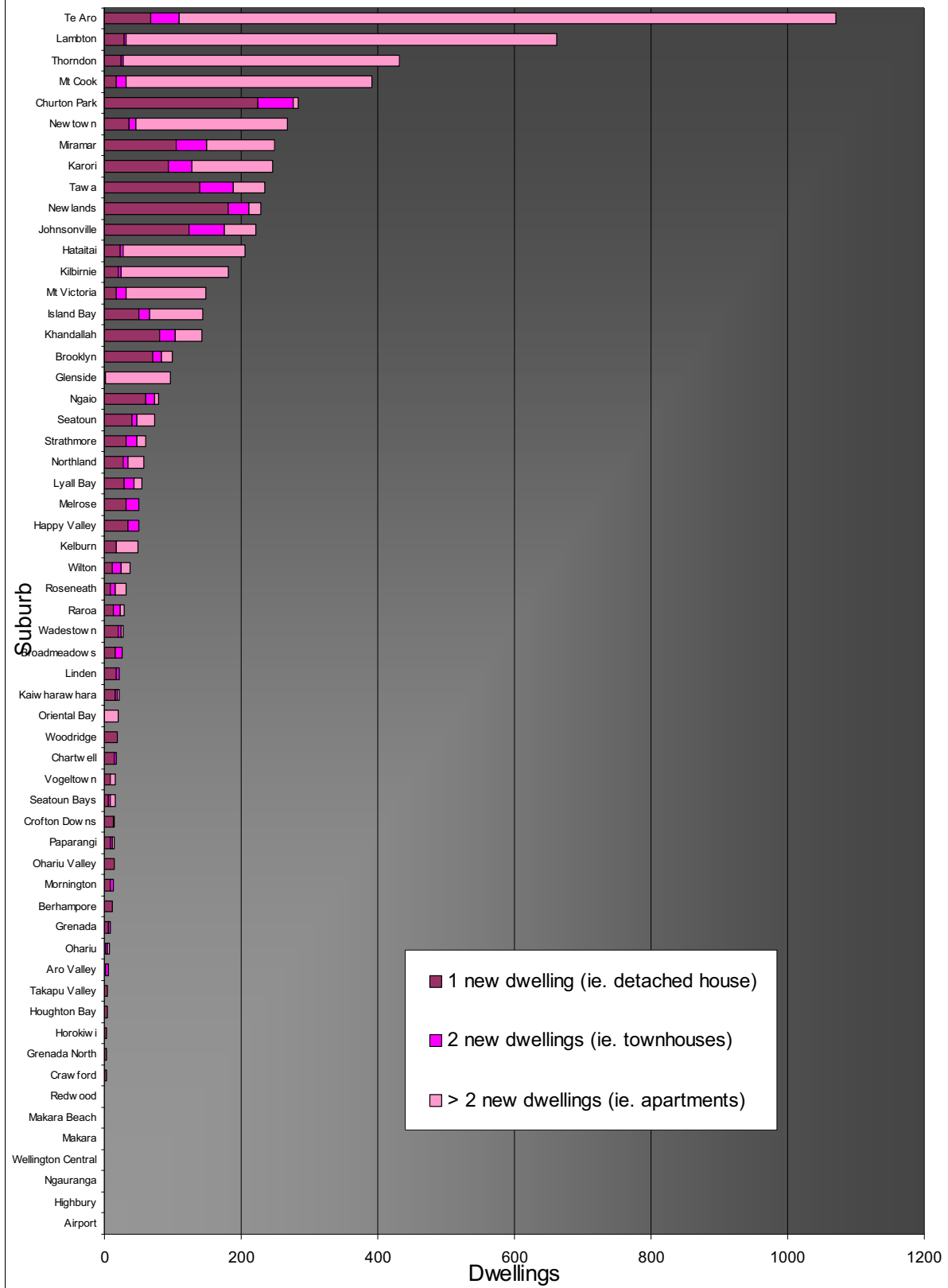
The results for Mt Victoria and Thorndon show that the rate of demolition in these suburbs has declined significantly since 1998, and that it is almost certainly a direct result of the 1930s demolition rule being introduced. Demolition in Newtown, Berhampore and Mt Cook continued

<sup>1</sup> Note that this figure does not include any new dwellings that were able to be constructed without a resource consent (i.e. as a Permitted Activity).

at a high rate. It is possible that when the demolition rules were applied in Mt Victoria and Thorndon, that some of the pressure for redevelopment shifted to Newtown, Berhampore and particularly Mt Cook (given the high rate of multi-unit dwellings approvals in that area).

These indicators show that there is has been a relatively slow rate of growth in Aro Valley compared with other Inner Residential suburbs. In addition, demolition in Aro Valley is very low in comparison with the other suburbs, but it is acknowledged that Aro Valley area is the smallest of the five suburbs.

Figure 1: New Dwelling Location 2000 - 2004



### **Key documents**

- McIndoe, G, McDonald, C and van Bohemen, C (1995) Wellington Inner City Residential Areas Urban Design Evaluation.
- Aro Valley Character and Development Issues – Discussion paper for residents (2001)
- Aro Valley Character and Development Issues Discussion Paper - Summary of responses (2001)
- District Plan Change 7 – Aro Valley Character Controls (operative 25 June 2004)
- Council Report to Strategy and Policy Committee (June 2005) Monitoring the Efficiency and effectiveness of the District Plan.
- Urban Perspectives Limited, (2006) Aro Valley: Boundary Adjustment Review Urban Design Report.

### **Key discussions/briefings**

Consultation has been undertaken with members of the Aro Valley Community Board on three separate occasions (18 May 2006, 25 May 2006 and 22 June 2006) to discuss the issues and the findings of the urban design assessment.

### **Consultation, in accordance with the First Schedule of the RMA 1991**

The Ministry for the Environment, The Wellington Tenth Trust and Ngati Toa have been informed. The section 32 report will be updated if feedback is received.

## **4. Options**

### **Objectives**

Section 32 requires the Council to be satisfied that the objectives in the district plan are the most appropriate means of achieving the purpose of the RMA. Proposed District Plan Change 50 does not change any of the objectives in the District Plan, so this evaluation is not relevant in this case.

### **Policies, rules and other methods**

Section 32 requires the Council to consider whether the policies, rules and other methods used in the District Plan are the most appropriate method of achieving the plan's objective. In terms of managing the effects of activities in the Aro Valley area (and other residential areas within the city), the District Plan has adopted a rule based regime, based on a limited range of activities, and utilising the Multi Development Design Guide as a tool for assessing the character and streetscape effects of development comprising two or more household units. This approach has been thoroughly considered through the plan preparation, submission and hearing process when the District Plan was originally notified. It is therefore not considered necessary to revisit this approach in its entirety in terms of this report. Rather the options considered below focus on means of addressing the specific issues identified in section 2 of this report (i.e. boundary issues, further streetscape character protection).

Option	Advantages	Costs and Risks
<p><b>Option 1 – Non-Regulatory Methods</b></p> <p><i>Eg. advocacy to property owners in terms of protection of streetscape character.</i></p> <p><i>Note that advocacy can not deal with the issues identified with the various boundaries that apply in Aro Valley in the District Plan, and which are a trigger for the application of various rules.</i></p>	<p><u>In terms of protection of streetscape character</u> Will raise general awareness of what the ‘residential character’ is in these suburbs.</p> <p>With this knowledge, some landowners may be more sympathetic to streetscape character when redeveloping a property or doing additions and alterations.</p> <p>It is likely that by identifying that certain suburbs have a special character, the resident’s themselves will take a more active interest in developments occurring in the area.</p>	<p><u>In terms of protection of streetscape character</u> No evidence that advocacy methods will be effective by themselves. It relies on the amenability and ability of property owners to protect characteristics that is valued by the wider community, possibly at the expense of development potential on their site.</p> <p>The majority of property owners are unlikely to demolish their dwelling, but where this is perceived as the ‘only option’ for landowners seeking to maximise development opportunities on their site then advocacy methods alone are unlikely to protect the building.</p> <p>A targeted campaign on this issue could cost over \$40000 in one year. Eg. citywide mail out to ratepayers can cost between \$20,000- \$30,000 depending on mail delivery service used. The cost of a target mail out to Aro Valley would be considerably less than this amount. The cost of developing the material and perhaps obtaining a media profile on the issue will be additional.</p> <p><u>In terms of the boundary issues</u> Issues with the boundaries of the Appendices cannot be dealt with through advocacy, as they are part of the District Plan rule regime. The confusion, and therefore inefficiencies in processing resource consent applications due to the inconsistencies and overlapping Appendices will remain under this option.</p>
<p><b>Option 2 – Status Quo</b></p> <p><i>Maintain existing levels of regulation (ie. bulk and location) and do nothing now to provide additional control over the demolition of pre-1930 buildings or to alter the boundaries of Appendices 8, 9 and 10 which provide a trigger for the application of different rules within the Aro Valley area.</i></p>	<p><u>In terms of protection of streetscape character</u> Avoids revisiting the issue of streetscape character in Aro Valley so soon after the issue was addressed by District Plan Change 7.</p> <p>It acknowledges that the existing planning provisions applying in Aro Valley provide a degree of protection for streetscape character, particularly the Aro Valley appendix to the Multi Unit Development design guide which works to ensure that all new developments</p>	<p><u>In terms of protection of streetscape character</u> The demolition of character homes in these suburbs, and the subsequent construction of multi-unit developments on the street frontage could compromise the character of these suburbs.</p> <p>In the event that application is made to demolish an existing character dwelling, there would be no ability for Council to assess the impact of the loss of the building on the character of the neighbourhood.</p>

<p><b>Option 3 - Regulation</b></p> <p><i>Notify a plan change that:</i></p> <p><b><i>Applies a revised '1930s' rule (rule 5.3.11) to Appendix 9 (new boundaries) in Aro Valley (the same as proposed for the Mt Cook, Newtown, Berhampore areas in Proposed Plan Change 38).</i></b></p> <p><b><i>A 1930s demolition rule currently applies to Mt Victoria and Thorndon. The rule requires a resource consent to demolish any building</i></b></p>	<p>respond to and enhance the character of the surrounding area.</p> <p>Existing bulk and location provision in Aro Valley are stricter than those applying in the remainder of the Inner Residential Area. While these provisions are focused on preserving amenity, they also work to preserve character by limiting development potential of sites.</p> <p>It is an appropriate response given the nature and scale of the issue. Monitoring indicates that the rate of residential building demolition in Aro Valley is low (a total of three since 1995). Significantly there have been no applications to demolish buildings since District Plan Change 7 was notified in July 2002.</p> <p>The streetscape character of Landcross St relates more highly to Kelburn than Aro Valley and therefore was not included in Appendix 9.</p> <p><u>In terms of the boundary issues</u> Avoids the costs of a plan change for both the Council, and the Aro Valley community in terms of possible submissions.</p>	<p>While the existing bulk and location rules applying to Aro Valley would tend to limit pressure for new development in the area, this may change if the pre-1930 demolition is applied to other inner residential areas, but not Aro Valley i.e. the development pressure that has been occurring in other inner city character areas, such as Newtown, Berhampore and Mt Cook could transfer to areas such as Aro Valley.</p> <p><u>In terms of the boundary issues</u> The confusion, and therefore inefficiencies in processing resource consent applications due to the inconsistencies and overlapping Appendices will remain.</p>
	<p><u>In terms of streetscape character:</u> Would provide an additional level of protection to the streetscape contribution made by pre-1930 character buildings. It would provide an opportunity for the effects of demolition on the character of a neighbourhood to be considered via the resource consent process.</p> <p>Process of obtaining resource consent requires developer to consider alternatives and this may identify other acceptable solutions instead of the removal or demolition of the building (i.e. house</p>	<p><u>In terms of streetscape character:</u> Difficult to justify that the plan change is necessary to address a resource management issue, given that the existing Aro Valley Multi-Unit Design Guide, and bulk and location rules already work to protect the streetscape values of Aro Valley.</p> <p>Landowners intending to redevelop their site (by demolishing a pre-1930s dwelling) will lose that right as a permitted activity.</p> <p>Uncertainty will increase as well as the cost of redevelopment due to the requirement to obtain a resource consent. A non-notified multi-unit resource consent fee begins at \$920.00, but</p>



<p><i>constructed before 1930.</i></p> <p><i>The revised rule would require consent to demolish the 'primary elevation' as well as the 'primary form' of a pre-1930s building.</i></p> <p><b><i>Amends the boundaries of Appendix 9 and 10 as recommended in the urban design assessment prepared by Urban Perspectives Ltd (except for Landcross St), and amends the Multi Unit Development Design Guide to reflect the changes.</i></b></p> <p><i>Additional areas will be included into Appendix 9 – in which 2 or more units will require a resource consent for a Discretionary Activity (Restricted) and will be assessed against the Multi Unit Development Design Guide. These areas will include upper Durham Street, the lower part of Mortimer Terrace, part of Adams Terrace, Palmer Street, the southern side of Palmer Street, /Abel Smith Street, the northern part of St Johns Road, and Ohiro Road/Brooklyn Road(at the bottom of Brooklyn Hill). It is noted that some of these areas are currently within Appendix 8 (Upper Durham Street, Lower Mortimer Street and Adams Terrace and require resource for two household units as a Controlled Activity.</i></p> <p><i>Upper Durham Street and the Council housing area to the east of Ohiro Road (at the bottom of Brooklyn Hill) will be removed from Appendix 10 - where the more stringent site coverage, maximum height and sunlight access rules apply. No areas are added into the area where the more stringent bulk and location provisions apply.</i></p> <p><b><i>Delete from Appendix 8 those areas that are</i></b></p>	<p>moved further forward on site, and townhouses built behind it).</p> <p>Monitoring of the 1930's rule in Mt Victoria and Thorndon has shown it to be reasonably successful in slowing total demolition of buildings in those areas.</p> <p>Option 3 works within the parameters of the existing District Plan structure. This structure has been tested and confirmed through the plan preparation and appeal processes.</p> <p>Option 3 represents a refinement of the existing District Plan provisions.</p> <p>Removes inconsistencies and overlapping provisions from the District Plan, with a resulting more efficient resource consent process.</p> <p>Provides a greater level of streetscape character protection to properties in upper Durham Street, the lower part of Mortimer Terrace, part of Adams Terrace, Palmer Street, the southern side of Palmer Street /Abel Smith Street, the northern part of St Johns Road, and the northern end of Ohiro Road/Brooklyn Road through Discretionary Activity (Restricted) activity status, and the application of the Multi Unit Development Design Guide, including Appendix 3.</p> <p>The changes to Appendices 9 and 10 will more accurately reflect the existing context and character of the areas.</p> <p><u>In terms of boundary issues:</u> Provides a more definable boundary to Aro Valley with consistency of rules across that area.</p>	<p>could rise to \$3450.00 for a limited notified consent and 6,600.00 for a publicly notified consent. Uncertainty and delays associated with the processing of the application is expected to generate the biggest concerns i.e. whether the consent will be publicly notified and approved.</p> <p>Costs associated with the District Plan change process both for the Council, and the general public.</p>
	<p><u>In terms of boundary issues:</u> For owners of the properties in Palmer Street, the southern side of Palmer Street, /Abel Smith Street, the northern part of St Johns Road, and the northern end of Ohiro Road/Brooklyn Road, inclusion into Appendix 9 will mean that resource consent will be now be required for two household units (at</p>	

***already within the amended Appendix 9 boundaries.***  
*Removes the duplication in the rules applying to two household units. It will also mean that there is a greater level of control over the construction of two units in the areas shifted into new Appendix 9 (i.e. from Controlled Activity to Discretionary Activity (Restricted)).*

present resource consent is only required for three or more household units). This will potentially result in additional costs, possible delays and uncertainties with the resource consent process.

For the properties in upper Durham Street, lower Mortimer Street and Adams Terrace (which are already subject to Appendix 8 and Rule 5.2.4), inclusion into Appendix 9 will mean a shift in activity status from Controlled Activity (where resource consent cannot be refused) to Discretionary Activity (Restricted) with potentially greater uncertainty, costs and delays.

## **5.0 The Risk of Acting or Not Acting**

The evaluation under section 32 must consider the risk of acting or not acting if there is uncertain or insufficient information about the subject matter of the proposed District Plan approach. In this case, it is considered that there is sufficient information available to analyse the issues and to evaluate the benefits and costs of the policies, rules and methods considered. As a consequence it is also considered that there is a very low risk of any untoward outcomes resulting from the implementation and application of the provisions proposed to address the identified issues.

## **6.0 Conclusion**

The suburb of Aro Valley has a distinctive local character derived from its early settlement and the retention of a high proportion of dwellings dating from the early decades of the 20th century - with 68% of the dwellings constructed before 1919. While the level of development in Aro Valley between 2000 to present has been relatively low (in comparison with other inner city suburbs) and there have been few dwellings demolished in this period, it is considered that a precautionary approach is warranted to ensure that the character of the area is maintained for the future. This particularly as there is a risk that with the existing control over the demolition in Thorndon and Mt Victoria, and the recently introduced Plan Change 38 and 39 which applies greater controls on residential building in Newtown, Mt Cook and Berhampore, that some development pressure could subsequently shift to Aro Valley with its close proximity to the city centre.

Through the consideration of Plan Change 7 several issues were identified with the various boundaries, with the main issues being the confusion resulting from three different appendices with overlapping boundaries, with different rules applied to each appendix.

Three options have been identified to address these resource management issues, including Advocacy (Option 1), the retention of the Status Quo (Option 2) and changes to the existing regulation regime (Option 3).

Of these options, it is recommended that Option 3 be adopted. This option strengthens the existing rules with regard to the protection of streetscape character in Aro Valley, with the application of a demolition rule that has been found to be work successfully in similar older character suburbs. In addition, enhanced protection is provided through the inclusion of some peripheral areas with similar characteristics and a visual relationship with the 'core' Aro Valley area, into the Appendix 9 area (where resource consent is required for two household units as a Discretionary Activity (Restricted)). The amendments to provide greater streetscape protection are supported by an urban design evaluation of the area.

Option 1 (advocacy) is not favoured, as there is a greater risk that it would not successfully achieve enhanced streetscape protection than Option 3. Option 2 (status quo) is not favoured on the grounds that the streetscape character of the area warrants a precautionary approach, particularly as there is a risk that development pressures could arise in the Aro Valley area with the greater control through Plan Changes 38 and 39 in Newtown, Mt Cook and Berhampore. In addition, neither of these options enables the existing issues with the boundaries and associated rules that apply to Aro Valley to be tidied up.

On balance, it is considered that Option 3 best meets the requirements of section 32 of the Resource Management Act as it represents the most appropriate means of achieving the residential objectives of the District Plan.