

# Institutional Precincts Zone

Issues & Options to inform the Wellington District Plan Review of Institutional Precincts  
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## Executive Summary

This paper has been commissioned by Wellington City Council to assist with the review of its Operative District Plan. The specific purpose of the paper is twofold:

- to identify issues with the drafting and efficacy of the operative objectives, policies, rules and other methods in the Plan's IPZ; and
- to propose options for addressing the issues identified.

The issues and options have been identified and developed in conjunction with three concurrent information-gathering exercises carried out by RMG in February 2020, the results of which are presented in the two technical papers attached at **Appendices 1 & 2** to this paper.

In summary, the key issues with the operative provisions that have been identified are as follows:

1. The strategic importance of the City's main tertiary education & health facilities is not well expressed.
2. Aspects of the regulatory approach for activities should be revisited.
3. Aspects of the regulatory approach for buildings should be revisited.
4. The approach to notification statements in the IPZ and City-wide provisions should be revisited.
5. Structure and language can be simplified, made more certain and made more helpful to decision-makers.
6. The provisions should be adaptable to changing demands the institutions need to respond to.

Recommended options for addressing these issues are discussed under each issue heading below. A consolidated summary of the recommended options is provided at the end of the paper, including recommendations for further work to be commissioned.

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## TERMS

Where used below, the following abbreviations and acronyms have the prescribed meaning:

| TERM            | MEANS                                   |
|-----------------|---|
| <b>Council</b>  | Wellington City Council                 |
| <b>DHB</b>      | Capital & Coast District Health Board   |
| <b>IPZ</b>      | Institutional Precinct Zone             |
| <b>MU</b>       | Massey University                       |
| <b>the Plan</b> | Operative Wellington District Plan 2000 |
| <b>RMA</b>      | Resource Management Act, 1991           |
| <b>RPS</b>      | Regional Policy Statement               |
| <b>VUW</b>      | Victoria University of Wellington       |

## Introduction, purpose & format

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- to propose options for addressing the issues identified.

The issues and options have been identified and developed in conjunction with three concurrent information-gathering exercises carried out by RMG in February 2020, the results of which are presented in the two technical papers attached at **Appendices 1 & 2** to this paper. The three information-gathering exercises included:



a review of a selection of resource consent applications in the IPZ to gauge the efficacy of the existing provisions;



a series of meetings with Council Consent Planners, the City's two tertiary education providers with facilities in the IPZ and the DHB to obtain anecdotal feedback about the efficacy of the provisions, and to understand the institutions' respective plans and aspirations for use and development over the next 15 years; and



a review of best practice for the management of institutional precincts adopted in other District and Unitary Plans.

Brief summary results of each information source are provided as indicators under the key issues below where relevant. In summary, the discussion of issues is organised as follows:

- Issue 1: Strategic importance of the institutions;
- Issue 2: Regulatory approach for activities;
- Issue 3: Regulatory approach for buildings;
- Issue 4: Notification statements;
- Issue 5: Structure and language; and
- Issue 6: Adaptability.

Following the discussion of the six issues, a consolidated summary of the recommended options is provided for reference.

The views expressed in this paper are Resource Management Group's – not the Council's. It is anticipated that this paper will be combined with other Council research and policy analysis before new Plan provisions are ultimately developed for the City's institutional precincts.

# 1. Strategic importance

## Issue

**The strategic importance of the City's main tertiary education & health facilities is not well expressed.**

## Indicators



While many of the resource consent examples described the significance of the institution relevant to the respective proposals, only one of ten decision reports substantively took account of an institution's significance.



All three institutions engaged with expressed a desire for more recognition to be given to their significance in policy development and decision-making.



Other RMA Plans such as Auckland, Christchurch, Dunedin and Palmerston North provide strategic support to key tertiary education and health facilities.

Evidence obtained from stakeholders and from other sources<sup>1</sup> is that Wellington's universities and Regional Hospital are of regional, if not national, importance. While there is some acknowledgement of that significance in the operative Plan, it could be more clearly identified and responded to in the Plan's objectives and policies in particular.

Similar to the policy structure adopted in National Policy Statements and many second-generation Regional Policy Statements for other nationally or regionally significant infrastructure, future decision-making would benefit from deliberate consideration of the benefits delivered by the City's institutions. Furthermore, while operation and development are 'provided for' in the operative policy framework, there is an opportunity to be more expressly enabling of maintenance activities as well. This is not to suggest that other aims will not also be important – such as managing edge effects on surrounding character and amenity – however, the current framework is somewhat unbalanced with its more reactive than proactive direction.

Striking a better balance at the objective and policy level will assist in:

- establishing a strategic platform to redefine the regulatory framework as we discuss further below; and
- resolving future tensions encountered at the resource consent stage where policy aims may be in contention.

<sup>1</sup> See *Wellington Regional Strategy 2012 – Growing a Sustainable Economy*, *Te Herenga Waka Victoria University Strategic Plan 2020-2024*, *Capital & Coast District Health Board Annual Report 2018-2019*, *Capital & Coast District Health Board Annual Plan 2019/20*, and *Massey University Annual Report 2018*

## Options for addressing the issue

Ultimately, the final structure and style of the new Plan will have a bearing on the location and phrasing of any new strategic objectives and policies. If, for example, there is a ‘strategic directions’ chapter near the front of the Plan, it could be an appropriate location to provide recognition of the institutions’ significance, and to provide for their operation, maintenance and development. Such an arrangement would promote economy in drafting and avoid duplication, particularly if provisions relating to the tertiary education facilities and the hospital are organised into two separate chapters in the new Plan.

Establishing such direction in a City-wide context would also be an appropriate response to the fact that each of the three main institutions own and/or operate facilities in other parts of the City outside the IPZ. That is, any decision-making involving the institutions would be considerate of their significance, irrespective of the location of a given proposal.

If, however, there are no centralised strategic directions provided in the new Plan, policy support can be established in the respective Hospital and Tertiary Education Zones, assuming those labels are adopted from the National Planning Standards.

In any case, we recommend the following to address this issue:

- further liaison with the Universities, DHB and other stakeholders with interest in the IPZ to confirm cultural, economic and social indicators as to the institutions’ significance to the City;
- subject to s32 RMA evaluation, develop new objective(s) and policies to:
  - ensure the proposed regulatory framework and future decision-making processes take account of the institutions’ significance; and
  - provide for the operation, maintenance and development of the institutions, subject to managing adverse environmental effects within the precincts and on adjoining areas.

## 2. Regulatory approach for activities

### Issue

Aspects of the regulatory approach for activities should be revisited.

### Indicators



The consent review identified some vagaries with the operative Plan provisions, particularly the permitted activity requirement for activities to relate to the institutions only. Signage controls are unnecessarily rigid and the approach for carparking requirements is no longer fit-for-purpose.



Feedback from Council Consent Planners and from the institutions was that the regulatory approach to connectivity, parking and access should be more enabling. Institutes also expressed a desire for greater flexibility for activities that could be permitted in the IPZ, more generous signage allowances, and greater latitude with temporary events, performances and the like.



The approach varies widely in the other RMA Plans considered; however, most plans – and in particular, for Porirua (draft), Palmerston North, Hamilton and New Plymouth (proposed, with respect to the hospital) – were generally more enabling of a range of activities in the institutional zones or precincts than the operative IPZ provisions.

There are a few substantive issues with the operative regulatory approach for managing activities in the IPZ.

For example, the only land use activities permitted are those that relate specifically to the function of the institution or to activities ancillary that that function. It occurs to us that there would be other activities that the Council, the institutions, other stakeholders and indeed the community may wish to be more enabling of in the precincts, particularly where they have wider benefits to the public. An example shared by Council Consent staff related to a potential off-road cycleway that could be provided through one of the precincts to connect active transport users between the Central City with surrounding suburban areas. That and other similar examples would require resource consent as a discretionary activity under current settings.

The discretionary activity status is the ‘default’ for all activities that are not related to an institution and for most activities that do relate to the institutions but fail to meet various permitted activity standards. This level of regulatory stringency is relatively coarse when compared with other parts of the operative Plan and with the approach adopted in other Plans. There is an opportunity to adopt a more refined ‘cascade’ approach to enabling, managing and discouraging various activities based on their nature and scale.



The ‘ancillary to’ description in the permitted activity rule is also problematic as it requires an element of interpretation when plan users are determining compliance. Is a student bookstore ancillary to a University – yes; if that bookstore is open to the public, does it remain so or is it something beyond ancillary? This potential for interpretation should be minimised if not omitted from the new Plan if possible.

## Options for addressing the issue

At a broad level, we recommend that the rules for activities in the IPZ be rationalised to be more enabling of a range of activities, provided their effects can be appropriately managed. This includes greater leeway with permitted activities subject to appropriate conditions and/or standards, and a more refined consenting regime for other activities based on their nature, scale and intensity.

In determining which activities should be provided for, and what consent status should be accorded, we suggest that future s32 RMA evaluations consider:

- the complexity and diversity of each institution concerned;
- the complexity of each site, and the extent to which it may be exclusively owned and/or occupied by the institution or shared with other landowners and occupiers;
- the extent to which activities are considered to be ‘primary’ or directly related to the purpose of an institution – or are ‘secondary’, ‘ancillary’ or ‘accessory’ to that purpose;
- the extent to which activities are considered to be ‘compatible’, ‘potentially compatible’, or ‘incompatible’ with the purpose of an institution, internal amenity and/or the character and amenity of the surrounding environment;
- the level of certainty expected by surrounding occupiers, particularly if they involve sensitive uses (such as residential activity);
- the extent to which retailing and commercial activities, in particular, are supportive or undermining of a wider commercial or centres hierarchy; and
- the need (or otherwise) to achieve commonality with, or distinction from related activity rules in other zones and areas.

Relatedly, activity standards should be carefully considered in the ‘campus’ style context that each institution is defined by. This is particularly the case for matters such as signage, lighting and minimum carparking provision, where the operative standards no longer appear to be fit for purpose.

As is evidenced by the existing IPZ rule structure, it is important to bear in mind that the more specific provisions are, the more constraining they can be; unless a broad range of activities are explicitly catered for.

We expect also that consideration will be given to relevant aspects of the National Planning Standards definitions for such terms as ‘community activity’ and ‘educational facility’ as a starting point; though additional terms can be developed as well.

## 3. Regulatory approach for buildings

### Issue

Aspects of the regulatory approach for buildings should be revisited.

### Indicators



The consent review indicated that building additions, alterations and maintenance are the most common activities requiring consent in the IPZ and that the Plan's regulatory approach for managing these activities could be made less stringent. The application of design guides for the precincts and signage was patchy, which raises questions about their need and their efficacy.



Feedback from Council Consent Planners and from the institutions corroborated that the operative regulatory approach should be less stringent for minor building works. Institutions signalled that building height controls were generally suitable, though there were some site-specific exceptions. The universities were both supportive of a greater use of permitted activity status for building work wherever possible.



A variety of approaches are adopted in other RMA plans; however, no other plan uses design guides for assessment purposes. Some other plans require resource consent for all new buildings and also additions and alterations, albeit this is sometimes limited to situations where thresholds relating to size or visibility are crossed. However, the plans for Dunedin, Porirua (draft), Palmerston North and New Plymouth, focus only on new buildings and additions to buildings (and not alterations) and use a combination of permitted activities, consent requirements, notification criteria and spatial controls to manage building bulk, appearance and location. There is no automatic consent requirement for new builds or additions in those jurisdictions.

As with the regulatory approach for activities, we consider that there are several areas of focus for further work regarding the management of buildings in the IPZ.

For example, the operative provisions do not make provision for building 'maintenance' as distinct from other alterations. A rigid application of the controlled activity rule for buildings would suggest that consent may be required to replace a window, to install new downpipes or to carry out other minor maintenance works. The Plan should be more deliberate in distinguishing new buildings from additions, alterations and maintenance.

Along similar lines, there is an opportunity to rationalise the approach for activity status ascribed to these various types of building works. The review of resource consents reinforced this point, suggesting that greater use of permitted activities may be appropriate for maintenance, alterations and minor additions at least.

The same softening of regulatory stringency may also be appropriate for building works of all types that are well internalised within the respective campuses. Again, the consent review – as well as anecdotal feedback from Consent Planners and institutions alike – suggests the operative provisions are at least partially inefficient. Resolving this also entails a broader inquiry, however, about the extent to which the Council feels the need to manage any internal bulk, location or appearance effects where works are not visible at all (or barely visible) outside the precinct in question. Many other RMA Plans are reasonably ‘hands off’ where effects of building work are internalised within the precinct.

There was no evidence to suggest that the controlled activity rule for new building works has failed to implement the operative objectives and policies, or that greater regulatory stringency should be applied to overcome that. Some concern was expressed by Consent Planners about the tight timeframes for processing controlled activities, which can be difficult to meet for complex new building projects where planners need to coordinate advice from multiple Council advisors in short time. We certainly have sympathy for the Consent team in that respect, but note this is probably more an issue with the current national settings under the RMA than justification for adopting an alternative activity status.

Evidence is also that the design guides are not being practically applied to the extent envisaged when the Plan was established. Applications often either do not refer to the guides at all, or where they are referred to, the associated assessment is cursory and not carried out by an urban design expert. Only one of the consent applications we reviewed included a comprehensive urban design assessment against the relevant design guide. While the Council relied upon advice from its urban design staff in determining some of those applications, such advice was not always sought – including for applications which triggered assessment against the design guides in the rules. Furthermore, there were several instances observed where Council’s urban design advisors made little or no reference to the relevant design guide when conducting their respective assessment.

The above speaks to practice in part, but we find it speaks more to the efficacy and necessity of the design guides, which appears to be relatively low in both respects. That Council Planners and Designers can comfortably conclude that proposals are appropriate without reference to the guides is telling. That no other second-generation plan in other jurisdictions uses design guides for institutional precincts is also notable.

Another practical issue with the design guides is the manner in which they dictate maximum building height in each precinct. In our view, the rather conceptual way in which the precinct maps express those height limits is not sufficiently certain for the purposes of plan standards. There is no firm delineation between sub areas subject to different height limits. A discretion is required to determine compliance, and this leaves Council open to challenge. Feedback from Council Consent Planners confirmed this risk.

Relatedly, the manner in which the operative provisions rely upon a judgement as to whether buildings are ‘visible from public spaces’ is open to subjective interpretation. To the extent that this open-ended drafting can be replaced by objective spatial tools and standards, that is to be encouraged.

## Options for addressing the issue

A key matter we suggest be addressed in relation to the above turns somewhat upon the Council’s intentions to retain (or not) the design guide-led approach for managing buildings in the new Plan. If the

guides are retained, we recommend that they be comprehensively reviewed to enhance their clarity and, more importantly, their efficacy for decision-making. We appreciate this may be a larger issue for the Plan review, but as far as the IPZ goes, the needs case for the design guides appears to be low.

If Council wants to retain design guidance as a matter of control or discretion, but is open to considering alternative methods than the current design guides, it could adopt the descriptive policy approach used in several of the second-generation Plans we considered. Likewise, the ‘assessment criteria’ model used in Christchurch whereby matters of control and discretion are descriptive (and often extensive) could be adopted.

Irrespective of whether design guides are utilised in the new Plan, we recommend that the approach for managing building height via the maps attached to the guides be dispensed with in favour of a more certain set of standards. Precinct maps may well remain an important tool to define sub-areas where different controls apply – but there need to be clear boundaries between sub-areas at the very least so that compliance can be determined.

Careful consideration should be given over the extent to which (if at all) *internal* character and amenity is a significant resource management issues that demands a plan-lead response in the precincts. Evidence is that, nationally, institutions are generally ‘self-managing’ in this respect, and that plan provisions are relative rare, and unlikely to be necessary. We suggest that Council might commission some detailed spatial assessments to identify sub-areas within each precinct where effects are entirely or sufficiently internalised in combination with building bulk and location standards such that greater use of permitted activity rules can be adopted.

Regarding *external* amenity, much depends on whether a given sub-area borders or interfaces with areas with high expectations in terms of character and amenity, and/or that contain a high concentration of sensitive activities. When it comes to potential controls on the design of new buildings or major alterations to existing buildings, we recommend that future s32 RMA evaluations consider:

- whether the existing controlled-discretionary rule structure could be replaced by a new cascade-based arrangement for built form standards that:
  - defines a permitted activity regime for all new building work based on a precinct-specific spatial model driven by visibility from, and compatibility with, surrounding areas;
  - requires consent for proposals with minor exceedance of those limits either as a controlled or restricted discretionary activity depending on the nature, scale and location of the work;
  - utilises a more stringent activity status for buildings with major exceedances of the built form arrangements;
- relatedly, whether use of design and appearance control/discretion can be reserved for only new larger buildings and additions which are visually prominent beyond the precinct; and
- when establishing bulk controls on additions, whether overall area thresholds (in m<sup>2</sup>) can be adopted and triggers based on increased percentage of existing floor area can be avoided.

Thought also needs to be given as to whether any controls also apply to structures other than buildings.

## 4. Notification statements

### Issue

**The approach to notification statements in the IPZ and City-wide provisions should be revisited.**

### Indicators



The consent review found that all applications were processed without recourse to notification, either due to statements in the IPZ provisions precluding notification, or because the Council Consent Planner had exercised their discretion (variously informed by technical input on earthworks, traffic, urban design, heritage or environmental noise matters).



Feedback from Council Consent Planners supported greater legibility in the wording of notification statements and more effective reliance on them in appropriate circumstances. Planners stressed the value of aligning notification clauses across the Plan as a whole, to avoid potential duplication and perverse consenting strategies.



Some plans (e.g. those for Hamilton, Auckland, Dunedin and Christchurch) do include statements that potentially preclude notification of applications for specific activities, although these vary in terms of their degree of specificity.

There are some matters worthy of further consideration where notification statements are concerned. Certainly, they can be used as a form of incentive for good quality applications for certain activities. For example, applications for new or extended builds that are subject to design and appearance scrutiny, can be flagged as those that will be processed without recourse to notification. This is an accepted practice in the operative Plan and other plans in New Zealand.

Notification statements can also provide applicants with a greater degree of certainty, and assist in managing the expectations of the community with respect to opportunities for input.

However, there are a number of factors that can undermine the value of notification statements, including if they are:

- not expressed in explicit terms and leave room for interpretation (e.g. through the use of such phrasing as ‘may not be notified’ or ‘need not be notified’) they are unlikely to provide meaningful certainty beyond the default settings of the RMA;
- not employed consistently and are not calibrated to the applicable consent status for an activity, they can create unreasonable expectations (in one case we reviewed, and notwithstanding a level of public interest, the Planner concluded that notification would have raised false expectations, given the proposal’s status as a controlled activity);and
- positioned in IPZ provisions, but no consideration is given to their placement in other, commonly related parts of a plan, they can create duplicating and potentially perverse consenting strategies

(in one case we reviewed, the applicant requested the unbundling of their proposal, so that the building component could be processed without recourse to notification in accordance with the applicable plan clause, whereas the earthworks component was dealt with separately).

## Options for addressing the issue

In light of our consent and plan review, and the corroboration of our observations through Council Consent Planner feedback, we consider that there are good reasons for retaining notification statements in the new Plan, given the degree of certainty they can provide. However, to enhance their role and value, we recommend the following, assuming that consent requirements are retained for new builds, additions and potentially other activities:

- Definitive phrasing for (non) notification statements should be employed, that provide no room for interpretation. This of course is a wider issue across the Plan in terms of the employment and wording of such statements.
- The consent status afforded to activities needs to be carefully considered. Certainly, non-notification statements would be expected to be liberally employed where controlled activities are concerned to reflect the current thrust of the RMA, if this category is retained. The use of notification statements should also be actively considered where restricted discretionary activities are concerned, similar to the operative Plan approach in the Central Area. In these cases, it may be appropriate to identify circumstances in which limited notification may be employed, for instance, of 'adjacent' property owners and occupiers as potentially affected persons where the infringement of 'boundary' type standards are concerned.
- The relationships between activities commonly part of a broader proposal should be considered. Examples include new builds or additions and earthworks, new building or additions and demolition, or new builds or additions and parking, particularly where provisions relating to the latter activities are found in other sections of the Plan. Ideally, identical notification statements should then be inserted, where appropriate, against these related provisions. This would help to eliminate any incentive to de-bundle applications on the part of applicants, which has been an understandable motivation in some circumstances, but not necessarily an efficient or desirable one.

## 5. Structure & language

### Issue

**Structure and language can be simplified, made more certain and made more helpful to decision-makers.**

### Indicators



The consent review found that, broadly speaking, IPZ policy, rule and standard expression appears to be generally fit-for-purpose. However, there is room for improvement, particularly with respect to the wording of rules relating to carparking, measurement of height, and the meaning of ‘ancillary’ activities.



Feedback from Council Consent Planners confirmed that there are opportunities for improving specificity in phrasing and reducing latitude for interpretation, when it comes to IPZ provisions relating to height and the like. Planners also observed that the structure of the activity tables and standards means it can be difficult to determine compliance and consent status, and that IPZ policy is not necessarily an aid to decision-making.



Other plans sit on a spectrum in terms of the complexity of their institution-specific provisions (inclusive of the use of spatial tools, the structure of activity tables and standards, and relationships with district-wide provisions), but this appears to reflect variable adherence to good drafting principles rather than the complexity of the institutions concerned.

Further to the above, we consider there are a number of specific matters that should be considered in developing institution-specific provisions for inclusion in the new Plan.

Firstly, attention should be given to the specificity and guidance delivered by IPZ-type objectives and policies. Council Consent Planners identified the limited utility of IPZ policy settings. This may be reflected in the fact that limited consideration appears to be given to such policy settings in consent applications and decision reports that we have reviewed. Partly, this is likely a result of IPZ design guides attempting to express outcomes (refer section 3 in this paper), which leaves the objectives and policies reading in a somewhat anaemic and generic way. There is an opportunity to recast the objectives in the IPZ chapter (and throughout the Plan) as outcome statements, and to structure and phrase policies to be more helpful to all plan users.

Secondly, the use of spatial tools in the operative Plan may not be as effective or as clear as it could be. Second-generation plans (with some notable and somewhat inexplicable exceptions) are tending to move to a model whereby special purpose zones separately cater for two broad institutional types, namely hospitals and tertiary education facilities. Precinct-level provisions may then be employed to cater for specific institutions within these broader zones, or for sub-areas within a particular campus.

Thirdly, the structure of activity tables and their cross-referencing of applicable standards is currently not an aid to clarity and certainty. It is understandable and appropriate that such tables distinguish between land use activities and building activity, and apply both common and differentiated standards to both. However, there is room for improvement, and consequentially opportunities to clarify the default settings for non-compliant activities.

Fourthly, some IPZ rules are not clear on their face, and remain open to interpretation. Examples include:

- the manner in which height limits are specified, located as they are in design ‘guides’ and with reference to unclear site plans;
- the focus on defining building height by the number of stories, rather than more direct and certain references to height above ground;
- the uncertain drafting of the standard for vehicle parking; and
- the use of ‘ancillary’ in describing the status of some activities, when this term remains undefined.

Comments regarding the specificity of notification statements have already been covered in section 4 of this paper.

Finally, the relationship of any IPZ-specific provisions with other parts of the Plan deserves reconsideration. Other plans are notable for the guidance they provide in IPZ-type sections regarding the location and application of other district-wide provisions that may be relevant, such as those relating to earthworks, hazardous substances and the like.

## Options for addressing the issue

There a number of options at the Council’s disposal for addressing the issues set out above. Again, these are spelt out in turn, in relation to each of the issues identified.

Firstly, there is an opportunity to give ‘life’ to IPZ objectives and policies, by incorporating (where appropriate and still relevant) the outcomes (for objectives) and means (for policies) currently found in the design guides. These could be grouped by the relevant special purpose zone and/or precinct, as further discussed below.

Secondly, considerations as to what exact blend of spatial tools - e.g. a generic institutional zone, institution-type specific zones, institution-specific zones, and/or precincts - may be most appropriate can be guided by the following:

- the extent to which sites and institutions differ from each other or from their surroundings in terms of purpose, form, character or activity content; or
- whether institutions exclusively own and/or occupy sites or are co-located with other landowners and occupiers.

We note that the National Planning Standards codify the use of special purpose zones and precincts, including the delineation between hospital (HOSZ) and tertiary education (TEDZ) zones.



The approach suggested above can and should be done in concert with the exercise recommended in section 2 of this paper, relating to the identification of appropriate activity types, definitions and consent status.

Thirdly, we recommend that activity tables are organised on the basis of ‘simplicity’ as a key drafting principle. In our opinion, the Proposed New Plymouth District Plan provides a good model for this (at least where the provisions relating to the Taranaki Base Hospital are concerned), whereas the Christchurch and Dunedin Plans are less successful. A key test is whether the rules are clear on their face regarding:

- defaulting consent status, where activity or/or building-related performance standards are not complied with; and
- what provisions take precedence, where both zone and precinct provisions apply.

Fourthly, the drafting of IPZ provisions and in particular rules and standards should be guided by a strongly directive drafting manual for the Plan as a whole. Specifically, rather than using the term ‘ancillary’ in activity tables, activities considered to be ancillary and therefore appropriate for inclusion in the zone should be defined and allocated an appropriate consent status as part of the exercise recommended in section 2 of this paper. Just as importantly, the testing of draft provisions by Council Consent Planners familiar with IPZ provisions should be built into the Plan programme if resources allow.

Finally, we do not consider that it is necessary to replicate generic provisions relating to such matters as hazardous substances for each zone; this is particularly unnecessary in the context of e-planning. The National Planning Standards set out structural expectations for district plans in this respect. Nevertheless, it is helpful to provide a reference within site-specific provisions to other plan provisions that may apply. Some nuancing may be necessary however, to address situations where, for instance, district-wide provisions relating to signs or noise are specific to the zone concerned, or to interface areas within such zones. Even in these cases, it is best to locate the provisions within the relevant topic-based chapter, and provide cross-references from the institution-specific chapter.

## 6. Adaptability

### Issue

The provisions should be adaptable to changing demands the institutions need to respond to.

### Indicators



The consent review found that almost all applications were for activities located within the IPZ with one exception, relating to the development of a VUW study space in the Inner Residential Zone.



Feedback from the institutions confirmed that they were primarily interested in making the best use of their existing landholdings. Having said that, VUW is looking at expanding provision for student accommodation and early childhood centres, both within and outside the IPZ. MU is planning a series of new building projects and may also look at leasing off-campus properties in future. The DHB may look to further rationalise its holdings.



Some plans expressly cater for alternative uses of sites (e.g. by way of substitute zoning) where rationalisation or relocation is a prospect. Others do not, and as a result may not have anticipated decisions by institutions to vacate sites. Most plans focus on site-specific provisions for major campuses, leaving off-campus premises or facilities to 'fend for themselves' via broader, generic zones. Certainly, in other cities, larger institutions tend to have a diffuse footprint.

The adaptability of plan provisions is worthy of further consideration, where prospects for off-campus development, rebuilding, and rationalisation or relocation, are concerned. These prospects are dealt with in turn.

With respect to off-campus development, it is certainly the case that modern institutions are more diffuse in terms of their physical footprint. Institutions may be less constrained by the boundaries of defined campuses. It is likely that tertiary institutions will increasingly look to off-campus opportunities for student accommodation, supporting services and other activities. Leasing is more common than it might have been formerly. In such situations, the degree to which broader, more generic zones in the Plan are accommodating of higher-density residential development or service-type activities (e.g. study, research and early childhood centres) will be of interest to the institutions concerned. In the case of the VUW study space referred to above, the application was dealt with in a straightforward manner, albeit in the absence of any supporting policy relating to the strategic importance of the institution to which it was related.

With respect to rebuilding proposals, these are obviously the trigger for most consenting activity in the operative plan. In the life of the plan, Wellington Hospital has largely been rebuilt from the ground up, and MU is developing an extensive plan for the rebuilding of its Mt Cook campus.

At this stage, there appears to be no firm prospect of any significant rationalisation or relocation, where Wellington's institutions are concerned. However, plans remain in place for an effective period of 15 – 20 years, and the strategies of institutions can change significantly within such a period, particularly where central government influence is concerned (witness the University of Auckland's decision to vacate its Tamaki campus, or funding for Dunedin Hospital's rebuild coming on stream with a change in government). As far as it can, the Plan should have some residual flexibility to deal with such situations, so that unnecessary plan change processes are avoided. This, we note, is in contrast to the operative Plan which expressly anticipates plan changes to enable spatial adaptation of the institutions.

## Options for addressing the issue

In light of our consent and plan review, and feedback from institutions, we consider that the plan review provides an opportunity to consider the long-term intentions of the institutions concerned. Accordingly, we recommend the following:

- The footprint of campuses subject to the IPZ or its replacement should be re-evaluated, in consultation with the institutions and related stakeholders concerned. Opportunities for rationalisation or expansion of those boundaries should be carefully considered.
- The interests of each institution beyond the 'natural' limits of any special purpose zoning should be considered; particularly how responsive broader, more generic zoning may be to those interests (for example provision for off campus medium to higher density student accommodation and other activities referred to above).
- Further to the above, the value of strategic policy relating to the institutions is further reinforced (refer section 1 in this paper). Such policy would provide additional guidance to applicants, Council Planners and the public, where off-campus developments are concerned.
- MU in particular, should be engaged regarding its rebuilding plans for the Mt Cook campus, with a view to setting out more clearly Council's expectations in Plan policy and related provisions, exploring opportunities for the incorporation of concept plans, and otherwise rationalising and refining consent requirements in the interests of efficiency. Concept planning mechanisms can be incentivised through the consent status afforded to some activities.
- In this context, consideration should be given to the prospects for further rebuilding, particularly with respect to consent triggering provisions and notification statements, as covered in sections 3 and 4 of this report.
- Consideration should be given to the creation of 'substitute' zoning provisions in the event that institutions seek to partly or entirely vacate campuses subject to IPZ-type provisions. In such cases, a surrounding or adjacent zone may represent the most appropriate substitute.

The recommendation above with respect to the role of concept planning relates to a broader question as to whether an objective of internally integrated planning for institutional sites is warranted, as it has been determined it is in some other plans, or whether this should be left to the institutions themselves.

## Summary of recommendations

The table below provides a consolidated summary of the recommendations referenced above along with other suggestions for further work.

| <b>1. Strategic Importance</b>               |  |
|--|--|
| 1.1  | Consider inclusion of objectives and policies to provide recognition of the institutions' significance, and to provide for their operation, maintenance and development, subject to managing effects on surrounding areas.   |
| 1.2  | If practical, consider locating the provisions suggested in 1.1 within a centralised 'strategic' chapter in the Plan along with other direction on matters of particular national, regional or local significance.   |
| 1.3  | Conduct further consultation with the Universities, the DHB and other stakeholders with interests in the IPZ to confirm cultural, economic and social indicators as to the institutions' significance to the City – the data harvested by that dialogue should then feed into future Section 32 RMA cost-benefit analysis.   |
| 1.4  | Also for the Section 32 analysis, evaluate regulatory options that enable deliberate consideration of the institutions' strategic importance.  |
| <b>2. Regulatory approach for activities</b> |  |
| 2.1  | Consider rationalising the IPZ rules to be more enabling of a range of activities, subject to appropriate standards to manage effects.   |
| 2.2  | Consider a more enabling level of regulatory stringency with reference to other moderate-to-high intensity zones in the City (such as Centres) with a view of reducing the current Plan's over-reliance on the resource consent process.   |
| 2.3  | When testing future regulatory methods, standards, etc, take account of: <ul style="list-style-type: none"> <li>• the complexity and diversity of each institution concerned;</li> <li>• the complexity of each site, and the extent to which it may be exclusively owned and/or occupied by the institution or shared with other landowners and occupiers;</li> <li>• the extent to which activities are considered to be 'primary' or directly related to the purpose of an institution – or are 'secondary', 'ancillary' or 'accessory' to that purpose;</li> <li>• the extent to which activities are considered to be 'compatible', 'potentially compatible', or 'incompatible' with the purpose of an institution, internal amenity and/or the character and amenity of the surrounding environment;</li> <li>• the level of certainty expected by surrounding occupiers, particularly if they involve sensitive uses (such as residential activity);</li> <li>• the extent to which retailing and commercial activities, in particular, are supportive or undermining of a wider commercial or centres hierarchy; and</li> <li>• the need (or otherwise) to achieve commonality with, or distinction from related activity rules in other zones and areas.</li> </ul> |
| 2.4  | Consider developing new activity standards for signage, lighting, noise, parking and vehicle access, including commissioning expert technical advice where necessary. Such expertise may be extended to review relevant standards across the Plan as a whole for the sake of efficiency.   |

### 3. Regulatory approach for buildings

- 3.1 Consider whether the Design Guides could be dispensed with for the IPZ in favour of other standards, spatial tools, policy direction and assessment matters. If Design Guides are to be retained, a comprehensive review of their content should be undertaken to enhance clarity and efficacy for decision-making.
- 3.2 Consider replacing the current approach to managing building height in the Design Guide maps with more certain standards and spatial tools.
- 3.3 Consider whether *internal* amenity and character are matters that require a plan-led response, or whether the new provisions can be less stringent about building and structure controls where their effects are internalised within each campus setting.
- 3.4 Consider commissioning detailed spatial assessments of each precinct to inform how building bulk and location standards, activity status, and other variable building controls can be assigned by sub-area with a view of being more enabling generally. This may include more generous height and mass limits and/or lower regulatory stringency in internal areas, with areas closer to edges adjoining sensitive uses being subject to less generous limits, more control over design and/or greater regulatory stringency. More detailed suggestions are provided at 3.5 below.
- 3.5 When evaluating alternatives for managing building bulk, location and appearance around the periphery of the precincts, consider:
- whether the existing controlled-discretionary rule structure could be replaced by a new cascade-based arrangement for built form standards that:
    - defines a permitted activity regime for all new building work based on a precinct-specific spatial model driven by visibility from, and compatibility with, surrounding areas;
    - requires consent for proposals with minor exceedance of those limits either as a controlled or restricted discretionary activity depending on the nature, scale and location of the work;
    - utilises a more stringent activity status for buildings with major exceedances of the built form arrangements;
  - relatedly, whether use of design and appearance control/discretion can be reserved for only new larger buildings and additions which are visually prominent beyond the precinct; and
  - when establishing bulk controls on additions, whether overall area thresholds (in m<sup>2</sup>) can be adopted and triggers based on increased percentage of existing floor area can be avoided.

### 4. Notification statements

- 4.1 Consider redrafting the Plan's notification statements with definitive phrasing that leaves no room for interpretation.
- 4.2 Continued use of non-notification statements for design-focussed assessments is encouraged, though where a given proposal affects sensitive adjoining uses, scope for limited notification should be retained. Notification criteria should logically fit with the activity status of a given proposal and the specific effects arising from the breach of standards.
- 4.3 Ensure that the use of notification statements is integrated across the Plan, particularly where zone-based and city-wide provisions commonly interact.

| <b>5. Structure &amp; language</b> |  |
|------------------------------------|--|
| 5.1                                | Consider rationalising the useful aims and guidelines in the existing Design Guides into new objectives and policies for the IPZ.  |
| 5.2                                | When evaluating options for zoning, overlays, and other spatial tools, take account of: <ul style="list-style-type: none"> <li>• the extent to which sites and institutions differ from each other or from their surroundings in terms of purpose, form, character or activity content; or</li> <li>• whether institutions exclusively own and/or occupy sites or are co-located with other landowners and occupiers.</li> </ul> |
| 5.3                                | Make simplicity a key focus for the drafting of new provisions – it should be easy for Plan users to be able to determine activity status and consent requirements, and it should be clear how zone-based, precinct-specific and city-wide provisions interact with one another.   |
| 5.4                                | Consider use of a drafting manual for all Plan authors to ensure common language, structure and style are used throughout.   |
| <b>6. Adaptability</b>             |  |
| 6.1                                | Consider re-evaluating the footprint of each precinct, in consultation with the institutions and related stakeholders. Options for rationalisation and expansion of boundaries should be carefully evaluated.  |
| 6.2                                | Make use of any opportunities to collaborate with MU around their review of the Campus Development Plan with a view of achieving some efficiencies and alignment between that document and the new District Plan were practicable.   |
| 6.3                                | Consider creating a framework in the new Plan for assessing out-of-zone institutional activities and buildings in surrounding areas with a view of enabling flexibility and adaptability where effects can be readily managed.   |

Resource Management Group Limited  
**WELLINGTON**

March 2020

## **APPENDIX 1**

Practical review of operative provisions



# WELLINGTON CITY COUNCIL DISTRICT PLAN REVIEW

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## Institutional Precincts

Review of operative provisions

Resource Management Group Ltd

March 2020





# Wellington City District Plan

## Institutional Precincts: review of operative provisions

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## Executive Summary

This paper presents the results of an independent practical review of the existing objectives, policies, rules and other methods relating to the City's Institutional Precincts at Victoria University, Massey University and Wellington Hospital.

The methodology has included both an audit of 10 applications for resource consent relevant to the three institutions and gathering of anecdotal feedback from the institutions and Council Consent staff about the efficacy of the current provisions.

Key observations can be summarised as follows:

1. While many of the resource consent examples described the significance of the institution relevant to the respective proposals, only one of ten decision reports substantively took account of the institute's significance. Relatedly, all three institutions engaged with expressed a desire for more recognition to be given to their significance in policy development and decision-making.
2. The consent review suggests that there are aspects of the regulatory framework for *activities* that are worth revisiting, including the limited scope permitted land uses and the tight controls on matters such as signage, parking and access. Feedback from Council Consent Planners and from the institutions supported a more enabling regulatory approach on those and other matters, including greater latitude with temporary events, performances and the like.
3. The consent review indicated that building additions, alterations and maintenance are the most common activities requiring consent in the IPZ and that the Plan's regulatory approach for managing these activities could be made less stringent. Council Planners and Institutional feedback corroborated that the operative regulatory approach should be less stringent for minor building works. Institutions signalled that building height controls were generally suitable, though there were some site-specific exceptions. The universities were both supportive of a greater use of permitted activity status for building work wherever possible.
4. The application of design guides for the precincts and signage was patchy in the consent examples reviewed – which raises questions about their need and their efficacy. Council Planners and one of the Institutions supported a fresh approach for design assessments.
5. The consent review found that all applications were processed without recourse to notification, either due to statements in the IPZ provisions precluding notification, or because the Council Consent Planner had exercised their discretion. Feedback from Council Planners supported greater legibility in the wording of notification statements and more effective reliance on them in appropriate circumstances. Planners stressed the value of aligning notification clauses across the Plan as a whole, to avoid potential duplication and perverse consenting strategies.

The paper should be read in conjunction with a companion technical paper which reports on best practice approaches for the management of tertiary education and health facilities in other major urban centres in New Zealand. The content of the two technical papers has fed into a key Issues & Options report to assist with Council's ongoing review of District Plan content.

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## TERMS

Where used below, the following abbreviations and acronyms have the prescribed meaning:

| TERM     | MEANS  |
|----------|--|
| AEE      | Assessment of environmental effects  |
| Council  | Wellington City Council  |
| DHB      | Capital & Coast District Health Board  |
| HNZ      | Heritage New Zealand Pouhere Taonga  |
| IPZ      | Institutional Precinct Zone  |
| MCDG     | Mount Cook Precinct Design Guide   |
| MU       | Massey University Te Kunenga Ki Purehuroa  |
| NES      | Resource Management (National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health) Regulations 2011 |
| NPS-UDC  | National Policy Statement on Urban Development Capacity 2016   |
| the Plan | Operative Wellington District Plan 2000  |
| RMA      | Resource Management Act 1991   |
| VUDG     | Victoria University Design Guide   |
| VUW      | Victoria University of Wellington Te Herenga Waka  |
| WHDG     | Wellington Hospital Design Guide   |

# Wellington City District Plan

## Institutional Precincts: review of operative provisions

### 1. Project Overview

The Wellington City District Plan is in the early stages of a full review under the RMA. The Plan was made operative in 2000, and has been subject to nearly 100 plan changes and variations since a 'rolling' review commenced in 2005. The current review will comprehensively examine all aspects of the Plan as part of the Council's *Planning for Growth* initiative.

### 2. Purpose & summary of paper

This paper presents the results of an independent review of the existing objectives, policies, rules and other methods relating to the City's Institutional Precincts at Victoria University, Massey University and Wellington Hospital.

It outlines the following information to assist with the identification of issues with the current IPZ provisions and options for addressing those issues:

- summary of existing objectives and environmental results anticipated;
- summary of existing policy, regulatory and non-regulatory mechanisms for implementing the objectives;
- results of a review of selected resource consent applications considered under the operative IPZ provisions over the previous decade;
- anecdotal feedback about the efficacy of the operative provisions from Council consent planners and from representatives from the three institutions; and
- other relevant feedback from the institutions about their significance to the City's social, cultural and economic wellbeing and about their growth and development aims over the medium term.

### 3. Limitations

The research base informing this paper is not exhaustive. The paper should be read in conjunction with a companion paper produced by Resource Management Group, which summarises best practice adopted around the country in recent second-generation RMA plans for the management of tertiary education institutions and major hospitals. Reference should also be made to other Council effectiveness monitoring reports and planning policy research on the Institutional Precinct and relevant Plan-wide provisions.

The views expressed in the discussion section under each of the resource consent examples considered below are Resource Management Group's – not the Council's. The aim in providing that discussion is to offer an independent perspective on the examples considered; and to understand from those examples any indications as to whether the provisions of the IPZ Plan remain fit-for-purpose, or whether they may benefit from closer scrutiny as to potential policy and/or regulatory alternatives.

## 4. Summary of existing provisions

The Institutional Precinct objectives and policies are contained in Chapter 8 of the Plan, and the corresponding rules and standards are in Chapter 9. Volume 2 of the Plan contains various design guides, including one for each of the institutions in the Institutional Precincts. These existing provisions are described in greater detail below.

For completeness, it is noted that there are additional district-wide provisions in the Plan that apply to the use and development of the Institutional Precincts – including in relation to Historic Heritage, earthworks and contaminated land. Those provisions are not considered in any detail here, but will ultimately be the subject of further work feeding into the Plan review.

### 4.1 Objectives

There are 9 objectives for the Institutional Precincts. Five of these are of a relatively general nature, collectively seeking:

- avoidance, remediation or mitigation of adverse effects of subdivision;
- avoidance or mitigation of adverse effects of natural and technological hazards on people, property and the environment;
- prevention or mitigation of adverse effects from the storage, use, disposal or transportation of hazardous substances;
- promotion of the development of a safe and healthy city; and
- facilitation and enablement of the exercise of tina rangatiratanga and kaitiakitanga by tangata whenua and other Maori.

The remaining 4 objectives are more particular to the specific outcomes sought in the precincts, including:

- promotion of the efficient use and development of natural and physical resources in the precincts;
- maintenance and enhancement of amenity values of the precincts and nearby residential areas;
- maintenance and enhancement of the physical character of the precincts and adjacent streets; and
- enabling efficient, convenient and safe access for people and goods within the precincts.

### 4.2 Policies

Each of the Institutional Precinct objectives is followed by related policy direction, as summarised below.

The 3 policies that implement the **efficient use and development** outcome respectively direct that Council will:

- provide for the effective and efficient operation and development of the institutions;
- permit development of the precincts for their primary purposes and allow appropriate related activities where their adverse effects can be avoided, remedied or mitigated; and
- encourage energy efficiency and development & use of renewable energy in the precincts.

To **maintain and enhance amenity values** within the precincts and adjoining areas, the policy framework directs that:

- activities are managed to avoid, remedy or mitigate adverse effects on other activities in the precinct or nearby residential properties;
- additional conditions must be satisfied for institutional buildings and activities where they adjoin or face residential areas;
- adverse noise effects are controlled within the precincts; and
- signs will be generally permitted subject to controls on size and placement to protect nearby residential amenity values.

Two policies implement the **maintenance and enhancement of the precincts' physical character** by controlling:

- the design and appearance of all new building work; and
- the location and design of building development on or over the road in or near to the precincts.

The sole outcome for **subdivision** is implemented by a single policy to ensure the sound design, development and servicing of all subdivisions.

The policies in Chapter 8 that implement the Plan's anticipated outcomes for **natural and technical hazards** collectively direct:

- the identification of significant hazards and the avoidance of occupation or development of uses or activities vulnerable to those hazards; and
- the avoidance, remediation or mitigation of adverse hazard effects on critical facilities and lifelines; and on the natural environment.

Three policies are included to **prevent or mitigate effects associated with hazards substances**, including:

- requiring a screening procedure to be used to safeguard the environment from actual and potential effects of hazardous substances;
- reducing potential effects from transportation of hazardous substances'; and
- requiring hazardous facilities to be located away from hazard areas.

The objective for **efficient, convenient and safe access** is implemented by 3 policies that:

- seek to improve access for all people, and particularly those travelling by public and active transport and with mobility restrictions;
- require suitable on-site parking, including for older people and those with mobility restrictions; and
- protect and enhance access to public spaces.

The 2 policies that **promote the safe and healthy development** outcome direct that:

- the design of developments is improved to reduce threats to personal safety and security; and
- the health and safety of the community is promoted and protected in development proposals.

Finally, the **tino rangatiratanga and kaitiakitanga** objective is implemented by 3 policies to:

- identify, define and protect sites and precincts of significance to tangata whenua and other Maori using accepted methods;
- enable activities that relate to the needs and wishes of tangata whenua and other Maori, provided that the physical and environmental conditions specified in the Plan are met; and
- take account of the principles of Te Tiriti o Waitangi when considering resource consent applications.

### 4.3 Rules

There are four permitted activities in Chapter 9 of the Plan. **Activities that relate to the primary function of the precincts** and activities ancillary to the primary function are permitted subject to standards on building height, noise, dust, lighting, electromagnetic radiation, signage, hazardous substances and waste management. Where the permitted standards are not met, these activities default to a restricted discretionary activity classification.

**Subdivision** is also permitted where conditions are met, provided the subdivision is not company lease, cross lease or unit title. Those other subdivisions classes are controlled activities.

Helicopter landing areas are permitted from the roof of the clinical services block at Wellington Hospital, provided their use relates to the Hospital's primary function.

The fourth and final permitted activity is the **upgrading and maintenance of existing formed roads and accessways**, including associated earthworks.

**New buildings, and additions and alterations to existing buildings** are a controlled activity, subject to meeting standards and terms. There are two exceptions to this general approach for building work, being:

- on the land at 320 the Terrace, any new buildings or additions and alterations to existing buildings are a restricted discretionary activity; and
- buildings and structures (including bridges) located above or over the street that exceed 25% of the road width are discretionary activities.

Also relevant to the site at 320 the Terrace, the **Demolition of Gordon Wilson Flats** is subject to a controlled activity rule, with the Council's control limited to construction noise effects, demolition management, amenity effects and the recording of the building before demolition.

Subdivision and other activities that are not otherwise permitted, controlled or restricted discretionary are assessed as discretionary activities, and otherwise innominate activities are non-complying.

There are 4 appendices to Chapter 9, which set out specific standards for the activity rules. The standards relate to noise limits, vehicle access, parking and manoeuvring and additional permitted building standards applying to 320 the Terrace.

#### 4.4 Other methods

The precincts are each subject to bespoke Design Guides in Volume 2 of the Plan. These are important methods for implementing the overarching policy direction in combination with the rules in Chapter 9. Each guide includes:

- a description of the precinct;
- a statement of the guide's intent;
- an analysis of the precinct's key (urban design) contextual elements;
- urban design 'objectives';
- guidelines to assist with the implementation of the urban design objectives; and
- location and height control plans.

In contrast to other parts of the Plan with a greater focus on regulatory methods, the design guides signal that a more flexible and enabling approach has been adopted for development in the precincts to enable a case-by-case, merits-based assessment of each proposal. The starting point in the design guides is that both design guidelines and good design are site-specific and that no single rule or ideal provides a solution for every situation.

## 5. Resource consent review

### 5.1 Overview

A selection of resource consent applications lodged over the last 10 years has been reviewed to obtain insight into the efficacy of the operative provisions. The rationale behind the selection has been to curate examples across all three precincts, and including a variety of activities.

The results of the review have been organised by precinct in the summary that follows. Each example includes factual summary information derived from the application and Council decision documentation.

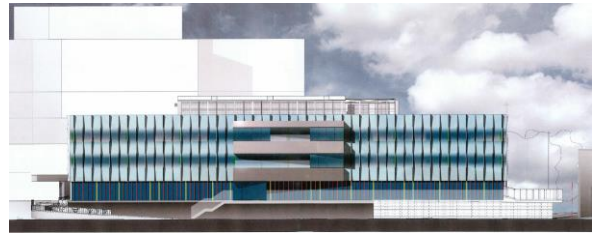
We note that other Council monitoring reports prepared by others have generated more quantitative data regarding authorisations for the City's institutions in the IPZ, and those reports should be considered alongside the qualitative information presented below. Of particular relevance, we note from Council's previous reports that, for the 29 consent applications made since 2012:

- building additions and alterations were the most common activity applied for (14 applications);
- the majority of the applications were for activities within the IPZ – however, there were two cases of consent being granted to institutions outside the IPZ boundary and a further one granted both inside and out of the precinct;
- consistent with additions and alterations being the most common activity, the most common consent activity status was controlled.
- five of the applications related to heritage buildings;
- no student accommodation was proposed over the period considered.
- while all 5 heritage-based proposals included expert heritage assessments, only 9 of the applications contained urban design assessments.



## 5.2 Wellington Hospital – new children’s hospital building

|                         |  |
|-------------------------|--|
| <b>Consents req’d:</b>  | New Building (Rule 9.2.1)  |
| <b>Activity status:</b> | Controlled   |
| <b>Notification:</b>    | No. Precluded by s95B(6)(b)RMA.  |
| <b>Outcome:</b>         | Granted  |
| <b>Conditions:</b>      | Design certification, landscaping, lighting, signage, construction traffic, parking. |



### Summary of Proposal

The proposal involved the construction of a new children’s hospital on land previously used for carparking at the northern end of the hospital campus. While the DHB was involved in the planning and design of the new facility, the applicant was a private developer who is constructing the facility and gifting it to the DHB once completed.

The proposed building design comprised 7,200m<sup>2</sup> over three floors, with the floor level of each storey corresponding to the first three floors of Wellington Hospital immediately to the south and the maximum height between ground and parapet level being 16.4m. This was deemed by the applicant and Council as compliant with the building height requirements in the WHDG.

The external appearance of the building is characterised by glass curtain wall with accents from aluminium fins and glazing frit. The proposal fell as a controlled activity under the IPZ rule for new building construction. The applicant’s architects provided detailed assessments of the proposal against the objectives and guidelines of the WHDG, as well as an assessment of the proposal on the historic heritage values of the adjacent heritage area at Adelaide Road and Riddiford Street. These assessments found the proposal to be well designed, and to have less than minor effects on the adjoining heritage area due to the height, position and design of the proposed building.

An independent transportation assessment appended to the AEE found the proposal to be fully compliant with the relevant standards for vehicle parking and access. The assessment concluded that the proposal provides acceptable parking, loading, and access arrangements and excellent pedestrian connectivity to the road network and other hospital facilities.

No national or regional policy instruments were considered to be relevant in the AEE. The application indicated that the following provisions of the Plan were met by the proposal:

- Objectives 8.2.1 – 8.2.3, 8.2.7 and 20.2.1;
- Policies 8.2.1.1, 8.2.1.2, 8.2.2.1 – 8.2.2.3, 8.2.3.1, 8.2.8.1, 8.2.8.2, 20.2.1.5 and 20.2.1.8.

The Council granted consent on a non-notified basis. Conditions were imposed to collectively require final certification of the building design, a detailed landscape plan, a lighting scheme, signage and construction traffic management measures.

The Decision was informed by an assessment of the proposal against the WHDG by a Council Urban Designer. The Urban Designer recommended detailed design certification and landscape plan

conditions to enhance the use of colour accents, vibrancy of the building and integration with the surrounding context. This recommendation was adopted by the Council Planner, who concluded that the proposal's adverse effects on streetscape, character and amenity of the local environment to be acceptable.

The Decision was also informed by a review of the proposal from a Council Transport Engineer, who shared the compliance and effects assessment of the applicant's own transportation experts.

The Planner considered the NPS-UDC to be relevant, finding the proposal to achieve the relevant direction in that higher order statutory instrument. No other national or regional policy instruments were expressly considered. The Planner concluded that the proposal is consistent with the objectives and policies identified in the AEE, as well as with Objectives 8.2.5 and 8.2.8 and their supporting policies.

### **Discussion**

Having reviewed the application and decision materials available, there is nothing to suggest that the Plan's objectives were not met through the processing of this proposal. While there were matters of building design and landscape detail that Council's Urban Designer considered in need of further attention, this was administered by the condition framework enabled by the controlled activity rule for new buildings in the IPZ. In our view, there is no evidence to suggest that the objectives and policies:

- could have been more efficiently achieved through a more permissive regulatory approach to new building construction; or
- would have been more effectively implemented through a more stringent regulatory approach.

That aside, this example does illustrate the demonstrable difference in the IPZ approach to building height, relative to other zones where height is limited relative to ground level. While the proposal was for a three-storey building as generally anticipated in the WHDG, the top of the rooftop plant was more than 19m above the lowest adjoining point at ground level.

The floor to floor height per storey was in accordance with the definition of 'height' in the Plan, and roof plant would not comprise a 'storey' under the Plan's definition, so there does not appear to be any error in compliance assessment by the applicant or the Council. That said, we might expect a three-storey building in other areas of the city – say the Centres – to be between 10 and 12m above ground.

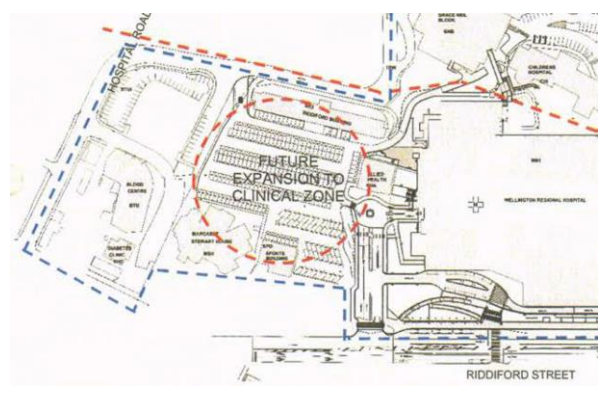
While the current example amounts to a relatively tall three-storey building in that respect, there is no evidence in the material we have reviewed to suggest that height is inappropriate to the context as stipulated in the WHDG. The approach is perhaps less legible than an 'above ground level' approach, and that may be worth exploring further in future research.

Finally, we observe how little emphasis was placed by both the applicant and the Council on the implementation of Objective 8.2.5 and Policy 8.2.5.2 relating to natural hazards. The AEE noted that the building was designed to Importance Level 4 under the New Zealand Building Code. This is the highest level of resilience under the code apart from that for dams, nuclear power plants, biological

containment features or other structures that pose catastrophic risk to a large area or number of people if failure occurs. We would have expected more to be made of this attribute of the proposal when determining the application, given the design's clear contribution to the avoidance of adverse effects from hazards on critical facilities.

### 5.3 Wellington Hospital – earthworks & contaminated land

|                         |  |
|-------------------------|--|
| <b>Consents req'd:</b>  | - earthworks (Rule 30.2.1)<br>- contaminated land (Rule 32.2.1)<br>- contaminated land (Reg 11, NES) |
| <b>Activity status:</b> | Discretionary  |
| <b>Notification:</b>    | No. Officer exercised discretion.  |
| <b>Outcome:</b>         | Granted  |
| <b>Conditions:</b>      | Construction traffic management,<br>earthworks management,<br>contamination management.              |



#### Summary of Proposal

This proposal related to enabling works as a precursor to the new Children's Hospital summarised above. Earthworks were proposed to relocate and replace existing stormwater and wastewater pipes up to a volume of 4,000m<sup>3</sup>, and to prepare the site for footings for the future building up to a volume of 1,400m<sup>3</sup>.

The applicant's AEE briefly assessed the effects of earthworks and potential site contamination, and concluded there would be no adverse effects in either respect. The AEE also concluded that the proposal met Objectives 29.2.1 and 31.2.1 and the relevant supporting policies.

The Council granted consent on a non-notified basis. The Decision was informed by advice from Council's Earthworks Engineer, who found the proposal to be acceptable and able to be managed by adopting standard land management practices. Council's Transport Engineer also assessed the potential effects of heavy vehicle movements, and considered the effects would be acceptable subject to the applicant preparing and complying with a traffic management plan. The Council Planner found the applicant's volunteered method of preparing and complying with a contaminated site management plan would be suitable to manage any effects arising from exposure of contaminants in soil to people and the environment.

The Planner considered the NPS-UDC to be relevant, finding the proposal to achieve the relevant direction in that higher order statutory instrument. No other national or regional policy instruments were expressly considered. The Planner concluded that the proposal is consistent with the objectives and policies identified in the AEE, as well as with Objectives 33.2.4, 33.2.6 and 33.3.1 and their supporting policies.

## Discussion

Though this proposal did not engage the IPZ rules, it is useful to consider the relationship between the District-wide rules subject to this proposal and the IPZ objectives and policies in Chapter 8.

In particular, we observed that separate applications were lodged for these enabling works and for the new hospital building itself (discussed above). There was no express reason for adopting this split approach in the AEE, though we note that applicants are entitled to make multiple applications if they desire. Relatedly, the Council has the power to combine them or request other related authorisations be sought if there is good reason to do so.

Our assumption – and this was later corroborated by Council Consent Planners as we summarise later in this paper – was that the applicant adopted the split approach to ensure that the new building proposal was assessed as a controlled activity, and therefore subject to mandatory non-notification. Were the two applications to be combined, the bundling principle would have applied, the overall status would have been discretionary, and there would be no presumption for non-notification.

If our assumption is correct, the applicant's consenting strategy is somewhat conservative, yet completely understandable. That said, it speaks to 'efficiency' of a different sort than discussed elsewhere in this paper. This example illustrates that some parties would prefer go through two (or more) consenting processes than face the prospect of notification. If the Plan's aims for efficiency are to be retained in the new Plan for the Institutional Precincts, careful consideration should be given to the policy support and notification criteria used in the Plan for activities that the Council wants to encourage or enable. We expect that would require an integrated approach to align zone-based and district-wide provisions so as to avoid unnecessary or artificial duplication in regulatory processes, and to provide more certainty to applicants and the community about the need (or otherwise) for public participation in consent processes.

### 5.4 Wellington Hospital – childcare centre

|                         |   |
|-------------------------|---|
| <b>Consents req'd:</b>  | - Additions & alterations (Rule 9.2.1)<br>- Ancillary institutional activity not permitted (Rule 9.3.1)   |
| <b>Activity status:</b> | Restricted Discretionary  |
| <b>Notification:</b>    | No. Officer exercised discretion.   |
| <b>Outcome:</b>         | Granted   |
| <b>Conditions:</b>      | Hours of operation, max roll size, children in care to be related to hospital staff/patients/visitors, design of vehicle access, limits on outdoor play duration and types of toys, acoustic fencing and other noise treatment. |



## Summary of Proposal

The proposal was lodged by the DHB to establish a new childcare facility in an existing building at the corner of Mein & Daniell Streets. The facility involved minor additions and alternations to the building to accommodate the facility and the 100 children + 20 staff anticipated, and included a net reduction in the existing carparking. The AEE clarified that the facility would only be for children of

hospital staff, patients and visitors – and on that basis, the application classified the facility as ‘ancillary’ to the Hospital’s primary function.

The application sought hours of operation between 6:30am and 7:00pm Monday to Friday, and noted that these arrangements would be likely to result in a minor breach of the permitted activity noise standards due to staff arriving at the carpark between 6:30 and 7am.

The proposal engaged the additions and alterations rule in the IPZ. It also required land use consent for an ancillary activity which fails to meet the permitted activity standards. The bundling principle was applied, and the proposal fell as a restricted discretionary activity.

The applicant’s AEE focussed on the three areas of control and restricted discretion – being design and appearance of the alterations, parking and access, and noise. It included an independent expert acoustic assessment, which concluded that the effects were less than minor owing to the existing noise generated by traffic in the area and the relatively high ambient noise environment. No expert transport or urban design assessments accompanied the application, but the AEE found that there would be no adverse effects arising in either respect. The AEE did not assess the proposal against any specific objectives or policies in the Plan.

Council granted consent on a non-notified basis. The Decision shared the applicant’s view that the centre was ancillary to the hospital’s core function, and adopted the compliance assessment in the AEE accordingly. The Decision was informed by advice from a Council Urban Designer who concluded that the proposal would not have any material effects on the surrounding streetscape. No detailed assessment was provided against the WHDG.

A Council Transportation Planner also provided advice to assist the Consent Planner’s consideration of the proposal. The Transportation Planner did not support the applicant’s reliance on the provision of carparks in the wider Hospital Precinct, despite that outcome being expressly anticipated in the IPZ provisions, and despite the number of parks provided in the Precinct far exceeding the minimum number required in the Plan. While the Council found its discretion did not allow for more prescriptive management of parking provision, it did exercise its control over vehicle access such that a condition of consent required alternate arrangements to those proposed by the applicant.

The Decision was also informed by an assessment by a Council Noise Officer, who found the noise exceedances to be acceptable, provided that an acoustic fence be constructed and limitations be placed on the duration of outdoor play time and the nature of toys that could be used by children. The Noise Officer agreed with the applicant’s acoustic expert that noise from traffic generated by the proposal would be consistent with or less pronounced than existing ambient road noise in the adjoining environment.

The Decision included a detailed assessment of Objectives 8.2.1 – 8.2.3 and 8.2.7 as well as relevant supporting policies. No national or regional policy instruments were actively considered.

## Discussion

In general, this example illustrates an effective and efficient process for achieving the Plan's aims regarding the management of amenity for residents adjoining the IPZ. Given the very minor nature of the proposed building alterations, it is not unexpected that little attention was paid to design, appearance and siting matters or to the provisions of the WHDG.

The matter of greatest regulatory stringency related to the noise non-compliance, and it received the greatest scrutiny in the application, the Council Decision and the conditions of consent. The result was a site-specific solution supported by both acoustic experts as acceptably managing impacts on adjoining neighbours.

We observe that there was some frustration expressed by Council's transportation team regarding the provision of carparking. Short of having access to any Council monitoring studies to indicate that the proposal has contributed to increased pressure on kerbside parking availability at Daniell & Mein Streets (or further afield), however, it is difficult for us to translate that frustration into any concrete observations about the appropriateness of the Plan's parking provisions. This is perhaps a suggestion for further work, and/or closer scrutiny as the Council reviews the objectives, policies, rules and other methods for transport in the new plan – both for the IPZ and other areas of the City.

As a final observation, we simply note that this example entailed some interpretation by the applicant and decision-maker about the term 'ancillary' in the permitted activity rule. While we share the interpretation adopted by both parties for this proposal, we note this phrasing is less certain than other permitted activity rules in the operative Plan.

### 5.5 Massey University – additions and alterations to heritage building

|                         |   |
|-------------------------|---|
| <b>Consents req'd:</b>  | <ul style="list-style-type: none"> <li>- Additions &amp; alterations (Rule 9.2.1)</li> <li>- Non-institutional activity (Rule 9.4.1)</li> <li>- Additions &amp; alterations (Rule 21A.2.1)</li> <li>- Signage (Rule 21D.2.1)</li> </ul> |
| <b>Activity status:</b> | Discretionary   |
| <b>Notification:</b>    | No. Officer exercised discretion.   |
| <b>Outcome:</b>         | Granted   |
| <b>Conditions:</b>      | Design certification, heritage requirements, signage detail certification, management of visitors (pedestrians and vehicles).   |



### Summary of Proposal

The application was made by the Ministry of Culture & Heritage, and included modifications to the heritage-listed Dominion Museum & National Art Gallery Building to coincide with the opening of the new Memorial Park and commemorative exhibition in the building on Anzac Day 2015. The modifications included construction of a new temporary accessibility ramp for visitors (to be removed upon the exhibition closing) and temporary signage to advertise the exhibition.

The proposal engaged the additions and alterations rule in both the IPZ and Heritage Chapters. It also required land use consent for an activity not expressly permitted in the IPZ and for signage on a listed heritage building. The bundling principle was applied, and the proposal fell as a discretionary activity.

The applicant's AEE focussed primarily on the potential impact the proposal would have on heritage values. It included an independent expert heritage assessment, which concluded that the effects were acceptable, provided that the accessibility ramp is temporary only and that the steps on which the ramp is located are 'made good' after the ramp is removed. Both the AEE and the expert assessment included detailed assessments of the relevant heritage provisions in Chapter 21 of the Plan. The AEE also appended an email from HNZ, which expressed strong support for the proposal.

While some IPZ objectives and policies were considered in the application, there was no consideration of the MCDG, nor any assessment of the design, appearance, siting or other matters under Rule 9.2.1 for building additions and alterations. Likewise, there was no material assessment of the proposed activity, being for a non-institutional activity – despite Council's discretion being unrestricted as a result of that.

No expert transportation assessment accompanied the proposal, but there was some consideration of access and transport effects in the AEE. Overall, the AEE concluded that the proposal would result in positive effects and any adverse effects would be no more than minor.

Council granted consent on a non-notified basis. The Decision was informed by a review of the application by a Council Heritage Advisor, who shared the applicant's assessment that the effects on historic heritage value were acceptable. That review did, however, lead the Consent Planner to include conditions of consent requiring further detail to be provided by the applicant about the detailed construction methods for installing and removing the ramp, and about the signage proposed.

A Council Transport Engineer also considered the proposal and advised the Consent Planner. The Engineer found that the effects of the proposal on the safety and efficiency of the transport network were acceptable, subject to a visitor management plan and signage being prepared by the applicant, certified by Council and adhered to for the duration of the exhibition.

The Consent Planner observed that the proposal would not be visible to nearby residents, and that there would accordingly be no adverse effects on residential amenity. However, there was no assessment from a Council Urban Designer, nor any express consideration given to the MCDG in the Decision. There was no detailed assessment of the signage proposed, nor any express acknowledgement that the design guide for signs was considered.

No national or regional policy instruments were considered to be relevant in the Council decision. The Planner indicated that the following provisions of the Plan were considered:

- heritage assessment criteria 21A.2.1.3 – 21A.2.1.22, 21D.3.1.5 – 21D.3.1.11;
- Objectives 8.2.1 – 8.2.3, 8.2.7 and 20.2.1;
- Policies 8.2.1.1, 8.2.2.1, 8.2.2.3 – 8.2.2.4, 8.2.3.1, 8.2.7.1 – 8.2.3.7, 8.2.8.2, 20.2.1.3, 20.2.1.4, 20.2.1.9, and 20.2.1.11.

No detailed assessment of these provisions was provided, but the Planner concluded that the proposal is consistent with the above direction.

### Discussion

This is clearly a unique proposal, made all the more so by its temporary and commemorative nature. That said, we observe that the IPZ provisions were all but ignored by the applicant and the decision-makers for this proposal. There are no reasons given for doing so in the material we have reviewed, notwithstanding the inclusion of specific objectives and guidelines in the MCGD for this particular building and for managing the circulation of people through the wider precinct.

It is not for us to critique the process adopted, particularly when there is nothing to suggest that the outcome of the proposal falls foul of any provisions in the Plan – the IPZ provisions included. We do, however note that:

- the proposal fell as a discretionary activity because it was not for an institutional activity;
- were the additions and alterations related to institutional purposes, the proposal would fall as a restricted discretionary activity under the heritage rules;
- were the proposal for an addition or alteration to a non-heritage building, it would have fallen as a controlled activity under the IPZ rules; and
- under that scenario, Council's control would have included the matters under Rule 9.2.1, including consideration of vehicle parking & access.

Synthesising the above, and notwithstanding that the proposal engaged heritage provisions, there is nothing to suggest that the IPZ provisions were not implemented through the consent process – even with the proposal effectively being processed as a restricted discretionary activity on heritage and transport grounds only. This example does suggest, however, that some efficiencies could be introduced in the IPZ rules and/or that a lighter regulatory approach could be adopted without detriment to the achievement of the Plan's aims – particularly Objective 8.2.1 which has an express focus on efficiency. To that end, a broader range of land use activities may be supportable as permitted activities than the operative rules allow for, subject to appropriate standards.

Along similar lines, the lack of any application of the MCDG in this application suggests there may be cause to consider other small-scale and/or low-impact built form scenarios as permitted activities.

## 5.6 Massey University – marae buildings & earthworks

|                         |   |
|-------------------------|---|
| <b>Consents req'd:</b>  | - new building + additions & alterations to existing (Rule 9.2.1)<br>- Earthworks (Rule 30.2.1) |
| <b>Activity status:</b> | Restricted Discretionary  |
| <b>Notification:</b>    | No. Per non-notification clause.  |
| <b>Outcome:</b>         | Granted   |
| <b>Conditions:</b>      | Erosion, sediment & dust control measures, hours of construction works.                         |





## Summary of Proposal

The application was made by MU to demolish the existing wharekai; re-purpose the existing wharenuī as a new wharekai; and construct a new wharenuī adjacent to the site of the existing wharekai. Earthworks were also proposed to prepare the site for new construction.

The application was informed by a design statement from the applicant's architect, which considered the objectives and guidelines of the MCDG. Drawing on that assessment, the AEE concluded that the building works would have less than minor adverse effects and be consistent with the outcomes anticipated in the MCDG. The AEE was also informed by an independent acoustic assessment, which found that the proposed activity would comply with the relevant noise limits in the IPZ for permitted activities.

The AEE also noted that the proposal would not alter the access arrangements, nor increase the demand for carparking relative to the previous marae buildings. It concluded that effects of the proposal on neighbouring amenity values would be less than minor given the position, appearance and scale of the new building works. The AEE also found that the earthworks would not result in enduring or meaningful effects, and that there would be no cumulative effects arising.

The AEE found the proposal to be consistent with Objectives 8.2.1 – 8.2.3 and 8.2.9 and their supporting policies.

Council granted consent on a non-notified basis. The Decision was informed by a review of the application by a Council-appointed Urban Design Consultant, who shared the applicant's assessment that proposal would result in positive effects and would be consistent with the aims of the MCDG and good urban design practice (generally). Advice from Council's Earthworks Engineer also confirmed that, subject to appropriate management conditions, the proposed earthworks were generally appropriate. The Council Planner also amplified the assessment in the AEE that the proposal would not increase carparking demand or materially alter parking and access arrangements.

No national or regional policy instruments were considered to be relevant in the Council decision. The Council Planner agreed with the applicant that the proposal is consistent with the relevant objectives in Chapter 8 as well as Objective 29.2.1 and its supporting policies in the earthworks chapter.

## Discussion

We generally consider that this application process reflects positively upon the structure of the Plan and the methods engaged for achieving the IPZ objectives and policies. Being at a gateway location in the campus, and immediately adjacent to residences in Tainui Terrace, the MCDG provisions were put to good use and the resulting design, siting and scale of the buildings were appropriate to that context.

While the conditions of consent for the earthworks aspect of the proposal could arguably be imposed under a controlled activity rule, the restricted discretionary process engaged here did not appear unjustified or onerous in any way based on the material reviewed.

## 5.7 Massey University – signage mounted on a building

|                         |   |
|-------------------------|---|
| <b>Consents req'd:</b>  | Default Rule (Rule 9.4.1)   |
| <b>Activity status:</b> | Discretionary   |
| <b>Notification:</b>    | No. Officer exercised discretion.   |
| <b>Outcome:</b>         | Granted   |
| <b>Conditions:</b>      | Colour, content, lighting, mounting detail and maintenance of signs, review condition re: transport safety. |



### Summary of Proposal

The application was made by MU to establish two 6.8m x 2.1m signs – one on either side of a workaday concrete stairwell on the Humanities & Social Sciences Building's eastern frontage to Tasman Street. The signage was to include the university name & logo and the building name. It was proposed to be of PVC construction, affixed to a building-mounted frame. The signage was not proposed to be illuminated.

The applicant's AEE included a comprehensive assessment against the Design Guide for Signs, concluding that the proposal is consistent with the Guide. The AEE also considered relevant assessment criteria (9.3.91 – 9.3.9.3), relating to visual amenity and character effects, finding that the effects of the proposal to be less than minor. The application also assessed the proposal as having no adverse effects on the safety or efficiency of the transport network. No expert transportation or urban design reports were attached to the AEE to support the applicant's conclusions, and no assessment was provided of the MCDG.

The AEE considered the proposal's fit with Objectives 8.2.1 – 8.2.3 and four of their collective supporting policies.

The Council granted consent on a non-notified basis, with conditions being imposed with respect to the colour, (non) illumination, mounting detail and maintenance of the signs. A review condition was also imposed to identify any post-operational traffic safety effects arising and to manage any effects identified.

While the application identified the proposal as being a restricted discretionary activity under Rule 9.3.1, the Council Decision noted that the proposed signs exceed the permitted activity dimensions by more than 50%, and therefore contravene the standards and terms under 9.3.1. The proposal accordingly fell as a discretionary activity under Rule 9.4.1.

The Council decision was informed by internal advice from a Council Urban Design Advisor, who found that the proposal was compatible with its context and would likely improve the appearance of the building on this frontage. The Council Planner also found that the visual and amenity effects on

neighbouring residences would be less than minor. The planner considered that the signage would reduce the visual dominance, and enhance the visual interest, of the existing façade.

The Decision was also informed by advice from a Council Transport Engineer. The Engineer gave the view that the materiality and placement of the signage were appropriate, but that the vertical alignment of the text may result in some distraction for motorists. The resulting effect of the text alignment was not considered to be material; however, the review condition was imposed to ensure no unanticipated effects arise in the future as a result.

No national or regional policy instruments were considered to be relevant in the Council decision. The Council Planner adopted the applicant's assessment of District Plan objectives, policies and assessment criteria. No indication was provided of any material consideration of either the MCDG or the Design Guide for Signs.

### **Discussion**

Broadly speaking, we consider that the Plan's provisions were implemented by this application and there is nothing to suggest that the process was either unreasonable or overly inefficient. That said, we observe that this application was one where no detailed consideration was given to the MCDG or the Design Guide for Signs by Council. The only assessment of any design guide was by the applicant, in relation to the Design Guide for Signs.

Moreover, that the Council's urban design assessment found the proposal to be positive without any concern for adverse effects suggests that the permitted activity standards for signage may well be worth revisiting for the sake of efficiency.

Along those same lines, we see no reason why the default activity status need be fully discretionary for such proposals where permitted thresholds are exceeded. The proposal was essentially processed as a restricted discretionary matter on traffic, urban design and amenity grounds – and the efficiency of the Plan may benefit from that being codified into the future rule structure.

Despite this proposal falling as a fully discretionary activity, no detailed consideration of the IPZ policy framework was considered necessary by the Council. This gives further credence to the suggestion that there is scope to consider some softening of regulatory controls for signage – both in terms of permitted activity standards and default activity status where those standards are contravened.

## 5.8 Victoria University – new antennae on heritage building

**Consents req'd:** - Additions & alterations (Rule 9.2.1)  
- Additions & alterations (Rule 21A.2.1)

**Activity status:** Restricted Discretionary

**Notification:** No. Officer exercised discretion.

**Outcome:** Granted

**Conditions:** Colour & position of structures



### Summary of Proposal

The application was made by VUW to enable new antennae to be installed on the roof of the Hunter Building. The proposal engaged the controlled activity rule for additions & alterations in the IPZ rules, and the restricted discretionary rule for additions & alterations of a listed heritage building under the heritage provisions in Chapter 21. The bundling principle was applied, so the proposal fell as a restricted discretionary activity.

The applicant's AEE assessed the actual and potential adverse effects of the proposal with respect to historic heritage values, and to design and external appearance. Regarding the former, the AEE concluded that effects would be negligible given the inconspicuous location of the antennae on a 1980s rooftop addition to the building. The AEE also found the design and appearance effects to be less than minor due to the inability to see the antennae from ground level or nearby public spaces (streets), and to the relatively small number of antennae proposed. No additional assessments were appended to the application from urban design or heritage experts.

The Council granted consent on a non-notified basis, with the only conditions being that the proposal be carried out in general accordance with the application document and plans, and that the proposed dish antenna remain a dark charcoal/grey colour in perpetuity.

The Council decision was informed by internal advice from a Council Heritage Advisor, who agreed with the applicant's assessment, reasons and findings that the effects of the proposal on the historic heritage values of the Hunter Building would be acceptable. The Council also forwarded the application to HNZ, who expressed that the proposal would be unlikely to affect the heritage values of the building.

No expert urban design advice was obtained by the Council in considering the application. The Council Consent Planner found the proposal to be consistent with the objectives of the VUDG, but no detailed assessment of the VUDG was reported. Overall, the Planner found the environmental effects of the proposal would be acceptable.

No national or regional policy instruments were considered to be relevant in the Council decision. The Planner indicated that the following provisions of the Plan were considered:

- assessment criteria 9.2.13 for the IPZ and heritage assessment criteria 21A.2.1.3 – 21A.2.1.5, 21A.2.1.10, 21A.2.1.11, and 21A.2.1.13;
- Objectives 8.2.1 – 8.2.3, 8.2.8 and 20.2.1;
- Policies 8.2.1.1, 8.2.1.2, 8.2.2.1 – 8.2.2.3, 8.2.3.1, 8.2.8.1, 8.2.8.2 and 20.2.1.3.

No detailed assessment of these provisions was provided, but the Planner concluded that the proposal is consistent with the above direction.

### Discussion

Overall, this was a relatively discrete and simple application. If not for engaging the Plan's historic heritage provisions, we find the controlled activity requirement for this proposal is likely to be greater regulatory intervention than is necessary to give effect to the Plan's policy direction. We consider that the relatively cursory level of assessment in the AEE and the Council Decision Report reinforces that position, notwithstanding that the level of assessment was generally commensurate with the nature of the proposal and the associated environmental effects. Relatedly, we note that the VUDG was not used as a substantive method for determining this proposal.

We observe also that the IPZ objectives (and supporting policies) considered by the Council in determining the proposal only related to the 4 zone-specific objectives summarised above. No consideration was given to the 5 general objectives or their supporting policies.

Based on the information we have reviewed, the consent process enabled the relevant objectives and policies to be implemented. It is likely, however, that a more efficient process could be adopted through a permitted activity regime for an activity of this nature and scale in the IPZ without any reduction in effectiveness (subject to engaging other District-wide rules, such as heritage provisions).

## 5.9 Victoria University – new modular data centre

|                         |                                     |
|-------------------------|-------------------------------------|
| <b>Consents req'd:</b>  | Construct new building (Rule 9.2.1) |
| <b>Activity status:</b> | Controlled                          |
| <b>Notification:</b>    | No. Precluded by s95B(6)(b) RMA.    |
| <b>Outcome:</b>         | Granted                             |
| <b>Conditions:</b>      | General accordance with plans/AEE.  |



### Summary of Proposal

The application was made by VUW for a new modular data centre, comprising a shipping container to store servers, a backup generator and fuel storage, seismic base-isolated structural platform and associated walkway connections to surrounding buildings. The proposal engaged the controlled activity rule for new buildings and structures.

In the AEE, the applicant noted that the proposal does not change access or parking arrangements or requirements. Accordingly, the AEE focussed on the design appearance and siting matter of control.

The AEE found that the proposal was consistent with the VUDG and that the effects of the design, appearance and siting of the centre were negligible – this was owing to the structure being fully screened from all public places by other University buildings. No expert urban design assessment or a detailed assessment of the VUDG objectives and guidelines was included in the application.

The AEE considered that the proposal is consistent with Objectives 8.2.1 - 8.2.3 and their supporting policies, but drew on no strategic direction from higher-order planning documents.

The Council granted consent on a non-notified basis, with the only condition being that the proposal be carried out in general accordance with the application document and plans. The processing Planner agreed with the applicant that the only relevant matter of control related to design, appearance and siting of the structure – and the Planner simply adopted the applicant’s assessment of effects. That said, the Planner obtained advice from Council’s Environmental Noise Officer to confirm the applicant’s compliance assessment with the permitted activity noise standards.

The Planner also adopted the assessment of objectives and policies from the AEE, adding that assessment criteria 9.2.1.3 was also relevant. No national or regional policy instruments were considered to be relevant in the decision.

### Discussion

In our view, this example is illustrative of an unnecessary reliance on the consent process to achieve the Plan’s policy direction. That there was no substantive consideration of the VUDG, nor any conditions imposed is further evidence of that interpretation. While the assessments in the AEE and the Decision were fairly cursory, we find them to be generally appropriate and commensurate with the nature and scale of effects arising.

Relatedly, the anecdotal feedback from Council Planners (as noted further below) was that this consent process seemed generally unnecessary, and that the Plan’s policy direction would not be threatened by enabling activities of this nature and scale as a permitted activity.

## 5.10 Victoria University – non-residential activity in the Residential Area

|                         |   |
|-------------------------|---|
| <b>Consents req’d:</b>  | Non- residential activity in Residential Area (Rule 5.4.1)  |
| <b>Activity status:</b> | Discretionary   |
| <b>Notification:</b>    | No. Officer exercised discretion.   |
| <b>Outcome:</b>         | Granted   |
| <b>Conditions:</b>      | General accordance with application & plans, no other non-residential activities apart from that applied for. |



### Summary of Proposal

The application was made by VUW to utilise an existing residential building as a study space for postgraduate students. Prior to the application being made, the building was in the University’s

ownership for several years and used as the Vice Chancellor's residence and subsequently for student accommodation. The proposal enabled study space for up to 30 students, which could be accessed from early morning through to late night.

The AEE noted that there would be no additions or alterations to the building exterior, and therefore no associated adverse effects on character or amenity. It also stated that there would be no noise effects due to the benign and quiet nature of the study activity; and no traffic effects, owing to most students arriving by active or public transport modes.

The AEE included consideration of Residential Area Objective 4.2.7 and two of its supporting policies, which collectively facilitate a range of activities in the Residential Area, provided effects on neighbouring amenity are avoided, remedied or mitigated.

The Council granted consent on a non-notified basis. The Decision was informed by an assessment from Council's Environmental Noise Officer who accepted that the proposed activity would result in relatively low noise levels, consistent with the expectations of the surrounding Residential Area. The Decision also adopted the applicant's assessment with regard to transportation effects.

No national or regional policy instruments were considered to be relevant in the Council decision. The Planner indicated alignment with the District Plan objective and policies considered in the AEE both in terms of their relevance to the proposal and the proposal's consistency with them.

### **Discussion**

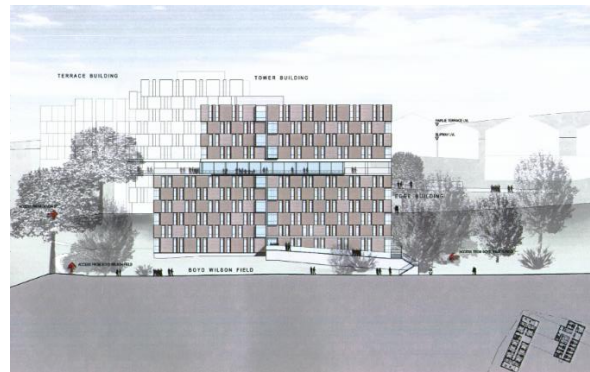
In general, we find the application and the decision-making were appropriate and commensurate with the nature and scale of effects arising for this particular activity on this particular site.

We observe that there was no consideration of the IPZ objectives & policies in the application or decision. That lack of consideration is not unexpected given the structure of the Plan and this particular activity being located within the Inner Residential Zone, rather than the IPZ.

It does illustrate to us, however, that the future construction of the Plan could be more integrated in the manner in which it addresses proposals such as this which need to balance – on the one hand – the significance of VUW to the City with – on the other – the need to ensure the City's residents have access to good levels of amenity for their given context. To that end, some consideration could be given to scenarios where out-of-zone activities are proposed to assist decision-makers. That type of direction could be useful in several contexts throughout the City, not just the IPZ interface with its surroundings.

### 5.11 Victoria University – new student accommodation block

|                         |   |
|-------------------------|---|
| <b>Consents req'd:</b>  | New building (Rule 9.2.1)   |
| <b>Activity status:</b> | Controlled  |
| <b>Notification:</b>    | No. Officer exercised discretion.   |
| <b>Outcome:</b>         | Granted   |
| <b>Conditions:</b>      | In accordance with plans, secondary detailed design review, landscape plan certification and bond, service & loading requirements, and construction management (noise & traffic). |



#### Summary of Proposal

The application was made by VUW for the construction of three new connected halls of residence at the southern end of the Kelburn campus. The design accommodated nearly 400 students in single bed dorm and 2-bed apartment configurations within buildings which ranged from 4-6 storeys in height.

The AEE found the proposal to comply with all permitted activity conditions and with the standards & terms under the relevant controlled activity rule for new buildings. The application was supported by a design report from the applicant's architect – and while the AEE summarised key aspects of the VUDG that the proposal met, there was not a comprehensive assessment of the VUDG in the application documentation. A brief assessment from a heritage architect was provided to confirm the proposal would not have any effects on listed heritage items on the campus, further afield.

There was also an independent transportation assessment provided, which found the transportation effects associated with the site access and parking arrangement were acceptable.

The AEE also concluded that the proposal was consistent with the relevant provisions in Chapter 8, including Objectives 8.2.1 - 8.2.3 and their supporting policies. Furthermore, it described the applicant's consultation with stakeholders in the pre-lodgement sequence, including Council staff, e Aro School, residential neighbours, community members of Aro Valley and "the wider Kelburn/University "community"". This included a summary of the issues raised by stakeholders and the applicant's response to that feedback.

The Council granted consent on a non-notified basis. The notification report was thorough, and included an in-depth discussion of special circumstances for potential notification given the large amount of public interest expressed to Council about the proposal. It concluded that the public interest would not be served by notifying the proposal given that the Council could not decline the application, nor could any conditions be imposed beyond the matters of control. The reporting Planner considered a false expectation could be raised for potential submitters if notified.

Council's substantive decision concluded that the proposal would have no more than minor adverse effects on the environment and that it is consistent with the relevant objectives and policies in the Plan. The decision was informed by an assessment of the proposal by Council's Urban Designer,



which found the proposal to be consistent with the VUDG. An assessment of transportation effects was also provided by Council's Chief Transportation Engineer, who found that the non-provision of additional car parking would not be a reason for declining the proposal; however, he emphasised the importance of VUW developing a travel management plan to manage potential effects of journeys to and from the campus as a whole.

The Council Planner considered the same objectives and policies as the applicant, and also considered Objective 8.2.7 and Policy 8.2.7.1. Again, the planner found the proposal to be consistent with those provisions. No higher order statutory direction was expressly considered other than Part 2 of the RMA.

### **Discussion**

This is the only example we considered which dates back beyond the last 10 years. Our reason for including this example is due to the proposal being one of the most involved for the IPZ over the life of the Plan. It also is a good example of a proposal where the notification procedures were tested due to a relatively high degree of public interest.

Bearing these factors in mind, it is worth emphasising that the proposal was fully compliant with the permitted and controlled activity standards for new buildings. It was supported by Council's Urban Designer who assessed the proposal in detail against the VUDG. In both respects, the proposal was fully in accordance with the expectations of the operative Plan.

That there was public interest in a proposal of that nature that was not notified is not necessarily evidence that the Plan's regulatory settings are deficient in our view. Were that the case here, we would have expected the Council's Urban Designer and/or processing Planner – both of whom were very experienced at the time this proposal was considered – to have expressed concern with the design and/or effects arising. There's no evidence from what we have reviewed to suggest that the design was considered to be in any way suboptimal or that the effects were unacceptable.

Notification and/or a more stringent activity status may have ultimately affected the outcome of the proposal, but we can only speculate at that. As it transpired, the controlled activity rule allowed for an effective and efficient means of achieving the Plan's policy direction and anticipated environmental outcomes.

## **6. Stakeholder feedback**

Meetings were held with each of the three main institutions and with representatives of the Council Resource Consents Team in February 2020. A brief summary of the key issues discussed at each meeting is provided below.

### **6.1 Victoria University – 13 February 2020**

The summary recorded here records feedback provided at the meeting and through subsequent correspondence provided by VUW.

Key points emphasised by VUW included:

- Student accommodation is a focus area over the short to medium term, with significant growth in staff and student growth forecasted. VUW has identified several development sites within the precinct boundary and in areas contiguous to the precinct. This includes areas in and around Weir House, Adams Terrace / Landcross Street, and 320 the Terrace among others.
- VUW owns and operates early childcare centres both within and adjacent to the Kelburn campus. Provision for these existing activities and for future centres is desirable for VUW.
- A desire for greater emphasis to be placed on the institution's importance to the Wellington Region in policy development and future decision-making processes was expressed. To that end, VUW identified that:
  - the University contributes in myriad ways to the City's economic, social, and cultural, wellbeing - being one of the two largest employers in the City and contributing over \$1B to the regional economy year upon year.
  - in 2019, the number of full time equivalent domestic students was 15,814, with 2,047 international students also enrolled;
  - external research income in that financial year was \$71.9 million, a nearly 15% increase from 2018;
  - total revenue for 2019 was \$507M and expenditure was \$500M.
  - it is a cultural and educational hub, with public speaking, art, sustainability and other events regularly offered;
  - it has forged a partnership with the Council and NZSO to develop the new national music centre among other investments in music, film and cultural activities;
  - indirect benefits flow from the University's presence, including students filling roles in the local work force to the benefit of the service industry and other businesses; and
  - if possible, consideration of the University's strategic importance in decision-making should not be limited to the Kelburn Campus, as the University deliberately operates across multiple sites in the City (Pipitea, Te Aro, Hospital, etc) to enhance learning opportunities.
- While VUW has found recent resource consent processes to generally be reasonable overall, it considers there is room for improvement and/or some rationalisation & simplification of the Plan's regulatory approach. It is VUW's perception that the University's proposals seem to be more heavily scrutinised and/or subject to higher expectations from the Council as to overall standard.
- A desire for more latitude in the Plan's anticipated activities for the IPZ was also expressed. For example, use of student halls of residence for transient rental accommodation during periods when students are not in residence was mooted.
- The existing IPZ signage provisions are considered to be overly stringent and no longer fit-for-purpose.
- Where possible, better alignment between the RMA and the Education Act should be achieved to assist VUW in carrying out its obligations under both statutes efficiently and without unnecessary or artificial conflict or duplication.
- VUW added the following issues/limitations/opportunities it has identified with the operative Plan:
  - the primary function of VUW is wider than "educational services" (ref 8.1.1 of the District Plan) and needs to include the activities under the definition of "educational services" that apply to the Mt Cook precinct;

- it is not appropriate that building height standards are contained within the VUDG;
- most of the vertical height standards are okay but some of the height recession plane angles are too restrictive because they seem to have been derived without sufficient existing ground line information, resulting in some of them being too restrictive;
- the sign standards are far too restrictive for a vibrant campus and also apply throughout the campus which is inappropriate;
- there needs to be provision for emergency generator noise;
- Rule 9.2.1 means that any alteration and addition within the campus requires resource consent because the officers interpret “public spaces” as anywhere on the campus where someone can walk to - this means very minor works have been “caught” e.g. air conditioning plant on ground level, new secondary exit stairs, minor changes to windows etc;
- VUW cannot find any basis for the vehicle parking standard for the Campus (780 spaces) - it has not been met and the strategy for accessing the campus has radically changed since 2000 with Council and GWRC support, and private vehicles are discouraged with preference given to other modes of transport;
- the controlled activity rule provisions for buildings has worked well for both WCC and VUW and there is no evidence that a more restrictive activity status (RDA) is required or justified when the current regime is proven to be appropriate and reasonable, particularly given the Wellington Regional Strategy policies that seek enhancement of VUW and greater efficiency and productivity;
- the VUDG needs to be rewritten so that it removes aspects that can and should be controlled through building standards – it should limit itself to providing guidelines for the assessment of the visual appearance of new buildings and additions and alterations to existing buildings when viewed from legal roads;
- the internal Campus planning and building appearance does not need to be oversighted by Council’s resource consent officers because VUW have proven capable of doing this - guidelines regarding the amenity of adjoining or adjacent properties should be removed because these should be the subject of building standards; and
- if possible, the process should be streamlined for the future of the McLean & Gordon Wilson Flats sites.

## 6.2 Massey University – 17 February 2020

The summary recorded here records feedback provided at the meeting and through subsequent correspondence provided by MU.

Key points emphasised by MU included:

- MU is embarking upon a review of its Campus Development Plan (CDP). The intent is for the CDP to be prepared in consultation with development partners, stakeholders and the local community. The CDP will have a 10-year shelf life with development projects corresponding with the University’s Capital 10-year plan.
- Some of the projects that may eventuate over the next 10 years include:
  - major renovation / repurposing of ‘Block 10’ – the former National Museum building – which is now owned jointly by MU and local iwi;

- renovations and structural upgrades to older building stock;
  - demolition of pre-fab and other temporary buildings in the vicinity of Tasman Street;
  - potential replacement of pre-fab buildings with new purpose-built facilities;
  - new development at the King Street site, most likely for student accommodation purposes; and
  - developing opportunities to better engage with the local community by way of public art, lighting displays and performances.
- While not an immediate need, there is likely to be cause in the near future to rationalise the car parking requirements for the campus under the IPZ rules. MU is keen to explore options involving travel demand management, and to maximise utilisation of public and active transport connectivity. To that end, MU is interested in wider Council public transport strategy, development of light rail and ‘Let’s get Wellington moving.’
  - MU has commissioned a wayfinding strategy review, with signage and branding being a key focus of that work. MU is likely to pursue new pylon signage (or similar) at its main entrances to enhance its profile and visibility in a manner that is sympathetic to neighbouring areas.
  - Also as part of that wayfinding review, MU is working with Wellington High and the Ministry of Education to explore options to enhance main north/south connectivity corridors between Memorial Park/Carillon/former National Museum and the main campus area to the south of the precinct;
  - In general, MU thinks the height allowances in the MCDG are appropriate, with the exception of King Street where some more generous height is desirable if possible. MU noted that it had been in discussion with Greater Wellington Regional Council about designing and constructing a new building at the King Street Site to Importance Level 4 (‘IL4’) standard so that it could double as an emergency management facility during and after critical events.
  - There are no plans to extend the University’s spatial footprint or dispose of any land in the IPZ. MU does lease land in the IPZ that is in iwi ownership, and it may pursue other lease arrangements elsewhere if suitable opportunities arise.
  - MU noted that recent consenting processes have generally been reasonable and positive, though one proposal to address seismic hazards which required a resource consent could have been processed in a timelier in MU’s view.
  - MU is keen to ensure the new Plan is enabling of a broad range of activities, including temporary events, performances by staff/students, public speaking series, etc.
  - MU expressed a desire to have a designated point person at Council to direct consenting queries and pre-application requests to if possible.
  - Like VUW, MU is of strategic importance to the City and supports that being more prominent in future decision-making under the Plan - MU employs over 500 staff, has an annual roll of ~3,000 students and an annual turnover in excess of \$50M.

### 6.3 Council Consent Team representatives – 18 February 2020

Anecdotal feedback was obtained from 3 Consent Planners about previous, current and potential future projects in the IPZ. A summary of that feedback follows.

- One example discussed related to the proposed replacement of a glass canopy adjacent to the Hunter Building at VUW. The original design submitted in the application was not supported by Council Heritage Advisor, but VUW modified the design post-lodgement to the satisfaction of

the Advisor. While the VUDG was considered, Council's Urban Design Advisor generally deferred to the Heritage Advisor on technical design matters. Consent was granted, with conditions imposed on the colour, materiality and height of the structure. The feedback overall was that the consent process enabled a good outcome to be achieved, particularly as relates to the Plan's Historic Heritage Provisions.

- Another example related to a potential cycleway alignment through the Hospital site being considered as part of a wider Council cycleway initiative. While such facilities have substantive benefits for the City, they require a discretionary activity consent under the IPZ provisions due to the permitted activity rule construction requiring that activities relate to the core function of the institutes in the zone. It was queried whether the new Plan could be more enabling of other activities, provided their associated environmental effects are appropriately avoided or mitigated.
- A general comment was that the relatively permissive nature of the rules is attractive. It was suggested that the enabling nature of the provisions be enhanced in the new Plan and/or extended to VUW sites in the Central Area if appropriate.
- It was also noted that – compared to other chapters in the Plan – the IPZ rules are relatively difficult to interpret for the purposes of determining compliance and activity status. This trait of the IPZ rules pertains both to buildings and activities.
- Relatedly, feedback was that the Design Guide approach to managing building height and siting (by number of storeys as marked coarsely on maps) is more difficult to apply than more traditional bulk and location standards in other chapters. A more legible regime would be preferred.
- The Planners cited several examples where – in their view – the IPZ rules are too stringent and/or require unnecessary consents, including for minor building proposals and for non-institutional activities that generally entail minor effects. The mobile data centre application discussed above was a specific example cited. While it may be appropriate for larger, more substantive development projects to retain a design-led consenting approach, opportunities for more permissive pathways were considered to be worth investigating.
- It was also noted that the controlled activity rule entails practical difficulties for the Consent Team given the short processing timeframes required under the RMA. For larger proposals that require technical input from other Council advisors, timeframes are often at risk of not being met.
- In general, the Planners do not find the existing IPZ policies to be particularly helpful for decision-making. More legible, area specific direction would be desirable in the new Plan. Greater emphasis on safety & CPTED should also feature in the new policy framework.
- Similarly, more legibility in notification statements and better use of non-notification clauses (where justified) was supported by the Planners. Relatedly, some rationalisation of the notification clauses in the rules could help avoid scenarios like the Children's Hospital applications. As discussed above, the applicant in that instance applied for the earthworks in a separate application to the building to avoid the bundling principle being applied and mandatory non-notification under the controlled activity rule for buildings being nullified by the default discretionary rule for earthworks.

#### 6.4 Capital & Coast DHB – 27 February 2020

Two members of the DHB's Strategy, Innovation & Performance team provided anecdotal feedback at the meeting. Key discussion points included:

- It was noted that the DHB does not intend to conduct any major site development proposals over the short to medium term. There may be demolition and/or disposal of some existing facilities, but the only foreseeable development opportunities would be additions/alterations to existing buildings. The DHB is rationalising its facilities across its jurisdiction, so investment in new facilities may be prioritised in the Hutt Valley and/or Keneperu – rather than at Wellington.
- The DHB added that the Park View site on the hospital campus is a potential candidate for disposal and/or redevelopment.
- It was also noted that upgrading underground services is a major priority for the Wellington site.
- The DHB gave an undertaking to provide additional anecdotal feedback in writing about recent consent processes, and its thoughts on the efficacy of the operative provisions. Further information would also be provided about relevant social, cultural and economic significance indicators.
- The balance of the discussion was focussed on wider interests the DHB has in the District Plan Review, and the integration of good health outcomes into the new provisions. The DHB is keen to partner and collaborate with the Council in the development of the Plan to achieve that aim.
- One specific area the DHB is keen to focus on is areas with higher deprivation rates in the City and how the new Plan provisions can address adverse health outcomes prevalent in those areas – Strathmore Park, Linden & Newtown were examples mentioned.

## **APPENDIX 2**

Review of best practice



# WELLINGTON CITY COUNCIL DISTRICT PLAN REVIEW

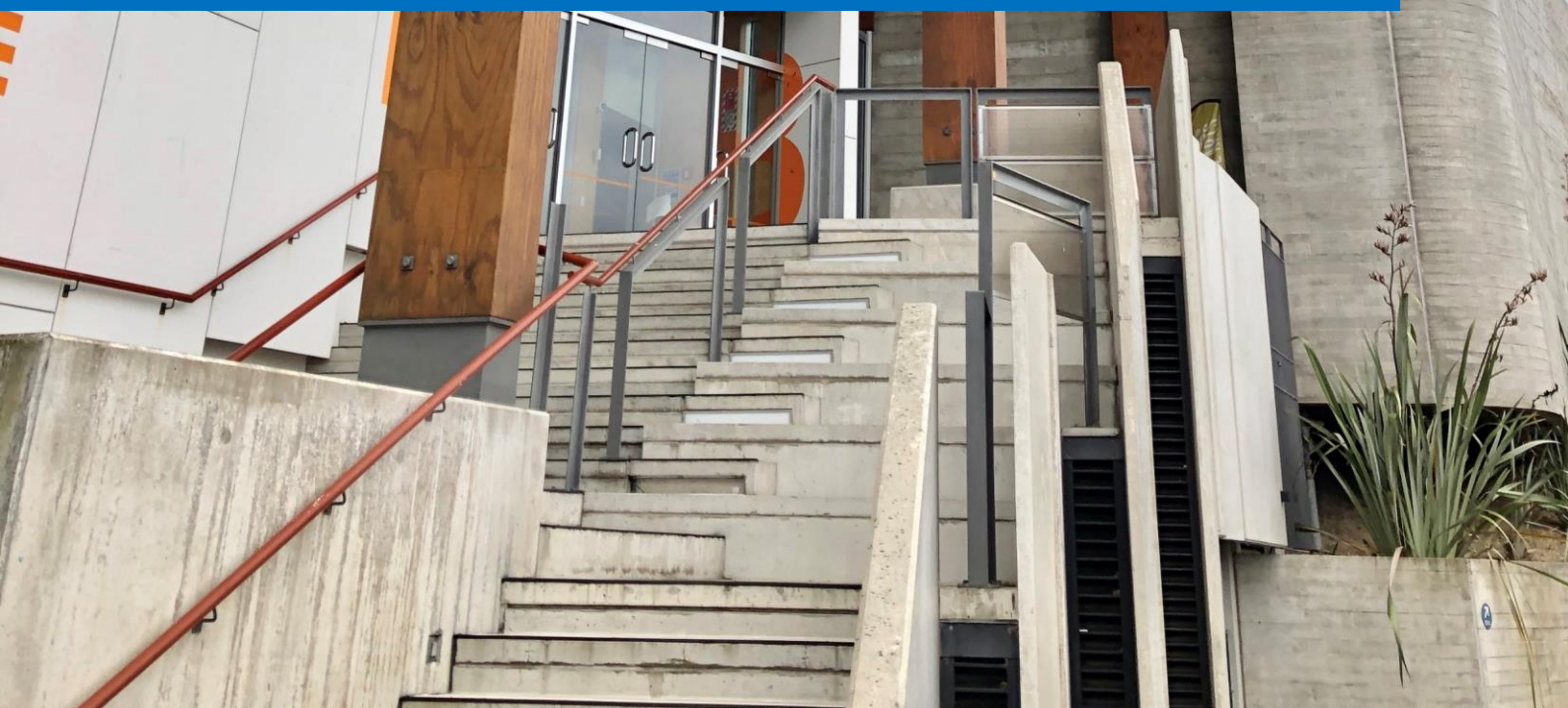
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## Institutional Precincts

Review of New Zealand Best Practice

Resource Management Group Ltd

March 2020





# Wellington City District Plan

## Institutional Precincts: review of New Zealand best practice

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## Executive Summary

This paper presents the results of an independent review of RMA Plans in other jurisdictions for the management of the use and development of hospitals and tertiary education facilities to inform the current review of the operative Wellington City District Plan.

The paper should be read in conjunction with a companion technical paper which reports on the outcomes of proposals subject to consent requirements under the operative Plan, together with an overarching issues and options paper that is informed by both technical papers.

In this technical paper, key institutions in each of ten cities or districts have been identified, and relevant district plan content for each jurisdiction has been summarised on that basis. The ten jurisdictions chosen represent those of similar scale to Wellington, and also a range of first and second-generation plans.

Key observations from this exercise have been grouped under ten topics, and can be summarised as follows:

1. Some plans include **strategic-level objectives** that recognise the significance and value of tertiary and health care institutions.
2. While most plans include **institution-specific objectives and policies** that cater for the development and operation of the institutions concerned and management of *external* amenity, only some plans go further in also focusing on *internal* amenity and/or integrated campus planning.
3. In terms of **broad spatial approaches**, plans differ markedly in their catering for institutions (both between plans, as well as within the same plan), although there is a move toward institution-specific zoning and, in some cases, additional precinct-level provisions, in second-generation plans.
4. Some plans are easier to follow than others, in terms of the **structure and complexity of activity tables and standards**.
5. Some plans provide for a **broad range of activities** and/or rely on broad definitions for institutional activities, whereas others are narrower in their provision and/or rely on references to 'ancillary' or 'associated' activities.
6. With respect to **coverage and relationship with other plan provisions**, most institution-specific provisions in plans do not replicate city or district-wide provisions, but may provide cross-references to other potentially relevant sections.
7. As observed in 2. above, most plans concern themselves, in part, with the maintenance of surrounding amenity, but most are silent in terms of **internal (intra-site) amenity**.
8. Only some plans seek to **control building design** by automatically imposing a requirement for consent and, where they do, these requirements may be qualified by a new build's scale, proximity to external boundaries, or 'visibility'.
9. No second-generation plans employ **design guides** to support institutional planning.
10. Some plans provide future proofing for **rationalisation or expansion** (e.g. via alternative zonings).

These observations, and those arising from the review of consent applications, feed into six issues that been identified at the issues and options paper level – and again, these three documents should be read in conjunction with one another.

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# Wellington City District Plan

## Institutional Precincts: Review of Best Practice

### 1. Project Overview

The Wellington City District Plan is in the early stages of a full review under the RMA. The Plan was made operative in 2000, and has been subject to nearly 100 plan changes and variations since a 'rolling' review commenced in 2005. The current review will comprehensively examine all aspects of the Plan as part of the Council's *Planning for Growth* initiative.

### 2. Purpose of this Paper

This paper presents the results of an independent review of first and second-generation RMA Plans in other jurisdictions for the management of the use and development of hospitals and tertiary education facilities. The results will feed into a separate piece of work whereby issues with the existing Institutional Precincts provisions in the operative Plan will be identified, and options for addressing those issues will be proposed.

### 3. Methodology

Key institutions in each city or district have been identified. For the purposes of summarising, all plan content has been sourced on-line from official council websites. Plan provisions have been summarised on plain reading, with clarification as to interpretation sought from Council policy teams only where absolutely necessary.

Plans selected for review comprise:

1. Auckland City Unitary Plan
2. Dunedin City District Plan
3. Operative Porirua District Plan
4. Draft Porirua District Plan
5. Christchurch District Plan
6. Palmerston North District Plan
7. Hamilton City District Plan
8. Tauranga City Plan
9. Operative New Plymouth District Plan
10. Proposed New Plymouth District Plan

For the detailed summaries of the respective Plans considered, refer to the Schedule attached. With respect to these detailed summaries, it is noted that:

- the provisions relating to the main campuses of key publicly-owned hospitals and major universities (and polytechnics where no universities are present) are summarised – whereas those applying to private hospitals, subsidiary sites and smaller tertiary institutions are not.

- the summaries focus on directly applicable, spatially-specific provisions relating to the institutions concerned (e.g. special purpose zones, precincts and the like). Applicable district or city-wide and overlay provisions are referenced, but not summarised in detail.
- The summaries focus on operative plan content although, where relevant, provisions subject to Environment Court references are summarised also. Proposed plan changes have been found not to be directly relevant where planning for institutions is concerned.
- In the case of the Auckland Unitary Plan, the summary is only of 'district plan' tagged provisions.

Plans were selected on the basis that the institutions and cities concerned are of a scale broadly commensurate with Wellington. All have second generation plans that are operative, proposed (New Plymouth) or draft (Porirua). The first-generation Porirua City and New Plymouth District Plans have therefore been summarised, alongside their intended second-generation replacements, for comparative purposes.

The provisions of the operative Wellington District Plan have also been summarised in a companion paper produced by Resource Management Group, which reports on anecdotal feedback from stakeholders and a review of relevant resource consent applications to gauge the efficacy of the operative provisions for the Institutional Precincts Zone. That summary should be read in conjunction with this paper for context.

#### 4. Summary of key observations

The key observations of the best practice review are summarised in this section, and a more comprehensive record of each Plan assessed can be reviewed further in the attached schedule.

For this summary section, our key observations are grouped under the following ten topics:

- 4.1 Strategic-level settings;
- 4.2 Institution-specific provisions;
- 4.3 Spatial approaches;
- 4.4 Structure & complexity of activity tables & standards;
- 4.5 Activities provided for;
- 4.6 Coverage & relationship with other provisions;
- 4.7 Relevance of amenity within precincts;
- 4.8 Control of building design;
- 4.9 Design guidance; and
- 4.10 Future-proofing for spatial changes.

In addition to the below, these topics will be revisited in the subsequent Issues and Options paper to follow this paper.

#### 4.1 Strategic-level settings

- Some plans include strategic-level objectives that recognise the significance and value of tertiary and health care institutions in economic and social terms, particularly where they are of national or regional importance.

#### 4.2 Focus of institution-specific objectives and policies

- At the institution-specific level, most plans include objectives and policies that, at the very least seek to:
  - provide for the continued development of the institution(s) concerned; while
  - addressing potentially adverse effects on neighbouring or surrounding character and amenity.
- The latter are usually specific to the nature of the surrounding land uses, which are invariably residential and/or open space in nature.
- Some plans also include objectives and policies that seek to maintain or enhance internal (i.e. intra-site) character and amenity. It follows that controls may apply equally to internal as well as external boundaries.
- Other plans also include objectives and policies that seek to provide for integrated planning or development of the site or institution concerned. Such plans may employ methods such as concept plan consents to effect this.
- There appears to be no particular correlation between ‘outward-looking’ or ‘inward-looking’ objectives and policies (as described above) and whether the institution concerned comprises a series of city blocks largely indistinguishable from the surrounding city (e.g. University of Auckland, University of Otago), or is a purpose-built campus (e.g. University of Waikato, Massey University at Palmerston North).
- Anticipated Environmental Results and other methods tend not to be articulated at a site-specific level in modern second-generation plans.

#### 4.3 Broad spatial approaches

- Plans vary considerably in their use of spatial tools such as zones, precincts, or site-specific references embedded in rules, and the extent to which provisions are differentiated between sites. Different approaches include employing:
  - generic residential or business zones that reflect the surrounding environment;
  - a ‘major facilities’ type special yet generic zoning that applies to both hospitals and tertiary institutions;
  - separate special purpose ‘major facilities’ type zones that cater for hospitals on one hand, and tertiary institutions on the other;
  - special purpose zones in combination with ‘precincts’ where said precincts, variously, may cater for:
    - individual institutions; or
    - particular parts of the site occupied by a single institution.

- Not all controls applying to part of a larger campus are grouped under ‘precinct’ titles. In some cases, maps or plans are simply employed to illustrate how provisions (e.g. height limits) differentiate within a site.
- Comparisons between first and second generation plans from the same jurisdiction suggest that there is a move toward institution-specific zoning, and away from the application of more generic residential or business zonings.
- Even within the same plan, there is not necessarily a common approach to the way in which hospitals, on one hand, and tertiary institutions, on the other, are treated spatially. For example, the Taranaki Base Hospital is catered for by way of a special purpose zone in the proposed New Plymouth District Plan, whereas the Western Institution of Technology is subject to a medium density residential zoning. This may reflect the level of engagement by the institutions in the plan development process, rather than the degree of ‘uniqueness’ associated with the site or institution concerned.
- Where an approach using both zones and precincts is taken, objectives and policies may be expressed at either the former or latter level.
- Not all plans are clear about the relationship between zone and precinct-level provisions and which take precedence, whereas others are.
- Overall, the proposed New Plymouth District Plan provides a model where the spatial provisions relating to public and private hospitals are concerned; the special purpose zone provides a broad policy context for both the Taranaki Base Hospital and private hospitals, whereas the rules are set out at a precinct level, which are unique to the institution concerned.

#### 4.4 Structure and complexity of activity tables and standards

- To a limited degree the structural complexity of activity tables and standards and the relationship between them will be dictated by the complexity of the site or institution concerned.
- However, this does not explain why the Christchurch or Dunedin City District Plan provisions are as challenging to follow as they are (compared to those set out in the proposed New Plymouth District Plan).
- It is not always clear what the default settings are for activities that infringe standards or that are not otherwise listed.

#### 4.5 Range of activities provided for

- The range of activities that are catered for in plans and the consent status they are accorded varies considerably.
- Some definitions used in plans for core or ‘primary’ activities are very broad, others are more limited and may necessitate supplementary references to other activities.
- In some cases, built form standards apply only to ‘buildings’; in other instances, they apply to ‘structures’ as well.

- Most activity tables separate building activity from land use activity so that different sets of standards can be applied.

#### **4.6 Coverage and relationship with other plan provisions**

- Most institution-specific provisions in plans are self-contained only in the sense of those provisions that apply solely to the site in question. Generic provisions relating to such matters as hazardous substances are not replicated for each zone.
- Other parts of the plans set out city or district-wide provisions relating to generic topics, or overlays.
- Some plans provide a reference within site-specific provisions to other provisions that may apply. This is normally framed as guidance.

#### **4.7 Relevance of internal amenity**

- As indicated above, most plans concern themselves, in part, with the maintenance of surrounding amenity.
- Even where they do not (e.g. in inner city locations, or fronting major roads), plans may express ambitions to enhance levels of amenity.
- Some plans are largely silent in terms on internal (intra-site) amenity.

#### **4.8 Control of building design**

- Some plans seek to control building design by automatically requiring consent for new builds, additions and (in some cases) alterations.
- In the Hamilton City District Plan, design-led consent obligations are incentivised by the status given to development in compliance with concept plan consents. In others, design-led consent obligations are mitigated by non-notification statements, of variable certainty.
- Following on from the above, some plans only require consent where new builds, adds or alts are located within a specified distance from road frontages, public spaces or external zone boundaries (but not internal boundaries). Others also trigger consent where the activity is deemed to be 'visible' from such locations.

#### **4.9 Use of design guidance**

- None of the second-generation plans employ design guides to support institutional planning.

#### **4.10 Future-proofing for rationalisation or expansion**

- Some plans (e.g. Dunedin City District Plan provisions relating to Dunedin Hospital) expressly cater for alternative site uses in policy and/or substitution zoning where site rationalisation or relocation occurs. Others do not (e.g. it is not clear that University of Auckland's vacating of its Tamaki campus is anticipated in the Auckland Unitary Plan).



## Schedule: Detailed summaries of provisions

### 1 Auckland Unitary Plan

**Summary:** Some but not all institutions are catered for by way of special purpose zones; whereas for other institutions both underlying zones and precinct-based provisions apply. In all cases, city-wide provisions may also apply, depending on the nature of a particular proposal. The importance of institutions is recognised at a strategic level. Activities related to the institutions are broadly provided for, whereas new builds of a certain scale automatically require consent. With respect to the latter, no design guides apply; rather, matters of discretion, assessment criteria and policies would be brought to bear. Explicit notification statements apply in some instances.

| Indicator                      | Summary   |
|--------------------------------|---|
| <b>Status of Plan(s)</b>       | Operative in part (29/09/2016). Updated multiple times since then to incorporate the outcomes of resolved appeals and adopted plan changes. Plan version dated 11/10/2019 is summarised below. No proposed plan changes appear to have any significant bearing on provisions relating to major institutions.  |
| <b>Relevant institutions</b>   | <p>University of Auckland (central city and medical school campuses), Auckland University of Technology (central city campus), Manukau Institution of Technology, Massey University, UNITEC (NB: University of Auckland has a Tamaki campus which it is vacating, and the above institutions also have other smaller campuses, but the provisions relating to them are not summarised here).</p> <p>Auckland, Greenlane, Waitakere, North Shore and Middlemore Hospitals.</p>   |
| <b>Broad planning approach</b> | <ul style="list-style-type: none"> <li>Some universities (e.g. UoA central city and medical school campuses, AUT, Massey) are subject to a business or mixed-use zoning, but also precinct-based provisions. In some cases, sub-precincts are identified.</li> <li>Other tertiary institutions (e.g. MIT) are catered for by a Special Purpose – Tertiary Education Zone. All major hospitals are catered for by a Special Purpose – Healthcare Facility and Hospital Zone.</li> <li>UNITEC is subject to both an underlying zoning which includes in part the Special Purpose – Tertiary Education Zone, but also precinct-based provisions.</li> </ul> <p>For the first group, underlying zone and overlay-based provisions apply, unless equivalent precinct-based provisions exist, in which case the latter apply. The precinct provisions include activity tables and standards, and the standards relate to such matters as parking, building and frontage height and setback, and building coverage, screening and yard provision. For all other aspects of development, the underlying zone standards apply (these may relate to matters more translatable to the broader zone e.g. landscaping, wind performance of buildings, outlook space etc.).</p> <p>For the second group, the special purpose zone provisions are comprehensive as far as activity tables and zone-based standards are concerned. As with the first group, however, Auckland-wide rules and overlay provisions (relating to heritage, notable trees, mana whenua, noise, lighting and signs etc.) also may apply, but are not summarised here.</p> <p>The provisions relating to the UNITEC reflect the complexities of the site, with multiple owners and uses in play, not all of which are related directly to the tertiary institution, and the prospect of considerable rationalisation and changes of use.</p> <p>It is not clear why some campus-style tertiary institutions are catered for by special zones (e.g. MIT) whereas others are subject to underlying zone and precinct provisions (e.g. Massey), but this may reflect legacy provisions and negotiated outcomes.</p> <p>There are no design guides that apply.</p> |

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| <p><b>Location of institutional content in plan(s)</b></p>       | <ul style="list-style-type: none"> <li>• Strategic-level objectives and policies are set out in the Auckland RPS.</li> <li>• Descriptions of the two special purpose zones, together with objectives, policies, activity tables, notification statements, standards, matters of control or discretion and assessment criteria are set out in Chapter H (Zones) of the Plan, as are the provisions of any applicable underlying zones.</li> <li>• Descriptions for the precincts and sub-precincts, together with objectives, policies, statements regarding the relationship between precinct, zone and overlay provisions, activity tables, notification statements, standards, matters for control or discretion, assessment criteria and (in some cases) precinct plans are set out in Chapter I (precincts).</li> <li>• Overlay and Auckland-wide provisions (inclusive of background statements, objectives, policies and rules) are set out in Chapters D (Overlays) and E (Auckland-wide), respectively.</li> </ul>  |
| <p><b>Objectives &amp; Environmental Results Anticipated</b></p> | <p>At a strategic level, the Auckland RPS contains objectives (and policies) relating to the provision of ‘social facilities’ (including education and health services), with the main focus on the provision of new facilities in concert with urban growth, albeit ‘intensive use’ of existing sites is also to be enabled.</p> <p>Special Purpose – Healthcare Facility and Hospital Zone Objectives:</p> <ul style="list-style-type: none"> <li>• are enabling of hospital / healthcare operation and development;</li> <li>• seek to provide for comprehensive range of hospital / healthcare activities, buildings and infrastructure; and</li> <li>• seek to ARM adverse effects on adjacent areas.</li> </ul> <p>Special Purpose – Tertiary Education Zone Objectives:</p> <ul style="list-style-type: none"> <li>• seek to ensure that education facilities are able to meet the needs of their students, facilitate R&amp;D and provide for the well-being of occupants;</li> <li>• seek to provide for compatible or accessory activities whether they would not compromise the use of the zone for tertiary education; and</li> <li>• seek to ARM adverse effects on adjacent areas.</li> </ul> <p>Precinct objectives, in addition to the above, then focus on more specific expectations relating to built character, urban design, sense of place, in-precinct heritage values, open space, pedestrian and transportation provision and connections (the latter including reference to travel demand planning), and the benefits of co-location. The Learning precinct objectives are explicit that underlying zone, Auckland-wide and overlay objectives also apply; others are not.</p> <p>Specific expectations relating to Auckland-wide topics such as heritage and mana whenua values are set out in the relevant Auckland-wide or overlay chapters i.e. they are not repeated in special purpose zones or precincts.</p> <p>AERs are not specified.</p> |
| <p><b>Policy direction</b></p>                                   | <p>Following on from the above, Policies for the Special Purpose – Healthcare Facility and Hospital Zone seek to:</p> <ul style="list-style-type: none"> <li>• enable a range of hospital / healthcare facilities;</li> <li>• enable a range of non-healthcare facilities provided they don’t compromise the zone’s primary purpose and ARM significant adverse effects;</li> <li>• minimise significant adverse effects of overshadowing, visual dominance and loss of visual privacy on adjacent properties through the use of graduated building heights, and directing or providing for additional building height in identified locations;</li> <li>• require new buildings and additions adjoining streets and public open spaces to maintain and enhance amenity values; and</li> <li>• require new buildings to be designed to a high standard of amenity and safety.</li> </ul> <p>The Policies for the Special Purpose – Tertiary Education Zone are worded similarly but set out additional intentions with respect to screening and landscaping to address effects on adjacent areas, and providing for accessory activities without undermining the function of town centres.</p>  |

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|                    | <p>Precinct-based policies cover similar matters to special zone policies; there is little to distinguish them in coverage or detail. The Learning precinct policies are explicit that underlying zone, Auckland-wide and overlay policies also apply; others are not.</p> <p>Specific expectations relating to Auckland-wide topics such as heritage and mana whenua values are set out in the relevant Auckland-wide or overlay chapters i.e. they are not repeated in special purpose zones or precincts.</p>  |
| Regulatory methods | <p>Activity tables for both special purpose zones and the precincts contain specific lists of activities. It is only under the standards sections that it is made clear that permitted and restricted discretionary activities are obliged to comply. The following examples are drawn from the Special Purpose – Healthcare Facility and Hospital Zone, but are illustrative of the approach used for the other zone, and precincts besides.</p> <p><b>Permitted activities</b> include core activities for the relevant zone (e.g. <i>hospitals, healthcare facilities, care centres</i>) but also potentially associated activities, such as <i>public amenities, artworks, organised sport and recreation, and tertiary education facilities accessory to health care. Accommodation</i> is provided for and ranges in status from <b>permitted</b> (for <i>supported residential care</i>), through <b>restricted discretionary</b> (for <i>visitor accommodation</i>) to <b>discretionary</b> (<i>dwelling not specified</i>).</p> <p><b>Building alterations, additions and demolition</b> may be <b>permitted</b>, unless they involve conversion to dwellings (<b>controlled</b> or <b>discretionary</b>) or an increase in footprint by more than 20% that are ‘visible from’ and located with 10m of public roads or open space zones (<b>restricted discretionary</b>). <b>New buildings</b> are also <b>restricted discretionary</b>.</p> <p>It is not always clear what the status is of unlisted activities in these tables. It may be that in the case of precincts, the default status specified for the underlying zone applies.</p> <p>In some but not all instances it is explicitly stated that controlled or restricted discretionary activities will be considered without recourse to notification or the need to obtain written approvals.</p> <p>Across the special zones and precincts, standards relate to such matters as parking, building and frontage height and setback, and building coverage, screening and yard provision. Metrics and default settings for infringements differ significantly between them. It is noted that:</p> <ul style="list-style-type: none"> <li>• height limits tend to apply to buildings and not also structures;</li> <li>• different height limits may apply within a zone or precinct, as anticipated in policies, and are illustrated with embedded maps;</li> <li>• where sites adjoin other zone, the height in relation to boundary standard of that other zone tends to apply;</li> <li>• yard and screening requirements may only apply to sites adjoining residential or open space zones, or roads;</li> <li>• site coverage values reflect whether the institution is campus or inner-city based;</li> <li>• diagrams are used to illustrate frontage controls; and</li> <li>• where dwellings are concerned, residential zone standards relating to outlook space and the like may apply.</li> </ul> <p>As indicated above, no design guide guides apply. Rather, applications for new builds or additions requiring consent would be guided by matters of discretion and assessment criteria.</p> |
| Other methods      | No other methods are specified at the zone or precinct level.   |

## 2 Dunedin City District Plan

**Summary:** All institutions are catered for by way of special purpose zones. In all cases, city-wide provisions may also apply, depending on the nature of a particular proposal. The importance of institutions is recognised at a strategic level. Activities related to the institutions are broadly provided for, and new builds do not automatically require consent. In at least one instance, it is made clear what provisions apply in the event of site rationalisation. Explicit notification statements apply in some instances.

| Indicator                                      | Summary   |
|--|---|
| Status of Plan(s)                              | Legal effect from 07/11/2018. All provisions not subject to appeal deemed operative. Broadly speaking, the provisions specifically and solely directly to institutions are not subject to appeal. Minor amendment variation notified 20/11/2019.  |
| Relevant institutions                          | University of Otago, Otago Polytechnic, Dunedin Hospital, Wakari Hospital.  |
| Broad planning approach                        | <p>The University of Otago and Otago Polytechnic campuses are subject to a Major Facility – Campus Zone. Dunedin and Wakari Hospitals is subject to Major Facility – Dunedin Hospital and Major Facility – Wakari Hospital zones.</p> <p>The institutions, together with other properties, are also subject to provisions relating to City-wide activities (e.g. temporary activities, earthworks) and City-wide overlays (e.g. heritage buildings and structures, archaeological alert layers, natural hazards (flooding)).</p> <p>There are no design guides that apply.</p>  |
| Location of institutional content in plan(s)   | <ul style="list-style-type: none"> <li>Strategic Directions, inclusive of objectives and policies, are set out in Part A, Chapter 2.</li> <li>The Major Facility Zones are set out in Part E, Chapters 23 (Dunedin Hospital), 34 (Campus) and 35 (Wakari Hospital). They include introductions, objectives, policies, activity status statements, activity status tables, notification statements, performance standards, matters of discretion and assessment criteria.</li> </ul>   |
| Objectives & Environmental Results Anticipated | <p>One strategic-level objective recognises that 'major facilities' that are important for economic productivity and social well-being, are to be protected from 'less productive competing or incompatible uses' that may give rise to reverse sensitivity, and are able to operate efficiently and effectively.</p> <p>Major Facility – Dunedin and Wakari Hospital Zone Objectives seek to:</p> <ul style="list-style-type: none"> <li>ensure that the hospitals are able to operate efficiently; and</li> <li>enable activities and development necessary to meeting the reasonably foreseeable health needs of the community, which ensuring a reasonable standard of on-site and streetscape amenity (in the case of Dunedin Hospital) and surrounding residential amenity (in the case of Wakari Hospital).</li> </ul> <p>Major Facility – Campus Zone Objectives seek to:</p> <ul style="list-style-type: none"> <li>ensure that the University and Polytechnic are able to operate efficiently, while providing for residential living and a 'limited range' or 'specified activities' associated and compatible with those institutions; and</li> <li>ensure that the distinctive character and amenity of the campus environments, surrounding streets, on-site residential activities and adjacent residential and recreational properties are maintained or enhanced.</li> </ul> |
| Policy direction                               | <p>At a strategic level, special zoning of major facilities is identified as a means enabling them to operate efficiently and effectively (while minimising 'as far practicable' adverse effects on surrounding areas, as well as protecting them from activities giving rise to reverse sensitivity).</p> <p>Following on from the above, Policies for the Major Facility – Dunedin and Wakari Hospital Zones seek to:</p>   |

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|                    | <ul style="list-style-type: none"> <li>• enable hospital and community activities, and ancillary activities;</li> <li>• only allow non-ancillary activities where they are nevertheless 'related to or supportive of' the hospital concerned, have an operational need to locate in-zone, and are not appropriately catered for elsewhere;</li> <li>• enable land surplus to Dunedin Hospital to transition to the Campus Zone; and</li> <li>• impose measures relating to streetscape amenity (landscaping, building modulation, glazing, screening, pedestrian shelter, signage), height (to address skyline vista, shading and wind effects), and limited provision for early childhood education (to address reverse sensitivity).</li> </ul> <p>Following on from the above, Policies for the Major Facility – Campus Zone seek to:</p> <ul style="list-style-type: none"> <li>• enable campus activities;</li> <li>• provide for broader range of activities than in the hospital zones including residential, community and leisure, sport and recreation, and ancillary retailing and restaurants; and</li> <li>• impose measures relating to height (to address skyline vista effects), adjoining residential amenity (height, height in relation to boundary, building setback), in-zone residential amenity (Inner City Residential Zone provisions apply), outdoor storage, fencing and signage.</li> </ul> <p>Specific expectations relating to City-wide topics such as earthworks and natural hazards values are set out in the relevant City-wide or overlay chapters i.e., they are not repeated in special purpose zones.</p>  |
| Regulatory methods | <p>Across both Major Facility Zones, activity status tables and performance standards are provided for land uses and development activities, separately.</p> <p>Definitions for activities are nested, in the sense that a broader definition for '<i>major facility activities</i>' is supported by more specific definitions such as '<i>hospital</i>' and '<i>campus</i>'.</p> <p>Activity tables are structured so that it is clear what standards apply to each activity. For example, in the Major Facility – Campus Zone, all land use activities are subject to standards relating to acoustic insulation, electrical interference, light spill and noise, and <i>campus activities</i>, which are <b>permitted</b> in the Major Facility – Campus Zone, are otherwise subject only to the minimum car parking standard. A range of other activities such as <i>sport and recreation, entertainment and exhibition, retailing and restaurants 'ancillary to campus'</i> and '<i>standard residential</i>' activities are also <b>permitted</b> subject to specific standards. Other activities range for <b>restricted discretionary</b> status (e.g. <i>early childhood centres</i>) to <b>non-complying activity</b> status (e.g. '<i>retail not ancillary to campus</i>').</p> <p>It is to noted that <i>new buildings and structures</i>, and <i>additions and alterations to buildings</i> (independent of the activity they will be used for) are permitted in the Major Facility – Campus Zone. They are <u>not</u> subject to any performance standards. It is only when new buildings affect specified heritage values and (in one case) are '<i>visible from an adjoining public place</i>' are consent requirements imposed (e.g. as a <b>restricted discretionary activity</b>). The land use activity and development activity tables are complicated.</p> <p>Notification statements generally indicate that RMA provisions apply, although in cases (e.g. where materials and design performance standards would be contravened) a non-notification path is explicitly set out.</p> <p>Statements explain what provisions apply in a situation where an institution sells off sites (where Dunedin Hospital is concerned, the Campus Zone provisions will apply).</p> <p>Assessment criteria are included for restricted discretionary, discretionary and non-complying activities.</p> |
| Other methods      | No other methods are specified at the zone level.  |

### 3 Operative Porirua District Plan

**Summary:** All institutions are subject to broader generic industrial or city centre zones. In all cases, city-wide provisions may also apply, depending on the nature of a particular proposal. The importance of institutions is not recognised at a strategic level. Activities related to the institutions are broadly provided for, in the sense that any activities able to comply with performance standards are permitted. New builds are not subject to automatic requirements for consent.

| Indicator                                      | Summary   |
|--|---|
| Status of Plan(s)                              | Operative 01/11/1999, inclusive of 17 operative plan changes. Currently under review – refer next example.  |
| Relevant institutions                          | Kenepuru Community Hospital, Whitireia Porirua Campus.  |
| Broad planning approach                        | <p>The Kenepuru Hospital is located in a broader Industrial Zone. The Whitireia Campus is located in a broader City Centre Zone. The Campus is also located within a ‘vehicle activity area’ and a ‘height area three’. No special or site-specific zoning provisions, or overlays, apply.</p> <p>There are no strategic-level objectives or policies relating to these institutions. There are no design guides that apply.</p> <p>The zones within which these institutions are located are also subject to district-wide provisions relating to subdivision, transport, noise, signs and hazardous substances.</p> |
| Location of institutional content in plan(s)   | <ul style="list-style-type: none"> <li>• City Centre Zone objectives and policies are set out in Chapter C1 of the Plan.</li> <li>• Industrial Zone objectives and policies are set out in Chapter C2 of the Plan.</li> <li>• City Centre Zone rules and standards are set out in Chapter D1 of the Plan.</li> <li>• Industrial Zone rules and standards are set out in Chapter D2 of the Plan.</li> </ul>  |
| Objectives & Environmental Results Anticipated | <p>While the District Plan does obliquely refer to the location of civic and educational activities in the City Centre, no Objectives or AERs explicitly reference the Whitireia Campus.</p> <p>Likewise, there are no explicit references to the Kenepuru Hospital in the objectives and AERS relating to the Industrial Zone.</p>   |
| Policy direction                               | As above, with respect to District Plan policies.   |
| Regulatory methods                             | <p>Despite the fact that <b>neither</b> the City Centre Zone or the Industrial Zone specifically provide for educational or healthcare related activities, the zone provisions are relatively liberal, in the sense that any activity able to comply with permitted activity standards and not otherwise listed are deemed <b>permitted activities</b>.</p> <p>Standards relate to parking, earthworks, hazardous substances, height, height recession planes, loading, noise, screening, signs and yards.</p>  |
| Other methods                                  | No other methods are specified in the Plan.   |

#### 4 Draft Porirua District Plan

**Summary:** Porirua’s hospital would now be catered for by a special purpose zone, whereas the polytechnic is subject to a large format retail zone, albeit that precinct-level provisions apply. In all cases, city-wide provisions may also apply, depending on the nature of a particular proposal. The importance of institutions is not recognised at a strategic level. Activities related to the institutions are broadly provided for, and new builds do not automatically require consent. In at least one instance, it is made clear what provisions apply in the event of site rationalisation.

| Indicator                                      | Summary  |
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| Status of Plan(s)                              | A full draft of the new District Plan was released in September 2019. It is anticipated that a proposed version will be notified in 2020.  |
| Relevant institutions                          | Kenepuru Community Hospital, Whitireia Porirua Campus.   |
| Broad planning approach                        | <p>The Kenepuru Hospital is now catered for by a Special Purpose – Hospital Zone. The Whitireia Campus is not accommodated within a special purpose zone. Rather, it is located within a Large Format Retail Zone, and the Whitireia Tertiary Education Precinct provisions apply.</p> <p>There are no strategic-level objectives or policies specifically relating to these institutions. While design guides have been developed, none apply to the institutions concerned.</p> <p>The zones within which these institutions are located are also subject to district-wide provisions relating to earthworks, light, noise and signs.</p>  |
| Location of institutional content in plan(s)   | <ul style="list-style-type: none"> <li>Special Purpose – Hospital Zone provisions, inclusive of an introduction, objectives, policies and rules, are contained in Part 3 of the Plan.</li> <li>The Large Format Retail Zone provisions, inclusive of an introduction, objectives, policies and rules, as well as objectives, policies and rules relating specifically to the Whitireia Tertiary Education Precinct, are contained in Part 3 of the Plan.</li> </ul>  |
| Objectives & Environmental Results Anticipated | <p>Special Purpose – Hospital Zone Objectives seek to:</p> <ul style="list-style-type: none"> <li>provide for the operation and development of hospital activities which support the health and wellbeing of the Porirua community; and</li> <li>provide for scale, form and nature of use and development characterised by large scale campuses, tall buildings, a spacious and open environment and large landscaped areas along street frontages.</li> </ul> <p>Whitireia Tertiary Education Precinct Objectives apply in addition to those for the Large Format Retail Zone. The former:</p> <ul style="list-style-type: none"> <li>provide for tertiary education purposes, enable both tertiary education and ancillary activities, and support Whitireia’s role as a regionally important education provider; and</li> <li>seek to ensure character and amenity within the precinct is provided, characterised by low / medium density buildings, and connections to water bodies.</li> </ul> |
| Policy direction                               | <p>Special Purpose – Hospital Zone Policies seek to:</p> <ul style="list-style-type: none"> <li>allow the construction, operation and maintenance of ‘compatible’ hospital activities, provide for childcare centres, retailing and business services where limited by GFA in the first instance and in the second instance, where it can be demonstrated that hospital operations, external amenity and the City’s commercial hierarchy will not be affected, the activities are ancillary and there is a functional / operational need;</li> <li>avoid ‘incompatible’ use and development; and</li> <li>minimise effects (such as dominance and enclosure) on adjacent residential and open space zones through such measures as controls on building interface location, bulk, height or form, and separation distances, screening and landscaping.</li> </ul>  |

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|                    | The sole Whitireia Tertiary Education Precinct Policy applies in addition to those for the Large Format Retail Zone. The former seeks to enable 'compatible' activities.   |
| Regulatory methods | <p><b>'Hospital activities'</b>, which are broadly defined as including an expected range of healthcare related activities, as well as <b>helicopter landing facilities</b>, are a <b>permitted activity</b> in the Special Purpose – Hospital Zone. In line with the policy above, <b>childcare centres</b> and <b>retailing or business services</b> are also <b>permitted</b> where limited to 250m<sup>2</sup> GFA / 10% of site area or 100m<sup>2</sup> GFA / 10% of site area, respectively.</p> <p><b>Building activity</b> is separately provided for as a <b>permitted activity</b>, subject to compliance with standards relating to height (11m), screening and setback of outdoor storage and rubbish collection areas, 10m / 5m building, structure and parking area setbacks from specified roads, 5m setbacks from adjoining residential or open space zones, and height in relation to boundary controls. Infringement of said standards means the building activity defaults to <b>restricted discretionary activity</b> status (or <b>discretionary activity</b> status in the case of buildings over 20m in height).</p> <p>All other activities are automatically a <b>discretionary activity</b>, with exception of <b>commercial activities</b> exceeding 450m<sup>2</sup> GFA, which are <b>non-complying activities</b>.</p> <p>The only activity provided for as a <b>permitted activity</b> in the Whitireia Tertiary Education Precinct are <b>'tertiary education activities, including ancillary activities'</b> (the former appears to be undefined at present). These do not appear to be subject to any standards which may be an oversight. It appears that the activity table for the Large Format Retail Zone (and attendant standards) apply in respect of other activities. As stated in the zone introduction, the Precinct provides more the specific needs of the education provider, while 'still enabling the future use of land in line with the underlying zoning'. This appears to suggest that some rationalisation of holdings by the tertiary provider or a future shift of the institution is contemplated c.f. the Hospital Zone, which is self-contained in terms of its provisions.</p> <p>Where zone and precinct provisions conflict, the Plan indicates that the latter prevail.</p> <p>No specific notification statements apply.</p> |
| Other methods      | No other methods are specified in the Plan.  |



## 5 Christchurch District Plan

**Summary:** Institutions are catered for by way of special purpose zones. In all cases, city-wide provisions may also apply, depending on the nature of a particular proposal. The importance of institutions is recognised at a strategic level. Activities related to the institutions are broadly provided for, whereas new builds of a certain scale automatically require consent. With respect to the latter, no design guides apply; rather, matters of discretion, assessment criteria and policies would be brought to bear. In most instances, it is made clear what provisions apply in the event of site rationalisation. Explicit notification statements apply in some instances.

| Indicator                                      | Summary  |
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| Status of Plan(s)                              | The Christchurch District Plan became operative on 19/12/2017. The coastal hazard provisions of the previous plans still apply but as they are not directly relevant to the institutions of interest they are not summarised here. Neither are any proposed plan changes relevant.   |
| Relevant institutions                          | Christchurch Hospital, University of Canterbury main campus.   |
| Broad planning approach                        | <p>The Plan contains a series of strategic-level objectives, one of which relates to 'community facilities' and 'education activities', which are defined as including 'health case facilities' and 'tertiary education' respectively.</p> <p>Christchurch Hospital is primary catered for by a Specific Purpose (Hospital) Zone, although the western and northern portions of the site occupied by the acute services building are subject to a designation (M1) effected by the Minister of Health, presumably in response to relocation requirements arising from the Christchurch earthquakes. The designation provisions are not summarised further here, as they are not a practical option where the Wellington Hospital is concerned. No overlay provisions appear to apply the site.</p> <p>The University of Canterbury main campus is catered for by the Special Purpose (Tertiary Education) Zone. Overlay provisions relating to upstream waterways but are not summarised here.</p> <p>It is worth noting that, as signalled in policy, for tertiary education sites other than the University of Canterbury's main campus, and for private hospitals (not Christchurch Hospital), tables of alternative zones are provided (in the event that the institutions concerned vacate their sites). The applicable replacement zones are those that apply in the surrounding area.</p> <p>City-wide provisions relating to hazardous substances, noise, lighting, signs, natural and cultural heritage and the like are found in separate sections of the Plan, and in certain circumstances, apply where the institutions of interest are concerned.</p> <p>No design guides apply.</p> |
| Location of institutional content in plan(s)   | <ul style="list-style-type: none"> <li>• Strategic directions, inclusive of high-level objectives, are set out in Chapter 2.</li> <li>• Specific Purpose Zone provisions, inclusive of introductions, objectives, policies, statements regarding the interpretation and application of rules, activity status tables, built form standards, and relevant appendices are set out in Chapter 13.</li> <li>• City-wide provisions are set out in Chapters 4 through 12 of the Plan.</li> </ul>  |
| Objectives & Environmental Results Anticipated | At the strategic level, one Objective seeks to expedite the recovery and establishment of community facilities and education activities to meet the needs of the community, as well as encourage the co-location and shared use of facilities.   |

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|                    | <p>The sole Specific Purpose (Hospital) Zone Objective seeks to support the efficient development of hospital sites while recognising the character and amenity values of the surrounding environment.</p> <p>For tertiary education and research activities, Specific Purpose (Tertiary Education) Zone Objectives seek to:</p> <ul style="list-style-type: none"> <li>• enable their efficient use, growth and diversification, while having regard to the amenity values and character of the surrounding environment;</li> <li>• ensure they make positive social and economic contributions to Christchurch (including as hubs for a diverse range of community activities); and</li> <li>• maintain a balance between flexibility or certainty, with respect to surplus land and buildings.</li> </ul> <p>No AERs appear to be set out in the Plan.</p>  |
| Policy direction   | <p>Specific Purpose (Hospital) Zone Policies seek to:</p> <ul style="list-style-type: none"> <li>• encourage intensification and containment over expansion; and</li> <li>• ensure that where the Christchurch Hospital's development is concerned, large-scale development is provided for, while pedestrian activity is encouraged, high quality amenity is provided along road frontages and adjoining public spaces, building form and scale and associated landscaping acknowledges adjacent zones, and the Central City site's unique surroundings are acknowledged.</li> </ul> <p>Specific Purpose (Tertiary Education) Zone Policies seek to:</p> <ul style="list-style-type: none"> <li>• enable tertiary education and research activities to develop while minimising adverse effects on neighbouring amenity values and giving regard to the benefits of open space, landscaping and trees on the streetscape, the character and amenity of the campus, and the surrounding area;</li> <li>• provide for 'compatible' and 'secondary' community uses; and</li> <li>• enable the reuse of surplus sites, consistent with provisions applicable to the surrounding environment.</li> </ul>   |
| Regulatory methods | <p>The rules for both zones helpfully begin with a list of other provisions in the Plan that also apply.</p> <p>In the Specific Purpose (Hospital) Zone <b>hospitals</b>, inclusive of <b>emergency service facilities, health care facilities, ancillary offices and retail activities, parking buildings</b> and other activities are provided for as <b>permitted activities</b>. From this point on, the activity tables are very and potentially unnecessarily complex but, in essence, on the Christchurch Hospital site, any of the following are <b>restricted discretionary activities</b>:</p> <ul style="list-style-type: none"> <li>• permitted activities referred to above that do not meet built form standards relating to building setbacks from boundaries with specific roads (10m) and specific parks (4m to 30m), maximum building height (60m), height in relation to boundary; the provision of landscaping including trees, maximum fence height and screening of outdoor storage areas;</li> <li>• <b>new buildings or additions to buildings</b> that are more than 20m in length and that are 'visible' from an external boundary with public spaces or a residential zone;</li> <li>• <b>new buildings or additions to buildings</b> that are 1000m<sup>2</sup> GFA or more; and</li> <li>• <b>multi-level parking buildings</b> within 15m of residential boundaries or public spaces.</li> </ul> <p>To complicate matters further, provision is also made for <b>new buildings or additions to buildings</b> as <b>controlled activities</b>, so long as they are located more than 30m from a site boundary.</p> <p>There are specific non-notification statements relating to the above activities.</p> <p>In the Specific Purpose (Tertiary Education) Zone <b>tertiary education and research activities and facilities, community activities</b> using tertiary education and research facilities and use of student accommodation by non-students (for no more than 30 days p/a) are <b>permitted</b>.</p> |

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|                      | <p><i><b>New buildings or additions to buildings</b></i> within 30m of site boundaries, more than 11m in height or with a GFA greater than 1000m<sup>2</sup> are <b>controlled activities</b>. It is not clear what status new buildings or additions that do not meet these constraints would assume.</p> <p>Activities unable to meet built form standards relating to site coverage, daylight recession planes, building setbacks from roads (10m), boundaries with other zones (6m), maximum building height (16 to 30m), landscaping adjoining specific roads and residential zones, screening of outdoor storage and water supply for firefighting are classed as <b>restricted discretionary activities</b>.</p> <p>Again, there are specific non-notification statements relating to the above activities.</p> |
| <b>Other methods</b> | Other methods are set out at a broad level in the Introduction to the Plan.  |

## 6 Palmerston North District Plan

**Summary:** Institutions are catered for by way of a special purpose zone (albeit undifferentiated between hospitals and tertiary institutes). In all cases, city-wide provisions may also apply, depending on the nature of a particular proposal. The importance of education and research institutions (but not the hospital) is recognised at a strategic level. Activities related to the institutions are broadly provided for, and new builds do not automatically require consent.

| Indicator   | Summary   |
|---|---|
| <b>Status of Plan(s)</b>                                  | A sectional district plan review was completed in May 2019. Plan Change 11 relates to the Institutional Zone, and was made operative in May 2018. There are no proposed plan changes of any direct relevance.   |
| <b>Relevant institutions</b>                              | Palmerston North Hospital, Massey University Turitea Campus.  |
| <b>Broad planning approach</b>                            | <p>Strategic-level City view objectives are set out near the front of the Plan, and refer directly to education and research institutions, but not the hospital.</p> <p>Both Palmerston North Hospital and Massey University's main (Turitea) campus, as well as a host of smaller public and private research institutions, and hospitals are catered for by the Institutional Zone.</p> <p>In the case of Massey University's main campus, some overlays do apply, relating to heritage sites and notable trees.</p> <p>Separate parts of the Plan address City-wide matters relating to general rules (signs and earthworks), subdivision, hazardous substances, cultural and natural heritage, land transport, and natural hazards.</p> <p>While the Plan contains both regulatory and non-regulatory design guidelines, none apply to the institutions of interest.</p>  |
| <b>Location of institutional content in plan(s)</b>       | <ul style="list-style-type: none"> <li>• City view objectives are set out in Section 2.</li> <li>• The Institutional Zone provisions, inclusive of an introduction, resource management issues, objectives, policies and rules are set out in Section 19.</li> <li>• The rules are grouped under permitted, controlled, restricted discretionary, discretionary and non-complying activity headings and each activity is followed by the relevant performance standards. And, in the case of controlled, restricted discretionary, discretionary and non-complying activities, by the relevant assessment criteria.</li> <li>• Specific noise rules are set out for the Institutional Zone, whereas the signs and earthworks provisions (inclusive of issues, objectives, policies and rules) that apply City-wide and also in specific zones are set out in Section 6.</li> <li>• Subdivision, hazardous substances, cultural and natural heritage, land transport, and natural hazards provisions are set out in Sections 7, 14, 17, 20 and 22 respectively.</li> </ul> |
| <b>Objectives &amp; Environmental Results Anticipated</b> | <p>Following on from an acknowledgement in the Plan that the need to recognise the significant contribution that education and research institutions make to the City and to facilitate their sustainable use and development, is a significant resource management issue, strategic-level City view objectives seek to:</p> <ul style="list-style-type: none"> <li>• stimulate investment and support 'identified priority sectors' such a research and education; and</li> <li>• actively provide for a wide range of education, research opportunities and supporting services.</li> </ul> <p>No similar objective is expressed with respect to health care facilities. No policies are expressed at the strategic level; they are left to zone and other sections of the Plan.</p> <p>Institutional Zone Objectives seek to:</p> <ul style="list-style-type: none"> <li>• promote the efficient use of physical resources;</li> </ul>   |

|                           |  |
|---------------------------|--|
|                           | <ul style="list-style-type: none"> <li>• protect the amenity values within the Zone and those of neighbouring residential and rural areas; and</li> <li>• ARM adverse effects of ancillary activities on the use of the City's infrastructure and physical resources.</li> </ul>   |
| <b>Policy direction</b>   | <p>Following on from the respective Objectives, Institutional Zone Policies seek to:</p> <ul style="list-style-type: none"> <li>• provide for institutional activities and enable their future growth and development, enable the establishment of 'complementary' ancillary activities;</li> <li>• clearly define those ancillary activities and restrict zone that would undermine the function of business zones (i.e. retailing and commercial activity);</li> <li>• encourage campus development plans to provide for integrated management;</li> <li>• encourage modes of transport to/from sites that minimise adverse effects; and</li> <li>• ARM adverse effects of noise, building development, redevelopment and signs within the Zone on (variously) the roading network, arterial roads, road frontages, neighbouring residential areas, rural areas, or other activities within the Zone</li> </ul>  |
| <b>Regulatory methods</b> | <p><i>Institutional activities and 'associated' ancillary activities</i> and <i>community and leisure facilities and activities</i> are a <b>permitted activity</b> provided that standards relating to signs and hazardous substances are complied with, retail activities are limited to 2000m<sup>2</sup> GFA at Massey Turitea, and 250m<sup>2</sup> GFA elsewhere, and community and leisure activities are compliant with standards relating to lighting and hours of operation. Retailing activities that exceed the GFA standards default to <b>discretionary activity</b> status.</p> <p><i>New buildings and additions to existing buildings</i> are also <b>permitted</b>, subject to compliance with standards relating to:</p> <ul style="list-style-type: none"> <li>• height (27m at Massey Turitea, and 12m elsewhere), parking and loading, outdoor storage;</li> <li>• height in relation to boundary, separation distances, landscaping, where adjoining a residential zone property; and</li> <li>• frontage setback and fencing, where adjoining a road.</li> </ul> <p>Building activities unable to comply with the above standards default to <b>restricted discretionary activity</b> status. Site access is automatically a <b>controlled activity</b>, crematoria a <b>restricted discretionary activity</b>.</p> <p>Unlisted activities default to <b>non-complying activity</b> status.</p> <p>Noise standards are imposed at internal campus boundaries, as well as at the boundary of residential and rural zones. The latter are more stringent, where the period outside 7am to 7pm is concerned. The default status is cases of non-compliance is not clear.</p> <p>There are no activity-specific notification statements in the Institutional Zone.</p> |
| <b>Other methods</b>      | No other methods are specified in the Plan.  |

## 7 Hamilton City District Plan

**Summary:** Institutions are catered for by way of special purpose zones, and precinct-level provisions also apply with respect to the university. In all cases, city-wide provisions may also apply, depending on the nature of a particular proposal. The importance of institutions is not recognised at a strategic level. Activities related to the institutions are broadly provided for, whereas new builds of a certain scale automatically require consent. With respect to the latter, no design guides apply; rather, matters of discretion, assessment criteria and policies would be brought to bear. It is noted, however, the concept plan consent mechanism is the key means by which development is catered for, and proposals compliant with the relevant concept plan are incentivised in terms of consent status. Explicit notification statements apply in some instances.

| Indicator                                    | Summary  |
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| Status of Plan(s)                            | The Hamilton City District Plan became operative on 18/10/2017. It is subject to five proposed plan changes, none of which are directly relevant to the provisions of interest.  |
| Relevant institutions                        | Waikato Hospital, University of Waikato.   |
| Broad planning approach                      | <p>Strategic-level objectives and policies are set out in the Plan, but despite the regional significance of the Hospital and national significance of the University, they make no explicit reference to the institutions of interest.</p> <p>The University of Waikato campus (as well as other research institutions) are catered for the Plan by way of a Knowledge Zone. The University campus is also identified as one of four precincts within the Knowledge Zone (the other three relate to the neighbouring AgResearch and Waikato Innovation Park sites).</p> <p>Waikato Hospital, together with a range of other facilities such as stadia and the Wintec campuses, are catered from via the Major Facilities Zone.</p> <p>In both Zones, the concept plan consent mechanism is a key means by which development is catered for.</p> <p>Provisions relating the site-specific values such as historic heritage and natural environments, subdivision, and City-wide topics, such as earthworks, vegetation removal, events and temporary activities, hazardous facilities, landscaping, screening, lighting, glare, noise, vibration and signs, are set out in separate parts of the Plan, and also apply, where the institutions are concerned.</p> <p>In the case of Waikato Hospital, the built heritage overlay applies with respect to a couple of specific buildings.</p> <p>Design guides and structure plans apply within core zones and/or to key development sites, but are not applicable where the institutions of interest are concerned.</p> |
| Location of institutional content in plan(s) | <ul style="list-style-type: none"> <li>• The Plan's strategic framework is set out in Chapter 2.</li> <li>• The Knowledge Zone provisions, inclusive of a purpose statement, objectives, policies and rules (activity status, general and specific standards, a statement regarding the application of provisions in other chapters, matters of control and discretion, assessment criteria) and a relatively specific notification statement, are set out in Chapter 8.</li> <li>• The Major Facilities Zone provisions, differing only in its structure from the Knowledge Zone through the absence of specific statements regarding notification, are set out in Chapter 17.</li> <li>• Overlay and city-wide provisions are set out in chapters 19 through 25.</li> </ul>  |

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| <p><b>Objectives &amp; Environmental Results Anticipated</b></p> | <p>Knowledge Zone Objectives seek to:</p> <ul style="list-style-type: none"> <li>• support the continued development and expansion of precincts, inclusive of the University of Waikato precinct;</li> <li>• maximise opportunities for all modes of transport;</li> <li>• maximise the long-term positive benefits of the Zone;</li> <li>• manage the potential adverse effects of activities within the Zone; and</li> <li>• with respect to the University of Waikato precinct, ensure that the institution continues to develop and operate successfully, contributing to the wellbeing of the City.</li> </ul> <p>The sole Major Facilities Zone Objective seeks to:</p> <ul style="list-style-type: none"> <li>• ensure that major facilities continue to develop and operate successfully, contributing to the wellbeing of the City.</li> </ul>   |
| <p><b>Policy direction</b></p>                                   | <p>Knowledge Zone Policies seek to:</p> <ul style="list-style-type: none"> <li>• encourage research, education, innovation and technological activities, supporting infrastructure, ancillary activities, co-location of activities, and shared use of infrastructure;</li> <li>• provide for the development of 'complementary' prototype goods, residential and accommodation activity, 'supportive' offices and other activities;</li> <li>• avoid activities that would compromise the vitality, functioning and amenity of the Central City;</li> <li>• provide for pedestrian and cycling connections and an integrated passenger transport hub within the Zone;</li> <li>• enable a range of development that maximises the Zone's attractiveness, identity, high level of amenity, connected open spaces, and clustering around the transport hub;</li> <li>• avoid in-zone reserve sensitivity, security and safety effects through the placement of activities; and</li> <li>• with respect to the University of Waikato precinct, ensure that a mix of activities are provided for, while its principal purpose is retained, adverse effects on neighbourhood amenity values are minimised, in-precinct development contributes to the City's visual amenity values, quality urban design at the interface with public areas is encouraged, and long-term integrated planning is effected through the concept plan consent mechanism</li> </ul> <p>Major Facilities Zone Policies seek to enable a mix of activities, while the Zone's principle purpose is retained, adverse effects on neighbourhood amenity values are minimised, in-precinct development contributes to the City's visual amenity values, quality urban design at the interface with public areas is encouraged, and long-term integrated planning is effected through the concept plan consent mechanism.</p> |
| <p><b>Regulatory methods</b></p>                                 | <p>In the Knowledge Zone, the status of activities is largely defined at a Precinct level. In the University Precinct, <i>tertiary education and specialised training facilities</i>, together with a host of other activities (including <i>accessory buildings, recreation, licensed premises, restaurants, support services, community facilities, childcare facilities and residential activities</i>) are provided for as <b>permitted activities</b>.</p> <p><i>New buildings and alterations or additions to buildings</i> less than 150m<sup>2</sup> 'external footprint' are also <b>permitted</b>, provided they are not located in a defined 'interface area' adjoining roads. Where they are located in that area, and have an external footprint 50m<sup>2</sup> or greater, can be 'viewed directly from the closest adjoining road boundary', and generate less than 100 vehicle movements a day, they are classed as <b>controlled activities</b>.</p> <p><i>New buildings and alterations or additions to buildings</i> that cannot comply with the above parameters are classed as <b>restricted discretionary activities</b> if accompanied by a concept plan consent. Concept plan consents are incentivised in the sense that building proposals unaccompanied by them default to <b>non-complying activity</b> status. The status of related activities such as <i>preparation of land, construction of roads and provision of services</i> is also dictated by the presence or absence of applicable concept plan consents.</p>  |

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|               | <p>General standards for the Knowledge Zone do not apply to the University Precinct; rather, specific standards apply, relating to building setback (5m from residential zones or arterial roads), site coverage (max 45%), height in relation to boundaries with roads and residential zone boundaries and permeable surfaces (min 20%). Note that there is no maximum height control, and all internal campus boundaries are excluded from the requirement to comply with the height in relation to boundaries standard.</p> <p>A notification statement in the Knowledge Zone clearly specifies that building and other activities subject to a concept plan consent will be considered without notification or the need to obtain written approval, with the exception of NZTA, where land development and activities generating 1500 vehicle movements per day are concerned.</p> <p>A similar approach to that described above is taken where rules relating Waikato Hospital in the Major Facilities Zone are concerned, inclusive of the concept plan consent mechanism. The key differences are:</p> <ul style="list-style-type: none"> <li>• While no precinct applies, the status of activities other than building is still largely determined at a site-specific level;</li> <li>• <b>Hospitals, health care facilities, emergency service facilities, childcare facilities</b> and other activities are <b>permitted</b> at the Hospital site;</li> <li>• <b>Ancillary retail and offices, restaurants and licensed premises</b> are <b>permitted</b> across the Zone;</li> <li>• Across the entire Zone, <b>new buildings and alteration or additions to buildings</b> identified in an approved concept plan consent are <b>permitted</b>, and where they are not, they assume <b>restricted discretionary activity</b> status;</li> <li>• Concept plan consents are nevertheless assessed as <b>restricted discretionary activities</b>;</li> <li>• No distinction is made in terms of building status based on GFA, visibility from adjoining sites, or traffic generation values;</li> <li>• Some general standards do apply, relating to building setback (5m) and service areas. Otherwise site-specific coverage (max 45%) and height in relation to boundary controls apply, although no exception appears to be provided with respect to internal boundaries; and</li> <li>• No specific notification statement is included.</li> </ul> |
| Other methods | <p>Other methods of implementation, inclusive of regulatory methods outside the Plan, education and advocacy, council projects and initiatives, collaboration and partnership and economic instruments are set out, but are undifferentiated between Plan chapters, including those relating to the Knowledge and Major Facilities Zones.</p>   |



## 8 Tauranga City Plan

**Summary:** Unusually, institutions are catered for by way of designations. For these reasons the provisions of the Plan are not relevant for the purposes of this paper, and are not summarised further.

| Indicator                                      | Summary  |
|--|--|
| Status of Plan(s)                              | The Tauranga City Plan became operative on 09/09/2013. Fourteen plan changes have since been made operative. Three plan changes are currently proposed but none are directly relevant as far as provision for institutions or interest are concerned.  |
| Relevant institutions                          | Tauranga Hospital, Toi-Ohomai Institution of Technology (Windermere Campus).<br><br>The University of Waikato has a newly developed Tauranga Campus in the CBD, but this is not covered below as it is relatively small.   |
| Broad planning approach                        | There are no strategic-level provisions in the Plan. Significant resource management issues make no specific reference to public institutions.<br><br>Unusually, both Tauranga Hospital and Toi-Ohomai are subject to designations effected by the Ministers of Health and Education, respectively. This initiative on the part of ministers is unusual, as district health boards and tertiary institutions normally take responsibility for institutional planning. In the case, of Tauranga Hospital, the initiative was prompted by some 'consent issues' for the site, according to Council staff (pers. comm. 21/02/2020).<br><br>The provisions of the underlying Suburban Residential Zone and, in the case of Tauranga Hospital, a Scheduled Site and an Outline Development Plan, therefore do not apply, and the continued development of the sites is effected by outline plans of work and, where necessary (i.e. where activities are outside the scope of designations), resource consents.<br><br>Zones for Education Centres are established, but these apply only to private secondary-level colleges that do not enjoy powers of designation.<br><br>As the designation mechanism is not now practically available to the institutions of interest, the provisions of the Tauranga City Plan are not relevant for the purposes of this paper, and are not summarised further. |
| Location of institutional content in plan(s)   | N/A  |
| Objectives & Environmental Results Anticipated | N/A  |
| Policy direction                               | N/A  |
| Regulatory methods                             | N/A  |
| Other methods                                  | N/A  |

## 9 Operative New Plymouth District Plan

**Summary:** All institutions are subject to broader generic industrial or city centre zones, that are self-contained in terms of their coverage of matters usually found in city-wide provisions in other plans. The importance of institutions is not recognised at a strategic level. As an effects-based Plan, activities are broadly provided for, and would be permitted if compliant with performance standards. As no specific provision is made for institutional activities, the provisions are not useful for comparative purposes and are not further summarised.

| Indicator                                      | Summary   |
|--|---|
| Status of Plan(s)                              | The District Plan became operative on 15/08/2005, inclusive of 47 operative plan changes. Currently in the process of being replaced – refer next example.  |
| Relevant institutions                          | Taranaki Base Hospital, Western Institution of Technology.  |
| Broad planning approach                        | The Taranaki Base Hospital is located in a broader Business B Zone. The Western Institution of Technology is located in a broader Open Space A Zone. No special or site-specific zoning provisions, or overlays, apply.<br><br>Zone provisions are self-contained, in that they include all provisions relating to such matters as signs, earthworks or hazardous substances that are often found in separate district or city-wide provisions in other plans.  |
| Location of institutional content in plan(s)   | <ul style="list-style-type: none"> <li>All objectives, policies, methods and anticipated environmental results are set out in the Plan's Management Strategy section.</li> <li>All rules relating to the Business and Open Space environment areas are located in the Rules section of the Plan.</li> </ul> <p>There are no strategic or overarching level objectives or policies in the Plan. No design guides apply to the institutions concerned.</p>  |
| Objectives & Environmental Results Anticipated | There are no explicit references to the institutions in Plan objectives, either in terms of catering for their operation and development, or addressing effects arising from same.  |
| Policy direction                               | There are no explicit references to the institutions in Plan policies, either in terms of catering for their operation and development, or addressing effects arising from same.  |
| Regulatory methods                             | As an effects-based plan, the consent status of any particular activity depends on whether it involves the erection of structures, earthworks, use of hazardous substances, outdoor storage, and whether on that basis it can comply with performance standards relating to bulk and location, noise and light emission, transport etc.<br><br>As <b>no</b> specific provision is made for institutional activities, the rules are not useful for comparative purposes and are not further summarised here. |
| Other methods                                  | Methods as specified in the Plan's Management Strategy section are mainly focused on rules, although there are some references to consent condition, information, advocacy and the like.  |

## 10 Proposed New Plymouth District Plan

**Summary:** New Plymouth's hospital is now proposed to be catered for by way of a special purpose zone, and also precinct-level provisions, whereas the polytechnic is subject to a medium density residential zone. In all cases, city-wide provisions may also apply, depending on the nature of a particular proposal. The importance of institutions is not recognised at a strategic level. Activities related to the hospital are broadly provided for, and new builds do not automatically require consent. Polytechnic-related activities are not specifically catered for, which represents a significant constraint.

| Indicator                                      | Summary  |
|--|--|
| Status of Plan(s)                              | The Proposed Plan was notified on 23/09/2019 and submissions to it closed on 22/11/2019.   |
| Relevant institutions                          | Taranaki Base Hospital, Western Institution of Technology.   |
| Broad planning approach                        | <p>The Taranaki Base Hospital is now catered for by a Special Purpose – Hospital Zone and <u>also</u> by the provisions of a Taranaki Base Hospital Campus Precinct. It is noted that the objectives and policies sit under the Zone heading, whereas the rules sit within the precinct provisions (which are set up both the Base Hospital and the Southern Cross private hospital (not otherwise covered here).</p> <p>The Western Institution of Technology is not accommodated within a special purpose zone. Rather, it is located within a Medium Density Residential Zone. No precinct-based provisions apply. Interestingly, this is despite the fact that a Special Purpose - Major Facility Zone is included in the Plan; however, this only applies to petrochemical facilities.</p> <p>While the Plan includes a series of strategic objectives, none (including those relating to urban form and development) explicitly refer to the institutions of interest.</p> <p>While the Plan has a link to a residential design guide, this document specifically relates to residential activity and is not practically applicable to the Western Institution of Technology, despite its location within a residential zone.</p> <p>The zones are not entirely self-contained; provisions relating to such matters as earthworks, light, noise and signs are contained in district-wide sections of the Plan. Helpfully, the overviews for zone contain specific cross-references to district-wide and overlay provisions, noting which apply with respect to the Taranaki Base Hospital, for instance.</p> |
| Location of institutional content in plan(s)   | <ul style="list-style-type: none"> <li>The provisions of the Special Purpose – Hospital Zone, inclusive of an overview, objectives, policies and precinct provisions (i.e. rules) are located in Part 3 (Area Specific Matters) of the Plan.</li> <li>The provisions of the Medium Density Residential Zone inclusive of an overview, objectives, policies and rules are located in Part 3 (Area Specific Matters) of the Plan.</li> </ul>   |
| Objectives & Environmental Results Anticipated | <p>Special Purpose – Hospital Zone Objectives:</p> <ul style="list-style-type: none"> <li>recognise the regional important of the City's hospitals and the contribution they make to economic, health and social-wellbeing of both the region and district;</li> <li>provide for the hospitals' special operational and functional needs, while ensuring adverse environmental effects are ARMed; and</li> <li>ensure that the safe and efficient operation, maintenance, repair, upgrading and expansion of the hospitals is not constrained or compromised by other activities.</li> </ul> <p>Conversely, it is noteworthy that there is no explicit reference to Western Institution of Technology in Medium Density Residential Zone Objectives.</p>   |
| Policy direction                               | Special Purpose – Hospital Zone Policies:  |

|                    |  |
|--------------------|--|
|                    | <ul style="list-style-type: none"> <li>• identify and apply the special purpose zoning (and specific precinct) to so to provide for their role, enable their effective operation and development, manage adverse effects (particularly on adjacent residential properties and sensitive activities) and address reverse sensitivity effects;</li> <li>• allow for 'compatible' activities including 'major healthcare activities' and 'medical and health services', (both defined), helicopter facilities and building;</li> <li>• manage 'potentially compatible activities' (i.e. 'general retail activities') with regard to whether they: <ul style="list-style-type: none"> <li>○ might constrain permitted activities</li> <li>○ are related to the hospitals</li> <li>○ might adversely impact on the character or amenity of the special purpose zone, the transport network, amenity values of nearby residential properties, sensitive activities</li> <li>○ can be adequately serviced</li> <li>○ might undermine commercial centres.</li> </ul> </li> <li>• avoid 'incompatible activities' (an extensive list is set out);</li> <li>• maintain the function and character of the special purpose zone by controlling effects of height, bulk and location, noise, light, traffic, parking, signage, storage etc., and boundary treatments at residential interfaces;</li> <li>• require activities within the zone area in accordance with the precinct provisions, with regard to the efficient operation of the facility, and internal and external amenity considerations;</li> <li>• require the maintenance of adjoining residential amenity through controls on bulk, height, form, separation distances, setbacks, noise, light spill, and screening;</li> <li>• encourage intensive and consolidated development in preference to expansion beyond zone boundaries; and</li> <li>• encourage the incorporation of matoranga Maori principles into design.</li> </ul> <p>Conversely, it is noteworthy that there is no explicit reference to Western Institution of Technology in Medium Density Residential Zone Policies.</p> |
| Regulatory methods | <p>The rules for the Taranaki Base Hospital Campus Precinct are relatively simple. <b>Major healthcare, medical and health services, helicopter facilities and building activities</b> are all <b>permitted</b> provided they can comply with:</p> <ul style="list-style-type: none"> <li>• the Precinct Map (this map divides the site into 10 areas, within which different height limits ranging from 8m at residential zone boundaries to 31m in the centre and south id the site (adjoining open space areas) apply); and</li> <li>• effects standards, relating to maximum height (as illustrated on the map above), height in relation to residential boundaries, minimum setbacks from roads and side boundaries, landscaping requirements on road and side boundaries, and minimum permeable surfaces (10%).</li> </ul> <p>If not, they default to <b>restricted discretionary activity</b> status. <b>General retail activities</b> are provided for as <b>discretionary activities</b>. All other activities are classed as <b>non-complying activities</b>.</p> <p>Note that <b>'educational facilities'</b> are only <b>permitted</b> in the Medium Density Residential Zone where all effects standards are complied with and they are contained within buildings with a maximum of GFA of 200m<sup>2</sup> (the defaulting status is a <b>restricted discretionary activity</b>). The latter represents a significant constraint on the Western Institution.</p> <p>No specific notification statements apply.</p>  |
| Other methods      | No other methods are specified in the Plan.  |